

Philadelphia's Gun Court: Process and Outcome Evaluation Executive Summary

Prepared by:

Ellen Kurtz, Ph.D.
Director of Research

Robert Malvestuto¹
Co-Chief Probation Officer

Frank Snyder
Co-Chief Probation Officer

Kevin Reynolds
Director

Janet McHale
Supervisor

Frank Johnson
MIS Team Leader

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Please direct all inquiries to Ellen Kurtz at 215-683-1292 or Ellen.Kurtz@courts.phila.gov

¹ As of February 2007, Robert Malvestuto is the Chief Probation officer and Frank Snyder is retired.

Introduction

Philadelphia's gun court opened its doors on January 10, 2005. This report describes the results of the process and outcome evaluation conducted over the past 18 months. The evaluation of Philadelphia's gun court focuses on two distinct pieces: the court itself and the probation department's intensive supervision program. The evaluation of the court addresses questions about case processing. The evaluation of the probation program examines the impact of gun court supervision on VUFA offenders.

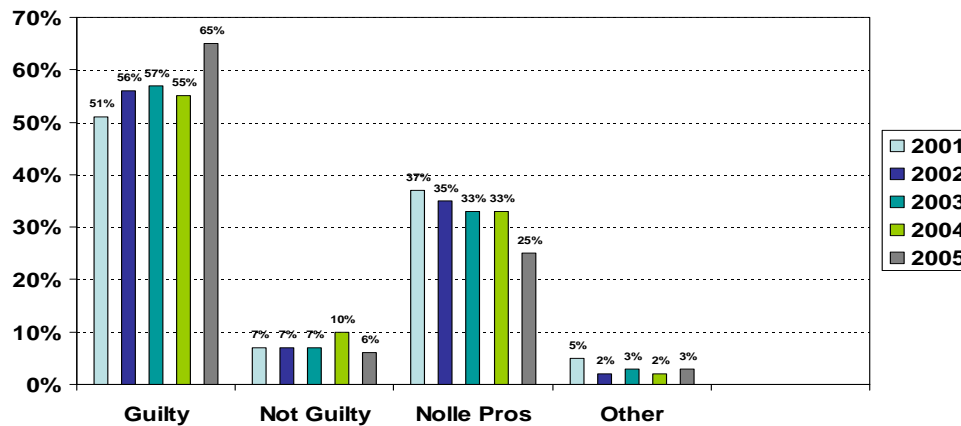
Case Processing

Philadelphia's gun court can potentially have multiple impacts via multiple pathways. The mere existence of such a court, if widely publicized, could in and of itself affect the gun carrying behavior of residents. Since arrests for gun carrying, much like drug offenses, are driven largely by police behavior rather than offender behavior, it is nearly impossible to determine whether or not changes in gun carrying in Philadelphia have occurred. Other impacts are more easily measured, particularly those which relate to case processing. Here data on VUFA cases which originated with an arrest in 2001, 2002, 2003, or 2004 are compared with cases coming out of gun court from January 10th 2005 through December 31st 2005. The 2001-2004 cases would have been eligible for gun court had it existed at the time.

Conviction Rate

For persons arrested with a lead charge of VUFA in the years 2001 through 2004, the conviction rate ranged from 51% for 2001 arrestees to 57% for 2003 arrestees (see Figure 1). For gun court cases, the conviction rate rises to 65%, at least 8 percentage points over defendants arrested in prior years. Thus, for this initial period, at least, gun court seems to have led to an increase in convictions for offenders arrested on a lead charge of VUFA. Most of the increase appears to be coming from a decrease in the nolle pros rate which was highest for 2001 arrestees (37%).

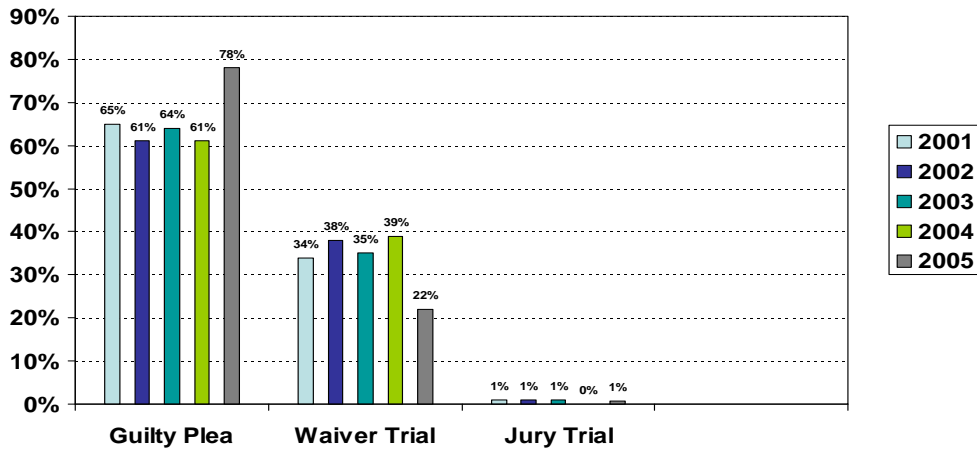
Figure 1. Comparison of VUFA Arrestee Conviction Rates 2001-2005



Adjudication Type

The majority of VUFA offenders, both before and after the implementation of gun court plead guilty. A comparison across years, however, reveals that the percentage of defendants pleading guilty has risen since gun court opened (see Figure 2). Prior to gun court 61-65% of defendants arrested in a given year plead guilty compared to 78% of gun court defendants. This shift is accompanied by a drop in waiver trials from 34-39% in prior years to 22% in the gun court era. Jury trials remain rare in all years, making up 1% or less of cases both before and during gun court.

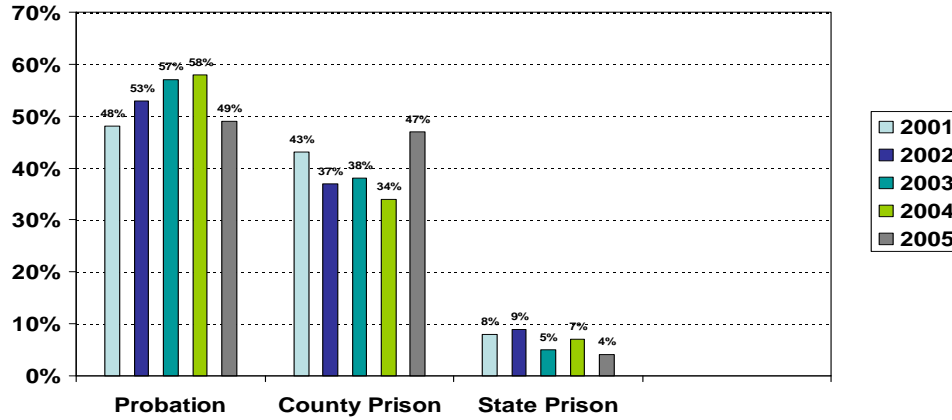
Figure 2. Comparison of VUFA Arrestee Adjudication Type 2001-2005



Type of Sentence

Most VUFA offenders, both before and after the implementation of gun court, received a probationary sentence (see Figure 3). The percentage receiving county prison sentences (47%) does seem to have increased in the gun court era, although the percentage was nearly as high for 2001 arrestees (43%). State prison sentences are rare in all years, but are somewhat less likely since gun court started.

Figure 3. Comparison of VUFA Arrestee Sentence Type 2001-2005



Probation’s Role in Gun Court

Offenders who are convicted and sentenced to probation or parole through gun court are assigned to specialized caseloads within the Adult Probation and Parole Department (APPD). Administrators within the APPD, in consultation with other actors in the FJD, decided on the conditions for probation for gun court offenders.

The key features/requirements of the APPD’s gun court program are:

- *One face to face contact per week with the offender
- *Weekly field visits
- *Targeted evening patrols in partnership with the Philadelphia Police Department
- *Weekly drug testing
- *Anger management counseling
- *Think First Program in partnership with Magee Rehabilitation
- *Community service

Gun court caseloads are targeted at fifty (50) offenders per officer (regional supervision caseloads average 150-200 offenders per officer) with the intention of allowing for a productive relationship to develop between the officer and the offender. At the beginning of 2005, there were eight gun court probation officers. By year’s end the number had climbed to 12, as the program was expanded into other regions of the city.

Probationer Performance

Here the re-arrests of gun court probationers are compared with the re-arrests of 2001 VUFA probationers (who would have gone to gun court had it existed) to see if there are any differences. A one-year follow-up period from the time of the probation start date was used.

Overall, gun court probationers are re-arrested at a lower rate than similar offenders from 2001. In the first year after their probation start date, 20% of the 2001 VUFA offenders were re-arrested while only 12% of the gun court offenders were re-arrested. This is clearly a marked improvement.

Overall, probationers in both groups are most likely to be re-arrested for violations of the controlled substances act. None of the gun court probationers were re-arrested with a lead charge of VUFA while 3 probationers in the comparison group were. Gun court probationers were slightly less likely than the 2001 offenders to be convicted of their new offense (33% versus 37%).

Conclusion

Gun court was created as one part of a multifaceted approach to deal with Philadelphia's escalating problem with gun violence. It has the potential to affect gun violence in multiple ways, many of which would be difficult to prove with any great scientific certainty. The effect of the creation of gun court on case processing is straightforward – more cases with a lead charge of VUFA are being prosecuted and more offenders are being convicted than in years past. Further, more of these offenders are receiving county prison sentences than they did in prior years. The bulk of VUFA offenders however, both past and present, receive probation sentences. The ultimate success of gun court will thus be determined in large part by APPD's intensive gun court supervision program.

An early look at probation's intensive supervision program shows promising results. Gun court offenders are rearrested less often in the first year after the start of their probation than a similar cohort of offenders from 2001. We can be cautiously optimistic that the increased supervision of these offenders is leading to better outcomes. However, since follow-up data were available on a relatively small number of offenders (n=154) this finding should be considered preliminary. We will continue to track gun court offenders to see if this finding holds up over time.