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An Examination of Philadelphia Murder: A Quest to Understand the 2004-2006 Surge in Violent Crime

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Submitted to the Program of Organizational Dynamics in the Graduate Division of the School of Arts & Sciences in Partial Fulfillment of the Requirements for the Degree of Master of Sciences in Organizational Dynamics at the University of Pennsylvania.

Advisor: Alan M. Barstow, Ph.D.

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An Examination of Philadelphia Murder: A Quest to Understand the 2004-2006 Surge in Violent Crime

Abstract

This paper examines the 2004-2006 surge in violent crime, specifically murder in Philadelphia, Pennsylvania. Interviews were conducted with local prominent criminal justice professionals. Interviewees were asked what they believe is wrong with the local criminal justice system, and how the system can be enhanced. Crime predictors were identified and suggestions for mitigating them were offered. The findings suggest that reduced funding, lack of collaboration amongst component agencies rank as leading causes for ineffectiveness. One person stated that due to the war in Iraq and Afghanistan, funding streams for juvenile justice programs have been reduced, resulting in fewer programs designed to provide these youth with needed resources to steer them away from crime. It was suggested that restructuring these agencies will improve their operational goals, and create better accountability and improved relationships with the community. It is also recommended that the agencies working within the criminal justice system pool their resources and collaborate regularly to enhance their effectiveness.

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Advisor: Alan M. Barstow, Ph.D.

AN EXAMINATION OF PHILADELPHIA MURDER; A QUEST TO UNDERSTAND THE
2004-2006 SURGE IN VIOLENT CRIME

by

Joseph J. Lynch

Submitted to the Program of Organizational Dynamics
in the Graduate Division of the School of Arts & Sciences
in Partial Fulfillment of the Requirements for the Degree of
Master of Sciences in Organizational Dynamics
at the University of Pennsylvania.

Philadelphia, Pennsylvania

2007

AN EXAMINATION OF PHILADELPHIA MURDER; A QUEST TO UNDERSTAND THE
2004-2006 SURGE IN VIOLENT CRIME

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Alan M. Barstow, Ph.D., Advisor

ABSTRACT

This paper examines the 2004-2006 surge in violent crime, specifically murder in Philadelphia, Pennsylvania. Interviews were conducted with local prominent criminal justice professionals. Interviewees were asked what they believe is wrong with the local criminal justice system, and how the system can be enhanced. Crime predictors were identified and suggestions for mitigating them were offered. The findings suggest that reduced funding, lack of collaboration amongst component agencies rank as leading causes for ineffectiveness. One person stated that due to the war in Iraq and Afghanistan, funding streams for juvenile justice programs have been reduced, resulting in fewer programs designed to provide these youth with needed resources to steer them away from crime. It was suggested that restructuring these agencies will improve their operational goals, and create better accountability and improved relationships with the community. It is also recommended that the agencies working within the criminal justice system pool their resources and collaborate regularly to enhance their effectiveness.

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CHAPTER 1

INTRODUCTION

As of the summer of 2007, the crime of murder has once again substantially increased in Philadelphia, Pennsylvania. The Police Commissioner and Mayor are scrambling to adopt new and innovative programs to mitigate this violent crime surge which began in 2004.

Of the top 10 largest American cities in 2006, Philadelphia had the highest murder rate. The murder rate is defined as the number of offenses per population per 100,000 inhabitants living within the city.

The purpose of this thesis is describing characteristics of the violence affecting the quality of life for both residents and visitors to Philadelphia.

The intent here is to understand why this phenomenon is occurring and what is being done to prevent it. The Philadelphia criminal justice system will be examined, and a determination will be made about how to make it more efficient.

Six prominent criminal justice leaders were interviewed to ascertain what they believe are the causes or predictors of the recent violent crime surge and what they believe should be done to confront the violence, and to enhance the effectiveness of the criminal justice system in Philadelphia.

Based on the interviews, recommendations are made to help decrease the levels of violent crime occurring in the Philadelphia community, as well as to enhance the criminal justice system to make it more effective and efficient.

CHAPTER 2

CRIMINAL JUSTICE SYSTEM IN PHILADELPHIA

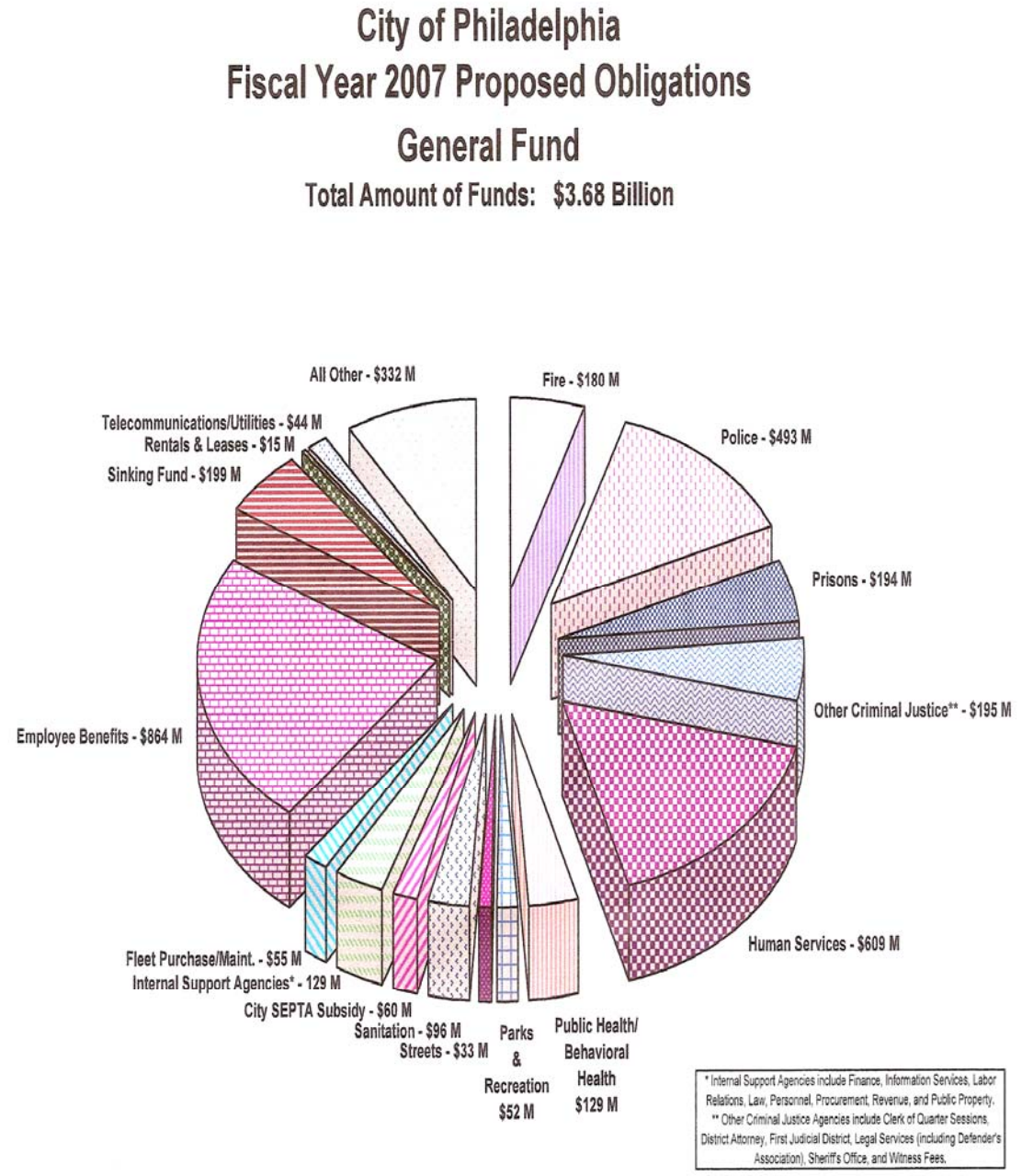
I define a system as a set of interrelated parts that work together to form a common goal. The Philadelphia criminal justice system, like others around the country encompasses the police, courts, and the prisons (corrections).

Conceptually, the system components are interdependent. Each part has its primary responsibilities, but philosophically all are supposed to work together in harmony to achieve the common goal of protecting society from harm. However, these agencies often do not work together. They have different goals and their own means towards achieving them.

The police make up the largest of the three agencies, followed by corrections, and the courts. Law enforcement has historically employed the most personnel and has had the largest operating budget. In fiscal year 2007, for example, the Philadelphia police department budget is \$493 million, followed by other criminal justice agencies with \$195 million, and the prisons with \$194 million (see Figure 1)

A closer examination of the court system which falls under other criminal justice agencies, reveals that the Clerk of Quarter Session received \$4,805,000, the Courts (First Judicial District) received \$111,143,000, and the Office of the District Attorney received \$30,646,000. The sum total for these figures is \$146,594,000, which falls nearly \$48 million short of the prison budget. Figure 1 provides a snapshot of the City of Philadelphia Fiscal Year 2007 Proposed Obligations \$3.68 billion annual budget.

Figure1. Philadelphia Budget Distribution



FISCAL YEAR 2007
July 1, 2006 to June 30, 2007

What is Wrong with the Criminal Justice System in Philadelphia?

Money is essential to providing administrative service. Government has the responsibility to keep its communities safe; schools are responsible to provide a high quality education to its youth. Police agencies must keep its personnel highly trained and provide salaries commensurate with similar agencies around the nation, adding administrative costs along the way. Prisons must keep its inmates fed, provide humanitarian conditions within its walls, and provide its inmates with tools to become productive prior to re-entering mainstream society.

Juvenile justice and federal funding have been drastically cut.

According to the Coalition for Juvenile Justice (2007), “Overall, juvenile justice funds have been slashed by nearly 60% in recent years—and the President’s FY2008 budget proposes to zero them out completely and replaces them at a lower level with a discretionary, competitive grant program for states and local jurisdictions, the ‘Child Safety and Juvenile Justice Program’, scheduled at \$254 million (down 25% from \$338.7 million under the continuing resolution for FY07)” (p.1)

Table 1 shows how federal funding streams for juvenile justice programs have decreased in Pennsylvania. For example, the amount of funding in fiscal year 2006 decreased by more than \$2 million compared to fiscal year 2005. These monies are administered by the Office of Juvenile Justice and Delinquency Prevention, Pennsylvania. Commission on Crime and Delinquency. According to Michael Pennington, the agency’s Director, the war effort is responsible for most of the cuts in funding.

Table 1. Federal Juvenile Justice Funding Trends

FUNDING STREAM	FY 2003	FY 2004	FY 2005	FY2006
	\$12,122,857	\$9,589,916	\$8,792,388	\$6,638,216 (-\$2,154,172)
JJDP FORMULA GRANT	\$2,341,000	\$2,507,000	\$2,444,000	\$2,131,000 13% CUT
TITLE V	-0-	\$559,000	\$564,000	\$56,250 90% CUT
JABG	\$4,930,341	\$1,672,400	\$1,519,600	\$1,329,600 13% CUT
SDFSCA	\$3,451,516	\$3,451,516	\$3,438,788	\$2,708,366 21% CUT
DCSI/JAG	\$1,400,000	\$1,400,000	\$826,000	\$413,000 50% CUT

Source: Office of Juvenile Justice and Delinquency Prevention, PA Commission on Crime and Delinquency
Michael D. Pennington, Director (4-17-07)

Juvenile Justice and Delinquency Prevention (JJDP) Formula Grant Funds

(Match-Free) are used to provide match-free sub-grants to units of local government and private non-profits for a broad range of juvenile justice and delinquency prevention projects.

Title V provides sub-grants to units of local government for risk-focused prevention projects, with a matching rate of 50%. Projects/programs funded must be the result of a risk-focused assessment and planning process, such as Communities That Care. That program suggests that it offers building blocks to protect children and turn them away from family, community, school, peer and individual risk factors that can lead to adolescent problem behaviors. In fiscal year 2006, these funds were cut 90% from fiscal year 2005 funding, having the largest decrease in funding amongst all the federal juvenile justice funding streams coming into Pennsylvania.

Juvenile Accountability Block Grant (JABG) Program funds require a 10% match. The program was created to encourage state and local governments to hold delinquent youths responsible for their offenses through accountability-based sanctions.

The Safe and Drug Free Schools/Communities Act, (SDFSCA)—Governor's Portion allocation provides match-free grants for programs/projects that are assigned to prevent school violence/drug use; and help schools and communities create safe, disciplined, and drug-free environments that support student academic achievement. Programs must emphasize the provision of services for youth not normally served by state/local educational agencies; and youth that need special services or additional resources—such as youth in detention facilities, runaway and homeless youth, school dropouts, pregnant and parenting youth.

Drug Control and Systems Improvement/Justice Assistance Grant funds help state and local governments develop programs to create safer communities and improve the criminal justice system. I believe that these programs help youth by providing opportunity to resources that inner-city parents normally would not have access to.

In the interview conducted with Jim Sharp, Chief Juvenile Probation Officer, Philadelphia, he reported that decreases in funding for juvenile justice have had an adverse effect on staffing and deployment, and other programs that have proven to be successful in the past. Jim mentioned that one local successful juvenile program has actually received additional funding. The program, Youth Violence Reduction Program (YVRP),

begun in 1999, is a multi-agency, cooperative initiative to reduce youth homicides in the City. YVRP targets young people 15- 24 years of age who are believed to be at greatest risk to kill or be killed. Partner agencies include the Police, Adult and Juvenile Probation, the District Attorney's Office, the Managing Director's

Office, the Departments of Human Services, Recreation, and Behavioral Health, and other agencies—both public and private. The YVRP's goals are to get each young person to celebrate his or her twenty-fifth birthday ("Alive at 25") and for each to fully realize his or her potential. As of late 2005, external evaluations showed that homicides had been reduced by approximately 50 percent in the districts where YVRP has been operational. The YVRP's budget, which totaled \$5.4 million in FY06, is increasing to \$6.1 million in FY07, nearly all financed with grant funding. (City of Philadelphia, 2006, 8)

In addition to funding, collaboration amongst the various criminal justice agencies is virtually non-existent, with some exception on a small-scale basis in my opinion.

To provide an example, the traditional role of the police is to arrest criminals. Doing so, the police executive can demonstrate to his boss, the mayor, and to those who elect the mayor (community), that he/she is effective and the problem sits with either the District Attorney, who plea bargains with felons to effectively manage their case backlogs, or the lenient judges who may dismiss the case simply because the police officer was late, due to a scheduling conflict with multiple court notices. The judge may then turn around and blame the district attorney for approving inappropriate criminal charges on the defendants, or may point their finger at the police chief for not training his officers correctly in testifying in court.

The district attorney also points fingers. In Philadelphia, District Attorney Lynn Abraham, has consistently and publicly criticized Mayor John Street for proposed decreases in funding to her office. Abraham has seen her staff decrease proportionally in the last several years, while the incidence of murder has risen sharply throughout the same time period.

One of the interviewees, Staff Inspector Thomas Nestel, talked eloquently about the lack of communications as a major contributor to the problems in the criminal justice system in Philadelphia. Nestel blames the organizational bureaucratic structure and those

leading it for not having the foresight for city departments not collaborating on a regular basis. He suggests that regular compstat meetings for all city departments could help facilitate the process and foster accountability across the board of city government.

“Compstat is a crime analysis and police management process developed by the New York City Police Department, was introduced to the Philadelphia Police Department in March 1998. The essence of the COMPSTAT process can be summarized briefly as follows: Collect, analyze and map crime data and other essential police performance measures on a regular basis and hold police managers accountable for their performance as measured by these data.”
(Philadelphia Police Department, n.d., p.1)

The meetings, for example, could focus on factors that produce crime, such as abandoned buildings filled with narcotics paraphernalia, which is a public health and public safety issue. It makes sense to have officials from the Department of Health, Sanitation, Licenses & Inspections, along with the police to use a multi-agency approach to resolving the issue. Having these meetings regularly could help the city administration identify problems early on, develop solutions, and use the proper resources to follow through to meet established goals.

CHAPTER 3

INTERVIEWS AND METHODOLOGY

Design

From March 22 through April 28, 2007, I interviewed six criminal justice professionals in their offices using an audiotape recorder. I asked direct questions to the interviewees and elicited their responses. I then used their responses in the thesis, at times using direct quotes and other times paraphrasing their responses.

Each of the interviewees was asked the following questions:

(1) What do you feel is the cause or predictor of crime? (2) What could/should be done to turn the tide and prevent these predictors from occurring in the first place? (3) Is the criminal justice system broken in Philadelphia? and (4) What should be done to improve the criminal justice system in Philadelphia?

Interviews lasted anywhere from 45-90 minutes, depending on length of responses.

Subjects

From the Philadelphia Criminal Justice System, I identified and interviewed the following people based on years of experience, knowledge, and job function. All are respected and stakeholders in the daily fight to ensure justice and in the process to improve the quality of life for all Philadelphians and its visitors:

George Mosee, Deputy District Attorney, Juvenile Division, District Attorneys Office; John P. Delaney, Deputy District Attorney, Trials Division, District Attorneys Office; James E. Sharp, Chief, Juvenile Probation, First Judicial District of Pennsylvania, Court of Common Pleas/ Family Division; Renee Cardwell-Hughes, Judge, Court of

Common Pleas, First Judicial District of Pennsylvania; W. Kevin Reynolds, Director/Division III, First Judicial District of Pennsylvania, Court of Common Pleas Adult Probation/Parole Department; and Thomas Nestel, Staff Inspector, Philadelphia (PA) Police Department.

These people are employed by the police, judiciary, district attorney, probation and parole systems, all of whom play a very integral role in the delivery of justice in Philadelphia.

CHAPTER 4

DISTRICT ATTORNEY/COURTS

On March 22, 2007, I interviewed George Mosee, Deputy District Attorney, Juvenile Division, Philadelphia District Attorneys Office.

Deputy Mosee has held this position since October 2002. The Juvenile Division includes the Juvenile Drug Treatment Court Program, Juvenile Prosecution Unit, Habitual Offender Unit, Child Support Unit and Youth Aid Panels. Deputy Mosee joined the Office in 1988 and served in various units including Motions, Major Trials, Federal Alternatives to State Trials as a Special Assistant United States Attorney, Asset Forfeiture as Chief and the Dangerous Drug Offender Unit as Chief. From 1995 to 2002 Mr. Mosee was the Deputy District Attorney in charge of the Narcotics Division. Before joining the District Attorney's Office, he was the Judicial Law Clerk to the Honorable Carolyn Engel Temin, Philadelphia Court of Common Pleas. Deputy Mosee serves on various boards and committees as well.

Deputy Mosee is a 1973 Central High School graduate. He received a B.A. in 1977 and Masters Degree in 1981 from Lincoln University in Pennsylvania and a J.D. in 1986 from Temple University School of Law.

Question 1: What do you feel is the cause or predictor of crime?

Mosee reported the single best predictor of crime would be a young person either being a victim of a violent crime or a victim of an abuse and/or neglect. He noted another strong predictor would be that the young person was offspring to a family in which one or more parents were themselves incarcerated at one time or another.

Mosee indicated that with the 1990's came the tail end of the crack epidemic, thus violent crime was a way of life for individuals living within their environment.

Mosee stated that the juveniles who are identified as at-risk today are commonly raised by parents who were selling or using drugs, or living in neighborhoods that were inundated by the negatives that flow from drug trafficking. Therefore, he felt children believed that the norm in society was being raised in or near a crack house, and seeing pipers (crack users) routinely canvassing their community. He called this environment "conspicuous consumption," and suggested it creates an unrealistic expectation of entitlement, which he related to "generation gaps." He indicated he is 52 years old, and as a young man growing up, there were things he knew he wanted, such as a new car. But he knew he was going to have to get a job, work for a number of years, and maybe be able to buy that new car. He indicated that a young man of his generation realized that one would start with a used car and then work your way up to the new car. He added that he did not expect to move into a mansion, realizing that a starter house would likely come first. But, many of the young men growing up today have expectations of moving right into the mansion, or starting off with the Bentley, and wearing \$130 sneakers. Mosee indicated his generation was happy with getting the \$9.95 Chuck Taylor's, America's premier traditional sneakers dating back to the 1960s and 1970s. He attributed much of this expectation of entitlement to television. Furthermore, the illicit drug trade makes many things possible.

Question 2: What could/should be done to turn the tide and prevent these predictors from occurring in the first place?

Mosee believed that availability and intervention of an alternate role model available for the youth while growing up would serve to change life development in a more positive way. These models can come from a variety of sources such as the church, school, athletic team, or an after school program. In addition to these role models, he stressed the need for counseling to help keep youth in the right direction.

Mosee indicated that one of the myths that he dispels when he speaks to juveniles is that drug dealers make as much money as they would have you believe. Actually, many are still living at home with their mothers. In reality, Mosee continued, these teens see the drug dealers with all kinds of stuff. They also are exposed to games or videos that emphasize material gain over the value for human life. Popular culture emphasizes material things. If you value material things over human life, then it is easy to take a life to get something material, or it is easy to take a life because they disrespected you.

Mosee believed that all of it flows from the diminution of society as a result of the drug culture. He believed that it has eroded away at the foundation of what we value, to the point where the teens that are the product of that culture are creating the problems in our society. Mosee suggested that those at-risk teens still represent the vast minority of kids. He added that there are more good teens than bad teens. He cautioned however, that when they are killing at the rate they are killing, something must be done to combat it.

Mosee indicated that the District Attorney's office is going into the schools which he believes is a key place that offers a captive audience where you can hope to prevent some teens from reaching the point where they pick up a gun and put a bullet inside somebody. The DA's office has created a criminal justice curriculum which teaches children in the 6th, 7th and 8th grades the consequences of delinquent behavior.

Mosee and his staff have observed that school children start to pick up the guns in the 9th, 10th and 11th grades, so if they can stop this behavior in the 6th, 7th and 8th grades then this can help stop the cycle. They not only teach the children about juvenile consequences, but also advise the children that they are susceptible to being placed in the adult system. For example, if you're 15 years or older, and you shoot someone, or simply point a gun at the victim, your case automatically goes to the adult system. This includes the use of any deadly weapon, such as box-cutter, baseball bat, and crowbar where the weapon is used to facilitate a crime.

Mosee believes that if children knew this, they would not be susceptible to manipulation from the older gang members on the street. They tell them that they are going to rob the corner store tonight, use them as the lookout, and tell them that if they get caught, they should not worry because nothing is going to happen to them because they are a juvenile. The truth is that everyone involved is charged with conspiracy, which is enough to get one into the adult system, because the others used the gun inside the store. Then the juvenile is looking at 5 to 10 years in prison, not at St. Gabriel's, Glen Mills, or a youth development center, but in prison. They are housed at a prison for youthful offenders, called Pine Grove. If one is sentenced for 15 to 20 years, and they turn 22 years old, then the person is transferred out of Pine Grove to one of the adult prisons such as Gratersford or Huntington. The whole point is to teach children what is really going to happen. Equally important, it provides children the opportunity to talk about what is going on in the streets and in the drug culture. In addition to the legal ramifications, the consequences of drug use, drug dealing, and possession of a firearm are

discussed, so the children get an opportunity to be exposed to what happens when using or abusing drugs.

Mosee said that his program also involves people who were serving long-terms in prison. He cautioned that it is not “scared straight,” but the reality is these young teens get a chance to talk about it or write about it in their assigned essays and it is on the test. Mosee added that it may be the only time that they have a chance to have a discourse about these things. It is his hope that by exposing the truth, that the teens will see they do not have to engage in these behaviors, and they are not destined to wind up in prison. They simply accept that they can be whatever they want to be. Mosee hopes the cycle will be broken with these programs.

Question 3: Is the criminal justice system broken in Philadelphia?

Mosee indicated that he did not believe the system is broken. He suggested that the system lacked adequate resources, due to decreases in funding streams from all sectors of government. Along with the lack of resources come reduced manpower, resulting in fewer district attorneys to prosecute the cases, fewer probation officers to supervise juveniles on probation, and fewer detectives to locate those probationers who are either wanted on bench or arrest warrants. Those wanted on bench warrants have already been arrested but they often fail to appear in court after being subpoenaed by the district attorney.

Question 4: What should be done to improve the criminal justice system in Philadelphia?

Mosee indicated that funding levels must be increased to keep the resources in place and enhance them with additional programs to make the process flow more efficiently. That, he added, means building a new youth study center because it is the

city's only detention facility for juveniles. The facility is routinely over its population capacity, which has a 105- bed limit. Mosee indicated that the city plans to build a new facility which will have 150 beds.

Mosee indicated that there are no plans to hire additional probation officers, although more could be used to supervise those on probation. In addition, more detectives are needed to track down fugitive juvenile offenders who are in "wanted" status. He currently has only 8 detectives on his bench warrant unit staff.

Mosee spoke briefly about his staff of eight detectives whose primary function is to serve bench warrants on wanted juveniles in the city. He indicated that it is more of a systems problem, and added that it would be unreasonable to think even if he had 20 detectives, that his office could handle the bench warrant problem. Mosee added that the whole system has to come together, meaning all of the agencies have to be on the lookout for kids who are in "wanted" status with the courts, specifically the Police and Probation departments. Mosee suggested that the criminal justice agencies must have an attitude that to cure the crime problem as a whole, prevention has to be a part of any effective intervention.

CHAPTER 5

DISTRICT ATTORNEY COURTS

On March 22, 2007, I interviewed John P. Delaney, Deputy District Attorney, Trials Division, City of Philadelphia District Attorneys Office. Delaney is a 25 year prosecutor employed by the Philadelphia District Attorney's Office, and served 15 years of that time with the juvenile division. His education includes a B.A., Government and International Relations, University of Notre Dame, Notre Dame, IN, 1978, and a J.D., Villanova University School of Law, Villanova, PA, 1981.

Question 1: What do you feel is the cause or predictor of crime?

Delaney stated that from what he has read or what he has seen, he feels the biggest predictor of whether a young person will succeed or fail in life and become prone to a criminal lifestyle is whether there is a presence of a pro-social adult in their life; whether it's in the traditional way that we know of with Mom and Dad, or Grand mom or Grand pop, uncle or aunt or somebody that this child can say "That's how I should behave." There are rewards to obeying the law and telling the truth, getting a job, and living up to your responsibilities. The juvenile would realize that it would be a negative impact on him as well as his family if he sold dope, held people up, jacked cars, or broke into houses.

Delaney stated that in Philadelphia, "too many of our kids don't have that." Delaney was in the District Attorney's Juvenile Division for a total of 15 years, and it didn't surprise him what young teens were doing, i.e., sexual assaults, shootings, homicides, robberies. What was most surprising to him, as well as the saddest, was the overwhelming number of teens that came to court and no one was there for them.

Delaney reflected back to his own youth, stating that if he ever got into trouble, his Dad would have visited the local police district, and on the way out, told the police officer not to listen as he beat his rear-end. Delaney posited that his father would do that because he was concerned with his son's welfare, and would want to take care of the problem. He added that he could not imagine what it would be like to be locked up, in court, and nobody from the family is there. Delaney also has heard from the parents who told him that there is nothing they can do with their teens, because they are out of control, or they have their own addiction issues, or their raising their daughter's children. This whole idea that juveniles have to develop their own role models is disturbing.

Delaney reflected that when he was a child, he had his own role models, and they were everywhere. He suggested that they lived in our houses and next-door, being surrounded by people who loved you and were caring enough about you and would step in if you did something wrong. Call it tough love or whatever.

Delaney said that too many of these people get away with stuff, and they think the way to succeed in the world is to get over. Delaney does not blame this on commercialism, because he suggests that people will always aspire to something better than what they have. That, he added, occurs whether we watch TV or not. He cited an example. "If the only thing you ever ate is liverwurst, you would like liverwurst. If you neighbor invited you in to taste pork chops once, you would say "This is good! I am not eating liverwurst anymore! Why should I settle for that?"

Delaney admitted that the media and popular culture definitely plays a role. What frustrates him is somewhat of a mystery. He pointed to the fact that there are 195,000 children (ages 10-17) in Philadelphia who are old enough to get locked up, but the

District Attorney only does approximately 10,000 delinquency cases a year. Some of those cases are the same juvenile getting locked up once in January, once in June, and once in October. So, likely the number of actual juveniles coming through the system annually is likely 5,000 to 5,500. Even if you assume ten times that amount, you are still only at 55,000. The other 145,000 juveniles are not getting in trouble. Some are not getting into trouble because they have parents looking out for them. Or someone else is looking out for them (teacher, neighbor).

So, how can you predict that Joe Lynch and John Delaney, who live next-door to one another on the 5500 block of Beaumont Street, that Joe Lynch is going to be a moron and John Delaney is going to be a good guy, or vice versa.

Delaney stressed that what he has read the literature, and from what his experience tells him those who have someone looking out for them, do not get into trouble. Those who do not have someone looking out, get into trouble. This occurs either because they cannot or they will not. Delaney added that it is always better if the child has two parents, but adds that a child can succeed with one, as long as that parent has the will and the ability to parent you.

Delaney used the following example: "If you or I wanted to sell hotdogs on a street corner cart, we would have to take a 3 or 4 hour course at the Department of Licenses & Inspections about preparing food and health & safety regulations. But if you wanted to go out and father a child, all you need is a woman of child bearing age and about 15 minutes."

Delaney does not suggest that parents should be licensed. He said, "If you want to be a lousy dad, you have the opportunity to do it." He believes the whole idea of what goes on in the home would be a serious predictor. He also blames the economy.

One of the reasons why Delaney feels that Philadelphia is having its problems of crime and violence is because Philadelphia has one of the highest percentages of people living on poverty in the state of Pennsylvania, citing 25% of the juveniles living below the federal poverty line.

Therefore, these juveniles have nobody to show them the way and having no resources. He adds that there are two additional factors: first is if you live in a neighborhood that we are used to talking about in terms of crime; second is guns and drugs.

Question 2: What could/should be done to turn the tide and prevent these predictors from occurring in the first place?

He stated that society needs to convince people before they have children that it is an awesome responsibility. He spoke of a familiar program from John W. Hallahan, a Catholic girl's high school in Philadelphia, which helps to provide some real insight into parenting. When you were a sophomore, they bought you a doll. For a week, you had to take care of that doll as if it were a real baby. They provided a schedule. You had to set your alarm at 4:00am to get up and feed it. At 7:00am, before you went to school, you had to dress the baby, and take it to someone else's house to watch the baby all day. The whole idea was to teach you the consequences of unprotected sex. If you have a baby, here is what is waiting for you. The idea that you have all of this responsibility hopefully convinces you not to do it until you are ready. He posited that we need to convince them

that they should wait as long as they can until they are ready. He talked about the “Nurse Family Partnership Program,” where nurses go and intensively visit first time parents to teach them how to cope with all the stress. That stress is doubled when its only one parent at home, who may also be working a job, filled with stress on top of it. He felt that there should be supports for first-time parent/s to teach them how to deal with their new concerns. They really have no clue. Delaney stated that prevention and deferral of pregnancy for as long as possible and subsequent support for first-time parents will achieve positive results in society.

He indicated that the University of Colorado has an education program called Blueprints for Violence Prevention. That has been studied, scrutinized, and has worked. It has also been replicated elsewhere. He believed there are twelve sub-programs that are part of it. One of these is called Nurse Family Partnership, which he discussed earlier. This program is usually paid for by the government. The program has been able to quantify, for every dollar that is spent on this program, compared to how many dollars that will be saved downstream by preventing a juvenile from failing in school, and becoming a public liability by being a delinquent and committing crimes, which incurs additional government costs.

Delaney spoke of what can be done about the economic hardship predictor. Delaney pointed out that Pennsylvania Governor Rendell was trying to attack this issue by focusing on improving Center City Philadelphia while serving as Mayor. He (Rendell) caught a lot of flack over it because some critics accused him of not taking care of neighborhoods outside of Center City. Delaney attacks those critics by suggesting that if

you do not have a good downtown, people who live in Bryn Mawr, will put their offices in Valley Forge or King of Prussia.

Delaney pointed to the current high real estate market value for Center City Philadelphia. He suggested that for a guy like him, who has no desire to live in Center City that is great. He welcomes the outsiders coming in, getting their incomes and tax revenues in here, so we can help the people who are not living in Center City. To the extent the economy can grow, that is important. It's important for programs such as the one mentioned above, Nurse Family Partnership, to help finance such a costly endeavor.

Delaney stated that he is a proponent for the state of Pennsylvania to enact the "one gun a month initiative," which he concedes will not solve the gun problem, but will help. He added "If there are 3,000,000 guns in Pennsylvania right now, and we could stop it at 3,000,000, then we would be better off than if we had 3,500,000." He indicated that it is too easy for juveniles to get guns, and if they do, they often do damage. He sensed that a significant number of juveniles want to carry guns because they do not want to be the only one on the block who do not have one. "They do not want to be the last guy on the trolley when the gunfight breaks out to have to pull out a knife." In a lot of ways, it reminds him of his childhood. "When we were kids, we had the bomb scares, or air warnings, and we used to have to get under our desks. The reason for that was because there was an arms race between the U.S. and Russia. That has stopped. Nations have deescalated the arms race. In Philadelphia, there is an individual arms race." He proclaimed "Not only can I be the only guy on the block without a gun; I certainly do not want to be the only guy with a revolver. I need more firepower! I need something where I

can unload 15 rounds in one squeeze.” A myth exists that everybody is armed so I got to be armed, is one that plagues the streets.

Delaney discussed the skyrocketing homicide rate for the second year in a row in a city that has the most advanced health care on the planet. “So, if you get shot, and you’re within five minutes to the Hospital of University of Pennsylvania, Temple, Jefferson, or Albert Einstein, your odds are pretty good in that if you can be saved you will be saved.”

Question 3: Is the criminal justice system broken in Philadelphia?

Delaney did not feel that the overall system was broken. He felt as if the system could be enhanced by better funding appropriations.

Delaney asserted that Philadelphia is in a unique position in the country. The vast majority of big cities are surrounded by their counties that they are part of, like Chicago, IL. Chicago is part of Cook County, Pittsburg is part of Allegheny County, Detroit is part of Wayne County, and Philadelphia is only Philadelphia County. So, we do not get any real estate income from the people who live in Lower Merion.

Delaney suggested that his office fight a battle with the Pennsylvania legislature when they attempt to obtain new legislation or funding for crime programs. To get around that, Delaney asserted that his office skirts the attempt by putting a “homeland security” twist on his offices’ grant or legislation proposals.

Delaney stated that it is ironic. “As bad as it is to lose these soldiers in Iraq, you look at what we are doing here in Philadelphia. We have had 400 homicides in a year.”

Question 4: What should be done to improve the criminal justice system in Philadelphia?

Delaney talked about what needs to be done to mitigate the guns and drugs predictors for violent crime.

He asserted that we need to suppress demand and interrupt the supply. As for guns, Delaney posited that even if we never manufactured another gun in this country, there are still so many guns out there. Delaney added that to give a juvenile (no pun intended) a “hair-line trigger,” and a loaded gun, it is a formula for disaster.

Delaney suggested that the District Attorney’s office, in coordination with the Court of Common Pleas court, has recently created the gun court for defendants who possess and used guns. Once they are convicted, special probation, intensive supervision, and some education are taught about the dangers guns cause and why they need to stay away from them. Delaney asserted that from the initial signs, the program is working well. He added that the conviction rate is high and the office has all agents of the law enforcement agencies working better together on guns.

Delaney reported that the District Attorney’s Office received a \$5,000,000 grant last year from the state attorney generals’ office, to put together a gun violence task force comprised mostly of retired detectives. The task of those detectives is to debrief prisoners and follow-up on gun trafficking tips as they arise. The task force began their efforts in the crime ridden southwest division, encompassing both west and southwest Philadelphia. However, the force then redeployed their focus to east division, a section in North Philadelphia known as the “badlands.” Delaney indicated that the force is now planning to move to the city’s northwest division. Delaney is happy with the group’s progress. What makes him happy is that there is collaboration and team work coming from other criminal justice agencies, such as juvenile and adult probation and federal law

enforcement agents. Delaney pointed to the fact that these teams are “hitting the streets and getting the word out to the knuckleheads. If you want to carry a gun, there will be a serious price to be paid.”

On April 9th, “the newly formed gun violence task force announced that arrest warrants had been obtained for 14 individuals accused of committing illegal “straw” purchases. The task force has opened more than 70 investigations since being launched last year” (Moran, 2007).

Delaney also pointed to a Pennsylvania law which provides for a five year mandatory minimum for a crime of violence committed with a handgun. In this scenario, the district attorney may offer the defendant four years with a plea guilty arrangement. The state corrections system must take whoever the district attorney sends. However, the county prisons are at or close to capacity now. Drug dealers and others who get County sentences, whether they get parole or not, is up to the judge here. Some of these judges are too quick to act, because they are so concerned with the prison cap, than they are with the issue of offender reentry to the community.

Delaney talked about the success that adult probation had with the Firearm Return Program, which requires probationers as a condition of being placed on probation were asked to either sell the gun to someone who does not live in the home, or turn the gun in. One of the initial criticisms of the program was the officials feared that those on probation would not pay attention to it. That criticism turned into elation when 90 guns were turned into probation officers in 90 days.

Delaney summed up by stating that the following tactics must be used to address the violent crime and must be part of the solution: (1) Create new Pennsylvania law

limiting handgun purchases to one a month; (2) Probation Officers should take handguns off the street; and (3) Cops should be more aggressive with stop/frisk.

Delaney summarized his top four predictors for one to become prone to violent crime, (1) lack of interested adult in family; (2) lack of financial resources/opportunity; (3) availability of guns; and (4) availability to drugs.

CHAPTER 6

JUVENILE PROBATION/COURTS

On April 5, 2007, I interviewed James E. Sharp, Chief, Juvenile Probation, First Judicial District of Pennsylvania, Court of Common Pleas/ Family Division. Sharp assumed the Chief Juvenile Probation Officer's position in October 2003 and brings 20 years of experience in the Juvenile Justice Field to Philadelphia. A graduate of Mt. St. Mary's College in Maryland, he began his juvenile probation career as a Probation Officer (P.O.) in Frederick County Maryland. Upon relocation to the Philadelphia area, Mr. Sharp spent 7 years as a P.O. in Montgomery County as a supervisor and School Based officer. In 1995, he earned his Master's Degree in Criminal Justice Administration from Shippensburg University.

In 1996, he began work with George Junior Republic, a nationally recognized treatment facility for adjudicated youth. He was appointed as the Director of Admissions in 2000 until his departure for the Chiefs' position in 2003. His work in the Juvenile Justice Field has been recognized by the Pennsylvania Juvenile Court Judges Commission and the Pennsylvania Commission for Crime and Delinquency.

Question 1: What do you feel is the cause or predictor of crime?

Sharp stated that there is a lot of research out there that predicts who may become involved in violent crime. However, there are common threads that run through our children who come into the system or even through the dependency system.

Sharp believed that one predictor is education, "Youth that drop out." They frequently do not have their structured supervision during the day, and thus can gravitate

towards activities that violate the law. He believed that the people in the educational system are trying hard, but in a lot of ways they are “swimming upstream.”

Sharp believed the poverty level is also a good predictor.

Sharp also pointed to family dynamics, family structure, that may not be as sound as it should be. With lack of supervision, this creates a proclivity for a child to get involved in crime.

Sharp noted that many people feel that the proliferation of guns on the street also contributes as a predictor. Sharp stated that the number of handguns that Philadelphia Police have seized brings realization to the problem of violence. The illegal gun trade is a massive industry, and that is something that you cannot regulate. As for regulation, he discussed the need for new legislation in Harrisburg to limit sales to “one gun per month.”

Question 2: What could/should be done to turn the tide and prevent these predictors from occurring in the first place?

When asked what he would do to solve the problems of lack of education, poverty, and family dynamics, he pointed to programs that have either worked well or to the disadvantage of those affected.

Sharp pointed to the Bush administration’s “No Child Left Behind,” in principle, as being a phenomenal concept. The programs’ intent is to help all the children, but the best intent may not happen. He argued that the funding for the school district should be increased, citing that the facilities suffer from lack of textbooks, and teachers and effective programs fall by the wayside. It is no small cure, because the education system has a budget in the billions. The state looks at that and it is a tremendous amount of

money. It is also a realization that if you want to have proper programming, facilities, and educational components, that is what they cost.

Sharp asked, from a legislative standpoint, how many times can we keep bailing out the heavy side of the state? A lot of people say Philadelphia is where all the money is funneled into, because we are the largest and only county of the first class in the state.

Therefore, there is logical determination as to where most of the money goes. Sharp stated that he has no answer on how to fix the schools. He asserted, emphatically, that Paul Vallas, Philadelphia Schools CEO, is trying. He suggested that Vallas is a creative thinker and is trying to get the job done.

Sharp suggested that with regard to funding and use of resources, you rob one section to give it to another. What you leave behind in the wake gets unaddressed.

He believed from that the family structure, and the environment from which these juveniles grow up is also a problem He felt that it is a civic and government responsibility to improve the neighborhoods and provide necessary resources to families.

Sharp rhetorically asked, “Do you improve the neighborhoods by closing the drug houses and getting the drug dealers off the streets? He asserted that it is viable, and the approach has impact. He added that Philadelphia has had waves of new programs, and they have come and gone.

Sharp cited Operation Safe Streets as “effective but not properly funded.” He cautioned to say that this system is devoid of looking at the individual needs of its citizens and youth, but it is very much a fiscally driven system. If the resources are not there, then it will be tough to overcome these issues.

Question 3: Is the criminal justice system broken in Philadelphia?

Sharp suggested that the criminal justice system is not broken in Philadelphia. He believes that the structural foundations are there, and the policies and procedures are in place. He believes that the levels are sometimes overwhelmed through the different agencies, which he suggested are affected by a number of things. He suggested that city budgets are one aspect, in terms of the amount of funds that they are able to allocate to these different agencies including the police department, district attorney's office, public defender's office, and juvenile justice. This allocation creates deficits that need to be devised or implemented to meet the continuing needs of the agencies.

Sharp indicated that in the 1990s and early 2000s, the system was somewhat flushed with federal juvenile anti-violence funds.

He stated that it has been a struggle to maintain those types of funding levels, seeing reductions in juvenile justice programs. He added that some people say that it may be because of the monies that have gone into the war effort.

Sharp also indicated that there are factors that have to be taken in consideration in terms of offender population. You have to look at the vision and the mission.

Sharp was asked to comment on a 2001 report authored by John Timoney , former Philadelphia Police Commissioner, which is noted below: "In a four-year sample of 100 murders committed within the 25th district from 1996-1999, more than half of those arrested for these murders were either on probation, awaiting trial or awaiting sentencing at the time that the murder was committed" (Private Public Ventures, 2001).

Sharp indicated that when looking at the above data, the actual numbers are aggregated between juveniles and adults, meaning that some offenders were once classified as juvenile and then were classified as adults when they turned 18. He added

that the mission of juvenile probation versus adult probation is fundamentally different, but there is also a different philosophy that governs these agencies. For juvenile probation, their mission is based upon principles in the balance of restorative justice. That is accountability for the youth's actions, the protection of the community, but also developing the competencies for that youth so that they do not penetrate the system any further, as well as balance attention to the victims of crime.

Sharp indicated that the adult probation system is rehabilitative in nature, and is more of a surveillance-supervision model.

Probation is afforded the luxury to not have to deal with the escalated numbers of individuals involved in the system. For example, at any one time, juvenile probation may have 5,800 to 6,000 youths within the system. It's almost ten times that amount within the adult probation system. The average caseload per juvenile probation officer is 45-50. Conversely, the average caseload for an adult probation officer is three times that, ranging up to 150 per officer. Sharp stated that the ability to intensively supervise these cases, let alone supervising them, becomes very difficult.

Sharp stated that juvenile probation is only one segment of the First Judicial District's duties and responsibilities. Therefore, the money that he gets is a portion of the First Judicial District. Sharp added that the District does a good job at distributing the budget and meeting operational goals. Certainly, less funding and mandatory attrition results in less probation officers.

Sharp indicated that approximately 960 juveniles are wanted on bench warrants, and that number has remained static for two years. One thing that limits his ability to go out and haul in every juvenile that is wanted on a bench warrant is that he is regulated by

the Youth Study Center population, which averaged 112 juveniles housed daily, even though there is a 105 bed limit. Sharp indicated that there are also community-based shelter centers that can be used for juveniles arrested for less-serious offenses, such as misdemeanors, and probation violators.

Question 4: What should be done to improve the criminal justice system in Philadelphia?

Sharp stated that in terms of resources for juveniles and families, Philadelphia has without question more resources available to its participants, whether it is the Department of Human Services (DHS), or the Family Court System. Sharp added that his office is very lucky that they have many services but the services must continue to be funded, because there are no shortages of individuals who are in need of them. The funding he refers to is local, state and federal.

Sharp indicated that one program focused on at-risk juveniles, the Youth Violence Reduction Project (YVRP), was at a critical mark approximately 18 months ago in terms of on-going funding.

However, through the efforts of US Senator Arlen Specter and Pennsylvania State Representative Dwight Evans, they were able to find additional federal and state funding to keep the project running. This program not only encompasses juvenile probation, it also has targeted police patrols, and would visit the homes and go into the communities to conduct supervised visits of ex-offenders.

The program is currently in good financial shape but Sharpe cautioned that he must always look to the future for available funding for expansion, broadening it to more than the three police districts that it currently is run.

Sharp stated that by the last day of April, he will have an additional 10 recruit probation officers, and that number will give him 186 total probation officers. Sharp indicated that there are still a number of vacancies, with that number ranging in the mid-twenties.

Sharp is hopeful for plans to build a new larger (150 beds) Youth Study Center, which was originally planned for 48th and Lancaster Avenue in West Philadelphia by next year. He cautioned that the delivery of this structure has been slowed. However, he cannot say why. He knows that there is a good block of funding already in place to do this. He knew it was a mission by Mayor Street during his administration to get this done. There were zoning and agreement issues to get it done. He hopes that they will be resolved shortly.

CHAPTER 7

JUDICIARY/COURTS

Renee Cardwell Hughes, Judge, Court of Common Pleas, First Judicial District of Pennsylvania, was interviewed on April 10, 2007. The Honorable Renée Cardwell Hughes is a trial judge in the Court of Common Pleas, the First Judicial District of Pennsylvania which encompasses the City of Philadelphia. Judge Hughes has served in the Trial Division of the Court, since her appointment and subsequent election to the bench in 1995. She has handled both civil and criminal proceedings. Currently, Judge Hughes' case load consists of homicides only. Judge Hughes received her legal degree from Georgetown University Law Center and her undergraduate degree from the University of Virginia.

In 1996, Judge Hughes was appointed to the Pennsylvania Commission on Sentencing where she chairs the policy committee. She is a member of the Board of Directors of the Sentencing Project, a national think tank dedicated to reducing racial disparity in the criminal justice system and the Board of Directors of the Joseph J. Peters Institute, a non-profit mental health agency which treats sex offenders. Judge Hughes serves on the board of directors of Public/Private Ventures, a not for profit organization and is a member of the Re-Entry Advisory Committee of Public/Private Ventures, which is working with faith based organizations to develop programs for ex-felons returning to the community. She served on an Advisory committee to the General Assembly of Pennsylvania to examine issues concerning geriatric and seriously ill prisoners. Judge Hughes recently served on the Constitution Project's bi-partisan blue-ribbon committee

on sentencing. In 2005, Judge Hughes was appointed to the Pennsylvania Commission on Crime and Delinquency by Governor Edward G. Rendell.

Question 1: What do you feel is the cause or predictor of crime?

She indicated that when you look back at the people who are serving 1st or 2nd degree murder, or even serving on death row, they have dropped out of school between 8th & 9th grade. They have no education and come from families that are de-stabilized. When you look at their school records, it shows a pattern of dysfunction in school that stemmed from very early on. These were young children that were acting out in school. These were children who have been passed along and overlooked. She talked about a defendant who sat in front of her a few months ago who literally had missed 600 days of school. That is extraordinary! How does that happen? Supposedly, the *No Child Left Behind* program stops all of that stuff. At this point, we are at a crisis. So, what you see is a breakdown in the family, and it is not so much the traditional family. It would be nice if everybody had a father and a mother. More importantly, we need to be concerned about who is going to take care of the child, who loves the child, who establishes values for this child, and then who holds this child to a standard. That can be an uncle, a grandmother or anyone from a group of people from which to choose. It used to be the community, but because of this breakdown in the community, it seems that almost everybody is afraid to become involved.

The judge pointed to her own upbringing, which occurred in the state of Virginia. If she was doing something bad, it was not one neighbor, it was a question of how many neighbors would call her mother before she hit her front porch. Her mother knew exactly what she had done, and also knew what those neighbors had said to correct her. She not

only got punished by her neighbors, she was also punished when she got home. It is not that way anymore, due to the fact that everybody is afraid. So, this extraordinary breakdown has occurred within the community. So, when the predictors of crime are examined, we see youth raising themselves, and communities serving no function. As an example, she asked: "Where is the little league teams in the city? The pools are closed! So, what do these young boys do? They hang out on the corner. The recreation centers do not function properly. You take these young people, at the same time, we are taking everything away. We are taking drama, music and sports out of school, which would keep these children there and interested. It would be nice to say that they are interested by science."

The judge indicated that we have let our schools decay. She added that when the youths are in the neighborhood, there is nothing for them to do. They see no policeman on the corner. They only see Joe Drug Dealer there, wearing all the gold and platinum. "Who is the only person the kids know who drives a new car? It's Joe Drug Dealer." Hence, when the drug dealer comes up to a youth and says "I just need you to just hold this for me, my man. I'll give you a hundred dollars. Well, that money does not sound so bad to you, because they have no other role model in the community." So, society has let go of the communities and everybody wants to say "Oh, fix it now. Stop the murders now." Well, we did not get into this position overnight. This is a systemic breakdown, not just of law enforcement, but of society. So, we have to begin to build it back up. Nobody wants to hear that. They (society) want this trend reversed immediately.

Question 2: What could/should be done to turn the tide and prevent these predictors from occurring in the first place?

Hughes stressed the importance to restore community policing back to Philadelphia. She added that the trust must be rebuilt between the police and the community.

Hughes also stressed the importance of pursuing stronger gun laws and anti-straw purchasing initiatives in Harrisburg. She suggested that it is obscene that because people want to hunt deer up in Forrest County that you can buy guns with no checks. She does not see why asking a sportsman to wait thirty days to buy a new rifle is problematic. If you go to a gun show, you can buy as many guns as you want. The only background investigation done prior to the purchase is what is called Pennsylvania Instant Check, or PIC. PIC was implemented on July 1st, 1998, and thus provides instant access to background reports for those making application to purchase firearms within the state. Firearms dealers use this system when selling their guns, with results coming back to the dealers within minutes. This system replaced the past procedure which required a 5 day waiting period. The system is tied into the National Instant Check system, which gun dealers use to determine whether receipt of a firearm by a prospective purchaser would violate federal or state law.

The judge believed that by using instant check, it is very hard to find out what is really going on with a person. At some point, Philadelphia has got to stand up. “The rights of sportsmen have no standing to her when children are being gunned down on the street.”

The judge reviewed data from a publication Murder is No Mystery: An Analysis of Philadelphia Homicide, 1996-1999, (2001), where ex-Philadelphia Police commissioner John Timoney discussed a finding from a sample of 100 murders

committed in the 25th police district from the study. Timoney suggested that more than half of those arrested for these murders were either on probation, awaiting trial or sentencing at the time the murder was committed. The judge believed that data speaks to two systemic problems. One, the system (criminal justice) is not catching these men early enough, because if they are on probation or awaiting trial, it means that, they are in the system. She asked “Did they come into the system as juveniles? Did the system fail to rehabilitate them? So, the first question is “Why didn’t we catch them when they first had contact with the system? Where was the breakdown that caused them to even become part of the system?” She pointed to the relationship between this event and the breakdown of the schools and a breakdown in the families. The juvenile justice system is overtaxed and overstrained, just as the adult system. The juvenile probation officer may see them one time every six weeks, and the rehabilitation process is weakened. Thus, the problem continues. “Joe Drug dealer is still out there and telling the kid ‘See, all they gave you is probation,’ and minimizes the criminal behavior. He may even offer to pay for the kid’s lawyer for representation. They get older, and come into the adult system. At this point, they did think that crime is so bad.”

The judge pointed to the burdens placed on probation officers and their caseloads of 100 to 150 offenders. She indicated that some probation officers have told her that they have carried between 200-250 cases on their dockets at one time. She suggested that no human being can see 250 people a month, and have meaningful interaction with their probationers.

The judge added that it requires some level of cooperation because there is also a whole bunch of pressure in the court to “move the cases.” She admitted sometimes that

by moving the case quickly is not necessarily the best way to get to a just result. The cases need to be moved as fast as what is appropriate.

The judge discussed an issue that affects disposition, such as police officers not showing up for court. She cited an example. The police officer works the midnight to morning shift, and they come to court, sit around all day long, and then they go back to work. It is a little difficult. At times, they may have another job that makes them late for court. It is very complex. "There are no cookie-cutter solutions."

She pointed to the current number of murders as of the day of interview, which stood at 105 year-to-date for 2007, and referenced the latest victim. He was a man getting ready for work in his bedroom, when a bullet came through the window and struck him. The bullets, she added, have no name on them. Clearly, he was not the intended target. She believed the violence is getting out of control.

The judge does not disagree with Timoney's finding, and suggested that they still hold true today. She said the drug culture has helped pave the way for these trends, adding that heroin and methamphetamines have joined cocaine in popularity.

The judge stated that no companies have brought jobs to Philadelphia in recent years. "When a 13 year-old is bringing in \$500 to \$600 a week, cash money, and you are unemployed, are you going to look the other way? You may stand up and say that this is not right, but then you get hungry, or your grandmother needs medicine." The judge described how grandmothers have lined her courtroom and told her what a good boy their "drug-dealer boy" is, because he takes such good care of them and their neighborhood. Joe drug dealer is putting new roofs on houses on the block. He is making sure the block

is clean and swept, so when he gets into trouble, the community comes down to show his “good” character. But again, they do not have a relationship with the police.

The judge pointed to the critics of the court system who say the court just lets people go. Our system of justice is comprised not of her telling the jury that she believed a man to be guilty, there has to be evidence presented to the jury. If the witnesses do not come forward, if people are not going to testify, then yes they (criminals) will walk right out the door.

Question 3: Is the criminal justice system broken in Philadelphia?

The judge suggested that she really has a problem with the political leadership not standing up for Philadelphia. She points specifically to Governor Ed Rendell, by not making it a “throw down issue.”

She referred to the gang of six running for Mayor, five democrats and one republican, all of whom are telling the public that, if elected, they will put 1,000 new police officers on the street. She refutes their pledge, citing how will they pay for it? Additionally, she asks, “Where will they train them? Currently, recruits are trained for approximately 10 months. The training staff can only facilitate a class size of 150 a year. Assuming the money was available, it would take approximately 7-8 years to add those officers to the force, assuming current attrition levels. A Mayor could serve two full terms in office to keep that pledge, but it would not happen overnight, which is what they are leading the public to believe.

The judge pointed out that we (society) have let many pieces of the community fracture, and a lot of that has to do with money. The court budget, which is also part of the probation budget, is included under one umbrella. She mentioned that she has sat on

the court for 12 years, and they have seen a zero growth budget for that entire period. There is also a steady increase in work (citing the rising homicide rates) coupled with no increase in resources.

The judge believed we need more police, and they have to be more aggressive about who is on the corner. She hesitates to say that. Her concern, as she put it, is that police brutality is on the rise. She points to this delicate balance. If the community is not willing to step up and join forces with the police, then we are lost. She provided an example. Faheem Thomas Childs was a 10 year-old who was killed in a gun battle that raged in front of his elementary school. She spoke to one of the detectives who were working the case some 48 hours after the murder. She insisted that the detective do her best to capture those wanted in the murder. The detective replied “Judge, we know who killed him.” However, the detective indicated that they did not have a single witness who would step forward to provide a written statement. The detective assured the judge that the investigators knew exactly what happened. They have talked to us, but nobody will talk to us in a way that we can bring it to court. The judge reflected on how long the detectives had to work on that case, knowing who was responsible for the crime the entire time. The judge recalled providing a speech at the National Constitution Center in Philadelphia, and vividly talked about a woman who approached her and admitted that she was there the day Faheem got shot. The judge asked her if she had called the police, and the woman replied “absolutely not.” The judge quickly reminded this woman that she was just as much the part of the problem as they (criminals) are.

She stated that she does not understand why the local government wanted the city to go wireless. She believed that they wanted to make Philadelphia attractive to young

people. She pointed out that millions of dollars were spent on wireless Philadelphia. She ponders and asked “Do you feel any benefit from wireless Philadelphia?”

Judge Hughes discussed the demystification of prison. She believed that the war on drugs’ central component is mandatory sentencing. She believed that the system has over-incarcerated the population of young men aged 16-34, principally being African-American and Hispanic. By doing so, prison is no longer something to be afraid of. It becomes like your “badge of honor” to go to prison and walk off your time. But in prison, the inmates learn not job skills, not ways to go back out into the community with a different attitude, but they meet other drug dealers, or learn new skills on how to beat the system.

Hughes suggested that while at the same time the gun issue is going on, there has also been a breakdown of community policing. It is a necessary tool to help reverse this trend. She added that there has been a complete and total breakdown in the relationship between the police and the community. At this point, the community is more afraid of drug dealers and really do not believe the police can protect them. The police are strangers in the community. Community policing is expensive, and it take a long time to put into effect.

Hughes reflected and said we used to have community policing in Philadelphia. With budget cuts and other cutbacks, she indicated that we no longer have it.

Hughes suggested that the problem we have right now is instead of having community policing, we have things like “stop snitching campaigns,” and these give people the sense of impunity, which they can just “act”, because nobody is going to tell

on them, because they will hurt you. They have seen enough of this occurring, and they believe that the police cannot do anything to prevent it.

Question 4: What should be done to improve the criminal justice system in Philadelphia?

Hughes added that the prison function has to change, so that an inmate is afraid there and does not want to obtain his “badge of honor” and instead, learns skills for re-entry into the population. So, the war on drugs in fact leads us in many ways to where we are today with the crime problem. Hughes suggested that when we look at what is going on, we see the extraordinary number of guns that are readily available in the urban community.

Hughes suggested that this may not be popular, but at some point we have to take control of gun sales in the city of Philadelphia. She points out that there are certain neighborhoods you can go into, where a 12 year-old can tell you where to buy a gun faster than they can tell you where to buy a water-ice. She added that these kids cannot tell you where the grocery stores are because there is none in their community. So, the easy accessibility of guns primarily is due because of straw purchases.

Hughes suggested that the return to community policing will build positive relationships between the people in the community and law enforcement, which will restore a sense of trust and security with the community, who will believe that law enforcement are acting in their best interest.

The judge also pointed out the need for more probation officers. The probation caseload should be such that they ought to be able to put their hands on everybody on their dockets everyday.

She posited that government needs to step back and re-focus on the priorities that will help us to begin to break this tide. She added that there is not one magic solution that would solve the problems i.e., if you do x , everything will be fine.

She stated that we need to rebuild the communities with viable recreation centers. Philadelphia currently has no economic development plan, and the job forecast for service workers appears dismal.

She discussed the recent announcement from Independence Blue Cross of its planned merger with Highmark. “Extraordinary move, but it will not create new jobs; jobs may in fact be cut due to duplication of services.”

She stated that she has lived in the city for 22 years, and cannot immediately recall a new company staking its interest here. New companies need to come into the city and invest in its population. The planned casinos for the area have created some controversy from area residents, but this discontent comes from concerns of traffic jams. The judge quickly added that the casinos will bring jobs to the area, whether it is construction, trades, or service functions for people who lack educational credentials. She indicated that we need to stop cutting off our nose to spite our face.

The judge then reinforced the need to make changes in the schools. She indicated that she is “no big fan” of the governments’ “No Child Left Behind” program, which sets bare minimum standards and percentages, which must be met by teachers and students. Otherwise, the child cannot move forward. If they are not met, federal funding is cut. While that is an approach, it still is just the bare minimum. “It does not foster a love of learning, or a love of respect. It also begs the question on how we get the community to coalesce around the schools to be supportive, and to reinvigorate the standards.”

She reflected that when she grew up, nobody would lay their hands on a teacher. That does not hold true today. School administrators, must hold their students more accountable for their actions, and be ready to discipline the children appropriately for their actions.

CHAPTER 8

ADULT PROBATION/COURTS:

On April 24, 2007, I interviewed W. Kevin Reynolds, Director/Division III, First Judicial District of Pennsylvania, Court of Common Pleas, Adult Probation/Parole Department. Reynolds indicated that he has committed over 33 years of service to the Adult Probation and Parole Department (APPD). He has sought to apply the expertise gained during his career toward improving public safety and the service the APPD provides to the court. His accomplishments include serving as a liaison for APPD to Philadelphia Police Dept. and other law enforcement agencies. He has co-authored the First Judicial District Firearm Surrender Policy. He is the sole author of the APPD Weapon Related Injury Surveillance System (WRISS) protocol, as well as the APPD Compstat and Pre-Compstat protocols. He has also directed the Regional Realignment of APPD Supervision boundaries, and served as a member on the Mayor's Task Force on Domestic Violence. He serves as a member for the Youth Violence Reduction Partnership Steering Committee member. He sits on the University of Pennsylvania Violence Reduction Partnership as a member. He was a Discussant at the 2005 World Congress of Criminology, Philadelphia Gun Court, as well the 2006 Stockholm Criminology Symposium Health Interventions for Homicide Prevention in Philadelphia.

Prior to discussion on the question and answer session, Reynolds provided some background on professional experience with adult probation. He believed that there is a generational connection to those he and his department supervise. His supervision has stretched over three generations of families. Over time, he indicated he sees from those he supervises an increasing level of hopelessness, in a lot of the population.

When he started out, even the people who were deeply embedded in the criminal lifestyle wanted more for their children. When you saw the youths, they were going to do something else. The youths acknowledged that even though they did this, they were still going to become a doctor, lawyer, or Indian chief, which was part of mainstream traditional American family values, occurring during the 1970s and 1980s.

Reynolds, however, pointed out that over the years, these children now, particularly, the ones that frighten him the most, the violent and deeply entrenched drug cultured guys, explain their wrongdoing as “It’s just the way it is.” “It’s the way it’s always been.” “There is a hopeless quality about sitting down saying that I am going to stop this, or that I am going to get a job, and then a better job and attain that better life through legitimate means.”

Reynolds sees a disturbing proportion of Philadelphia’s population that has just given up on a lifestyle that we would hope to move them to.

Question 1: What do you feel is the cause or predictor of crime?

In terms of predictors, he points to “early involvement in the criminal justice system at a disturbingly young age,” to the point where his office is seeing the most at-risk offenders, prior to the age of eighteen. This means juveniles committing crimes and charged as adults. They have developed enough of a criminal history so that the court determines them to be tried as adults.

Reynolds stated that the “adult status” does not deter them. He added that the sequence plays itself over, seeing the defendants first at age 17, and subsequently seeing them again in the adult system within a year with a new arrest.

Reynolds suggested that if you look at neighborhoods with the largest impact (poor, unemployed or underemployed households, single-parent households); they are the most plagued by crime. For most of these people, it is difficult to extract themselves from their neighborhood.

Consider the scenario. “They are living in the house that their mother grew up in, grand pop was in jail, and dad has been in and out of jail.”

Today, it’s all about wanting the big screen TV, or the DVD. In today’s day and age, these wants require two working parents and as a result you have too many youths that were parented by TVs. Reynolds believed that the breakdown of the family structure plays an important role here.

Reynolds stated that police are working alone, and do not speak the same “language” that exists on the street. So, there is not a connection.

Reynolds does see jobs suffering in areas that most need jobs, but not the corporate landscape. He indicated that his Philadelphia and the poor Philadelphia are not the same. His Philadelphia is pretty safe. He does not worry about walking to the Wawa at night, with a \$5 bill hanging from his pocket. Chances are pretty good that he will arrive home safe. It is a different world. Unfortunately, like every other big city you have that underbelly that is completely different from the tourist sections. This is where the worst impact will be. Some of these people are trying to invest in the American dream legally in the poor neighborhoods where the worst economic impact is. Try to find a Wawa in North and Southwest Philadelphia. They are not there. Wawa has a policy that if it sustains a 2nd robbery, they have to close. This problem results in a local person scrapping up enough money to keep a small grocery store going, but hiring his entire family to keep the business flourishing. The end result is nobody from the local community is hired to fill these low skilled positions, which influences poverty. Reynolds indicated that a few months back, during an extremely violent weekend in Philadelphia, he recalled a media report where a witness tried pointing out the shooter in a shooting incident. The individual, who was a family member of the victim, told the police that he knew who did the

shooting and the person responsible was still in the crowd. When the crowd learned of this, they began to threaten the witness in front of the police. The situation repeated itself a little later in the evening. In that scenario, the mother snatched her son away from the police and told him that he would not talk to the police. She indicated that they would settle the problem their own way, and refused to allow her son to point out who had shot and killed his brother.

Reynolds stated that he does not know from where this culture emanates. He asserted “Maybe they think CSI will come and swab the street.” The same people will criticize the police. The truth is 9 out of 10 do not get solved through forensic examination.

Reynolds pointed out that the few murders in the better neighborhoods are solved, but the ones in the poor neighborhoods do not. Thus, the cycle continues. The disadvantaged prey on the disadvantaged, where a large proportion of the people live by the no-snitch street code.

Question 2: What could/should be done to turn the tide and prevent these predictors from occurring in the first place?

Reynolds believed that in order to mitigate the predictor of early entrance into the adult system would require the probation department to step up their efforts at anti-violence initiatives, such as the Youth Violence Reduction Program. He stated there are 15 to 20 staffers involved in this effort, which has increased over the last 5 years. He added that his office had added 14 gun court officers, domestic violence officers, and mental health officers participating with the police department in targeted patrols. He stated that his office just partnered with the University of Pennsylvania and thus created a new unit called Strategic Anti-Violence Effort (SAVE). He suggested that his department has made a quantum leap but realized they are still in their infancy with their efforts.

Reynolds equated the troubled youth's behavior as a "certification" process. It's almost a line in the sand. The courts indirectly tell the juveniles that they have seen enough of them, and are thus moving them to adult court. Hopefully, that sends a message to the juveniles that they can hear loud and clear that this behavior will no longer be tolerated.

Reynolds indicated that the government needs to work with at-risk people and show them how to be better parents to the generation that so far has not been so badly tainted. His office helps those he supervises to get employment, drug, alcohol and mental health treatment.

Reynolds related that he consistently works with families and asks the parents what they want for their children. The youths see themselves turning up as some mural painting on the street. To some extent, the parents do not see their children dying on the street. When he asks the parents "Whose kids are going to die on the street", he does not see a lot of hands going up in the meeting. He proclaimed that these people are the worst of the worst; he does not see any Ozzie and Harriet's in the crowd. He suggested that most of the parents want better for their children. "They do not want their children growing up like thugs."

Reynolds stated that he "superficially" sees concern from parents of youngsters on probation. He sees lack of a long-term plan and the ability to see life coming from the parents. He equated it to a "marathon versus a 100 yard sprint." "They want better for their children, but they do not see 5 years out. They cannot even see themselves 5 years out. They do not have an idea where they are progressing." There is immediacy in their needs and wants and behaviors.

Question 3: Is the criminal justice system broken in Philadelphia?

Reynolds indicated that the major problem that he sees with the criminal justice system is the different culture between the police and probation, and learning to work together. He indicated the departments both share an "us versus them" mentality, meaning it is our way and

not there's. "For police, they want to make an arrest and suppress crime. For probation, arrest of our people is a failure."

Reynolds indicated when these troubled youths move into adult court, and they take another arrest, they have made a "declaration." They are not the slightest bit deterred. In other words, they declare it is the price for doing business.

Reynolds suggested that he could not cite any documented study regarding the whole decline in our acceptance as a culture of certain things. He used the example, the "don't snitch", or videos on death. The whole world has become a less grateful place. "We have become the ultimate consumers. We want, what we want, when we want it."

Reynolds also realized that his office is tasked to manage the 43,000 to 45,000 probationers on any given day, and the average caseload per probation officer is 150 to 165 offenders. There are presently about 280 probation officers to oversee these offenders. Reynolds has done his math and figures that each offender gets 12 hours of supervision a year. That is not much.

Question 4: What should be done to improve the criminal justice system in Philadelphia?

Reynolds believed that the police and probation departments need to work better together in the future, and remove a stigma that he equates to the philosophy that both police and probation officers feel about their opposition towards those on probation. He feels as though this trend towards seeing probationers as individuals is moving in the right direction, but it is in its infancy.

Reynolds indicated that his office needs to do a better job at suppressing the people who are doing a majority of the crime whose impact on the community outweighs their need for rehabilitation.

CHAPTER 9

POLICE

Thomas J. Nestel, III was interviewed on April 27, 2007. He holds the civil service rank of Staff Inspector with the Philadelphia (PA) Police Department. As a 4th generation police officer, he considers the law enforcement profession to be his family business. His present assignment as the Commanding Officer of the Criminal Intelligence Section tasks him with developing and maintaining processes to gather, analyze, and disseminate information to assist in policy development and tactical deployment. During his 21 years of service, Nestel has been formally recognized more than twenty-five times for bravery, heroism, meritorious service and twice as Officer-of-the-Year. He has served the police department in patrol, investigations, internal affairs, narcotics and special operations.

Nestel has earned a Bachelor of Science degree in Criminal Justice from Chestnut Hill College; a Master of Science degree in Public Safety from Saint Joseph's University; a Master of Arts degree in National Security Studies from the United States Naval Postgraduate School; and a Master of Science degree in Criminology from the University of Pennsylvania. In September 2006, the University of Pennsylvania accepted Nestel as a doctoral candidate in the Department of Criminology.

Question 1: What do you feel is the cause or predictor of crime?

Tom stated that the standard predictors or indicators are provided by law enforcement. The police know the crime rates in the area, ages of the persons involved and what areas are most prone to criminal activity. You can get similar information from probation/parole, and out where probationers and parolees are released. If they return to the area where they initially committed the crime, there is the likelihood that they will become involved again in crime

because of the influences and the logical progression that the same people are committing the crimes. It is not a new breed that is constantly evolving.

You also have other alternatives ways. Nestel has always believed that if you go into a school classroom in 4th or 5th grade and tell the teacher “We are going to follow your class for the next 15 years of their life, and we’re going to see how they progress both educationally and behaviorally. We would also like to ask each of the teachers along the route which students they think are going to become a burden on society through the criminal justice system.” Teachers can tell you the most likely candidates. They can tell you because of their behavior or because of their learning ability, or their lack of respect. The issues that you see in a successful criminal can be observed in a young kid before they become a criminal.

Nestel talked about other ways to predict behavior. He stated to examine the teenage pregnancy rate, and ascertain what area of Philadelphia is the rate highest.

He also indicated to examine the area of the city where the highest level of services being provided by the Department of Human Services (DHS), compared to areas that have lower levels.

Nestel indicated that school attendance and health issues are equally important predictors as well. When you realize that some schools have higher rates of attendance, why do we have some schools that have low attendance rates? We all know that learning is the gateway to success, and you cannot learn when you are sitting home and watching television. If school attendance rates are low, we would need to understand why they are low. Are there health issues related to a particular neighborhood? We could find this out by talking to the department of health and finding out what area has the most need for services.

Nestel talked about the increase in violent crime in Philadelphia, and about some of the publicly talked about reasons or predictors attached to them. He suggested that he often hears unemployment repeated over and over again. He stated that most of the young males he has arrested really were not looking for a job. "If they were looking for a job, they were looking for a job where they could make \$400 a day, not \$40 a day flipping burgers at the King." Therefore, he finds no validity for employment as a cause or an issue when you are talking about that age 14-21 range. He believed it is other things, and that society has created an arena for the belief that violence is okay.

Nestel suggested that the internet now sends messages in such a widespread fashion, and thus can influence a large group of people. For example, anti-social behavior, just by its name alone, was thought to be unusual. Anti-social behavior was such a small group of people that did things that society did not think were right. When you put that on the internet, and you send it all over the city, then teenagers that are anti-social will start to see that they are not the exception, that there are many others just like them that suggest that improper behavior is acceptable because other people are doing it. He believed that society has sort of spun this thing where acting bad is okay, because other people are doing it.

Nestel pointed to the music videos where there is disrespect to women, racial slurs, and threats to authority, which is commonplace and normal. "When children see this, they believe that the behavior is normal too."

Nestel stated that when you have a crime that occurs and people are afraid to tell you what is going on, he asks "Why is that?" He believed the main reason is fear. He added that the threats and intimidation of witnesses in homicide cases is on the increase.

Nestel indicated that his staff just worked on a case where there was a homicide and the offender is captured and in prison on an unrelated charge. The defendant has already ordered two other murders of witnesses for that homicide. He is in prison. It is not him committing the murder; it is someone committing the murders for him so he can get off. If you have a belief in the community, that if I talk about that shooting, that I am going to get killed, it is not really a great incentive to talk to the police, especially when everybody in the community says that the police are not going to be there for you.

Question 2: What could/should be done to turn the tide and prevent these predictors from occurring in the first place?

Nestel believed that we should take drug enforcement funds and spend it on drug rehab and attack the demand instead of the supply. He suggested that if the demand is squashed, then the supply goes somewhere else. He proposed to “let the Columbians send their drugs to Afghanistan, or let the Mexicans send their dope to Brazil. If Americans no longer have the desire to pump cocaine into their bloodstream, then it will not come here. Since drug enforcement has not worked so well, let’s try that.”

Nestel pointed out that there is a program called Strategic Anti-Violence Unit (SAV U). The SAV U is an intensive supervision unit targeted to offenders at the highest risk for committing homicide. Caseloads are capped at 15 and officers have multiple contacts with offenders each week, both in the office and the field. SAV U currently has 5 officers but the program will be expanded if it is shown to reduce serious violence. (Philadelphia Adult Probation and Parole Department, n.d., 4-5)

Nestel indicated that SAV U is a collaborative effort between academia, probation and the police, whereby academia has set up a statistical model to identify those probationers who are

most likely at risk of committing homicide or becoming homicide victims. The SAV U unit (probation and police) provide social services and increase surveillance. Criminal intelligence personnel from the police department team up with probation officers once a week and go out to do visitations. The probation officer is checking on the status of his/her charge, making sure they have the appropriate services. The probation officer is there trying to develop a relationship, and the police are there to protect the probation officer. The police use the opportunity to talk to the probationer about criminal activity in the neighborhood. The difference between Youth Violence Reduction Partnership (YVRP) and SAV U is that there is an actual mathematical equation that is set up to identify the most likely people who need the biggest attention, whereas YVRP is word of mouth.

Furthermore, the Youth Violence Reduction Partnership is designed to work intensively with violent offenders ages 24 and younger in conjunction with the Philadelphia Police Department, Philadelphia Anti-Drug Anti-Violence Network (PAAN), the District Attorney's Office, Juvenile Probation, and Philadelphia Safe and Sound. YVRP began in the 24th and 25th Police Districts (East Philadelphia) and expanded, in July 2002, to the 12th Police District in Southwest Philadelphia. In 2005 and 2006 YVRP extended to the 19th, (West Philadelphia) and 22nd (North Philadelphia) Police Districts. This is a multi-agency partnership aimed at providing intensive supervision and services for at-risk youths, ages 18-24. (Philadelphia Adult Probation and Parole Department, n.d., 2-3)

Nestel indicated that when he was a district Captain, community members would frequently call him and complain about certain teenagers. The police would call the school where the youths were enrolled, and the school would, for example, report terrible attendance. The police would then refer the teens to YVRP.

Question 3: Is the criminal justice system broken in Philadelphia?

Nestel stated that when you look at all of these city departments providing various services, most are not talking to each other. In order to fix that, Nestel believed you got to have a “compstat meeting on steroids,” or super- compstat, involving all relevant city departments. Compstat is short for computer statistics, and the meetings in which the statistics illustrated are meant to demonstrate either a manager’s effectiveness or ineffectiveness. Management accountability is the central issue.

Nestel stated that you need to crank up a system that looks at the entire city departments, mainly the components of the criminal justice system. The main problem he observed is that they are not talking with each other. He indicated that there are individual groups trying really hard to affect change in their particular area, but they are not collaborating or multiplying their forces.

Nestel stated that there are many causes. The first is pure bureaucracy. The way we set up our city government, we divide it into departments. We put a department head in charge of each one, who manages that department. There is no line of communication across departments, just simply calls for assistance and informal relationships that connect employees, but you do not have that point where the police are out on the street every day and they see health, housing or drug abuse issues and the police department is not driving the necessary services to that area.

The same thing applies to social workers, who are a great source of information for criminal activity and anti-social behavior. “How much contact do they have with the police? They do not! So, organizationally there is a problem because there is no collaboration.”

Nestel said the other problem is overspecialization, and it is rampant in the police department. He indicated that he should put a big sign on his door that reads “Do not come in here if you are going to say that is the way we have always done it.” Change is a curse word in

bureaucracy. It is certainly a curse word in policing. “We would not dare change the way we operate, because we been so successful for hundreds of years, why would we want to change?”

Nestel believed that he could be put on a liberal web page with this thought, but how about the drug problem. Criminal behavior is often driven by drugs. We dump a gazillion dollars into drug enforcement, coming from local, state and federal funding sources. It is his heartfelt assertion that police make absolutely no difference and every law enforcement professional that he asks that question to say that we are only touching the tip of the iceberg. So, why is all that money being spent on drug enforcement if we’re really having no success?

Nestel believed that the government must recognize this problem and legislate a serious penalty of mandatory imprisonment for threatening or intimidating witnesses to crime. You must identify the witnesses, and let the police know who the witnesses are. The police must provide them with emergency phones; such as which is done currently with victims of domestic abuse which enables them to contact the police directly. When they contact the police, the police computer system should recognize the special status of the caller and the response code should be elevated to a priority 1. When the witnesses start to see that the police are supporting them, then they will be more likely to talk. When a witness is attacked, the police response must be a “full court press” and be clear and convincing with an omnipresence of police and investigators banging on every door in the community to ascertain information.

Nestel believed that when it comes to deployment by the Philadelphia Police, he believed that overspecialization has created enormous problems for operational efficiency. He added that specialization can be a good thing. It provides you with experts in a particular field in the law enforcement arena. However, the long-term result is that the department has lots of little specialized functions, and it is very compartmentalized. He asserted that the backbone of the

police department is the patrol bureau, and those are the uniformed officers who are assigned to the 26 districts throughout the city. He feels that this specialization has created a culture that street patrol officers are simply 911 responders. "All they do is answer the radio calls and they do not do any proactive policing." He believed that specialization must be undone, and we do it by getting rid of all the specialized units, but not ending the training. The training must be flexible enough to allow personnel the opportunity to become "specialists" within the patrol function. For example, let's look at the accident investigator. Why should we have an Accident Investigations Division when we have trained specialized accident investigators within the patrol districts? Nestel wants accident investigators in every district and wants to open the door for every cop who wants to become an expert in accident investigations to take the necessary courses and use that in their patrol duties. Nestel uses a motto from the Marine Corp, which says "every marine is a rifleman." Nestel wants to say "every Philadelphia police officer is a district cop." For Nestel, he believes that every cop needs to spend time in the district. If we keep specialized units, they should be rotated out and go back to the districts. He believes that every week, if you are in an administrative function, one day should be spent out on patrol in the district, so you can keep in touch with what is going on in the community. This would increase the number of officers on the street. "If you increase patrols, you can keep people on foot and bicycles, where they are more likely to be in contact with those they are sworn to protect."

Nestel also is a proponent of cops being assigned to specific areas, with a certain supervisor, and that is the only area where they work, with the exceptions of major emergency calls. These personnel would be responsible for the quality of life, and the preventive patrol in that area using foot, bike, or helicopter. He does not care how they patrol, but they must stay focused on prevention in that area, and make connections with the community. By taking

specialization away, you would then have the district Captain (commanding officer) responsible not just for responding, preventing, and investigating crime, but also responsible for quality of life issues, and narcotics and prostitution enforcement. “Right now, the district captain does not have the power to say, ‘I’m going to attack that prostitution problem.’ He does not have the resources and expertise to follow through.”

Nestel indicated that another problem with the department’s specialization is they do not make specialists out of rookies. They make specialists out of veterans, which means that you take the veterans out of the patrol district and you put them into the specializations functions. Thus, you are leaving the rookies to do the most important work. As for the shootings that occurred in 2006, Nestel indicated that a significant number of the shooting victims and those who were arrested for shooting were under supervised probation at the time of the shooting incident. It appears that these statistics have not changed for quite some time now.

Question 4: What should be done to improve the criminal justice system in Philadelphia?

Nestel suggested that we need to keep the most experienced officers on the street performing patrol duties and somehow draw them to that through rewards or monetarily.

With regard to funding, Nestel suggested that the department has gotten used to counting on federal funding for policing efforts. When the 911 terrorists struck, that changed the police funding methods. What changed it was a complete altering in protecting society, and it is not from the community up, it is from the nation down. Therefore, police departments are looking at preventing attacks to the United States when last year the city of Philadelphia had 406 murders. The money that used to go to policing now goes to homeland security. Nestel suggested that the police department must strengthen their lobbying efforts to balance that out, to look at all threats, not just homeland security. Nestel suggested to present referendums in a ballot form for specific

policing efforts that would ask the voter if they would be willing to see an increase in x percent of taxes to fund this program. Let the citizens decide that they are willing to pay 2 percent more in real estate taxes to support targeted patrols of identified repeat offenders, or support after school or drug rehab programs. In this way, you automatically obtain the support of the citizens to sponsor that project and the money really goes to it.

CHAPTER 10

THE CURRENT VIOLENT CRIME PROBLEM IN PHILADELPHIA

According to the Federal Bureau of Investigation (FBI) (2006), Preliminary figures indicate that, as a whole, law enforcement agencies throughout the Nation reported an increase of 3.7 percent in the number of violent crimes brought to their attention in the first half of 2006 when compared to figures reported for the first six months of 2005. The violent crime category includes murder, forcible rape, robbery, and aggravated assault.

Table 2 reports that of the ten largest U.S. cities in 2006, Philadelphia had the highest murder rate, 28 victims per 100,000 populations.

Table 2. Homicide Rates

Homicides in Other Large U.S. Cities						
10 Largest Cities						
City	2005 pop.	Poverty rate	Homicides		Pct. chg.	2006 homicide rate per 100,000 people
			2005	2006		
1. New York	8,143,197	19%	540	590	+9%	7
2. Los Angeles	3,844,829	20%	490	478	-2%	12
3. Chicago	2,842,518	21%	450	466	+4%	16
4. Houston	2,016,582	23%	336	378	+13%	19
5. Philadelphia	1,463,281	25%	380	406	+7%	28
6. Phoenix	1,461,575	16%	239	252	+5%	17
7. San Antonio	1,256,509	19%	90	119	+32%	9
8. San Diego	1,255,540	13%	51	62*	* Through November	
9. Dallas	1,213,825	22%	202	187	-7%	15
10. San Jose	912,332	10%	31	30	-3%	3
Other Cities						
City	2005 pop.	Poverty rate	Homicides		Pct. chg.	2006 homicide rate per 100,000 people
			2005	2006		
Detroit	886,671	31%	359	414	+15%	47
Baltimore	635,815	23%	269	275	+2%	43
Boston	559,034	22%	75	74	-1%	13
Washington	550,521	19%	195	169	-13%	31
Atlanta	470,688	27%	90	111	+23%	24
Cleveland	452,208	32%	114	119	+4%	26
Newark, N.J.	280,666	25%	98	104	+6%	37
Camden	80,101	44%	38	34	-11%	42

SOURCES: Philadelphia Police Department; U.S. Census Bureau; Inquirer analysis by JOHN DUCHNESKIE, ALLETTA EMENO and DYLAN PURCELL
JOHN DUCHNESKIE / Inquirer Staff Artist

Philadelphia's rate was not the worse. Among other cities ranging with populations between 80,101 (Camden, NJ) and 886,671 (Detroit), the rates on average were higher.

The Federal Bureau of Investigation defines violent crime as Murder, Rape, Robbery and Aggravated Assault. Philadelphia Police Department violent crime statistics illustrate how the surge in gun crime has grown from calendar year 2004 to 2006. The only decrease in statistics is in the rape category. What is most troubling about the statistics is the substantial increase in homicide incidents. See Table 3 for violent crime statistics as reported by Philadelphia Police for calendars years 2004 through 2006:

Table 3. Violent Crimes reported to Philadelphia Police

Violent Crimes	2004	2005	2006	+ -
Homicide	330	380	406	+23%
Rape	1119	1111	1031	-8%
Robbery/Gun	4455	4689	5194	+17%
Robbery/other	4975	5166	5563	+12%
Aggravated Assault/Gun	3101	3384	3434	+11%
Aggravated assault/other	6334	6573	6905	+9%

Source: Philadelphia Police Compstat Sheets: Major Crimes as Reported to PPD Citywide, YTD 2004, 2005, 2006.

When looking at the figures for gun-related shooting incidents over the 3 year time frame, the level of violence increases.

Shooting incidents are defined as any incident where a gunshot is discharged. One does not necessarily have to be shot, just shot at. (See Table 4)

Table 4: Violent Crimes reported to Philadelphia Police- Shooting Incidents, Victims and Firearms Seized

Violent Crime	2004	2005	2006	+ -
# of shooting Incidents	2270	2398	2646	+17%
# of shooting victims	1725	1772	1981	+15%
Firearms seized	3220	3461	3318	+3%

Source: Philadelphia Police Compstat Sheets: Major Crimes as Reported to PPD Citywide, YTD 2004, 2005, 2006.

The crime of murder continues to climb a total cumulative 26%, when comparing the period of January 1, 2006 to March 25, 2006 with the same period in 2007. These levels are distressing, and many are demanding a quick fix to this complex issue as noted in Table 5.

Table 5...Source: Philadelphia Police



PHILADELPHIA POLICE DEPARTMENT



MAJOR CRIMES AS REPORTED TO P.P.D. - CITYWIDE - WEEK 12 (02/26/07 TO 03/25/07)

LAST 2 WEEKS			LAST 28 DAY PERIODS			YEAR TO 03/25		
VIOLENT CRIME								
	Week 11	Week 12	01/29 TO 02/25	02/26 TO 03/25	% Change	2006	2007	% Change
Homicide	8	9	29	34	17%	73	92	26%
Rape	19	18	69	86	25%	217	226	4%
Robbery/Gun	49	83	316	259	-18%	972	1009	4%
Robbery/Other	92	100	348	395	14%	1188	1206	2%
Aggravated Assault/Gun	35	58	189	188	-1%	687	600	-13%
Aggravated Assault/Other	128	118	368	493	34%	1349	1261	-7%
TOTAL VIOLENT CRIME OFFENSES	331	386	1319	1455	10%	4486	4394	-2%
PROPERTY CRIME								
	Week 11	Week 12	01/29 TO 02/25	02/26 TO 03/25	% Change	2006	2007	% Change
Burglary/Residential	121	138	548	558	2%	1649	1838	11%
Burglary/Non Residential	43	40	142	138	-3%	599	458	-24%
Theft Of Motor Vehicle Tag	66	61	263	272	3%	809	772	-5%
Theft From Person	19	8	83	53	-36%	208	211	1%
Theft From Auto	213	254	737	918	25%	2770	2693	-3%
Theft	227	244	776	895	15%	2598	2652	2%
Retail Theft	111	104	445	457	3%	1387	1390	0%
Auto Thefts	195	206	824	855	4%	2208	2545	15%
TOTAL PROPERTY OFFENSES	995	1055	3818	4146	9%	12228	12559	3%
TOTAL PART ONE CRIMES			5137	5601	9%	16714	16953	1%
<small>NOTE: This data is to be used internally for Philadelphia Police Department use only. This Crime data is preliminary and subject to reclassification upon further investigation. Release of this data to any outside agencies or group must be approved by the Police Commissioner or his designee.</small>								
# Of Shooting Incidents	40	55	150	170	13%	497	483	-3%
# Of Shooting Victims	34	40	112	128	14%	358	370	3%
Firearms Seized	43	64	458	212	-54%	694	907	31%
ARREST SECTION								
VIOLENT CRIME								
	Week 11	Week 12	01/29 TO 02/25	02/26 TO 03/25	% Change	2006	2007	% Change
Homicide	5	7	22	19	-14%	53	74	40%
Rape	9	11	35	30	-14%	108	102	-6%
Robbery/Gun	19	28	101	96	-5%	250	343	37%
Robbery/Other	53	56	149	190	28%	593	565	-5%
Aggravated Assault/Gun	17	24	101	92	-9%	268	304	13%
Aggravated Assault/Other	67	57	222	283	27%	957	759	-21%
TOTAL VIOLENT CRIME ARRESTS	170	183	630	710	13%	2229	2147	-4%
PROPERTY CRIME								
	Week 11	Week 12	01/29 TO 02/25	02/26 TO 03/25	% Change	2006	2007	% Change
Burglary/Residential	26	36	116	120	3%	267	334	25%
Burglary/Non-Residential	4	16	18	33	83%	116	77	-34%
Theft Of Motor Vehicle Tag	0	0	1	2	100%	7	7	0%
Theft From Person	5	1	5	13	160%	13	25	92%
Theft From Auto	11	7	40	31	-23%	157	123	-22%
Theft	9	7	41	37	-10%	170	136	-20%
Auto Theft	44	47	177	176	-1%	473	513	8%
TOTAL PROPERTY CRIME ARRESTS	99	114	398	412	4%	1203	1215	1%
TOTAL PART ONE ARRESTS			1028	1122	9%	3432	3362	-2%
Quality Of Life Arrests	264	334	846	1116	32%	2858	2925	2%
V.U.F.A. Arrests	26	29	100	102	2%	408	328	-20%
Other Part II Arrests	392	402	1336	1553	16%	4121	4311	5%
District Narcotic Arrests/Buyer	108	184	480	586	22%	1607	1624	1%
District Narcotic Arrests/Seller	47	73	238	250	5%	1150	740	-36%
Retail Thefts	84	75	321	312	-3%	914	957	5%
Other Unit Narcotic Arrests/Buyer	75	102	386	390	1%	947	1162	23%
Other Unit Narcotic Arrests/Seller	89	131	413	393	-5%	1303	1300	0%
TOTAL ARRESTS			5148	5824	13%	16740	16709	0%
ACTIVITY SECTION								
Recovered Stolen Autos	154	148	613	633	3%	1920	1964	2%
Curfew Violations	351	513	1335	1615	21%	6299	4372	-31%
Truancy Violations	730	907	2634	3079	17%	9675	8872	-8%
Moving Violations	3172	3713	13995	14089	1%	49630	44940	-9%
Parking Violations	3689	4512	17645	17029	-3%	63922	52364	-18%
Vehicle Investigations	5704	6747	25527	25589	0%	86715	75372	-13%
Pedestrian Investigations	2196	2824	8680	9700	12%	30265	28186	-7%
COMPLAINTS AGAINST POLICE	11	5	26	26	0%	103	78	-24%
TOTAL POLICE ACCIDENTS	8	22	32	40	25%	97	112	15%

Table 6 presents the demographics of those who committed the murders in Philadelphia in 2004: 47% of the 225 persons arrested for murder were between the ages of 18-24. 47% of the male arrestees were between the ages of 18-24. 79% of the arrestees were black males. Of those black males, 49% of them were between the ages of 18-24.

Table 6. Homicide Perpetrators by Age, Race, and Sex
1/1/2004 to 12/31/2004

HOMICIDE PERPETRATORS BY AGE, RACE, AND SEX
MURDER ARRESTS ONLY

1/1/2004 TO 12/31/2004

AGE	TOTAL	M	F	WHITE			BLACK			ASIAN			INDIAN	OTHER	LATINO
				M	F	Total	M	F	Total	M	F	Total			
0-10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11-17	19	19	0	1	0	1	16	0	16	1	0	1	0	0	1
18-24	106	103	3	5	0	5	87	2	89	4	0	4	0	2	6
25-34	65	64	1	7	0	7	51	1	52	0	0	0	0	0	5
35-44	23	22	1	0	1	1	19	0	19	0	0	0	0	0	3
45-54	7	6	1	2	0	2	3	1	4	1	0	1	0	0	0
55-64	3	3	0	1	0	1	2	0	2	0	0	0	0	0	0
65-74	2	1	1	0	1	1	0	0	0	0	0	0	0	0	1
75-84	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
85+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	225	218	7	16	2	18	178	4	182	6	0	6	0	2	16

Table 7 presents the demographics of those who were the murder victims in Philadelphia in 2004: 31% of the 330 victims of homicide were between the ages of 25-34. 88% of the 330 victims were males, of which 32% of these were between the ages of 25-34. 72% of the 330 victims were black males, of which 35% were between the ages of 25-34.

Table 7. Homicide Victims by Age, Race, and Sex
1/1/2004 to 12/31/2004

HOMICIDE VICTIMS BY AGE, RACE, AND SEX

1/1/2004 TO 12/31/2004

AGE	TOTAL	M	F	WHITE			BLACK			ASIAN			INDIAN	OTHER	LATINO
				M	F	Total	M	F	Total	M	F	Total			
0-10	12	6	6	1	2	3	5	3	8	0	1	1	0	0	2
11-17	22	20	2	2	1	3	18	1	19	0	0	0	0	0	1
18-24	80	75	5	10	1	11	65	3	68	0	1	1	0	0	8
25-34	101	94	7	11	3	14	82	4	86	1	0	1	0	0	8
35-44	62	54	8	6	2	8	46	6	52	2	0	2	0	0	5
45-54	28	21	7	10	1	11	11	6	17	0	0	0	0	0	1
55-64	15	14	1	9	0	9	5	1	6	0	0	0	0	0	0
65-74	5	4	1	1	1	2	3	0	3	0	0	0	0	0	0
75-84	5	3	2	1	2	3	2	0	2	0	0	0	0	0	0
85+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	330	291	39	51	13	64	237	24	261	3	2	5	0	0	25*

* Latino is not a race, it is an ethnic group and therefore the Latino victims have already been counted under the several race categories. The Latino total should not be added to the race totals.

Table 8 presents the demographics of those who committed the murders in Philadelphia in 2005: 56% of the 250 persons arrested for murder were between the ages of 18-24. 53% of those arrested were males between the ages of 18-24. 80% of those arrested were black males, of which 58% of them were between the ages of 18-24.

Table 8. Homicide Perpetrators by Age, Race, and Sex
1/1/2005 to 12/31/2005

HOMICIDE PERPETRATORS BY AGE, RACE, AND SEX
MURDER ARRESTS ONLY

1/1/2005 TO 12/31/2005

AGE	TOTAL	M	F	WHITE			BLACK			ASIAN			INDIAN	OTHER	LATINO
				M	F	Total	M	F	Total	M	F	Total			
0-10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11-17	24	24	0	3	0	3	20	0	20	0	0	0	0	0	1
18-24	139	132	7	6	0	6	116	7	123	3	0	3	0	0	7
25-34	61	57	4	3	0	3	46	4	50	0	0	0	0	0	8
35-44	12	11	1	2	0	2	8	1	9	1	0	1	0	0	0
45-54	8	6	2	2	0	2	3	2	5	0	0	0	0	0	1
55-64	3	3	0	0	0	0	3	0	3	0	0	0	0	0	0
65-74	2	2	0	0	0	0	2	0	2	0	0	0	0	0	0
75-84	1	1	0	0	0	0	1	0	1	0	0	0	0	0	0
85+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	250	236	14	16	0	16	199	14	213	4	0	4	0	0	17

Table 9 presents the demographics of those who were the murder victims in Philadelphia in 2005: 33% of the 380 victims of homicide were between the ages of 18-24. 91% of the 380 victims were males, of which 33% were between the ages of 18-24. 76% of the victims were black males, of which 33% were between the ages of 18-24.

Table 9. Homicide Victims by Age, Race and Sex
1/1/2005 to 12/31/2005

HOMICIDE VICTIMS BY AGE, RACE, AND SEX

1/1/2005 TO 12/31/2005

AGE	TOTAL	M	F	WHITE			BLACK			ASIAN			INDIAN	OTHER	LATINO
				M	F	Total	M	F	Total	M	F	Total			
0-10	13	8	5	2	0	2	5	4	9	1	1	2	0	0	1
11-17	21	20	1	2	0	2	18	1	19	0	0	0	0	0	1
18-24	125	114	11	13	1	14	97	10	107	4	0	4	0	0	16
25-34	108	104	4	11	2	13	93	1	94	0	1	1	0	0	12
35-44	69	63	6	8	2	10	51	4	55	4	0	4	0	0	4
45-54	31	27	4	6	1	7	21	3	24	0	0	0	0	0	4
55-64	7	7	0	2	0	2	5	0	5	0	0	0	0	0	0
65-74	2	1	1	1	0	1	0	1	1	0	0	0	0	0	0
75-84	4	1	3	1	2	3	0	1	1	0	0	0	0	0	0
85+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	380	345	35	46	8	54	290	25	315	9	2	11	0	0	38*

* Latino is not a race, it is an ethnic group and therefore the Latino victims have already been counted under the several race categories. The Latino total should not be added to the race totals.

Table 10 presents the demographics of those who committed the murders in Philadelphia in 2006: 41% of the 222 persons arrested for murder were between the ages of 18-24. 43% of the male's arrestees were between the ages of 18-24. 79% of the total arrestees were black males, of which 45% were between the ages of 18-24.

Table 10. Homicide Perpetrators by Age, Race and Sex
1/1/2006 to 12/31/2006
HOMICIDE PERPETRATORS BY AGE, RACE, AND SEX
MURDER ARRESTS ONLY
1/1/2006 TO 12/31/2006

AGE	TOTAL	M	F	WHITE			BLACK			ASIAN			INDIAN	OTHER	LATINO
				M	F	Total	M	F	Total	M	F	Total			
0-10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11-17	30	29	1	2	0	2	26	1	27	0	0	0	0	0	1
18-24	91	88	3	4	0	4	79	3	82	1	0	1	0	0	4
25-34	60	57	3	5	2	7	47	1	48	0	0	0	0	0	5
35-44	26	21	5	5	2	7	12	3	15	0	0	0	0	0	4
45-54	11	9	2	0	1	1	9	1	10	0	0	0	0	0	0
55-64	3	2	1	0	0	0	2	1	3	0	0	0	0	0	0
65-74	1	1	0	1	0	1	0	0	0	0	0	0	0	0	0
75-84	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
85+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	222	207	15	17	5	22	175	10	185	1	0	1	0	0	14

A troubling statistic emerged from the perpetrator tables. In 2004, 9% of those arrested for murder were between the ages of 11-17. In 2005, that number rose to nearly 10%. In 2006, that number rose to nearly 14%. The image of the super-predator comes to mind. In 1995, Professor John J. Dilulio, Jr. wrote an article called "The Coming of the Super-Predators" for The Weekly Standard. Dilulio's dramatic treatise, documented the increasing rate of violent crime and homicides by juveniles. According to James Q. Wilson, Professor of Public Policy for the University of California at Los Angeles, these were juveniles who, when caught for a crime, "show us the blank, unremorseful stare of a feral, pre-social being" (Law Library-American Law and Legal Information: American Court Cases Review, n.d., 3). I ask, are we now starting to see this trend reshape itself in Philadelphia?

Table 11 presents the demographics of those who were the murder victims in Philadelphia in 2006: 38% of the 406 victims of homicide were between the ages of 18-24. 88% of the 406 victims were males, of which 40% were between the ages of 18-24. 73% of the total victims were black males, of which 43% were between the ages of 18-24.

Table 11. Homicide Victims by Age, Race and Sex
1/1/2006 to 12/31/2006

HOMICIDE VICTIMS BY AGE, RACE, AND SEX

1/1/2006 TO 12/31/2006

AGE	TOTAL	M	F	WHITE			BLACK			ASIAN			INDIAN	OTHER	LATINO
				M	F	Total	M	F	Total	M	F	Total			
0-10	9	7	2	1	0	1	6	2	8	0	0	0	0	0	1
11-17	25	22	3	2	0	2	20	3	23	0	0	0	0	0	1
18-24	154	143	11	12	3	15	128	8	136	3	0	3	0	0	11
25-34	111	100	11	17	2	19	82	9	91	1	0	1	0	0	14
35-44	50	43	7	10	0	10	30	7	37	3	0	3	0	0	5
45-54	35	28	7	9	1	10	19	6	25	0	0	0	0	0	2
55-64	14	12	2	4	0	4	8	2	10	0	0	0	0	0	4
65-74	2	2	0	0	0	0	1	0	1	0	0	0	0	1	1
75-84	6	2	4	0	2	2	2	2	4	0	0	0	0	0	0
85+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	406	359	47	55	8	63	296	39	335	7	0	7	0	1	39*

* Latino is not a race, it is an ethnic group and therefore the Latino victims have already been counted under the several race categories. The Latino total should not be added to the race totals.

CHAPTER 11

CONCLUSION

This thesis has attempted to find the reasons why Philadelphia has experienced a surge in violent crime in recent years, to understand the problems of the criminal justice system in Philadelphia, and to offer suggestions on enhancing it to improve effectiveness.

I first examined the criminal justice system as a whole, and discussed its integral parts. The system was defined as a set of interrelated parts working together to form a common goal.

I then set out to interview principal stakeholders working in various sectors of the system. Each interviewee very candidly expressed what he/she believed to be the predictors of crime, and shared their opinions on problems inherent in the criminal justice system in Philadelphia. Each interviewee supported their views and assessments with examples.

As for the problems inherent within the criminal justice system, I suggest that the agencies within that network (police, courts, prison) meet regularly to resolve common goals and utilize initiatives that are predicated on proactive efforts instead of reactive ones. This philosophy would bring together a multifunctional team, each bringing to the table their strengths with appropriate resources to tackle the problem head on. An example of such team could involve the departments of Police, Probation, Human Services, Health, and Education.

Each interviewee identified what they believed to be the most common predictors or cause of crime, and what they believed should be done to reverse or mitigate these predictors to reverse this dangerous surge in violent crime. Some of the top predictors were identified as family destabilization, poverty, poor education and lack of available community resources.

The following recommendations are suggested as being part of the recommended solution to fight violent crime:

I strongly recommend we take a historical look backwards at the crime and quality-of-life conditions that plagued New York City in the early nineties, and resurrect the highly touted solution that Mayor Giuliani and Police Commissioner Bratton used to combat them. Using the broken windows theory of policing, which argues “that minor nuisances, if left unchecked, turn in to major nuisances, that is, if someone breaks a window and sees that it is isn’t fixed immediately, he gets the signal that it is okay to break the rest.” (Levitt & Dubner, 2005, 128) Philadelphia Police must adopt this style of policing, and more importantly, train its officers to recognize the smaller issues and empower them to take the appropriate steps towards working with other city agencies to remedy the problems, before they fester. The police agency will need to train this restructured and reenergized police organization to focus on crimes such as panhandling, gambling, and smaller quality of life offenses, given the likelihood that those individuals arrested are the ones carrying the guns to commit other serious offenses. Thus, serious crimes may fall significantly as they did in New York City, using the idea inspired by William Bratton, former Police Commissioner of NYPD, in his highly touted book “Turnaround.” Most of the interviewees mentioned that they would like to see the police be more aggressive with anti-crime efforts.

As for policing, police administrators have to begin to look at their agency as a whole, and restructure the bureaucratic landscape that it currently sits on. I share the opinion with Staff Inspector Nestel that more police officers are needed in uniform, working on the street and not in so many specialized units. These officers need to be in the communities, working daily with them to rebuild a sense of trust and security together. For example, I believe there are too many officers assigned to the narcotics bureau, numbering in the several hundreds. It will take a bold

new change agent to come in, with the support of the new mayor, and implement this necessary organizational restructuring.

I believe, as Judge Hughes so expressively pointed out, that the communities have lost that sense that the police can protect them if they act as witnesses in an investigation. In Philadelphia, the witness- relocation plan helps the police and prosecutors build their case against the defendant, as well as keep the witnesses safe. "Philadelphia's program, administered by the District Attorney's Office, relocated 73 families last year. The city used more than half a statewide budget of \$1 million that District Attorney Lynne M. Abraham has been fighting to preserve.

Witness intimidation "is real, it is palpable, people feel it," Abraham told City Council last year. "They are terribly concerned that they will be killed, that their house will be burned down, and that their children will be harmed" (Saul, 2007, p.2)

Judge Hughes talked about the teens not seeing street police officers walking in the community, serving both as a positive mentor and crime deterrent. Instead, the troubled youth are surrounded by drug dealers in their community who offer them hope and money through illegitimate means. To help restructure and deploy the police, Staff Inspector Nestel stated that specialization needs to be eliminated from its ranks and police officers must be returned to the patrol districts, to fulfill the overall mission of the police department. The district Captain (Commanding Officer) would then be responsible for all police services, basic and specialized, within his/her command. Accountability would then be enhanced to improve the quality of life for all residents in that district. More officers would be in uniform, and thus would create an omnipresence effect, and the community would feel safe again. This feeling of safety is lacking

today in the Philadelphia community. I hear it echoed over and over again daily on local television news programs, who regularly report the violence.

Another major problem brought up by several of the interviewees was poverty, and how it has an effect on crime. Philadelphia has a poverty rate of 25%, and it is settled primarily in the minority communities. Judge Hughes, District Attorney Delaney, Probation Directors Sharp and Reynolds, all discussed this issue in their interviews, suggesting that if there are no jobs in the neighborhood, a youth lacking opportunity may fall victim to a lifestyle of crime. Elijah Anderson, a prominent sociologist, frequently lectures on issues of economic distress within inner-city neighborhoods. "The problems we have with respect to violence in this city are really associated with economic and social distress." He continues "There are three sources of income for this population: low-wage jobs, welfare payments, and the idiosyncratic underground economy of hustling, barter and street crime" (Matza, 2007, A1-A10).

The local economy has to improve and business investment must be made inside the neighborhood areas outside of center city. In order to accomplish this, those most at-risk must obtain professional skills training to enable them to sustain meaningful employment and help them purchase reasonable housing and keep their neighborhood clean and safe to attract businesses over the long-term. The mayoral democratic primary is now behind us. Party-elect Michael Nutter, if elected in November, will need to focus on improving the economic landscape for all of the city's neighborhoods, especially in the impoverished areas to generate jobs.

It is my opinion that suitable federal funding must be retained to municipalities and state government. One needs to look at the levels of violent crime sweeping the nation. For example, the Federal Bureau of Investigation reported that violent crime in United States increased 3.8% in the first six months of 2006 compared to the same time period in 2005. When examining the

Philadelphia violent crime rates in the last two years, there has been a significant increase in gun related violent crime, specifically murder. In my opinion, there is a health crisis in Philadelphia that is being overlooked. When the nation's sixth largest city reports 406 murders, it is time to declare a "crisis" and take immediate action to stop it in its path.

In September 2006, three people died after they ate spinach contaminated with e-coli bacteria. The public health response that followed swept the nation, with public safety alerts and a federal government response that cost millions of dollars for investigation and mitigation. Yet, crime reduction is not treated equally. Elected officials attempt to enact legislation which can take months to be heard, and the community tolerates the delay. Crime becomes an expected norm to some.

Many of the interviewees in this paper indicated that due to the war in Iraq and Afghanistan, federal monies that would have been appropriated for local and state jurisdictions have been assigned to the Defense Department and Homeland Security. Partisan infighting on the war issue in Congress and the Senate is evident in the media, and as the debate continues, homicide victims continue to mount in Philadelphia and several other large cities throughout the United States.

A return to community policing in Philadelphia will also help restore trust and accountability to the police department, and to the community which they serve. This commitment must be long-term and focused on the police and community working together as partners in the crime fight. Probation and parole officers can leave their offices and head to the communities, being more visible to those in the community. Judge Cardwell-Hughes explicitly discussed this philosophy in policing that, in her opinion, has built barriers between the police and the community in her interview.

The various agencies must routinely meet and discuss common attainable goals to ensure the agencies work together as a “system” rather than as a “network,” as many scholars (Cox & Wade, 1998) have suggested.

Lawrence Sherman, Director, Jerry Lee Center of Criminology and professor of criminology and sociology, sees the Philadelphia homicide problem as such: “No one knows why homicide rates rise and fall in short time frames. But homicide has been rising steadily for 5 years in Philadelphia, with ever more guns seized by police every year” (Hill, 2007, p.2).

Sherman and his staff at the Jerry Lee Center for Criminology are working close with employees of the city of Philadelphia probation department to identify those who are most likely to become victims or perpetrators of homicide. Sherman expects to see results of his studies by next year.

As for new legislation, the State of Pennsylvania should enact tougher gun laws, like the one gun a month limit. Deputy District Attorney John Delaney stressed the need for this legislation, arguing that it alone will not solve the gun problem. However, the problem is that there are simply too many guns in the state, and it is so easy for juveniles to get their hands on one. Reflecting on the recent tragedy at Virginia Tech and the relative ease for the shooter to purchase his handguns is mind boggling. The state of Virginia’s gun law are simply too lenient. In a recent Philadelphia Inquirer article, two reporters teamed up and “decided to arm themselves on the same day last May for a project comparing gun laws in Pennsylvania and New Jersey”(Kinney, 2007, p. B1).

One reporter went to a gun shop in Delaware County, Pennsylvania, he was able to purchase two handguns within 40 minutes. The other reporter went to a New Jersey gun store, all

she could do was look for a gun, pay \$61, and wait nearly 9 weeks “just to receive her Firearms Identification Card and handgun purchase permit” (Kinney, p.B1).

During that wait period, investigators talked to her character witnesses, asking about her drinking habits and if they knew of her being a radical. The investigators also stopped at her home unannounced and spoke to her husband, to see if he “knew of-and approved of- her quest to bear arms.” (Kinney, 2007, p. B1).

The proliferation of illegal guns on the street is causing the upsurge in homicides. However, that is only one part of the problem. It is the type of gun used today that is troubling. "Now we have youngsters as young as 13, 14, 15 with Tech nines and Mac tens, and semi-automatics, said Lynn Abraham, Philadelphia District Attorney." (CBS News, 2007, 1) In years past, revolvers capable of holding only six rounds were used. Nowadays, it is fashionable to be carrying the 40 or 45 caliber semi-automatic handgun capable of holding up to 30 plus rounds, so the likelihood of hitting their targets is enhanced.

On May 3, 2007, governor Rendell and several Pennsylvania mayors, including Mayor Street of Philadelphia traveled to the state capitol in Harrisburg to petition the republican controlled house to create new state gun legislation, as well as allowing municipalities (like Philadelphia) to create their own gun laws. Their request was met with resistance. The governor suggests that the problem lies with the fact that the house is supported by the National Rifle Association (NRA).

Deputy district attorneys George Mosee discussed the issue of attacking the crime problem head-on by focusing on programs to educate the at-risk youths and their families on parenting, and teach children in the 6th, 7th & 8th grades about the consequences of delinquent

behavior, but also advise the children of their susceptibility to being placed in the adult prison system if they're aged 15 or older and use a gun in Pennsylvania.

As for the recent surge in homicides in Philadelphia, one disturbing note appeared. While examining the ages of the perpetrators arrested for murders in Philadelphia from 2004 through 2006, the percentage increase for the age group 11-17 increased each year, from 9% in 2004 to nearly 14% in 2006. We have a dangerous trend here, and those officials from criminal justice, health, social and human services, should be alarmed.

John Dilulio Jr., a University of Pennsylvania Professor at the Fox Leadership Program, wrote an article entitled "Young and Deadly, The problem of juvenile crime, in which he said "the claim that today's super-impulsive youth criminals can be deterred by the threat of confinement is highly doubtful," cannot be undermined. (Dilulio, Jr., 2000, p.29)

W. Kevin Reynolds, Adult Probation/Parole, articulated the same thoughts in his interview by suggesting that when these troubled youths move into adult court, and they take another arrest, they have made a "declaration." They are not the slightest bit deterred. In other words, they declare it's the price for doing business.

The problem of homicide is very complex, and cannot be solved by a single solution. The crime data reveal the facts. It is a problem that is occurring within the African-American community of Philadelphia. The facts reveal that they are consistently murdered up to 76% of the time in Philadelphia, and they are arrested in as many as 80% of the cases. The crime data reveal that the majority of these males committing the murders and those who are the victims are between the ages of 18-24. Researchers and elected officials need to accept these crucial facts and not try to dilute them due to political incorrectness or another lame excuse. With this statistical analysis, a strategy should be developed to both identify and prevent those who are

most likely to be murdered. The good news is that the work is currently underway at the University of Pennsylvania under the guidance of Dr. Larry Sherman.

A comprehensive, long-term strategy focusing in on education and prevention directed towards this group is imperative. This strategy must be created, implemented, monitored and critiqued regularly to ensure its effectiveness. All the stakeholders involved in its solution should be identified and held accountable for its success. These alliances should come from the population of youth, parents, social and developmental agencies, such as human services, faith-based institutions, and learning centers. Specifically, the criminal justice agencies have a vested role in this solution and they must become equally involved and work fervently with its established partners listed above, as well as its partners from other local, state and federal law enforcement agencies.

The 2001 publication “Murder is No Mystery”, (Public/Private Ventures, 2001)

Young men in poor neighborhoods need one kind of attention. Violent offenders on probation need another. Women and children threatened by domestic abuse need still another. Store owners threatened by potentially fatal robberies, drug dealers working their heavily contested corners, young people carrying firearms for prestige or protection—these are all potential victims whose safety requires different solutions. (p. 38)

The problem of probation officers and their extensive case management system is overwhelming and is in desperate need of agency restructuring. In order to supervise probationers effectively, and to keep the community safe from repeat offenders, law enforcement officials must keep a vigilant eye on these individuals and restore a sense of deterrence imposed on their collective mindset. Part of the restructuring will come in the form of having the probation officers meeting their probationers in schools, auditoriums or other large venues in the field instead of meeting them in the overcrowded probation office in center city Philadelphia.

Society cannot continue to accept this increase in violent crime in our beloved city, and must stand united and pool our resources and knowledge to outwit the forces that prey upon its victims. Society has no choice, as a generation is being lost to violence.

References

- CBS News (2007, April 1). *Murder Rate Soars In Philadelphia, City Of Brotherly Love On Track For Deadliest Year In A Decade*. Retrieved May 27, 2007, from www.cbsnews.com
- City of Philadelphia (2006, May 25, 2006). *City of Philadelphia Fiscal 2007 Operating Budget*. Retrieved May 5, 2007, from http://www.phila.gov/reports/Budget_in_Brief_2007.pdf
- Coalition for Juvenile Justice (2007). *CJJ Statement on Juvenile Justice Appropriations*, 1. Retrieved April 17, 2007, from http://www.juvjustice.org/announcement_109.html
- Cox, S., & Wade, J. (1998). *The criminal justice network: An introduction*. New York: McGraw-Hill.
- Dilulio Jr. J. J. (2000, April 3). *Young and Deadly: The problem of juvenile crime*. *National Review*, 29.
- Hill, J. (2007, April 26). *Looking for answers*. *Penn Current*, 2.
- JSTOR (1997). *Academy of Management Review*, 22(No. 4), 895.
- Kinney, M. Y. (2007, April 19, 2007). *N.J. gun laws would have frustrated shooter*. B-1. Law Library-American Law and Legal Information: American Court Cases Review (n.d.). *Juvenile Law and Justice*. Retrieved May 7, 2007, from <http://law.jrank.org/pages/12489/Juvenile-Law-Justice.html>
- Levitt, S. D., & Dubner, S. J. (2005). *Freakonomics: A Rogue Economist Explores the Hidden Side of Everything* (1st Ed.). New York: Harper Collins.
- Matza, M. (2007, March 19). *Sizing up the cures for crime in Philadelphia*. *The Philadelphia Inquirer*, 292, A1, A10.

Merriam-Webster Online Dictionary (2006-2007). *Defintion of network*. Retrieved May 27, 2007, from <http://www.m-w.com/dictionary/network>

Moran, R. (2007, April 10). *Phila. Gun task force issues warrants for 'straw buys'*. Philadelphia Inquirer.

Philadelphia Adult Probation and Parole Department (n.d.). *Philadelphia Adult Probation & Parole*. Retrieved April 29th, 2007, from <http://courts.phila.gov/pdf/site/appd.pdf>

Philadelphia Police Department (n.d.). *CompStat Process*. Retrieved August 9, 2007, from http://www.ppdonline.org/hq_compstat.php

Public/Private Ventures (2001, Spring). . *Murder is No Mystery- An analysis of Philadelphia Homicides, 1996-1999*, 38.

Saul, A. (2007, May 7). What Phila. does, and doesn't do, for witnesses, Retrieved May 7th, 2007 from