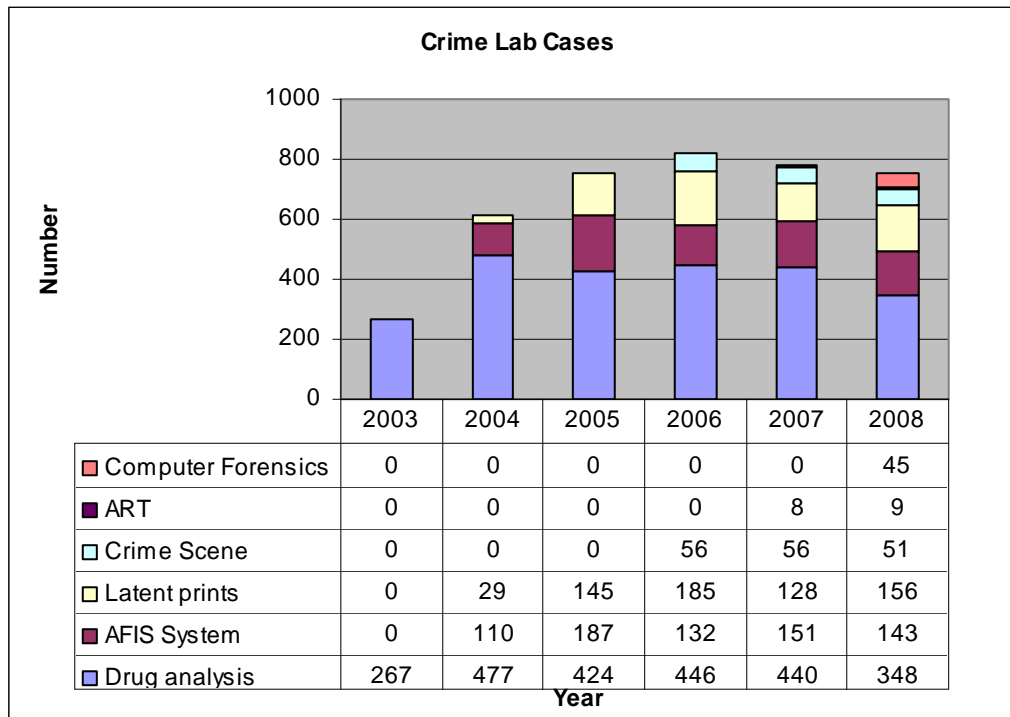


# Crime and Punishment: The Criminal Justice System

## District Attorney - Elected Official - Investigative support

The County assists local police departments with forensics, laboratory, and investigative assets through the District Attorney's Office. The DA is the chief law enforcement officer in the County and investigates all crimes regardless of lack of resources of other criminal justice agencies. The County's Crime Lab processes all computerized fingerprint analysis (AFIS system), drug and blood alcohol testing, and conducts crime scene investigation (latent fingerprint collection).

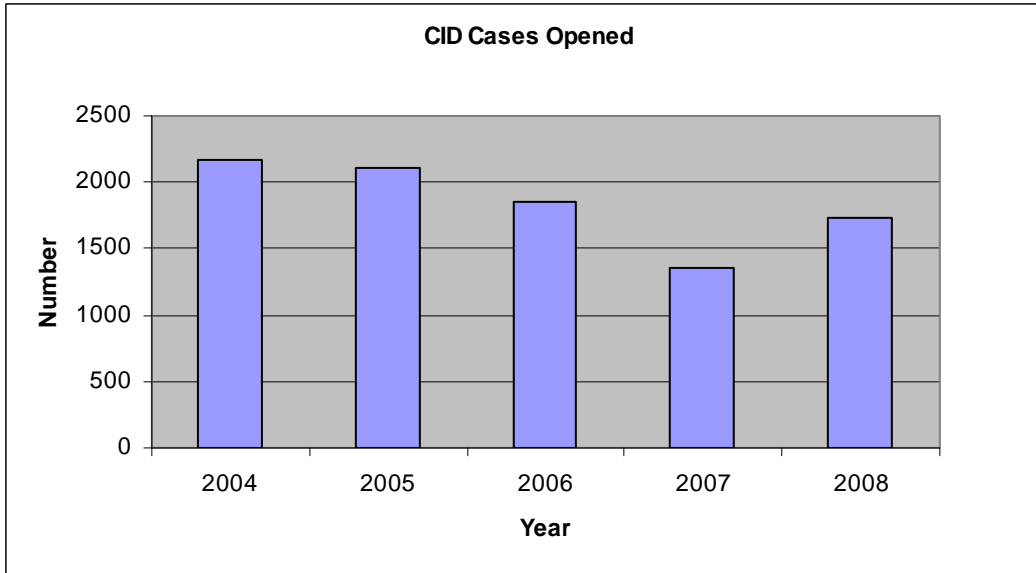
The chart below shows the cases worked by the DA's Crime Lab for the years indicated. The lab only handled drug cases during its opening year of 2003. Crime scene investigations were added in 2006; Accident Reconstruction Team (ART) responses were added in 2007. A Computer Forensics lab was added in 2008. A "case" will typically require the analysis of 3-4 items whether they are drug or fingerprint samples. For example, 2261 items entered the lab in 2008 representing 607 cases.



Note: Drug analysis capability in 2008 was reduced due to resignation of the Chemist, who was replaced in early 2009.

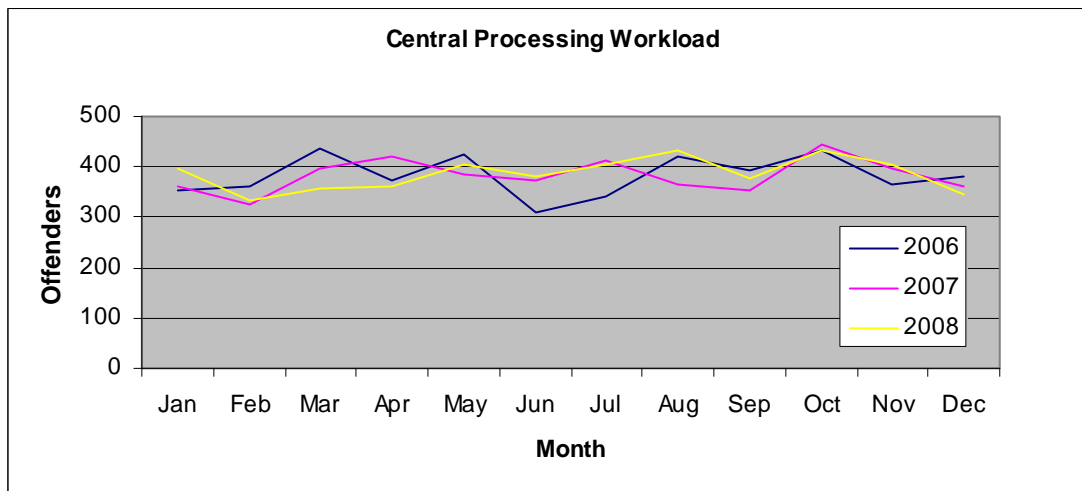
The Criminal Investigation Division provides investigative (including polygraph) support to the Office of the District Attorney, including trial support, coordinates county-wide drug, auto-theft, insurance fraud and prostitution investigations, and assists local law enforcement upon request or in cases of lack of local resources. CID conducts the majority of investigations occurring on County property and all other investigations as directed by the District Attorney. The graph below shows the cases opened by CID for the years indicated. Years 2004 and 2005 contain domestic violence cases, which (with few exceptions) were shifted to the Victim Services Division along with that investigator

during 2005. The result is a false impression of workload reduction in 2006 which also trends into 2007 and 2008. The 2007 data reflects the loss of one detective - which further reduced the amount of cases that could be opened. Despite that, the 1731 total CID cases opened in 2008 included 1010 subpoenas, 55 sexual assault/Child Pornography cases, and 26 cases referred from the International Crimes Against Children Task Force (ICAC).



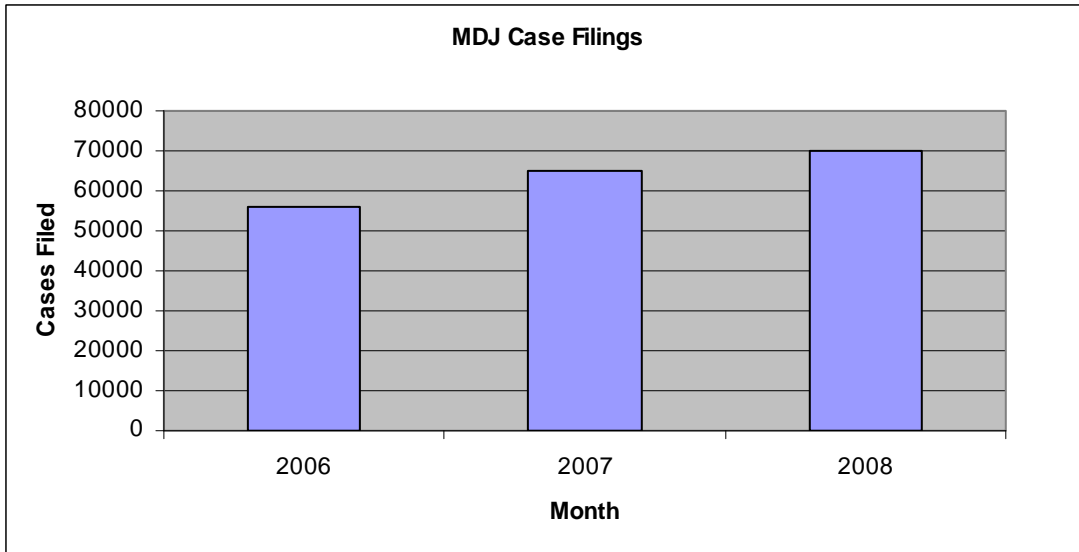
### Central Processing: Initial identification and charges

People arrested within the County by all police departments and the PA State Police are initially processed by the Central Processing Department located in the County Jail. This enables law enforcement personnel to get "back on the street" as soon as possible. The individual's true identity and criminal record is determined; DUI processing is completed when necessary. Suspects are arraigned via video teleconferencing by a Magisterial District Justice when necessary. The 4630 individuals processed in 2008 is about 1% higher than the 4591 processed in 2007.

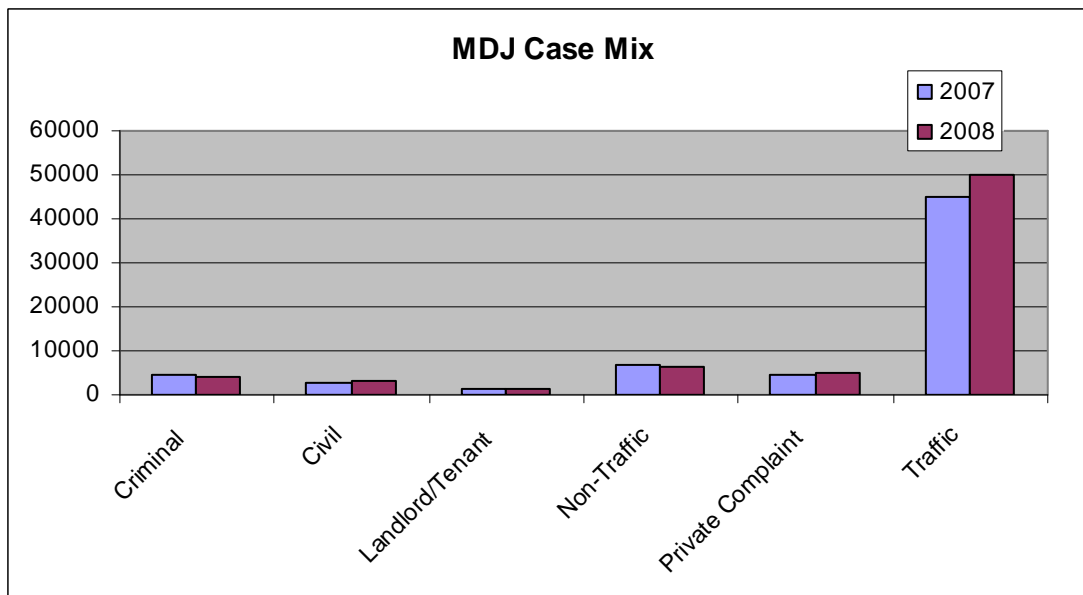


## Magisterial District Justices - Elected Officials: Arraignment

Citations issued by police officers (e.g. traffic tickets) are adjudicated by Magisterial District Justices. For more serious offences, offenders are arraigned by MDJs to determine if they should be placed in jail and what bond would be appropriate. In 2008, the 10 County MDJs handled 68,890 case filings. Filings increased by over 7% in 2008.



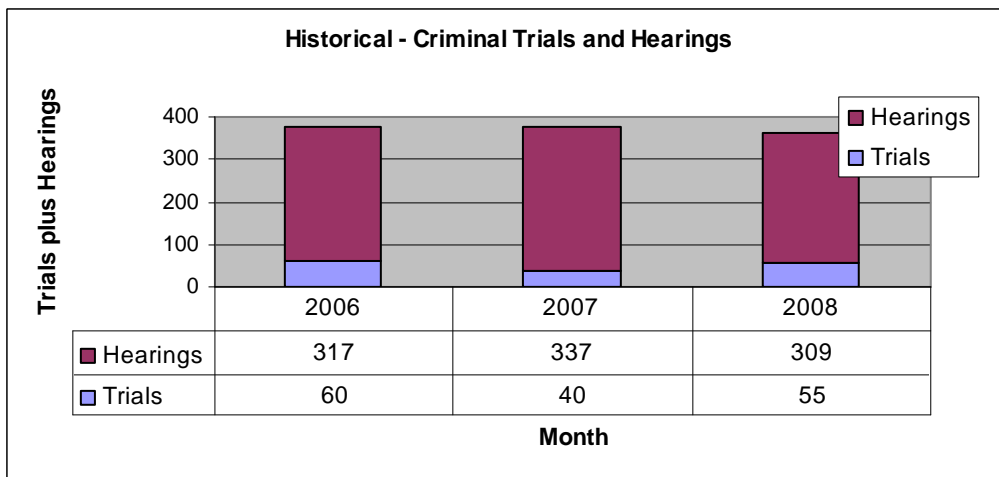
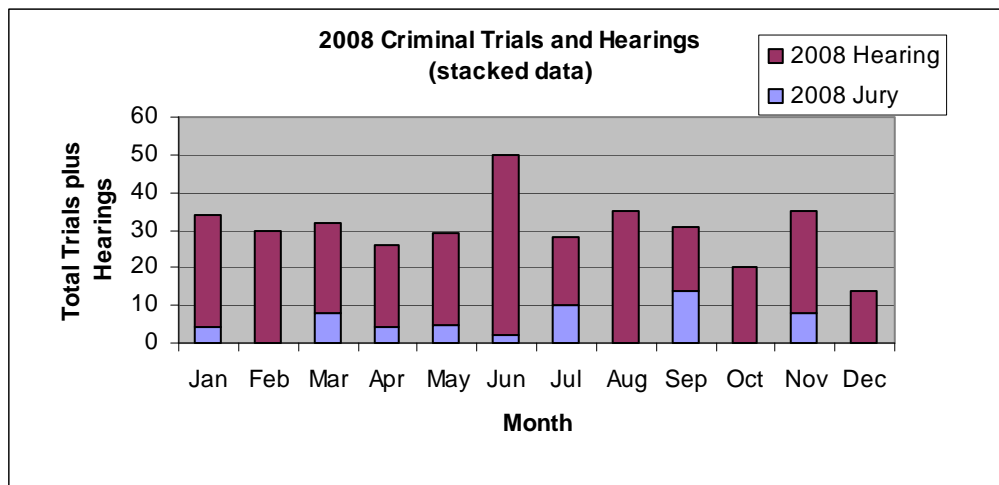
The chart below shows the mix of 2008 filings handled by the ten County MDJs.



## Court of Common Pleas: Criminal proceedings

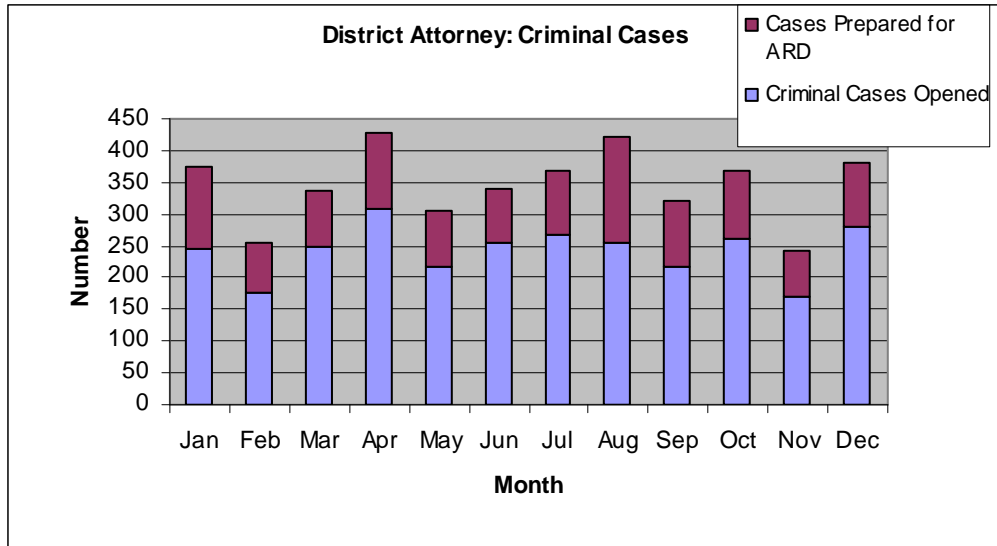
Criminal hearings result from legal filings that have requested a hearing before a Judge. Continuances and cancellations are not monitored. Included in this category are Summary Appeals, all other classes of criminal offenses, Omnibus Pre-Trial Motions and Post-Trial Motions. In 2008, 309 criminal hearings were conducted - 28 less than in 2007.

Criminal Jury trials are all cases where a jury was selected regardless of the outcome of the case. In 2008, the Court had 6 criminal jury trial weeks (4 one week sessions and 2 two week sessions). During the breaks between trial terms, preparation for the next trial term, including the summoning of a jury panel and closing out the prior jury panel is done. In 2008, 55 criminal jury trials were conducted in comparison with 40 in 2007.

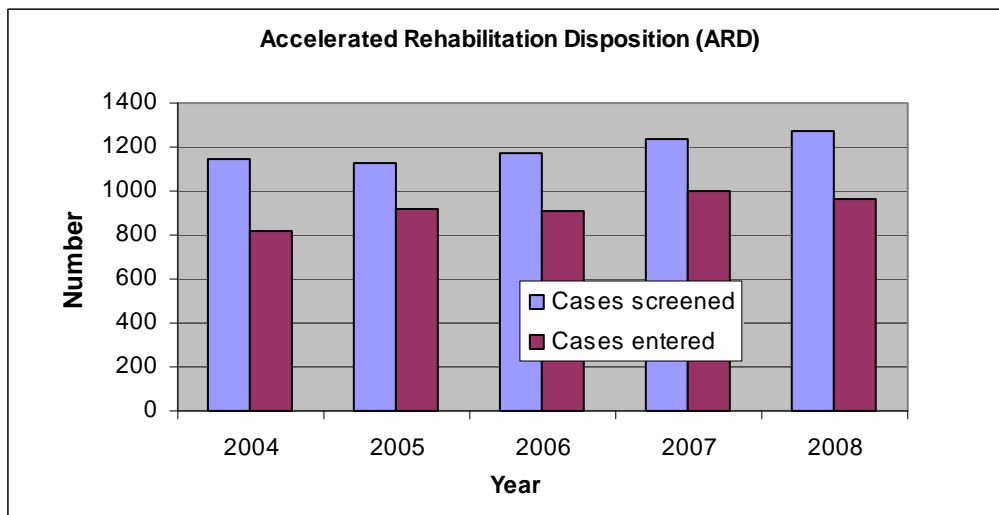


## District Attorney - Elected Official - Criminal prosecution

A primary duty of the District Attorney is to represent the People in criminal proceedings by prosecuting offenders. In 2008, the Cumberland County DA's Office (Administrative Division) handled 3626 criminal cases with an additional 2232 cases prepared for Accelerated Rehabilitative Disposition. This alone is not indicative of total workload nor does it represent preparation time for individual cases.

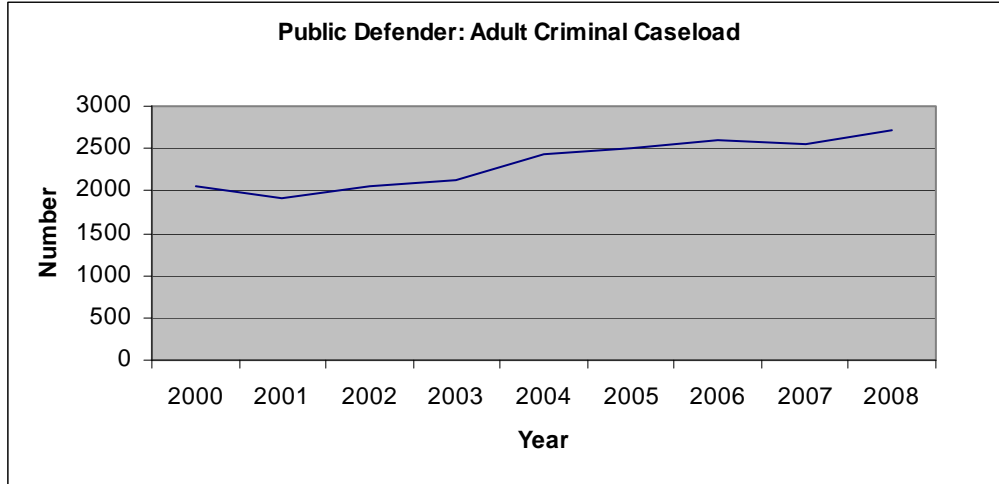


The Accelerated Rehabilitative Disposition (ARD) Program is administered by the Cumberland County District Attorney's Office pursuant to the Pennsylvania Rules of Criminal Procedure 310-319, and is generally designed to handle cases involving first-time offenders charged with minor crimes including qualifying Driving Under the Influence cases. The decision to move a case into ARD is at the sole discretion of the District Attorney and is handled on a case-by-case basis. In 2008 \$1,004,035 in costs and \$75,709 in restitution was collected by the program.



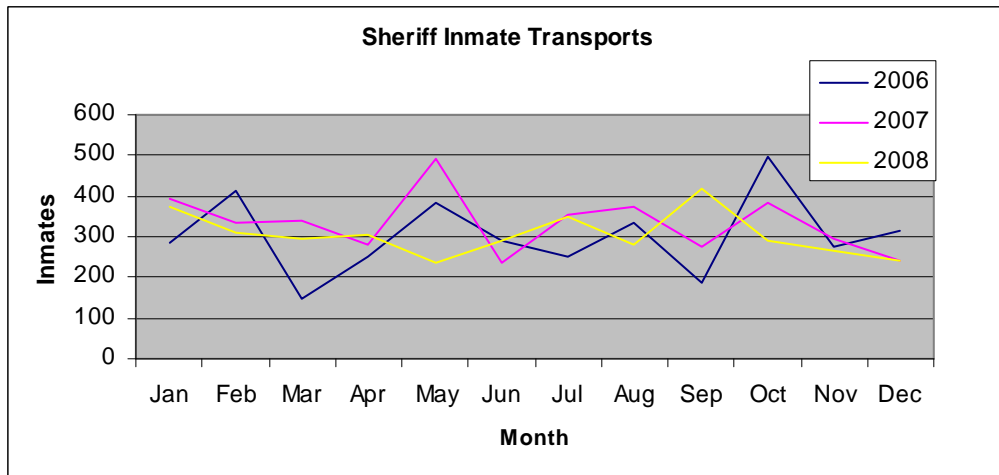
## Public Defender: Criminal defense for the indigent

PA law requires the Courts to provide legal counsel to people who cannot afford their own representation. Cases are assigned to the PD Office by the courts based on a determination of inability to afford defense counsel. In 2008 as in 2007, the Public Defender was involved in over 60% of all County arraignments. The Public Defender's case load has increased over 27% during the past 5 years.

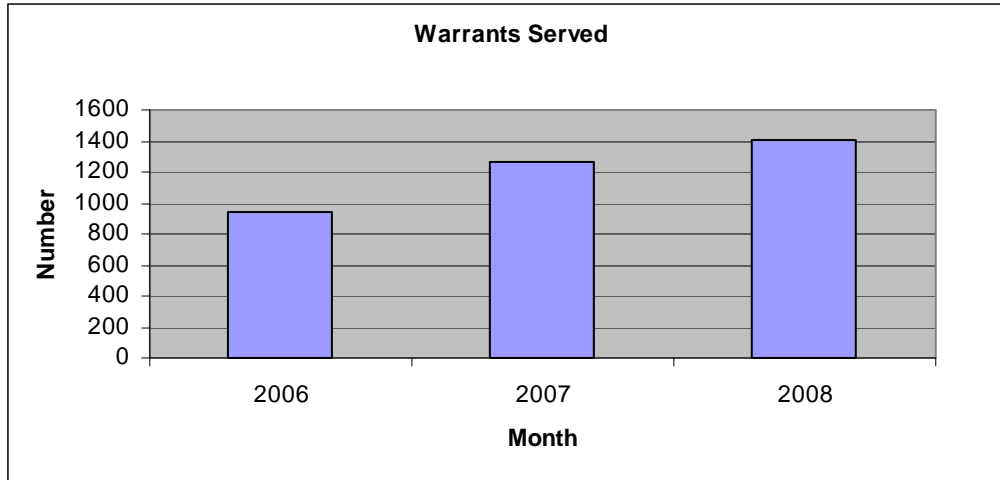


## Office of the Sheriff - Security for the Court

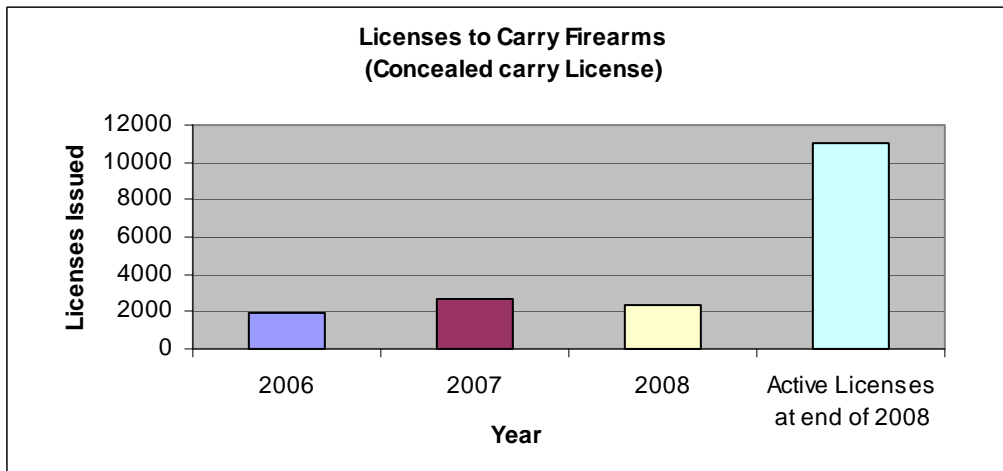
In addition to providing security for the Courts and County facilities, the Office of the Sheriff transports inmates from county, state, and federal institutions, to include extraditions from other states, for hearings, trials, and sentencing. The 3647 transports conducted in 2008 represents a decrease of 9% from 2007 due to expanded use of teleconferencing for arraignment and holding selected pretrial hearings at the prison.



The Office of the Sheriff served 1405 warrants in 2008 - an increase of 11% over 2007. The County had 2,297 active bench warrants at the end of 2008.

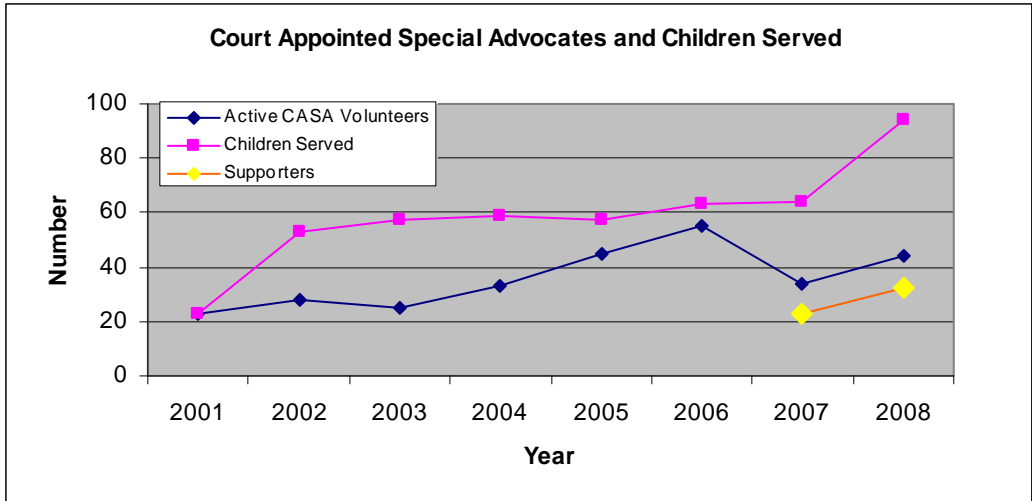


Additionally, the Office processed 2503 applications for Licenses to Carry Firearms in 2008 - down 6% from 2007. 2,360 were issued in 2008; 25 were revoked.

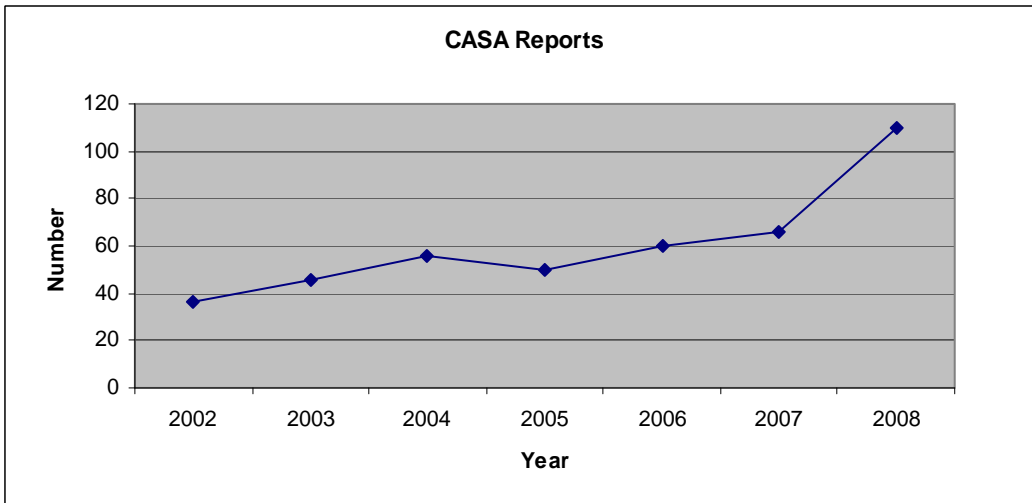


### Court Appointed Special Advocate (CASA)

The Cumberland County Court Appointed Special Advocate (CASA) Program assists the court in determining what is in the best interest of abused and/or neglected children whose cases are within the court system. Through objective investigation and observation with the focus on the child assigned, trained CASA volunteers develop and present their recommendations to the court to aid in establishing a safe, permanent and nurturing home in an expeditious manner. The apparent dip in volunteers in 2007 is due to splitting the volunteers into CASA Supporters, who assist with administrative matters and CASA Volunteers who are appointed to represent children. The total of the two categories was 76 for 2008 - nineteen more than 2007.

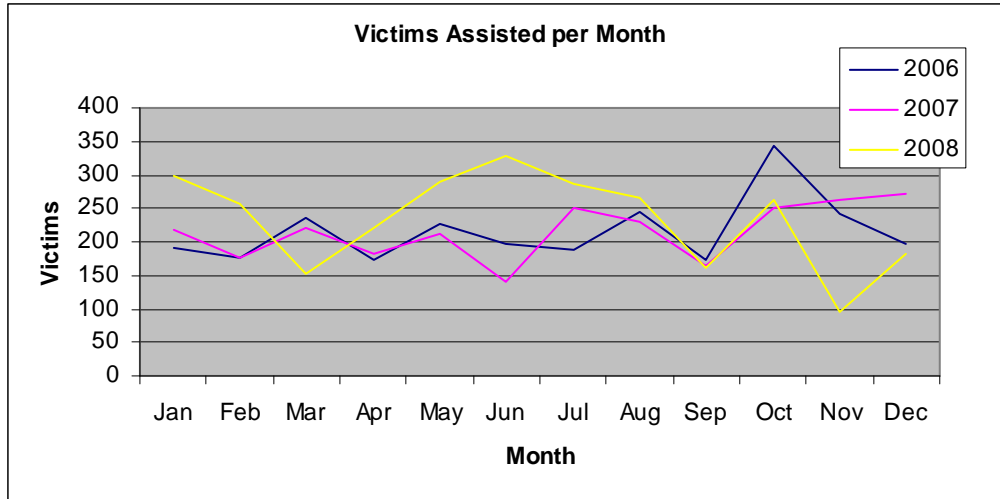


A "CASA Report" is a CASA volunteer's formal report to the court on an assignment and is the culmination of a CASA volunteer's work. Judges take into consideration information in CASA Reports as they make their decisions to determine what serves the child's best interest. The Report becomes part of the official court records and may be introduced and considered as evidence.



**District Attorney - Victim/Witness Services**

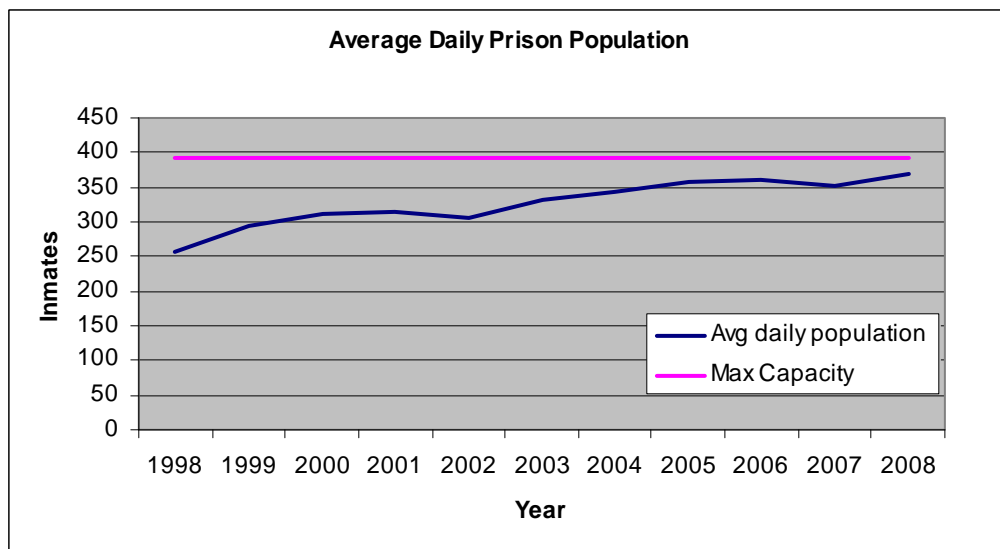
The District Attorney ensures that all victims of crime are represented as required in the PA Crime Victims Bill of Rights and that their legal claims for restitution and crime compensation are processed. In 2008, 2799 crime victims were provided rights in both the adult and juvenile systems - a workload level up over 8% from 2007.



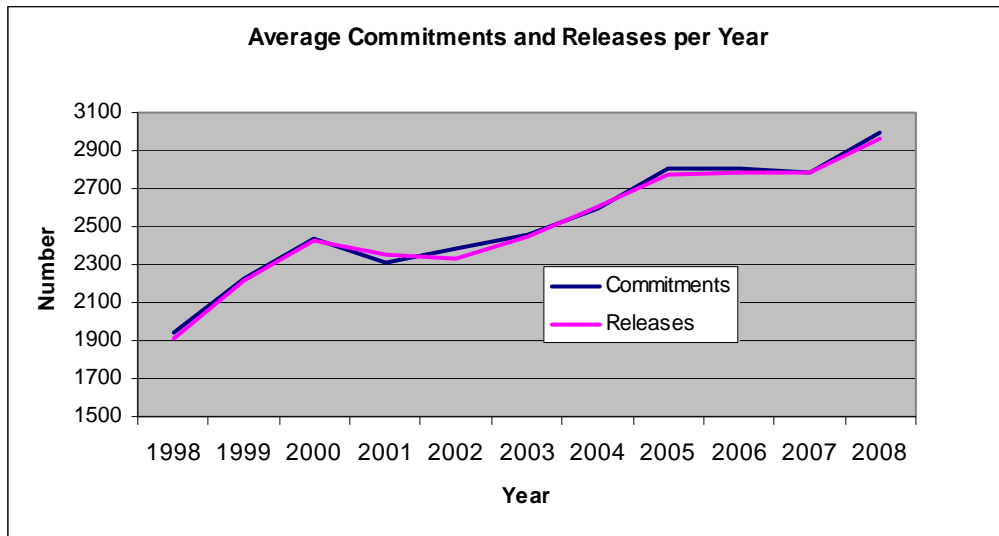
**County Prison: Increasing population**

The mission of the Cumberland County Prison is to detain prisoners as directed by the Courts, provide a physical environment that assures maximum possible safety for the public, prison staff and inmates and provide treatment services and programs that offer inmates the opportunity for positive personal change.

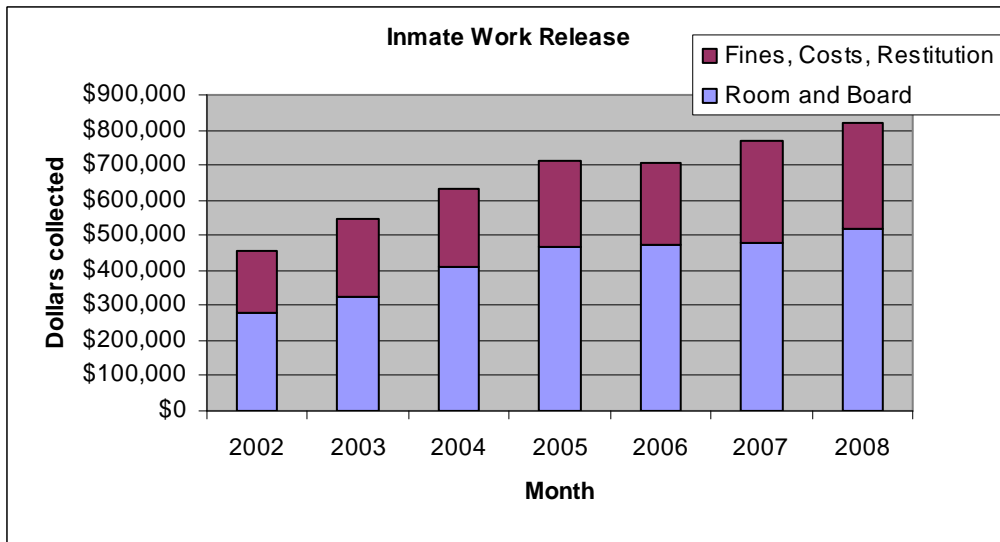
Population increasing: Prison average daily population has been increasing an average of 5% per year since 1999. Innovative and determined initiatives by the criminal justice departments and Criminal Justice Policy Team to provide alternatives to incarceration have held the line on prison population growth up to 2007. Despite these efforts, a 5% increase was experienced in 2008. The general population of the County increases by about 2% per year.



Workload change: The increase in Prison workload is also evident in the inmate commitments and releases over the 1999-2008 period which have also increased by an average of 5% a year.

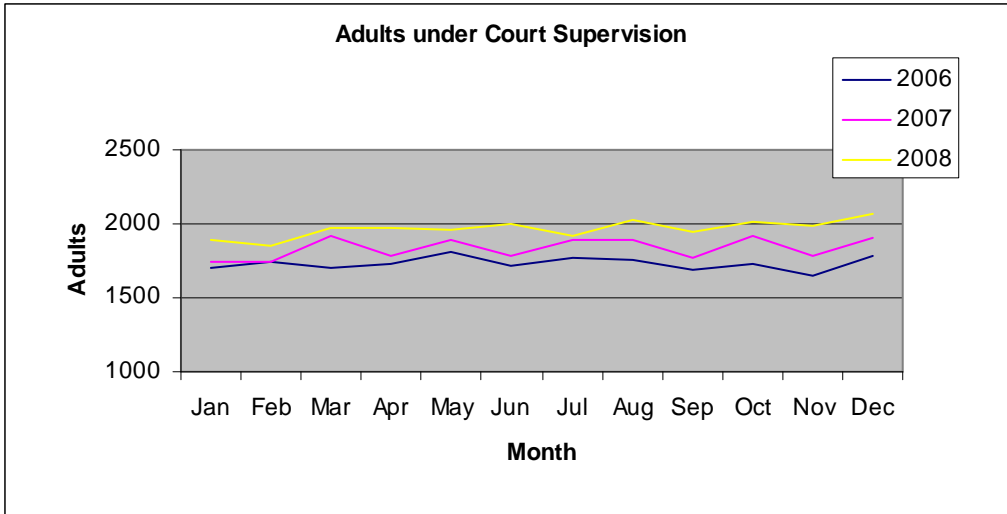


Work Release Program: Approximately one third of the inmate population participates in the Work Release Program where they have the opportunity to gain employment and pay towards any financial Court obligations. The County charges twenty three percent of an inmate's gross salary for room and board.

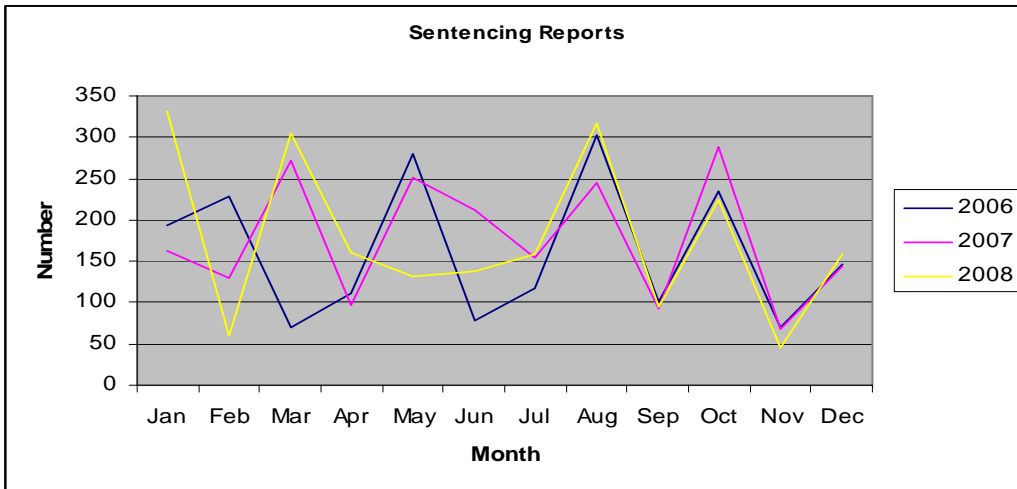


### Adult Probation: Court supervision

The Court may place convicted offenders on probation - court supervision instead of incarceration. The average number of adults under court supervision per month was 1,968 in 2008, up 7% from 2007. This includes participants in DUI- ARD and other court supervised sentencing alternatives. One day of supervised probation or parole costs approximately \$3 compared to \$55 per day to incarcerate in the County Prison.

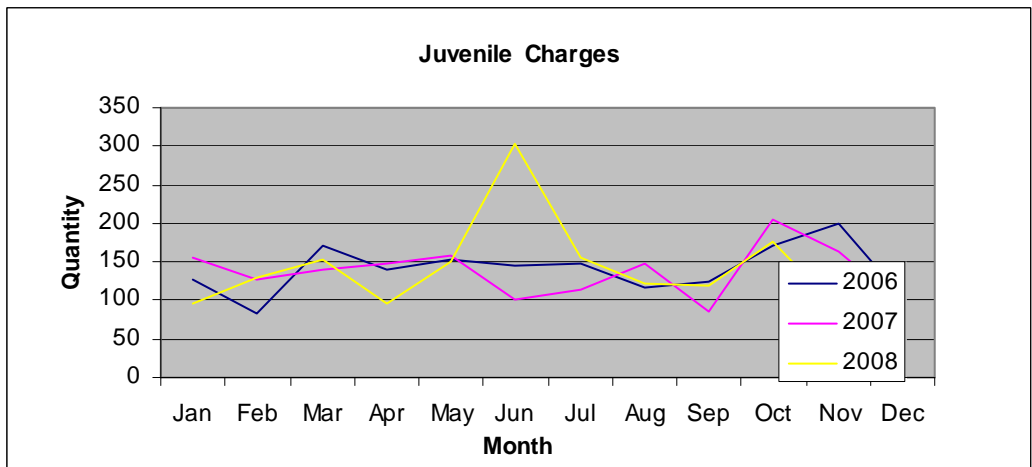
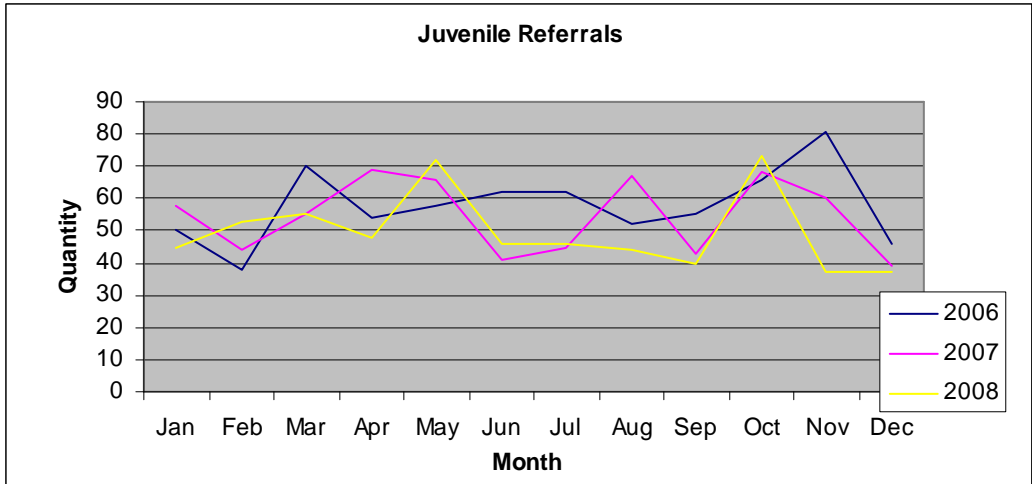


The Court orders several types of reports to be prepared by Adult Probation in preparation for sentencing an offender. A Pre-Sentence Investigation (PSI) report covers the offender's employment, education, prior record, Drug and Alcohol and Mental Health/Mental Retardation treatment, and demographic information, along with a statement from the victim (if any), the police and the supervising probation officer (if any). It gives the sentencing Judge as much information as possible for consideration at the time of sentence. A Sentencing Report is a shorter version of the PSI. A DUI report is only for DUI offenses and provides similar types of information for the sentencing Judge. These reports are ordered at the time the offender orders their guilty plea and are due prior to the sentencing date. The number of reports has increased by 10% since 2006.

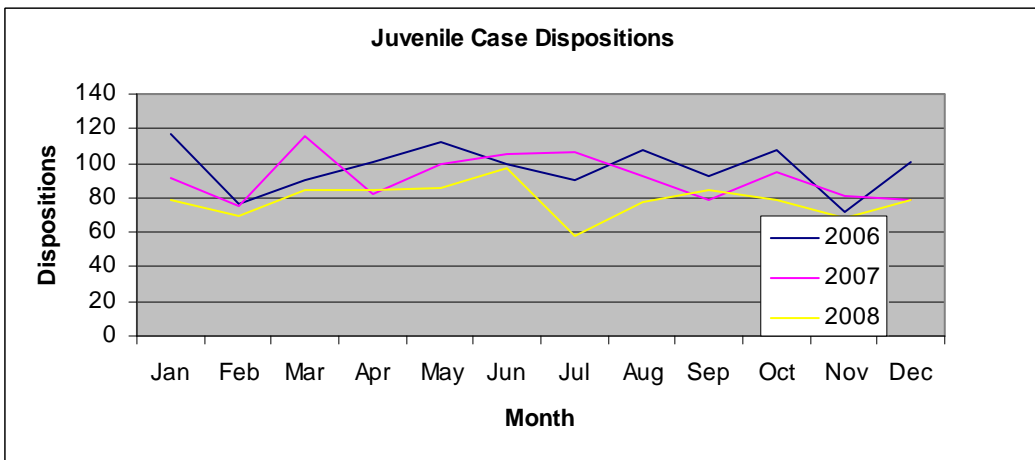


### Juvenile Probation: Court supervision

An average of 50 juveniles with 2.9 charges each was referred to Juvenile Probation per month in 2008. This is a decrease in the number of juveniles referred from 2007, however, an increase in the number of charges referred.

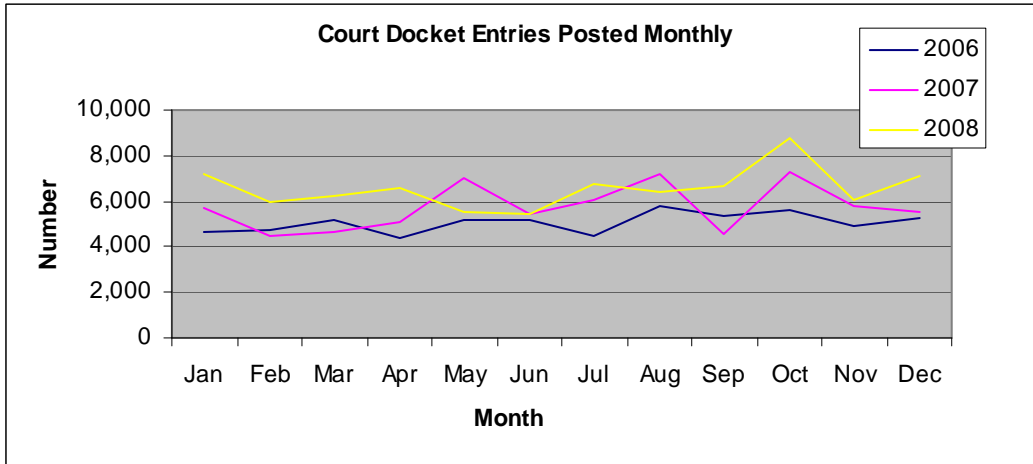


An average of 79 juvenile cases were processed each month in 2008, including placements into residential facilities, formal probation cases, consent decrees, informal adjustment and other diversionary alternatives. This is a 14% decrease from 2007.



**Clerk of Courts - Elected Official - Keeper of the official criminal court records**

Docket Entries Posted Monthly: Each docket entry represents a document filed in the Clerk of Court office. The monthly average for 2007 was 5,742. The monthly average for 2008 increased 14 % to 6,555.



Fines-Payment Receipts Posted: Each receipt represents a payment from a defendant towards his outstanding case balance. The monthly average for 2007 was 2,186. The monthly average for 2008 increased to 2,375 – a more than 8.6% increase.

