



ROBBERY CASE ENHANCEMENT
AND FELONY AUGMENTATION

A Review and Evaluation
of Program Organization
and Operation

The Vera Institute of Justice
30 East 39th Street
New York, N.Y. 10016

March, 1983

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BACKGROUND AND INTRODUCTION

Between 1979 and 1981, the New York City Police Department conducted two pilot projects designed to improve, from a police perspective, the dispositional outcome of felony arrests. The Felony Case Preparation Project (FCPP) was carried out in three precincts in the Bronx, requiring that felony arrests made in those precincts be delivered to the precinct detective units for follow-up investigation by a detective. The detective assigned was required to conduct a thorough investigation of the circumstances of both the crime and the arrest, and to prepare a comprehensive report of the facts of the case for delivery to the District Attorney. The Felony Augmentation Program (FAP), which was piloted in Manhattan, focused on the arrests of individuals deemed to be career criminals, subjecting these to detective case-building efforts. A special unit, the Career Criminal Investigating Unit, was created for the purpose, and detectives assigned to it followed up on the arrests of defendants identified as career criminals, attempting to provide the District Attorney with the quantity and quality of evidence necessary to insure a successful felony prosecution. Both efforts were aimed at increasing the rate at which serious offenders are incarcerated, and separate evaluations indicated that both programs achieved that goal. As a result, the Department expanded both programs to operate city-wide, and changed the name of the FCPP to the Robbery Case Enhancement Program (RCEP), which was implemented in 22 Precincts.

In November 1981, in anticipation of the city-wide implementation, the First Deputy Police Commissioner requested that Vera provide technical assistance in the further development and evaluation of these programs. In making this request, the Commissioner indicated that the Department regarded the forthcoming expansion of program operations as a further experiment, designed to increase the Department's knowledge regarding the potential impact of each of the programs, and to provide data useful to the Department in charting the future course of case building efforts in New York City.

Vera has already submitted an early report reviewing the dispositions of robbery arrests that were subjected to the enhancement process during the first three months of RCEP operation. (June, 1982.) A second dispositional report, reviewing the court outcomes of arrests processed during the first 7 months of RCEP operations has been submitted with this report. What follows, is, in summary form, an administrative review of the organization and operation of both programs since their expanded implementation in January. This summary draws on the full, separate reports which are incorporated, as appendices in this document.

PROGRAM ORGANIZATION AND OPERATION

There are many similarities between the Robbery Case Enhancement Program and the Felony Augmentation Program. Both attempt to influence prosecutorial and judicial decision making, in cases involving dangerous felons, through case enhancement by detectives.* The Robbery Case Enhancement Program is crime specific, focusing on persons arrested for committing robberies while the Felony Augmentation Program is primarily offender specific, focusing on persons whose prior arrest and conviction histories indicate that they are career criminals. Both programs utilize similar enhancement or augmentation techniques, primarily detective investigative follow-up to provide the prosecutors with solid cases which can lead to conviction and incarceration of offenders.

There are also significant differences between the programs, primarily with respect to the organizational models employed in their operation. The RCEP operates on a decentralized model at the precinct level emphasizing the enhancement process to influence case outcome, while the FAP operates on a centralized basis at the borough level emphasizing unit responsibility as well as the enhancement process in an effort to influence case outcome. There are strengths and weaknesses in both organizational models.

* Throughout this report the terms "enhancement" and "augmentation" are frequently used, sometimes interchangeably. By formal definition, there is little difference between the two words, "enhance" meaning to make greater or to heighten, and "augment" meaning to make greater, more numerous or more intense. In selecting these words to describe the Department's two case preparation programs, a distinction between them was intended. "Enhancement" was viewed as a more basic effort, involving the debriefing of witnesses, and the documentation of their statements and of any other evidence, and the preparation of an efficient write-up of the case for use by the District Attorneys' Offices. It was not generally viewed as including self-initiated actions on the part of the investigator which added new facts or evidence to what was known prior to his involvement. "Augmentation", on the other hand, was conceived of as a process in which the investigator would routinely initiate investigative actions in an effort to add new facts or evidence by the discovery of additional witnesses, physical evidence, etc. In practice, the distinctions are less clear. Detectives assigned to the Robbery Case Enhancement Program frequently augment their investigations as well as enhance them, by obtaining inculpatory statements from defendants, by identifying other witnesses, and by discovering other evidence not known prior to their involvement. Similarly, detectives assigned to the Felony Augmentation program frequently enhance cases, to which they add no new facts or evidence. As a result, the terms have come to be used interchangeably and are intended to describe general post-arrest investigative activities.

On a conceptual level, both programs directly address some of the most perplexing problems facing the administration of criminal justice in the United States. Both focus the scarce and shrinking resources of the criminal justice system on the most serious offenders. Both address issues arising from the division of labor between police and prosecution: police departments have traditionally viewed their responsibility as ending with arrest while prosecutors, on the other hand, have long complained that the police do not provide them with either the type or amount of information which is required to mount successful prosecutions.* Both RCEP and FAP are designed to bridge the gap between arrest and prosecution, by providing complete case documentation and the timely transfer of this information to the District Attorneys' Offices.

Briefly, the advantages and disadvantages of the centralized and decentralized organizational models are as follows:

The centralized organizational model offers several advantages. Personnel assigned to the Borough Career Criminal Investigation Units have no other investigative caseload to divert them from their augmentation duties. The CCIUs were created for the sole purpose of conducting follow-up investigations on the arrests of career criminals and other serious offenders, and assisting the District Attorneys' Offices to mount successful prosecutions against these offenders. Personnel assigned to these units are goal oriented, and have the advantage of personally following-up each case until prosecution is completed. They are aware of their contributions to successful prosecutions. This tends to produce high morale and an esprit de corps among the members of the units. It also permits the Department to place responsibility for the desired activities at appropriate points in the chain of command, and to hold the members individually accountable for the quantity and quality of their work. It also facilitates communication among the personnel assigned to the function and it permits procedural and policy changes to be implemented quickly, as the chain of command is short. Finally, the District Attorney is provided with an identifiable resource to assist him should help be required as a case proceeds through the system; he has merely to call the detective assigned to the case or the Borough unit to receive whatever help is required.

* See, generally: McDonald, et al., Police-Prosecutor Relations in the United States. (U.S. Department of Justice, National Institute of Justice, Washington, D.C. 1983); Floyd Feeney, et al., Arrest Without Conviction: How Often They Occur and Why (Center on Administration of Criminal Justice, Univ. of California, Davis, 1982).

The centralized model also has its disadvantages. Productivity is dependent on and becomes a by-product of the effectiveness of the program's support systems. CCIU investigators must be notified of arrests of the target population in a timely manner, if they are to perform their duties effectively. Dealing with arresting officer personnel on a borough-wide basis complicates the process of building working relationships with the persons on whom the detectives must depend for information, cooperation and assistance. Redeployment of personnel during slack periods is prevented by the limited functions of the unit. CCIU detectives are less equipped to fully utilize the intelligence which emanates from follow-up investigations than are precinct-based detectives who have a detailed knowledge of the crime patterns in their commands. Finally, because of the dedicated nature of the assignment and the support programs required, the cost of operation is high.

Similarly, there are advantages and disadvantages to the decentralized RCEP model. It is to the model's advantage that personnel assigned at the precinct level, are in a position to begin their investigations at the earliest possible time, insuring the availability of the parties to the case. They are located in close proximity to the crime scene, which can facilitate the timely search for additional witnesses or evidence. They are in a good position to build working relationships with arresting officer personnel at the precinct level and to utilize their assistance in the follow-up investigations. Because they are members of the PDU, they can perform other investigative duties when they are not enhancing arrests. Having knowledge of crime patterns and open cases in the precinct, they are in the best position to utilize the intelligence which is developed during the enhancement process.* Finally, because they perform other duties in addition to enhancement, the cost of operations is relatively low.

* There are numerous examples which could be cited in both the RCEP and FAP in which intelligence obtained during a post-arrest investigation was instrumental in closing one or more open crimes. Unfortunately, there is no systematic way in which such events are recorded, and one only learns of them in anecdotal fashion. The following is an example: In March 1982, detectives assigned to the 88th PDU were conducting an enhancement investigation of 3 defendants arrested in that precinct on a robbery charge. During the course of the investigation, each of the defendants made complete admissions. (AIR 88-25-82) During the course of the investigation, the detective noticed the strong resemblance of one of the defendants to a person who had been identified in a photo-lineup as the perpetrator of a robbery in the precinct. Investigation of that case disclosed that the identified person could not have committed the crime because he was attending college in another country at the time of its commission.
(continued on next page)

There are also disadvantages to the decentralized model. Because the detectives responsible for RCEP cases are assigned to precinct detective units, their primary function is viewed as the investigation of open crimes -- case enhancement is viewed as an additional function to be performed as time permits. Because they are generally removed from the end-product of their work, they do not receive the positive feed-back which would allow them to realize the importance and significance of their work. This is fortified by the current reward structure in the Department which rewards detectives for their crime solving activities but as yet has not developed an adequate mechanism for rewarding exceptional performance in the post-arrest investigative area. Finally, the District Attorneys cannot fully rely upon precinct-based enhancing detectives as resources should additional help be required on the case.

To varying degrees, each of the advantages and disadvantages described above was observed during the course of this review.

The body of this report is divided into the following sections:

Section I is an executive summary of the principal findings of detailed administrative reviews of the operation of the Robbery Case Enhancement Program and the Felony Augmentation Program. The reports which detail the manner in which these studies were conducted and contain the analyses which support

* (continued) Further investigation by the detective disclosed that the defendant in custody was the brother of the person who had been previously identified, although their last names were different. At this point, the detective contacted the 3 complainants from the prior robbery and asked them to come to the precinct to view a line-up. Two of the three complainants identified the defendant as the person who had robbed them. Confronted during the interrogation with the additional evidence against him, the defendant admitted to having committed at least one robbery each day for the past several months in the precinct. Based on specific information provided by him, the detectives were able to close, by exceptional means, approximately 50 open robbery cases. Although this defendant was only 16 years of age, and had no prior adult criminal record, he received two concurrent 3 to 9 year prison sentences in the two cases enhanced by the 88th PDU.

the findings may be found in the appendices. They are:

Appendix A -- Operational Review of the Robbery Case Enhancement Program.

Appendix B -- Operational Review of the Felony Augmentation Program.

Section II contains recommendations for the further development of the New York City Police Department's case building efforts.

I. Executive Summary -- Principal Findings of Operational Reviews

Vera staff have conducted extensive reviews of the operation and administration of the Robbery Case Enhancement and the Felony Augmentation Programs. Following are the principal findings from these studies. The methodology employed and the specific analyses conducted, which support these findings, may be found in the Appendices.

A. Findings -- Robbery Case Enhancement Program

1. A study was conducted of the Criminal Court and Grand Jury disposition of RCEP cases processed during the first 7 months of program operations (January 12 through July 31, 1982), comparing the dispositions of enhanced cases to the dispositions of other robbery arrests made in the same precincts during the same period but which were not enhanced (comparison group) because they were missed, waived, or arose during the late tour. The study indicated that enhancement continues to improve case outcome. On a city-wide basis, 60.2% of enhanced arrests were indicted, while only 46.7% of comparison group arrests were indicted.* The positive effect was observed in each of the boroughs, with the difference in indictment rates between the test and comparison groups (in favor of the RCEP cases) being: Manhattan, +22.0%; Bronx, +8.4%; Brooklyn, +12.75; and Queens, +14.8%.

2. A review of overall program activity in the 22 Precincts during the first 11 months of operation (January through November) discloses that the percentage of total robbery arrests actually enhanced has decreased over the 11 month period. During January, 41.8% of all robbery arrests were enhanced; by July, the percentage had dropped to 18.7%; during the period between August and November, the percentage enhanced increased (to 26.1% in November) but it remained well below the percentage of robberies enhanced during the early months of operation. This drop in program coverage resulted from three factors: (a) An increase in the percentage of total arrests excluded from program consideration; (b) an increase in the percentage of cases missed (i.e., not referred to the PDUs for enhancement); and (c) an increase in the percentage of eligible cases waived (not enhanced) by the PDUs.

* These indictment rates, taken from the 7 month dispositional study, are reached by taking indictments as a percentage of all cases closed in the Criminal Court or Grand Jury. These rates may be reduced or increased depending upon the indictment rate of cases still pending. For the 10 month period between January and October, the raw indictment rates (the percentage of all enhanced defendants who have been indicted to date) are: Manhattan, 57.5%; Bronx, 53.9%; Brooklyn, 46.4%; Queens, 66.0%, for a city-wide rate of 54.1%; these rates can only increase, as additional indictments are returned on pending cases.

3. The decrease in the percentage of total robbery arrests considered eligible for enhancement is a direct result of the expansion of the Robbery Identification Program (RIP) into 6 of the 22 RCEP precincts, and the subsequent exclusion of RIP unit arrests from the enhancement process. "Special Unit Arrest" exclusions in the RIP precincts increased by as much as 500% after the implementation of the RIP program.

4. To determine if RIP Unit robbery arrests fared as well or better in Criminal Court and Grand Jury as did enhanced RCEP arrests (or, for that matter, comparison group arrests), the Criminal Court dispositions of RIP Unit arrests made in the 6 RIP precincts during the 7 month period between January and July, 1982, were obtained and compared to the results contained in the 7 month dispositional study. The results of this comparison are:

	<u>Enhanced Arrests</u>	<u>Comparison Arrests</u>	<u>RIP Arrests</u>
Not Convicted	26.9%	39.1%	41.0%
Plea to Misd./Vio.	12.8%	14.2%	10.9%
Indicted	60.2%	46.7%	48.1%
Convicted/Indicted	73.0%	60.9%	59.0%

5. Detailed analysis of operational data from the 22 Precincts during the first 10 months of operation (January through October)discloses that the percentage of eligible arrests not referred to the PDU for enhancement (missed cases) increased significantly as the months passed. Dividing the 10 months into 3 periods, the missed rate was as follows: 23.3% of the cases were missed during the first 3 months of operation; 29.7% were missed during the middle 4 months; and 33.4% were missed during the last 3 months. Efforts by the program's administrators to reverse this trend were not successful, suggesting that the problem is primarily systemic in nature.

6. The 10 month operational analysis indicates that the percentage of arrests waived (referred to, but not enhanced) by the PDUs has increased significantly over the period. During the first 3 months of operation, the PDUs waived 5.6% of the arrests actually presented for enhancement; during the middle 4 months the percentage increased to 11.5%; and during the last 3 months it increased again, to 22.6%. The waiver rate varies significantly among the various precincts, with 3 precincts waiving 50.0% or more of the cases during the last 3 month period.

7. Comparing enhancement activities in the 22 Precincts with those in the 3 precincts in which the pilot program was operated indicates that the precinct detective units have not incorporated enhancement into their work routines in any significant way. During the first 10 months of operation, only 1.6% of the available investigative man-hours in the 22 precincts were devoted to enhancement activities. During the pilot program, 8.6% of the man-hours in the 43rd PDU were spent on enhancement, 8.6% in the 46th Precinct, and 3.9% in 50th PDU (which had not received any additional personnel during the pilot program).

8. To determine the scope of the enhancement investigations, Vera staff read and analyzed the contents of 177 Arrest Investigation Reports prepared in the 22 Precincts during the month of October, 1982. While the enhancements are primarily limited to a debriefing of all of the relevant parties to the case and did not often involve self-initiated investigative actions by the detectives, other than interrogations, the AIRs were comprehensive in that almost all of the relevant parties were interviewed. In the 177 investigations, 99.4% of arresting officers were interviewed, 96.6% of complainants were interviewed, and 100% of defendants were interrogated. The interrogations produced admissions in 22.2% of the cases, and (potentially incriminating) exculpatory statements in 34.7%. A relatively high percentage of assisting officers and other witnesses were also interviewed, indicating that uniformed and other arresting officer personnel are attempting to bring the necessary witnesses to the PDUs for debriefing.

9. In order to make an assessment of the qualitative aspects of the enhancement efforts, Vera staff read a total of 294 Arrest Investigation Reports and assigned each a quality rating ranging from poor to excellent. While the qualitative results are good, they are not as impressive as the results of the analysis of the scope of case content, described above. It is apparent that some detectives and supervisory personnel regard enhancement as a clerical chore rather than an investigative assignment. Of the 294 investigation reports, 15.6% were rated excellent, 32.3% very good, 28.8% good, 4.8% fair, and 19.0% poor.

10. To determine the degree to which the quality of the work product (the AIRs) affected case outcome, the Criminal Court and Grand Jury dispositions of the 294 cases were obtained and cross-tabulated with the quality ratings assigned. When the dispositions of cases rated as good, very good and excellent are combined and compared with the dispositions of cases rated as fair or poor, the following pattern is observed:

	<u>Not Convicted</u>	<u>Plea to Misd./Vio.</u>	<u>Indicted</u>
Good, Very Good, Excellent	16.9%	9.6%	73.6%
Fair, Poor	27.3%	10.9%	61.8%

Thus, it appears that there is not only a positive relationship between enhancement and disposition, but also between the quality of the enhancement effort and the disposition.

11. The quality of enhancement efforts differ from precinct to precinct. In general, most precincts perform at an acceptable level and exceptionally poor results were observed in only 4 precincts. Overall, the precincts in which the highest quality work was observed on the most consistent basis are those located in the borough of Brooklyn.

12. A reading of the case reports with a knowledge of their Criminal Court and Grand Jury dispositions strongly suggests that the District Attorney in each of the counties is fully supporting the Department's efforts to reduce robberies through vigorous prosecution of offenders. Indictments are sought and obtained on almost every case in which a reasonable, informed person would conclude that the facts of the crime and the prior criminal record of the defendant combine to merit a felony prosecution.

13. Because personnel assigned to the 22 RCEP precincts spend the major portion of their time on other investigative activities, the cost of enhancement is limited to the cost of the actual number of hours spent on these activities. As a result, the cost of RCEP operations for the first 10 months was \$ 80.04 per case enhanced. Over the first three months, for which more detailed dispositional results are available, RCEP cost was \$ 112.27 for each indictment obtained, and \$ 467.29 for each defendant sentenced to state prison.

B. Findings -- Felony Augmentation Program

1. The principal indicators of FAP operational activity for the first 10 months of city-wide operation (January through October, 1982), were as follows:

- a. CCIU detectives augmented a total of 1,290 cases, of which 911 (70.6%) involved target defendants. These cases involved a total of 1,933 defendants of which 971 (50.2%) were targets, 382 were target co-defendants, and 580 were not involved in target cases.

- b. The monthly caseload per detective was 1.74 cases per month. This was made up of 1.23 "target" cases and .51 "other" cases.
- c. Only 971 or 37.4% of the targets who were arrested on felony charges during this period were subjected to augmentation procedures; the balance were excluded from the process for various reasons.
- d. The city-wide indictment rate for augmented defendants was 67.1% for the 10 month period.*

2. CCIU case intake, and therefore workload, is affected by three factors:

- a. Target List Construction: The current method of targeting career criminals is both experimental and developmental. As a result, the current target list produces a limited workload, a portion of which are arrests that are not suitable for inclusion in the augmentation process.
- b. Inefficiencies in the notifications system by which CCIU detectives become aware of the arrest of targeted defendants frequently result in decisions not to enter cases because, in the detective's judgment, too much time has elapsed to permit a CCIU detective to perform an effective augmentation.
- c. Self-imposed screening criteria: The Borough CCIUs uniformly utilize a two-stage screening process to select cases for augmentation.

Stage 1 -- Automatic exclusions: All misdemeanor arrests; Grand Larceny Auto and CPSP Auto (except in Queens); Arrests by PDUs and Special Detective Units, unless the Arresting Officer consents to CCIU involvement; narcotic arrests.

Stage 2 -- Case specific exclusions: A review of the circumstances of the crime, nature of charge, strength of evidence, probability of conviction, etc., can lead to a target arrest being excluded.

* This is a raw indictment rate -- the percentage indicted to date of all defendants whose cases were augmented during the 10-month period ending October 31, 1982. It can increase as additional indictments are returned on pending cases, but it cannot decrease.

3. "Other Cases" (non-targets) are selected for augmentation on the basis of the crime charged, the prior record of the defendant, and the probability of conviction. "Others" constituted 50% of the total CCIU workload in 2 of the Boroughs.

4. A review of the distribution of CCIU caseload by crime charged indicates that the vast majority of augmentations result from arrests on indictment-prone crimes. Overall, it appears that the severity of the crime and the strength of evidence have become the main screening criteria employed in the selection of cases. This is believed to reflect:

(a) Organizational Goals -- the CCIU administrators and members believe that their efforts will be evaluated only on the basis of results obtained; Therefore, the selection process is geared to the selection of cases evincing a high probability of positive results (indictment, conviction, and sentence). (b) Prioritization of efforts -- available resources are devoted to the most serious crimes. (c) Recognition of the priorities of the District Attorneys in the various boroughs -- CCIU commanders indicate that they do not take cases in which there is a low probability that the DA will seek indictments.

5. A reading of CCIU case files in all of the boroughs suggests that the selection process involves very little risk-taking (except in the borough of Manhattan where weaker or high-risk cases are sometimes pursued). Various ADAs interviewed indicate that they view CCIU efforts as frequently directed towards cases which would normally receive priority treatment in the borough, and that they believe little effort appears to be expended on making weak cases stronger.

6. The low caseload of individual detectives is supported by CCIU supervisors who believe that the average CCIU investigation involves substantial field work and requires extensive time to complete. In addition, they cite court appearances and liaison activities as factors limiting CCIU detective caseload expansion. In an attempt to assess the scope and length of the augmentation investigations, Vera staff read and analyzed the contents of 150 case files. (One month's workload in each borough.) The case content analysis provided little support for these views of the CCIU supervisors. Of the 150 cases read, 82.0% involved only standard enhancement activities (debriefing of relevant parties and interrogation of defendants), and only 18.0% involved self-initiated, supplemental investigative activities by the detectives. The percentage of cases in which supplemental investigative activities were undertaken differed significantly by borough, as follows: Manhattan, 16.0%; Brooklyn, 32.4%; Bronx, 17.2%; and Queens, 5.9%. Most investigations outside of Brooklyn appear to be conducted at the CCIU office or nearby (central booking or the court building). In Brooklyn, CCIU detectives initiate their investigations at the precinct of arrest more often than do CCIU detectives in the other boroughs. Of the

150 cases read, 69.2% were completed on the day the case was assigned; 11.2% were completed within 3 days; and only 19.6% required over 3 days to complete.

7. Scope of the Investigation: The case content analysis indicates that inefficiencies of the notification system limit the scope of CCIU follow-up investigation. Because of late notifications, 15.0% of arresting officers were not interviewed; 32.7% of complainants were not interviewed; and 40.2% of defendants were not interrogated. (In some instances, the parties were not interviewed by the investigator because they had already been debriefed by an ADA. Of the defendants who were interrogated, admissions were obtained from 43.8%, or in 26.3% of the cases reviewed.

8. As previously indicated, late notifications hamper CCIU operations. Analysis of notification records indicates that the average borough times for notification (period between arrest and notification to CCIU) ranged between 4 and 6 hours, and the median time ranged between 2 and 3.5 hours. As a result, few CCIU investigations in the boroughs outside of Brooklyn are initiated at the precinct of arrest. (It is possibly because the Brooklyn unit's offices are not located near the central booking or court buildings that a much higher percentage of Brooklyn investigations are initiated at the precinct of arrest.) Further analysis of case content (cross-tabulation of initiation point of investigation with investigative steps taken) indicates that investigations initiated at the precinct of arrest are more complete (a greater percentage of self-initiated investigative steps (visit to crime scene, witness canvass, etc.)

9. Case documentation and liaison with the District Attorneys' Offices varies significantly among boroughs. The Bronx is the only borough in which comprehensive Arrest Investigation Reports are routinely prepared and delivered to the District Attorney's Office (normally within 72 hours.) In all of the other boroughs, the AIR forms are prepared in DD5 style (one interview to a page, etc.) and are retained in the CCIU case file unless the ADA requests them for trial preparation. In those boroughs, face-to-face communication with the ADA is substituted for case documentation.

10. All of the Assistant District Attorneys interviewed during the course of this study expressed support for the Career Criminal program, and praised the work of the CCIU members in their borough.

11. Because the CCIUs are dedicated units with the personnel having no assigned functions other than the augmentation of target and other arrests, the total cost of maintaining the field units must be considered as the

overhead for program operations. As a result, during the first 10 months of operation, it cost \$ 2,933.79 for each case augmented. During the 10 month period, it cost \$ 2,915.71 for each of the 1,298 indictments returned on augmented defendants. (Indictment costs are lower than case costs because there were more defendants than cases.) In cases selected for FAP in the first three months of operation, about which more detailed dispositional information is available, it has cost \$ 6,965.50 for each of the 163 defendants sentenced to state prison.

II. Recommendations

Both the Robbery Case Enhancement and Felony Augmentation Programs continue to demonstrate their potential. The problems, identified in the preceding section of this report, get in the way of full impact, but seem to result primarily from the developmental posture of both programs. While each was preceded by a pilot project, city-wide implementations represented a pathfinding effort by the Police Department. Although case building techniques are used by many municipal police departments, they are relatively new in New York City, and, for that matter, in the eastern United States. As a result, there was little to guide the department in its attempt to routinize the process. The results to date, while disappointing from some perspectives, are nevertheless encouraging in the main. Both programs have demonstrated their worth, and the Police Department should proceed in their further development.

GENERAL RECOMMENDATION

Both from organizational and managerial perspectives, there emerges from the analyses a recommendation to consolidate the two programs, and to expand case enhancement to all of the precincts in the city. This could be accomplished by reducing the size of the Borough CCIUs and redefining their functions, and by reassigning the excess CCIU detectives to the precincts in which enhancement is not currently performed. The effect of implementing this recommendation is best illustrated by using one borough as an example:

The present complement of the Brooklyn CCIU is 1 Lieutenant, 3 Sergeants, 24 Detectives, and 1 PAA. Under the recommended reorganization, the Unit's strength would be reduced by 15 detectives, leaving 9 plus the superior officers and the PAA. The 15 detectives would be reassigned to the 14 Brooklyn Precincts in which case enhancement is not now performed. (Analysis of robbery arrest statistics in the Borough of Brooklyn indicates that 61.5% of all of the robbery arrests made in the year 1982 took place in the 9 precincts which currently enhance cases. Caseload in the remaining 14 precincts is such that the addition of 1 detective per precinct would be sufficient to accommodate the increased workload, and would be in keeping with the assignment pattern utilized when the program was first introduced in that borough.) Responsibility for the initial enhancement of both career criminal and robbery arrests would rest with the Precinct Detective Unit in the precinct of arrest.

Functions of the reorganized CCIU would be as follows:

1. CCIU supervisors would function as liaison with the District Attorney's Office on the prosecution of career criminals and other targeted defendants (robbery arrests, etc.), and would continue to supervise the members of the Borough CCIU. Supervisors' duties would include:
 - a. Supervisory review, prior to arraignment, of every Arrest Investigation Report prepared in the Borough -- whether or not the defendant is a target.
 - b. Identification of cases in which the need for supplemental investigation is clearly indicated or is requested by the ADA, and the assignment of such investigations either to the officer who originally enhanced the case, or to a member of the Borough CCIU.
 - c. Responsibility for quality control of follow-up investigations. The supervisors would review case enhancement efforts with the detectives, and if necessary, communicate with the PDU commanders concerned.
 - d. Maintenance of monthly operational statistics for the Borough. The Commanding Officer of the Borough CCIU would prepare monthly reports on the operation of the program in the Borough, and forward these to the Detective Borough Commander. The Borough Commander would, in addition to forwarding the reports through channels, confer monthly with the Patrol Borough Commander relative to patrol precinct performance, particularly with respect to missed cases.
 - e. Confer on a regular basis with the ADAs assigned to the prosecution of career criminals, and those other defendants who, because of the severity of the crime or their prior criminal record, warrant maximum attention. These efforts would be aimed at the identification of cases in which supplemental investigation would assist the prosecution.
 - f. Supervise the detectives assigned to the Borough CCIU.

2. Detectives assigned to the Borough CCIU would be responsible for:

- a. Performing case enhancement or augmentation investigations on the arrests of career criminals or other targeted defendants whose arrests are not enhanced at the precinct level because they were either waived or missed at the precinct, or because the defendant gave a false name at the precinct and was not identified as a career criminal until a later stage in the process.
- b. Performing supplemental investigations on enhanced cases as directed by the unit's supervisors.
- c. Assisting the District Attorney's Office in the prosecution of career criminals or other targeted defendants.
- d. Assisting precinct detective personnel on career criminal or target cases as required or as requested.
- e. Conduct investigations as directed by the Detective Borough Commander in an attempt to link arrested career criminals or other targeted defendants to other crimes.

3. The reorganized program would be under the direct command of the Detective Borough Commander.

Adoption of this recommendation could have the following effects:

- a. It would expand the positive impact of case enhancement to all of the robbery arrests in the borough, as well as to any other crimes the department chose to target.
- b. As all investigations would be initiated at the precinct level, the scope of the investigation (as measured by the ability to interview the relevant parties) would be increased, and the negative effects of the inefficient CCIU notification system on the enhancement of career criminal targets would be eliminated.
- c. Provision is made for supplemental investigation in those cases in which it is deemed necessary.
- d. A mechanism is provided for insuring the quality of the enhancement efforts.

e. Initial enhancements would be conducted by precinct detectives who are in a prime position to utilize the intelligence which frequently results from case enhancement.

f. Provision is made for feedback to both detective and uniformed personnel.

g. Placing the program under the control of the Detective Borough Commander places the responsibility for its operation under the person best able to influence detective performance in the Borough, and provides for high level coordination with uniformed personnel.

This recommendation is not without its liabilities. The department's experience with the case enhancement program is, at best, mixed. Unless the Detective Bureau makes a greater effort to incorporate enhancement into its work routine, and accepts it as a legitimate and important investigative function, consolidation of the programs might result in a lessening of effort in the career criminal area. Current enhancement productivity levels in most PDUs would have to be increased if the program were to succeed. This ought not be unduly burdensome -- if career criminal cases were added to the precinct enhancement caseload, and all eligible arrests were actually enhanced (including missed, waived, late tour, and RIP arrests), the projected caseload would be about 1.25 cases per month for each detective in the Borough.

4. If the department chose to adopt this recommendation, it could anticipate implementation problems similar to those experienced in the city-wide implementation of FAP and RCEP. To minimize the effect of these problems, it is suggested that a number of steps be taken to improve communication between the detective and patrol bureaus and to insure that problems are quickly identified and promptly addressed. Among these steps are the following:

a. The case evaluation and analysis unit in the Chief of Detectives's office would continue to monitor program operations, and produce monthly operational statistics for each precinct. Monthly reports would be forwarded to the Detective and Patrol Borough Commanders concerned.

b. Case Enhancement Review Boards, consisting of the Detective and Patrol Borough Commanders, and the Detective and Patrol Zone Commanders, would be established in each Borough. The review board would meet on a bi-monthly basis, review operational statistics for the 2 month period, identify and discuss operational problems, and formulate solutions. Case Evaluation and Analysis Unit personnel would serve as staff to the review boards, and would attend the bi-monthly

meetings. The Detective Borough Commander would serve as Board Chairman, and would be responsible for submitting bi-monthly reports to the Administrative Case Enhancement Review Board, outlining problems identified at the Borough level and steps taken to correct them.

c. An Administrative Case Enhancement Review Board, consisting of representatives of the First Deputy Police Commissioner, Deputy Commissioner Legal Matters, Chief of Operations, Chief of Patrol, and Chief of Detectives would be established. The Administrative Review Board would meet once each three month period and review program operations on a city-wide basis. Case Evaluation and Analysis Unit personnel would serve as staff to the Administrative Board.

OTHER RECOMMENDATIONS

As indicated above, the general recommendation involves a major reorganization of both programs, and may be expected to produce its own set of implementation problems. As a result, the Department may choose not to follow this recommendation, or to conduct yet another pilot project in one of the boroughs while the existing programs continue in the other boroughs. To provide for these alternatives, the following recommendations are offered with respect to the operation of the existing programs. Many of these recommendations would also apply to the operation of a consolidated program such as is recommended above.

Robbery Case Enhancement Program

1. Program Eligibility. The policies which govern eligibility for robbery case enhancement at the precinct level should be re-evaluated and additional cases made eligible for enhancement.

a. RIP Unit Arrests: There is no objective reason why RIP Unit arrests should be excluded from the enhancement process. The operational goals of the RIP Units are the identification and arrest of persons committing robberies in the precincts in which the program operates. There is nothing in either the RIP mission or the RIP methods which should preclude case enhancement. Research conducted during the Felony Case Preparation Project demonstrated that detective arrests benefit from enhancement to the same degree as do uniformed arrests. Therefore it is recommended that RIP Unit arrests be subject to the enhancement process. As the arresting officer will be enhancing his own case, all this will involve is the documentation stage, the preparation of an AIR.

b. Late Tour Arrests: As indicated in the analysis, the overtime which would be generated if late tour arrests were subjected to case enhancement is in the area of \$ 79,000 per year for the 22 Precincts. In view of this, it is recommended that the policy excluding late tour arrests from enhancement be reevaluated. However, it must be noted that overtime is not the only issue involved, and there are significant operational problems which must be addressed before a final decision can be made on this suggestion.

c. Special Unit Exclusions: In view of the positive results achieved through case enhancement, it is recommended that special unit arrests be enhanced by the officer who made the arrest. While this would involve training the members of the special units in enhancement techniques, it would not add any substantial amount of work in the processing of their cases, as all that would be required of them is the preparation of an AIR.

d. Career Criminal Targets: It is recommended that career criminal targets arrested on robbery charges in any of the RCEP precincts be enhanced by the detectives assigned to that PDU. In the initial city-wide expansion of both programs, a policy decision was made which resulted in target arrests made in RCEP precincts being augmented by the CCIU rather than by the PDU detectives. The purpose of this policy was to insure accountability for the augmentation of target arrests and to centralize the career criminal augmentation function within the CCIUs. Recently this policy has been expanded to exclude RCEP detectives from enhancing the robbery arrests of youths between 14 and 18 years of age, when such arrests are selected for augmentation by the Borough CCIU. As a result of these policies, during January 1983, Borough CCIUs enhanced 105 robbery arrests emanating from the 22 Precincts, or 19% of the total eligible RCEP caseload. (While the breakdown between career criminal targets and "others" is not known for these 105 defendants, the ratio between FAP career criminal robbery target cases in January (64) and FAP "other" robbery cases in January (136) suggests that the majority of the 14 to 18-year old robbery defendants were not career criminal targets.) It is suggested that both policies be reviewed in light of the data provided in this report, specifically for the following reasons:

i) There is no evidence to suggest that enhancements performed by trained PDU detectives need be in any way inferior to those performed by CCIU detectives.

ii) Investigations conducted at the precinct level may be expected to produce more complete case records as notification is immediate and precinct-based witnesses are more readily available for interview.

iii) Functional supervision over Career Criminal enhancements may be exercised by the Borough CCIU. (See recommendation 3b under the Felony Augmentation Program.)

iv) It is the more cost-effective of the two alternatives.

2. Program Coordination. It is recommended that steps be taken to increase the coordination between the Patrol and Detective Bureaus in the operation of the RCEP. Developmental efforts to date have suffered from lack of feedback to patrol on both the negative and positive aspects of program operation. Precinct commanders interviewed indicate that they have received no feedback on program operations, other than periodic conferences with PDU commanders on the subject of missed cases. Those interviewed indicated that they had no actual knowledge of the missed rate in their commands, and had never been apprised of the positive results achieved in enhanced cases.

Effective operation of this program requires the coordinated efforts of patrol and detective commanders at all levels throughout the department. For this reason it is recommended that the review boards proposed in the general recommendation above, be established for the existing programs.

3. Precinct and P.D.U. Productivity. Steps should be taken to increase precinct and PDU productivity in the operation of the enhancement program. Specifically:

a. Missed Cases: Primary responsibility for seeing to it that robbery arrests are forwarded to PDUs for enhancement must be placed on the precinct desk officer. As the officer in charge of station house operations, he is the key to insuring that every appropriate robbery arrest is forwarded to the PDU as required. Control procedures should be established at the precinct level to insure that operational procedures are complied with, and a procedure established which provides regular feedback to the precinct identifying those cases which were not properly handled. Arresting officers, regardless of command or assignment, should not be permitted to leave the precinct of arrest for central booking without either an enhancement report or a PDU waiver form. If the PDU is unmanned for any reason, the desk officer should issue a waiver form, which would account

for the arrest in a proper manner. Where members of outside commands are identified as bypassing the process, appropriate communication should be sent through channels to the commander concerned for corrective action.

b. P.D.U. Waivers: The manner and degree in which some PDUs utilize the waiver procedure should be thoroughly reviewed. Ten of the 22 precincts have recorded waiver rates of under 10% for the 10 month period, three of them waiving no cases at all. On the other hand, 5 precincts have waived in excess of 20% of all of the cases presented to them, with 1 PDU waiving almost 52%. The waiver procedure was designed to permit PDU commanders to focus investigative efforts on serious crimes, particularly homicides. It was not designed to relegate enhancement to a position where it is only done during quiet periods, or when full complements are available. (There are unverified reports that some PDUs have established minimum manning levels beyond which no enhancements will be conducted regardless of current investigative workload.)

The waiver issue is directly related to the central failure in the current operation of the program, the reluctance of the detective squads to incorporate enhancement into their work routines in a meaningful manner. As indicated in the analysis, only 1.6% of the total available investigative man hours in the 22 precincts were devoted to case enhancement and, on the average, each detective in the 22 precincts devoted less than 2 hours monthly to case enhancement. All of this strongly suggests that the enhancement process is not viewed as a meaningful or important investigative function by many of the detectives and their supervisors. Unless this failure is reversed, the program will not reach its potential, and the department will not receive the full benefits. For the program to operate as originally conceived, it need not impact other investigative functions: If every eligible robbery arrest in the 22 precincts were actually enhanced (including those currently missed and waived, those arising on late tours, and RIP Unit arrests) the average monthly workload per detective in the 22 precincts would only be approximately 1.2 cases, or about 4 hours work per month.

4. Quality of Investigative Effort. The analysis indicates that there is wide variation in the quality of the investigative effort among the detectives. The majority perform the investigative function in a highly acceptable manner, with some detectives demonstrating greater personal skills than others. On the other hand, a review of some detectives' case reports strongly suggests that these men view the enhancement process as a disagreeable and unimportant clerical task. That these reports are as they are, despite supervisory review, suggests that these supervisors share that viewpoint. To improve the overall quality of investigative effort in the case enhancement program, the following recommendations are offered:

a. Supervisory Review of Enhancement Activities: While the primary responsibility for the supervisory review of detectives enhancement activities must be placed with their unit supervisors, Detective Zone Commanders should be made responsible for personally reviewing case enhancement reports prepared by the detectives in the PDUs which they supervise, and for taking corrective action when necessary. To prepare these personnel to assume this duty, they should attend a 4-hour training session administered by the personnel of the Case Evaluation and Analysis Unit.

b. Retraining of Supervisory Personnel: Unit supervisors in those PDUs in which the quality of enhancement activity is found to be below average should attend a 4-hour retraining session administered by the Case Evaluation and Analysis Unit. This training could be combined with that administered for the Zone Commanders.

c. Basic Training of Detective Personnel: Since the initial training program administered in November and December 1981, there has been some turnover in the personnel assigned to the 22 PDUs. Detectives assigned to those PDUs who have not attended the 1 day case enhancement training course should be required to receive this training in the near future. In addition, squad commanders should be encouraged to direct other members of their units whose performance is below standards to attend the basic training course for a second time.

d. Evaluation of Performance: While the basic detective evaluation form can be said to include those areas most pertinent to an evaluation of enhancement efforts, provision should be made for a separate evaluation of enhancement efforts in the formal evaluation process.

Felony Augmentation Program

1. Policy Formulation. A clear statement, setting forth the programmatic goals and policies of the Felony Augmentation Program, should be promulgated. At the present time, there is a wide gap between the Department's policy makers' perceptions of the purpose and goals of the program, and the perceptions of personnel assigned to execute the program. On the one hand, the Deputy Commissioner for Legal Matters, who was the principal architect of the program, sees it as a concentrated effort focused on a small group of persons who are responsible for a great deal of crime. Within this perspective, CCIU efforts would be concentrated on career criminal targets, and only the most minor arrests would be excluded from the augmentation process. Moreover, rather than waiving cases with evidentiary weaknesses, CCIU resources would be committed to strengthening these cases.

Further, the CCIU would be preeminent in career criminal prosecutions and cases would not be excluded because the arresting officer was a detective or a member of a specialized unit. On the other hand, the program's operational administrators view the CCIUs as resources to be used in pursuing viable prosecutions against serious offenders. While not precluding the augmentation of target arrests, the primary focus has shifted to offense rather than defendant, and in essence, a centralized case enhancement unit has been created. In the absence of a clear statement of program policies and goals, the gap in perception between the Department's administration and its operational personnel will only grow wider.

2. Notification of Target Arrests. As indicated in the analysis, the most serious operational problem facing the CCIUs is the ineffectiveness of the telephone notification system by which they are made aware of the arrest of career criminals. Despite the efforts of the Commanding Officer of the Felony Augmentation Section to improve this phase of the operation, the problem persists and negatively affects unit operations.

There is no easy solution to this problem, and its resolution can only be effected by the Patrol Bureau, rather than by Detective Bureau efforts. Primary responsibility for felony arrest notification must be placed on the precinct desk officer, and a procedure should be established which requires that this notification be made immediately upon the arrival of an arresting officer with a defendant. The desk officer has always been responsible for the control of station house operations. He is responsible for ascertaining the identity of persons entering the station house and for making various log entries regarding the movement of department personnel. He occupies the position which is key to insuring that arrest notifications are made, and are made promptly. Desk officers should be required to make arrest log entries immediately upon arrival of arresting officers at the station house, and to make prompt notification to the Borough or Manhattan CCIU.

The Borough CCIUs should maintain statistics on notifications received from the various precincts. (The ability to do so already exists as a result of the entries made on the CCIU arrest "fact sheet.") Information on problem precincts should be reported through channels to the Patrol Borough Commander for appropriate attention and corrective action.

3. Exclusion Criteria. The criteria by which the arrests of some career criminal targets are excluded from the augmentation process should be reevaluated.

a. Crime Specific Exclusions. Career criminal targets should not be excluded from the augmentation process solely because of the current charge against them. While frivolous prosecutions should not be sought, legitimate felony charges should be pursued. The very basis for the program is the desire to incapacitate high rate offenders, and opportunities to do so are lost if legitimate charges are not strengthened and prosecuted.

Some of the Department's operational research indicates that excluded targets are frequently rearrested on more serious charges within short periods of time and are then augmented. This research is directed at justifying current exclusion policies. It is suggested that the research supports the prosecution of career criminals on any legitimate felony charges -- had they been incarcerated on the original arrests, they would not have been available to commit the more serious crimes.

b. Arresting Officer Exclusions: The CCIUs do not augment the arrests of career criminal targets when such arrests are made by members of precinct or specialized detective units. Three reasons are advanced for withdrawing CCIU services (except upon request or acquiescence of the arresting officer) in such cases. These are:

- (1) Elimination of potential conflicts inherent in having one detective supersede another.
- (2) Elimination of the potential for conflicts in department records between the pre-arrest DD5s of the arresting officer and the post-arrest reports of the augmenting detective.
- (3) A belief that detective arrests are inherently of higher quality than uniformed arrests, and therefore do not require augmentation.

Beginning with the last argument, there is ample evidence both in the evaluation of the RCEP and FCPP and in the experience of the CCIUs in those PDU arrests in which the arresting officer requested CCIU assistance, which indicates that detective arrests benefit as much from augmentation efforts as do those arrests made by members of the uniformed force. It was for this reason that detectives assigned to RCEP precincts are required to prepare Arrest Investigation Reports on their own robbery arrests.

The other arguments may be dealt with in the formulation of policy and procedure. To the extent that such units exist, the CCIUs should be preeminent in the career criminal field for a variety of reasons: they have established credibility with the District Attorneys, and probably have a better sense of what is required for a successful prosecution than does the average member of the Department; the bulk of their efforts are directed at supporting the prosecution of offenders, rather than at identifying and apprehending them; in doing so, they have amassed specialized knowledge which should be exploited as far as possible. Preeminence of the CCIUs and utilization of the strengths of CCIU detectives does not, however, require that they duplicate the investigative work of arresting detectives. If this proposition is accepted, a procedure can be developed which insures that career criminals all receive the same degree of attention regardless of the identity of the arresting officer.

The Borough CCIUs should be given functional supervision over case preparation efforts by PDU and specialized unit detectives where the defendant is a CCIU target, and should utilize their liaison channels for insuring that these arrests are given serious consideration by the District Attorneys' Offices. Upon notification of the arrest of a Career Criminal Target by a PDU or other detective, the arresting detective should be directed to report to the CCIU supervisor on duty and bring with him all of his files on the case. The case files and verbal report of the arresting officer should be reviewed by the supervisor and a determination made if there are any supplemental investigative steps which should be initiated to insure a successful prosecution. The arresting officer should be required to prepare a comprehensive AIR, receiving assistance, if necessary, from a member of the CCIU, and a CCIU member should be assigned to the case to initiate the liaison with the District Attorney's Office (which may require no more than a telephone call.)

This suggested procedure places responsibility for the actual investigative case work on the arresting detective, but insures that the case receives full career criminal treatment and appropriate presentation to the District Attorney.

4. Field Investigations. As indicated in the analysis, few augmentation investigations (outside of Brooklyn) are initiated at the precinct of arrest. As also indicated, those investigations which are begun at the precinct of arrest tend to include a greater number and variety of supplementary investigative steps by the investigating officer. It is suggested that greater efforts be made to conduct more augmentation investigations in the field

rather than at the offices of the CCIU or by telephone. While improvements in the notification system would facilitate this, the fact that some investigations originating from late notifications have involved CCIU detectives in field work suggests that late notification is not the total cause of the limited efforts indicated.

5. Case Documentation and Presentation to District Attorneys. As indicated in the analysis, the Bronx CCIU is the only unit which routinely prepares comprehensive Arrest Investigation Reports and delivers them to the District Attorney. It is recommended that this be made a standard practice throughout the city, for the following reasons:

a. The research conducted on both the FCPP and RCEP has demonstrated the value of comprehensive case reports. They facilitate District Attorney operations, including the supervisory review of case handling by ADAs. The documents are reported to constitute the basis for the DA's case file and provide a ready vehicle for summary review of the case. In the absence of the assigned investigator or any of the witnesses, they provide the ADA with a record of the potential contribution of the missing party.

b. Comprehensive chronological case documentation would facilitate review by supervisors in the CCIUs. Outside of the Bronx, most case files are difficult to read because of the manner in which the interviews are recorded and filed. It frequently takes several readings of a case before the chronological sequence of events can be established and the evidence recorded evaluated. While the average detective is thoroughly familiar with his cases and can readily explain the sequence of events and the evidence he has gathered, case review in his absence or case reassignment because of transfer, retirement, sickness, etc. is hampered because of the manner in which the case is documented and the file maintained.

c. Placing comprehensive case reports into the hands of the District Attorney may reduce the labor-intensity of the operation, eliminating some of the face-to-face discussion now found necessary, and possibly eliminating some court appearances for assigned personnel.

d. There would be no additional cost to the Department. All of the information required for a comprehensive AIR is currently being recorded by the CCIU detectives in each borough.

e. This form of case presentation would appear to be the most compatible with the organizational structures of the District Attorneys' Offices in Queens and Brooklyn. CCIU cases are handled by all major units or bureaus in those offices, as in the Bronx District Attorney's Office, and any given case may be handled by a number of ADAs at the various stages of prosecution. Comprehensive case

files can facilitate this process and reduce the need for CCIU detectives to continually review cases with newly assigned ADAs. (In the absence of a documentary submission by the Police Department, the DA's case file is limited to the notes made by the ADA who initially screened the case at intake. While these notes may be sufficient to justify the initial screening decisions made by that ADA, they are not normally sufficient at later stages in the process and must be supplemented by additional interviews with the relevant parties.)

6. Coordination with Patrol and Program Feedback.

As indicated earlier, some of the problems in the current FAP operation can be traced to laxity at points that are within the responsibilities of the patrol force. However, there is also an apparent absence of feedback to the patrol force which would assist them in identifying problems and problem precincts. There is also an absence of positive feedback on the accomplishments of the program which might motivate a greater degree of compliance with the operational procedures. For these reasons, it is suggested that the review boards proposed in the general recommendation above, be established for the existing programs.

7. Investigation Caseload. The current detective caseload in the Felony Augmentation Program is 1.74 cases monthly per detective. Career criminal target cases constitute only 1.23 cases monthly per detective, the balance being made up of other cases. As indicated in the analysis, there is nothing in the nature of the investigative process utilized (the range of investigative steps taken) or in the amount of time required for the completion of these investigations which would suggest that the personnel are being utilized to their maximum potential. On the contrary, the analysis suggests that CCIU caseload can be increased without detracting from the quality of the work performed. In approaching this, the Department would appear to have several options, among which are the following:

a. Reduction in Unit Strength or Expansion of Target List: If it is the intent of the program to focus on career criminal targets, it would be appropriate to reduce the strength of the units to a level appropriate to the potential workload. As indicated in the analysis, if every career criminal target arrested on new felony charges were augmented on a 1 defendant to 1 case basis, the monthly workload would be under 4 cases per detective at current manning levels. Realistically, the current target list may be expected to yield a caseload of no more than between 2 and 3 target cases monthly per detective. Unit strength could be reduced to a level which would produce a more realistic workload within the anticipated total caseload.

As an alternative, of course, the size of the official career criminal target list could be increased to yield a larger number of cases; this risks straying further from the career criminal rationale of the units.

b. Expansion of Function: As an alternative to reducing the size of the units or expanding the number of targets, the functions of the CCIUs could be expanded by increasing the kinds of cases which they augment; this is, in essence, what is being done at the present time. Additional groups of crime-specific defendants can be targeted and augmented by the CCIUs, thereby increasing the individual detective caseload. There are at least two drawbacks to this option: (1) increasing the scope of the operations by adding crime-specific targets continues the problems associated with the centralized organizational structure of the units, i.e., notifications, case selection, scope of investigations, etc.; and (2) Expansion efforts are most likely to be at the expense of the Robbery Case Enhancement precincts, ignoring the ability of the detectives assigned to those precincts to conduct meaningful enhancements more effectively.

APPENDIX A

OPERATIONAL REVIEW OF THE
ROBBERY CASE ENHANCEMENT PROGRAM

OPERATIONAL REVIEW OF THE ROBBERY CASE ENHANCEMENT PROGRAM

The Robbery Case Enhancement Program (RCEP), implemented on January 12, 1982 currently operates in 22 Precincts in 4 Boroughs. The program provides for precinct detectives to conduct immediate follow-up investigations on adult or potential J.O. robbery arrests made in those precincts, and to document the results of their investigations in a written Arrest Investigation Report (AIR) for presentation to the District Attorney's Office when the case first reaches the office. Similar to its precursor, the Felony Case Preparation Project (FCPP), the RCEP exempts certain arrests from the process. These exclusions now include arrests made by specialized detective units, some arrests made by the Housing and Transit police (which are to be enhanced by detectives from those departments), arrests on warrants after indictment, and arrests of persons falling under the provision of the Career Criminal Program which are enhanced by the Borough Career Criminal Investigating Units (CCIUs). In addition, arrests made on the late tour when the Precinct Detective Units (PDUs) are closed are excluded in order to avoid the overtime which would result if the officers were required to process the case after the PDU opened in the morning. All other robbery arrests are required to be delivered to the PDU of the precinct of arrest for case enhancement by a detective.

The detective assigned to the case is required to conduct a thorough investigation of the matter, interviewing all of the parties to the case, possibly visiting the crime scene to search for additional witnesses or evidence, and possibly requesting the assistance of forensic units where appropriate. When he has completed his investigation, he is required to document all of the facts of the case by preparing an Arrest Investigation Report (AIR). This report, which details the manner in which the crime was committed, how the defendant was identified and apprehended, the prospective testimony of the complaint, witnesses and police officers, statements by the defendant, etc., is forwarded to the District Attorney's Office with the arresting officer when the defendant is presented for arraignment. Assistant District Attorneys assigned to the borough complaint rooms review the reports as part of their case screening process, using the information provided to assist them in evaluating the strength of the case and deciding the appropriate prosecution track. The report then becomes part of the DA's case file, available to other ADAs who may handle the case as it passes through the court process.

Table 1 presents data on the program's operation in the 22 precincts for the 11 month period, January through November, 1982.* This table was prepared from the statistics maintained by the Case Evaluation and Analysis Unit of the Central Robbery Division. An examination of these data indicates that effective utilization of the program has diminished significantly since its inception. The proportion of robbery arrests enhanced decreased from the second through seventh

* Analyses contained in this report are based on data for varying time periods. Table 1 contains data on 11 months of operations, which was made possible by the inclusion of city-wide statistics for the month of November. The bulk of the analyses to follow review 10 months of data since the precinct statistics were not available at the close of data collection. However, some analyses concern shorter periods of time for which more detailed information was available.

Table 1
Robbery Case Enhancement Program
City-Wide Activity -- January through November, 1982

<u>CITY-WIDE</u>	Jan *	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Total
Total Arrests	476	885	892	834	928	839	923	856	1017	946	848	9444
Precinct Voids	5	4	5	1	3	0	0	0	0	0	0	18
% of Total Arrests	1.0	0.5	0.5	0.1	0.3	0	0	0	0	0	0	0.2
Special Units	40	73	104	102	143	152	187	160	166	138	193	1458
% of Total Arrests	8.4	8.2	11.7	12.2	15.4	18.1	20.2	18.7	16.3	14.6	22.8	15.4
Juvenile Arrests	45	64	61	62	69	55	41	33	68	71	58	627
% of Total Arrests	9.5	7.2	6.8	7.4	7.4	6.6	4.4	3.9	6.7	7.5	6.8	6.6
Other Agencies	58	98	102	124	140	122	179	121	109	129	109	1291
% of Total Arrests	12.2	11.1	11.4	14.9	15.1	14.5	19.4	14.1	10.7	13.6	12.9	13.7
Late Tour Arrests	58	167	157	134	124	105	150	141	182	162	136	1516
% of Total Arrests	12.2	18.9	17.6	16.1	13.4	12.5	16.3	16.5	17.9	17.1	16.0	16.0
TOTAL EXCLUDED	206	406	429	423	479	434	557	455	525	500	496	4910
% of Total Arrests	43.2	45.9	48.1	50.7	51.6	51.7	60.3	53.2	51.6	52.9	58.5	52.0
TOTAL ELIGIBLE	270	479	463	411	449	405	366	401	492	446	352	4534
% of Total Arrests	56.7	54.1	51.9	49.3	48.4	48.3	39.7	46.8	48.4	47.1	41.5	48.0
Waived	17	10	25	30	44	50	64	55	72	75	41	483
% of Total Arrests	3.6	1.1	2.8	3.6	4.7	6.0	6.9	6.4	7.1	7.9	4.8	5.1
% of Elig. Arrests	6.3	2.1	5.4	7.3	9.8	12.3	17.5	13.7	14.6	16.8	11.6	10.6
Missed	54	139	89	108	118	130	129	154	165	128	90	1304
% of Total Arrests	11.3	15.7	10.0	12.9	12.7	15.5	14.0	18.0	16.2	13.5	10.6	13.8
% of Elig. Arrests	20.0	29.0	19.2	26.3	26.3	32.1	35.2	38.4	33.5	28.7	25.6	28.8
A.I.R.s Prepared	199	330	349	273	287	225	173	192	255	243	221	2747
% of Total Arrests	41.8	37.3	39.1	32.7	30.9	26.8	18.7	22.4	25.0	25.7	26.1	29.1
% of Elig. Arrests	73.7	68.9	75.4	66.4	63.9	55.5	47.3	47.9	51.8	54.5	62.8	60.6

* January operations were limited to a period of 20 days.

months, when only 18.7% of those arrests were enhanced. Although there was an increase in utilization in each of the months between August and November, neither the percentage of total arrests actually enhanced nor the percentage of eligible arrests enhanced were equal to the percentages recorded during the early months of operation. This downward trend primarily results from two factors: the increasing exclusion of robbery arrests from the list of those eligible for program consideration, and the decline in the number of eligible arrests which are actually enhanced. Each of these factors will be examined separately.

Program Eligibility -- Special Unit Exclusions During the 11 month period, the percentage of robbery arrests in the 22 Precincts which were eligible for RCEP enhancement under evolving eligibility criteria, decreased each month between January and July (when it reached its lowest point), increased somewhat in August through October, and dropped again in November. In January, 56.7% of the total robbery arrests were eligible for case enhancement; by July, the percentage had decreased to 39.7%, only to rise again to 48.4% in September, after which it again decreased to the 41.5% level in November. As examination of the individual exclusion categories indicates that while there is month-to-month variation, all have remained relatively constant for the 11 month period with the exception of the "special unit arrest" category. Exclusions of arrests made by "Special Units" increased from the 8.4% excluded in January to 20.2% excluded in July. During the four months following July, the eligibility rate varied inversely with the special unit exclusion rate, rising as special unit exclusions decreased and dropping as special unit exclusions increased.

Examination of individual precinct statistics discloses that the special unit exclusion rate, while varying monthly, is fairly constant in all precincts except for those precincts which have been designated for Robbery Identification Program (RIP) operations. When the RIP program was implemented, a policy decision was made to exclude RIP Unit arrests from the enhancement process on the basis that they were special unit arrests. Consequently, the special unit exclusion rate in each of the RIP precincts has more than doubled since the inception of the RIP program in those commands. Following are the relevant statistics for the RIP precincts for the first 7 months of operation for which detailed data identifying RIP units arrests were available.

Table 2*

Special Unit Exclusion Rates
for RIP Precincts (Jan-July)

<u>Pct.</u>	<u>Pre-RIP</u>	<u>Post-RIP</u>
9	2.0%	32.4%
23	5.9%	45.0%
46	6.9%	41.7%**
71	6.7%	30.6%
103	14.2%	31.4%

Thus it appears that the city-wide increase in the special unit exclusion rate is almost solely attributable to the expansion of the RIP program and the decision to exclude RIP unit arrests from the enhancement process.

In consideration of this finding, it may be appropriate to review the "Special Unit Exclusion Policy" with respect to arrests made by members of RIP units. The policy arose during the evolution of the FCPP pilot in the Bronx, and was based on two considerations. First was an untested hypothesis that arrests by specialized detective units were inherently of better quality than pick-up arrests by the uniformed force, and that these units had existing liaison channels with the District Attorney's Offices to insure full consideration by the prosecutors. Second was the practical problems involved in providing training in case enhancement techniques to all of the detectives in the special unit in order that they might enhance their own arrests. In light of these considerations, the policy to exclude special unit arrests was implemented in the pilot project and continued in the expanded RCEP.

To determine if RIP unit arrests fared as well or better in the court system than enhanced arrests, the adult robbery arrests made by the RIP units and excluded from the enhancement process were identified and their criminal court dispositions obtained.*** The following table compares the dispositional outcomes of RIP adult robbery arrests with the dispositional outcomes of other robbery arrests (both enhanced and non-enhanced) made in the 22 RCEP precincts during the period from January 12 through July 31, 1982.

* Note: As the RIP program was in effect in the 90th precinct prior to the implementation of RCEP, there is no pre-RIP special unit exclusion rate with which to compare the RIP exclusion rate. The special unit exclusion rate in the 90th Precinct averaged 45.6% for the 7 month period, three to four times higher than any other comparable non-RIP precinct.

** RIP arrests are no longer excluded in the 46th Precinct. On October 1, the Central Robbery Division initiated an experiment to determine if case enhancement affected case outcome on RIP arrests.

*** This does not account for all RIP unit arrests. While the units are primarily concerned with robberies, they do make arrests for other offenses which are not included in this study.

Table 3

Adult and J.O. Robbery Arrests Effected in RCEP Precincts,
1/12/82 through 7/31/82 - Closed Cases

<u>Dispositional Outcome</u>	<u>RIP Sample (n=239)</u>	<u>Non-Enhanced Comparison Sample (n=1598)</u>	<u>Enhanced RCEP Sample (n=1593)</u>
Not Docketed:			
Void/343/DP	58 (24.3%)	229 (14.3%)	133 (8.3%)
ACD/Dism.	40 (16.7%)	396 (24.8%)	297 (18.6%)
Total			
Not-Convicted	98 (41.0%)	625 (39.1%)	297 (26.9%)
Plead Guilty			
Misd./Vio.	26 (10.9%)	227 (14.2%)	204 (12.8%)
Indicted	115 (48.1%)	746 (46.7%)	959 (60.2%)
Conv./Indicted	141 (59.0%)	973 (60.9%)	1163 (73.0%)

As indicated in the table, while the dispositional outcomes of RIP units arrests compare favorably with the dispositions of non-enhanced arrests, the Criminal Court Conviction, Indictment and combined conviction/indictment rates are well below those for enhanced arrests.

Program Eligibility -- Late Tour Exclusions: During the 11 month period, a total of 1,516 late tour arrests, 16.0% of the total robbery arrests made in the 22 precincts, were excluded from the enhancement process. While the late tour exclusion rate has remained fairly constant over the 11 month period, it may be appropriate to review that policy in light of the experience gained.

During the pilot program in Bronx County, arrests made on the late tour which were otherwise eligible, were subjected to the enhancement process. To accomplish this, arresting officers delivered their prisoners to the PDUs at 0700 hours, and directed their complainants and witnesses to be present at that time. In some instances the officer first processed the defendant at the Central Booking facility and then returned him to the precinct (cases in which precinct processing was completed prior to 0500 hours), while in other instances he merely held the defendant at the precinct until the PDU office opened.

When the program was first proposed for 22 precinct expansion, the draft operations order provided for enhancement of late tour arrests. As a matter of department policy, this section of the proposed order was amended, excluding the enhancement of late tour arrests. The principal reason for this exclusion was the anticipation of extensive overtime costs incurred by the delayed departure of the arresting officer to court in the morning. A secondary reason was the concern that the delayed departure of these arrests would result in increasing the overall arrest-to-arraignment time in the various boroughs. As a result, late tour arrests have been excluded from the enhancement process since the program was implemented on January 12, 1982.

Based on department statistics, there were a total of 1,516 late tour arrests excluded from the program during the first 11 months of operation. Further analysis of these data is dependent upon the number of arrest cases in which these defendants were involved. This statistic is unavailable for the 11 month period, but is available for the first 7 months of operation which will permit further impact-analysis.

There were a total of 895 late-tour arrests excluded during the first 7 months of operation, or 15.5% of all of the robbery arrests made in the 22 precincts during those months. Of the 895, forty-nine would have been excluded for other reasons, such as the age of the defendant. As a result, there were a total of 846 arrests excluded during the 7 month period because of the late tour exclusion policy. These arrests arose in a total of 558 cases. Thus, the maximum number of arresting officers that would have incurred additional overtime had the cases been subjected to enhancement was 1,116. (This figure assumes each arresting officer was accompanied by a partner who would be initially required by the PDU for debriefing.) Based on these statistics, a reasonable estimate can be made of the total amount of overtime which would have been required to enhance these arrests.

Since the inception of the program, the Case Analysis and Evaluation Unit of the Central Robbery Division has maintained records on case processing times. Based on these records, it can be estimated that the average processing time for an enhancement is 3 hours and 30 minutes. As program procedures provide that assisting officers are to be debriefed by the assigned detective and released immediately, it is estimated that processing time for assisting officers is no longer than 1 hour 30 minutes. Using these average processing times, estimated overtime for the 558 cases would have been as follows:

Arresting Officers: $558 \times 3.5 \text{ hrs} = 1,603 \text{ hrs.}$

Arresting Officers: $558 \times 1.5 \text{ hrs} = 837 \text{ hrs.}$

Total: 2,440 hrs.

Thus, over the 201 day period, an estimated total of 2,440 hours of additional overtime would have been required to subject eligible late tour arrests in the 22 Precincts to the enhancement process, an average of 12.14 hours daily on a city-wide basis. Projecting these figures on an annual basis, the total cost

Table 4
R.C.E.P. -- LATE TOUR ARRESTS -- JANUARY THROUGH JULY, 1982

<u>Pct./Period</u>	<u>No. Deft.</u>	<u>No. Cases</u>	<u>Pct./Period</u>	<u>No. Deft.</u>	<u>No. Cases</u>
<u>Midtown So.</u>			<u>Midtown No.</u>		
Jan-Mar	46	31	Jan-Mar	41	27
Apr	20	11	Apr	13	7
May	14	9	May	19	12
Jun	9	9	Jun	16	10
Jul	24	20	Jul	24	11
Total	113	80	Total	113	67
<u>9th Precinct</u>			<u>23rd Precinct</u>		
Jan-Mar	14	11	Jan-Mar	9	6
Apr	3	3	Apr	4	3
May	2	2	May	4	3
Jun	2	2	Jun	3	3
Jul	2	2	Jul	4	3
Total	23	20	Total	24	18
<u>24th Precinct</u>			<u>40th Precinct</u>		
Jan-Mar	13	8	Jan-Mar	13	7
Apr	5	4	Apr	9	6
May	7	4	May	2	2
Jun	7	3	Jun	4	4
Jul	4	3	Jul	2	2
Total	40	22	Total	30	21
<u>43rd Precinct</u>			<u>44th Precinct</u>		
Jan-Mar	13	9	Jan-Mar	14	8
Apr	1	1	Apr	11	5
May	12	4	May	11	6
Jun	6	5	Jun	2	2
Jul	4	2	Jul	7	4
Total	36	21	Total	45	25
<u>46th Precinct</u>			<u>48th Precinct</u>		
Jan-Mar	17	14	Jan-Mar	11	6
Apr	8	6	Apr	8	4
May	10	7	May	0	0
Jun	12	9	Jun	0	0
Jul	5	5	Jul	5	3
Total	52	41	Total	24	13
<u>67th Precinct</u>			<u>71st Precinct</u>		
Jan-Mar	11	8	Jan-Mar	21	10
Apr	2	1	Apr	10	7
May	0	0	May	6	5
Jun	0	0	Jun	5	5
Jul	7	6	Jul	18	12
Total	20	15	Total	60	39

Table 4 (continued)

R.C.E.P. -- LATE TOUR ARRESTS -- JANUARY THROUGH JULY, 1982

<u>Pct./Period</u>	<u>No. Deft.</u>	<u>No. Cases</u>	<u>Pct./Period</u>	<u>No. Deft.</u>	<u>No. Cases</u>
<u>73rd Precinct</u>			<u>75th Precinct</u>		
Jan-Mar	12	9	Jan-Mar	18	12
Apr	0	0	Apr	12	6
May	3	2	May	0	0
Jun	2	1	Jun	6	4
Jul	4	2	Jul	5	3
Total	21	14	Total	41	25
<u>77th Precinct</u>			<u>79th Precinct</u>		
Jan-Mar	12	10	Jan-Mar	13	9
Apr	7	4	Apr	0	0
May	4	4	May	5	4
Jun	6	4	Jun	2	1
Jul	7	4	Jul	3	3
Total	36	26	Total	23	17
<u>84th Precinct</u>			<u>88th Precinct</u>		
Jan-Mar	3	3	Jan-Mar	2	2
Apr	3	3	Apr	1	1
May	1	1	May	3	3
Jun	2	2	Jun	2	1
Jul	2	1	Jul	0	0
Total	11	10	Total	8	6
<u>90th Precinct</u>			<u>103rd Precinct</u>		
Jan-Mar	10	6	Jan-Mar	17	12
Apr	5	2	Apr	4	3
May	0	0	May	15	10
Jun	5	4	Jun	10	4
Jul	4	4	Jul	4	4
Total	24	16	Total	50	33
<u>110th Precinct</u>			<u>114th Precinct</u>		
Jan-Mar	14	6	Jan-Mar	7	6
Apr	4	3	Apr	3	1
May	6	3	May	0	0
Jun	3	3	Jun	2	2
Jul	7	5	Jul	0	0
Total	34	20	Total	12	9
<u>CITY-WIDE TOTAL</u>					
Jan-Mar	331	220			
Apr	133	81			
May	124	81			
Jun	106	77			
Jul	152	99			
Total	846	558			

of overtime for enhancing late tour arrests in the 22 target precincts would be approximately \$78,652, or roughly the cost to the city of 2 additional police officers. (12.14 hrs X 365 days X \$17.75/hr. = \$78,652.)

Reviewing late tour arrest activity in the 22 precincts (see Table 4) indicates that the enhancement of late tour arrests would not pose a significant burden on any of the affected PDUs. In the busiest command, MTS, there would be one late-tour case each 2.5 days, while in the slowest precinct, the 88th, there would be one late-tour case each 33 days. The median for the 22 precincts is 20.5 cases during the 201 day period, or 1 case each 10 days.

With respect to the arrest-to-arraignment time issue, it would appear that enhancement of late tour arrests would not adversely effect overall arrest-to-arraignment times in the various boroughs. During the 7 month period, there were a total of 111,526 defendants arrested in the 4 boroughs in which the program operates. It is suggested that delaying the arraignment of 846 defendants, or seven-tenths of 1% of the total would not increase overall arrest-to-arraignment time by any measurable amount.

Enhancement of Eligible Arrests -- Precinct Productivity

The previous section of this report dealt with the decrease in the number of arrests considered eligible for enhancement. This section deals with the decrease in the number of eligible cases which were actually enhanced.

A review of the data in Table 1 indicates that the percentage of eligible arrests which were enhanced declined over the 11 month period. From March through July, there was a steady decline in the percentage of eligible cases enhanced. From August through November, there were monthly increases but the percentage of eligible cases enhanced during those months remained lower than the average percentage enhanced over the first 5 months of program operations. In January, 73.7% of eligible cases were enhanced; by July the percentage had decreased to 47.3%. In November, 62.8% of eligible arrests were enhanced. These variations result from a combination of two factors, the PDU Waiver Rate, and the Missed Rate (cases not referred to the PDUs for enhancement.)

Waived Cases

The waiver procedure was developed during the pilot program in the Bronx. Recognizing that the primary function of the Precinct Detective Unit is the investigation of serious open crimes, a procedure was established to permit PDU supervisors to waive the enhancement of arrest cases in favor of breaking investigations of serious crimes, particularly homicides. Indeed, during the first 17 months of pilot operations in the 43rd Precinct (Aug 79 to Dec 80), the 43rd PDU waived 4.0% of the arrests presented for enhancement. Despite the assignment of additional personnel to the 22 Precincts, the waiver procedure was continued in those commands, again to permit necessary prioritization of effort within the PDUs.

Table 5 displays data on the percentage of cases presented to the PDUs which were waived. These data differ from Table 1, and from some other tables to follow. (In those compilations, the waiver rate is calculated either as the percentage of total arrests waived, or as the percentage of eligible arrests waived; neither method accurately describes PDU performance practice, although both are appropriate as used in other contexts.) Here the most accurate reflection of PDU waiver rates is the percentage of arrests actually presented to the PDU for enhancement which are waived. In essence, one must first subtract missed cases from the eligible case pool to determine how many cases are actually presented for enhancement and then compute the waiver rate from this figure.

The data in Table 5 are organized in three time periods which roughly correspond to the trends observable in the 10 month aggregate data. These are: January through March; April through July; and August through October. By viewing the 10 month period in three segments a clearer picture of developing trends is presented.

Reviewing the data in Table 5 indicates that PDU waivers have increased significantly as the months have past despite the decline in eligible cases. On a city-wide basis, only 5.6 of presented cases were waived during the first three months of operation. During the middle 4 month period the waiver rate increased to 11.5%, and during the last three month period increased again to 22.6%. This increase use of the waiver procedure is apparent in almost all commands (although there are 3 PDUs which have not found it necessary to waive any cases during the 10 months), however there are significant differences between individual precincts. (Individual precinct performance will be reviewed in a later section of this report.)

As a practical matter, it is difficult to determine what a reasonable waiver rate would be for any command. As indicated above, the 43rd PDU only waived 4.0% of the arrests presented for enhancement during a 17 month period, despite the fact that all felony arrests were considered for enhancement in that project, not just robberies. However, this cannot be considered as a norm. Each waived case must be considered in light of the circumstances which led to that decision. A high waiver rate may be indicative of understaffing in a command, or of a high caseload of serious crimes. On the other hand, it may also be indicative of a lack of attention to program goals and an absorption of the additional manpower into the routine activities of the PDU. In either event, a high waiver rate should invite a closer examination of the manner in which the enhancement program has been incorporated into the work routine of the individual unit.

Missed Cases

Table 6 presents data on the eligible cases which were not enhanced because they were missed: that is, eligible cases were not recorded as having been presented to the PDU for enhancement. As indicated in the table, 28.7% of the eligible arrests were not presented to the PDUs for enhancement during the 10 month period.

Table 5PDU Waiver Rates (As a Percentage
of Arrests Presented for Enhancement)

<u>Pct.</u>	<u>Jan-Mar</u>	<u>Apr-Jul</u>	<u>Aug-Oct</u>	<u>Total</u>
MTS	9.8	6.5	12.5	9.0
MTN	35.7	41.8	64.1	51.8
9th	5.0	13.7	29.7	15.6
23rd	0	0	0	0
24th	7.5	24.3	31.6	18.8
<u>Man.</u>	<u>12.0</u>	<u>23.9</u>	<u>23.7</u>	<u>19.9</u>
40th	0	7.2	12.0	5.8
43rd	2.4	5.5	20.0	6.9
44th	0	0	0	0
46th	0	25.6	16.0	15.0
48th	0	2.6	8.6	3.9
<u>Bronx</u>	<u>0.5</u>	<u>7.2</u>	<u>10.1</u>	<u>6.0</u>
73rd	0	10.9	14.2	9.3
75th	0	28.6	19.4	13.6
77th	2.0	26.1	62.7	29.8
79th	12.0	0	3.3	5.2
84th	0	18.6	50.0	24.0
88th	0	13.0	16.3	10.7
90th	0	70.0	11.1	30.8
67th	0	6.0	12.5	6.1
71st	8.3	40.4	43.8	30.9
<u>Bklyn.</u>	<u>3.4</u>	<u>20.2</u>	<u>27.3</u>	<u>17.3</u>
103rd	11.5	22.2	10.0	14.0
110th	16.2	26.9	12.5	18.4
114th	0	0	0	0
<u>Queens</u>	<u>10.3</u>	<u>17.4</u>	<u>7.4</u>	<u>11.5</u>
<u>City- Wide</u>	<u>5.6</u>	<u>11.5</u>	<u>22.6</u>	<u>14.9</u>

Table 6

Missed Rate (Percentage of Eligible Cases
Not Presented to PDUs for Enhancement)

<u>Pct.</u>	<u>Jan-Mar</u>	<u>Apr-Jul</u>	<u>Aug-Oct</u>	<u>Total</u>
MTS	26.9	35.9	40.9	35.4
MTN	17.6	41.3	55.8	41.6
9th	20.0	31.1	39.3	30.8
23rd	26.8	48.5	42.9	37.5
24th	20.0	38.6	45.7	33.3
<u>Man.</u>	<u>22.5</u>	<u>53.0</u>	<u>44.9</u>	<u>35.9</u>
40th	18.2	28.3	39.0	27.2
43rd	43.8	35.9	52.4	44.0
44th	23.4	25.3	35.2	27.9
46th	54.4	37.1	21.9	40.0
48th	34.9	25.0	32.7	30.6
<u>Bronx</u>	<u>37.2</u>	<u>31.4</u>	<u>34.4</u>	<u>34.0</u>
73rd	25.5	17.9	31.9	24.9
75th	24.4	26.6	17.3	23.0
77th	15.0	25.0	37.8	26.9
79th	20.5	15.6	19.7	18.8
84th	18.5	28.0	45.5	24.0
88th	9.4	6.6	20.0	11.4
90th	40.7	33.3	55.0	47.5
67th	8.3	16.5	24.5	16.9
71st	4.0	22.9	17.9	16.0
<u>Bklyn.</u>	<u>17.3</u>	<u>21.7</u>	<u>29.0</u>	<u>22.9</u>
103rd	21.2	36.8	14.8	24.7
110th	11.9	52.8	17.2	31.0
114th	3.6	36.8	23.1	22.9
<u>Queens</u>	<u>14.7</u>	<u>42.6</u>	<u>18.2</u>	<u>26.2</u>
<u>City- Wide</u>	<u>23.3</u>	<u>29.7</u>	<u>33.4</u>	<u>28.7</u>

It must be noted that the rate given for missed cases is not as firm a statistic as other rates discussed in this report. The maintenance of records of arrests and enhancements in the 22 Precincts is an extremely difficult undertaking. The Case Analysis and Evaluation Unit must obtain data from at least three different sources in the preparation of their monthly reports. Information from these sources can do no more than to indicate that the arrest is unaccounted for, that is, was not enhanced or waived. Further investigation by the Commanding Officer, Felony Augmentation Section frequently indicates that what initially appeared as a missed case was in fact excluded from the process for a different reason, some of which will be enumerated below. It is impossible to estimate the exact percentage of cases which are incorrectly recorded as missed, but it may be as high as 25% of the total count. Even if this estimate is correct, there would still be over 20% of all eligible cases which were not enhanced because they were not brought to the PDUs. (28.1% - (25% X 28.1%) = 20.9%)

Since the first month of operation, the Commanding Officer, Felony Augmentation Section has made repeated attempts to address and correct the missed case problem. Periodic communications are sent to the commands of record and commands of assignment of arresting officers requesting investigation into why the individual cases were not enhanced. Despite this, the problem has persisted, which may indicate that the nature of the problem is essentially one of procedure rather than one of individual culpability.

Missed arrests can arise under a number of circumstances, some of which are as follows:

- Arresting officers can bypass the precinct of arrest and go directly to Central Booking. This is reported to happen frequently particularly when the arresting officer is from an outside command or another agency.
- An arresting officer can bypass the PDU while processing the arrest at the precinct, either inadvertently or intentionally.
- PDUs can be temporarily unmanned due to a breaking investigation. Some arresting officers seeking enhancements during those times are referred to court by desk officers without appropriate waiver forms.
- Some PDU commanders report that some arrests are screened at the PDU and found not to be robberies and therefore are not enhanced. That these arrests are booked as robberies indicates that the arresting officers disregard the instructions of the PDU supervisors and are successful in lodging robbery charges at Central Booking.

Regardless of the reason, missed cases continue to be a significant problem, reducing the overall effectiveness of the program.

When the RCEP was expanded to 22 Precinct operation, the proposed operations order specified that arresting officers appearing at central booking facilities with robbery arrests made in one of the 22 RCEP precincts without either a case enhancement report or a waiver form be returned to the precinct so that the case could be enhanced. This proposal was rejected on several grounds: it was feared that the practice would increase overtime; transportation costs would increase, etc. A provision was inserted in its place which requires the central booking supervisor to notify the command of an arresting officer appearing without the required enhancement or waiver. This procedure is said to be invoked infrequently, and is apparently as ineffective as other efforts made to resolve the problem. As a result, there is no effective fail-safe mechanism to insure that appropriate arrests receive enhancement, (similar to the procedure in the Career Criminal Program which requires a log entry of CCIU notification before an arresting officer may depart the precinct of arrest for central booking) and there appears to be no penalty involved for a officer intentionally bypassing the process.

RCEP -- UNIT OPERATIONS AND PRODUCTIVITY

The preceding sections of this report have dealt with a review and analysis of the major operational performance indices on a city-wide basis. This section, while continuing to review city-wide data, will address individual precinct and PDU performance. It will review the degree to which case enhancement has been incorporated into the work routine of the individual PDUs both quantitatively and qualitatively.

Case Enhancement as a Portion of Total Workload

The integration of enhancement activities into the work routine of a precinct detective unit is a matter of some concern. Case preparation is relatively new in New York City, and because of this there is no organizational history or experience to guide the department in determining what portion of a detective's available time should be devoted to this task as opposed to the investigation of open cases. There is little in the literature which can assist the department in evaluating its current experience. The most definitive study to date on detective operations suggests that the average detective unit spends 50% of its time on post-arrest activities -- case preparation and court appearances.* While the New York City experience was reflected in the survey data which led to this conclusion, the percentage given is far in excess of even the most generous estimate of post-arrest detective activities in this city. An analysis of

* Greenwood, et al. The Criminal Investigation Process. Lexington, Mass. D.C. Heath and Company, 1977.

operational data maintained over 25 months in the Bronx Felony Case Preparation Project indicated that a detective is available for investigative assignment 75% of his scheduled tours. The 25% of the time during which he was unavailable for case assignment included all of the reasons which made him unavailable -- vacation, sick report, arrest processing, night watch, special assignment, court appearances, etc. While these were not broken down further, it could be speculated that arrest processing and court appearances may have accounted for approximately between 5 and 10 percent of his scheduled time.

The only definitive information available on this subject in New York City is the experience gained during the FCPP. While the project's experience cannot be considered as a norm, it at least provides some data on the degree to which enhancement activities were integrated into the work schedules of the precincts involved in that experiment. During that program, the PDUs involved devoted between 3.9% and 8.6% of their available investigative man hours to enhancement activities. During the first 10 months of RCEP operations, the 22 PDUs only devoted an average of 1.6% of their available investigative man hours to enhancement. The analyses which support these conclusions follows:

RCEP Experience: Table 7 presents data on the factors pertinent to this analysis in the 22 RCEP precincts for the 10 month period between January 12th and October 31st, 1982. (As indicated in previous sections of this report, 28.7% of eligible arrests were missed at the precinct level, and 14.9% of the cases presented to the PDUs were waived.) A review of the data contained in Table 7 indicates the following: During the 10 month period, only 1.6% of the available investigative man hours in the 22 Precincts were devoted to enhancement activities. On average, each detective conducted .44 enhancements per month, and spent about 1.5 hours monthly on enhancement activities. Individual precinct statistics vary significantly. The precinct which devoted the greatest proportion of its time to case enhancement was the 79th, in which 3.0% of available investigative man-hours were devoted to enhancement activities. The precinct which spent the least portion of its time on case enhancement was the 90th, in which only 0.5% of the available man-hours were spent in case enhancement. In summary, four precincts expended less than 1% of their available man-hours on enhancement, while three precincts devoted over 2.5% of their available man-hours on these activities.

Table 7

RCEP Productivity Indicators -- January through October, 1982

<u>Pct.</u>	<u>No. Cases Enh.</u>	<u>Ave. No. Det. for 10 mo. Period</u>	<u>Det. case Load for 10 mo. Period</u>	<u>Det. C/L per mo.</u>	<u>* Total Available Inv. Hours</u>	<u>** Total Proj. Hours</u>	<u>% Available Inv. Hrs. on Proj. Work</u>
MTS	160	27.4	5.8	.58	25778.7	560.0	2.2
MTN	54	26.6	2.0	.20	24649.7	189.0	0.7
9th	75	18.7	4.0	.40	17593.5	262.5	1.5
23rd	37	18.2	2.0	.20	17123.1	129.5	0.7
24th	51	16.2	3.1	.31	15241.4	178.5	1.2
<u>Man.</u>	<u>377</u>	<u>107.1</u>	<u>3.5</u>	<u>.35</u>	<u>100762.9</u>	<u>1319.5</u>	<u>1.3</u>
40th	100	17.1	5.8	.58	16088.2	350	2.2
43rd	85	22.2	3.8	.38	20886.4	297.5	1.4
44th	120	20.4	5.9	.59	19192.9	420.0	2.2
46th	87	22.9	3.8	.38	21545.0	304.5	1.4
48th	76	17.6	4.3	.43	16558.6	266.0	1.6
<u>Bronx</u>	<u>468</u>	<u>100.2</u>	<u>4.7</u>	<u>.47</u>	<u>94271.2</u>	<u>1638.0</u>	<u>1.7</u>
73rd	107	15.7	6.8	.68	14771.0	374.5	2.5
75th	113	21.9	5.2	.52	20604.2	395.5	1.9
77th	97	20.2	4.8	.48	19004.8	339.5	1.8
79th	120	14.8	8.1	.81	13924.3	420.0	3.0
84th	67	11.6	5.8	.58	10913.6	234.5	2.1
88th	93	14.0	6.6	.66	13171.6	325.5	2.5
90th	26	18.3	1.4	.14	17217.2	91.0	0.5
67th	107	18.0	5.9	.59	16934.9	374.5	2.2
71st	112	23.7	4.7	.47	22297.7	392	1.8
<u>Bklyn.</u>	<u>842</u>	<u>158.2</u>	<u>5.3</u>	<u>.53</u>	<u>148839.3</u>	<u>2947.0</u>	<u>2.0</u>
103rd	90	22.2	4.1	.41	20886.4	315	1.5
110th	46	20.3	2.3	.23	19098.8	161	0.8
114th	70	20	3.5	.35	18816.6	245	1.3
<u>Queens</u>	<u>206</u>	<u>62.5</u>	<u>3.3</u>	<u>.33</u>	<u>58801.9</u>	<u>721</u>	<u>1.2</u>
<u>City-Wide</u>	<u>1893</u>	<u>428</u>	<u>4.4</u>	<u>.44</u>	<u>402675.2</u>	<u>6625.5</u>	<u>1.6</u>

*Based on 1,129 available investigative man hours per year.
(1,129 X 10/12 = 940.83 hours)

**Based on 3.5 hours per case.

FCPP Experience: Table 8 provides data on the workload factors pertinent to this analysis as experienced in three Bronx precincts during the period between August 1, 1979 and July 31, 1981. A review of these data discloses the following: During the first 17 months of operation, the program was confined to the 43rd Precinct. A total of 27 detectives were assigned to the 43rd PDU, a figure which was maintained at a constant level over the 17 month period, although some members were removed for special assignments for short periods of time. The 27 men represented a 12.5% increase over the 24 man quota for the unit. During the 17 month period, 34.1% of all arrests were excluded from program consideration, which, when one subtracts late tour exclusions and RIP exclusions, is roughly comparable to the exclusion rates for robbery arrests in RCEP precincts. During this period, 5.3% of eligible arrests were missed (not referred to the PDU), and the PDU waived 4.0% of the cases presented for enhancement. (Both the missed and waived rates are significantly below those experienced in most RCEP precincts.) As a result, the 43rd PDU enhanced 90.9% of the eligible arrests during the period. These arrests arose in a total of 1,392 cases. Based on an average processing time of 3 hours per case, enhancement activities totaled 4,146 hours for the period, or 8.6% of the available investigative man-hours of the command. On average, each detective conducted 3 enhancements per month, and spent an average of 9 hours monthly on these activities.

In January, 1981 the program was expanded to three precinct operation. Three detectives were removed from the 43rd PDU, reducing the complement to 24, its authorized quota. These men were assigned to the 46th PDU, increasing the complement of that unit by 12.5%, for a total of 24 detectives. No additional detectives were assigned to the 50th PDU and that unit operated with a total of 12 detectives. While initial operations in the 3 precincts paralleled those in the 43rd during the 17 preceding months, several events occurred which significantly altered program operations. By the end of the second month of operation, both the 43rd and the 46th precincts had lost personnel to attrition. In the case of the 46th Precinct, by the end of February they were operating with fewer personnel than prior to the program's implementation in that command.* At the same time, crime was increasing in both commands, and the number of homicides increased significantly over the number recorded for the same period in the previous year. As a result of these factors, program operations were dramatically changed. While all arrests continued to be eligible for enhancement, priorities were established with the crimes of robbery, burglary, attempted murder and weapons possession being listed as Priority 1, and all other felonies as Priority 2. The three PDUs were instructed to attempt to enhance all Priority 1 arrests, and only enhance Priority 2 arrests when there was sufficient manpower available. As a result of these changes, the waiver rates in all three commands increased, ranging from 19.9% in the 46th PDU to 34.3% in the 50th PDU.

* These manpower reductions are not reflected in the data contained in Table 8, as program records are insufficient to permit calculation of the actual average number of detectives available for the 7 month period. As a result, the percentage of time devoted to program activities in these commands is understated, because there were fewer than 24 detectives assigned during the total period.

Table 8

Productivity Indicators in the Bronx Pilot Program

	Aug 79- Dec 80	January 1, 1981 -- July 31, 1981		
	43rd Pct.	43rd Pct.	46th Pct.	50th Pct.
Total Arrests	3200	1325	1699	468
Total Excluded	1091	354	556	114
% Excluded	(34.1%)	(26.7%)	(32.7%)	(24.4%)
Total Eligible	2109	971	1143	354
% Eligible	(65.9%)	(73.3%)	(67.3%)	(75.6%)
Missed	112	329	450	121
As a % of eligible	(5.3%)	(33.9%)	(39.3%)	(34.2%)
Waived	80	155	131	80
As a % of Presented	(4.0%)	(24.1%)	(18.9%)	(34.3%)
Defendants Enhanced	1917	487	562	153
As a % of Eligible	(90.9%)	(50.1%)	(49.2%)	(43.2%)
Cases Enhanced	1382	354	411	104
No. Det. Assigned	27	24	24	12
Monthly Caseload/ Detective	3.0	2.1	2.4	1.2
Hrs. per Mo. on Enhancement/Det.*	9	6.3	7.3	3.7
Total Available Investigative man hours for period. **	48264.5	15806	15806	7903
Total Hrs. on Enhancement Activities*	4146	1062	1233	312
% of Avail. Man Hrs. spent on Enhanc. Act.	8.6%	6.7%	7.8%	3.9%

*Based on an average of 3 hours per case.
 **Based on an average availability of 1,129 investigative man hours per year prorated for period involved.

At the same time and because of these changes, the missed rate increased in each precinct. Prioritization resulted in the PDUs waiving Priority 2 cases on a regular basis. Some categories of crimes, such as Grand Larceny Auto, were always waived. As a result, arresting officers began to by-pass the PDU on such arrests, resulting in their being recorded as missed rather than waived. As a result, the missed rates for the 3 precincts ranged between 33.9% and 39.3% for the 7 month period. While these waived and missed rates are similar to those experienced in RCEP precincts, they are not comparable as the base from which they are computed is significantly different. In the Bronx experiment all felonies were eligible for enhancement; in RCEP, only robbery arrests are considered. Thus, the base from which the rates are computed was, at a minimum, three to four times larger than any RCEP precinct.

Despite this curtailment of activity, the three precincts continued to devote a measurable proportion of their time to enhancement activities. The 50th PDU, with no additional personnel devoted 3.9% of its available man hours to enhancement activities, while the 43rd PDU, with a reduced staff, devoted 6.7%. The 46th PDU spent 7.8% of its available time on enhancement. (As previously indicated, the percentage stated for the 43rd and 46th Precincts is underestimated because there were fewer than 24 detectives available in each of these precincts during the 7 month period.) On average, during this period of reduced activity, each detective conducted between 1.2 and 2.4 enhancements per month, and spent an average of between 3.7 and 7.3 hours monthly on enhancement activity.

October, 1982 -- RCEP Caseload

Much of the analyses to follow are based on RCEP cases processed during the month of October, 1982. Before beginning that analysis, it might be useful to review project activity for that month, and the dispositional outcomes of the cases handled.

There were a total of 946 robbery arrests in the 22 Precincts for the month. Of these, 51.3% were excluded from program eligibility. Of the 446 eligible arrests, 128 or 33.5% were missed or not referred to the PDUs for enhancement. (The missed rate for the month is almost identical with the missed rate for the 3 month period August through October -- 33.4%) The PDUs waived 75 arrests, or 23.6% of those presented for enhancement. (The waived rate is slightly higher than the 22.6% waived rate for the 3 month period August through October.) A total of 243 arrests were enhanced, or 25.7% of all arrests, and 54.4% of eligible arrests.

Criminal Court and Grand Jury dispositional outcomes were obtained for 233 of the October arrests, the remaining 10 having been referred to Family Court for J.D. treatment. These arrests arose in a total of 177 cases. The dispositional outcomes are presented in Table 9, and are reviewed in two ways, by defendant and by case. Previous studies (including the seven month dispositional study presented with this report) have reviewed dispositional outcome by defendant only. The case review is an effort to determine if there is any significant

difference in the overall dispositional pattern emerging when case outcomes are the focus rather than defendant outcomes. (Frequently a case will involve two or more defendants, only one of whom can be substantially linked to the commission of the crime by the evidence available to the investigator. In such cases, it is frequently found that the principal defendant is indicted while the co-defendants are dismissed.)

. A review of the defendant-oriented data in Table 9 indicates the following: Of the 233 defendants, a total of 191 or 82.0% were disposed of at the time of data collection. Of the disposed cases, 67.0% were indicted. The indictment rates in disposed cases ranged from 58.8% in Brooklyn to 78.7% in the Bronx. Computing indictment rates as a percentage of total arrests (including pending cases), the rates ranged from 44.3% in Brooklyn to 67.7% in Queens, with the city-wide rate being 54.9%.

Reviewing the data on a case-count basis indicates the following: Of the 177 cases, 146 or 82.5% have been finally disposed of in the Criminal Court. Of the disposed cases, 70.5% have been indicted, with the indictment rates ranging from 62.1% in Brooklyn to 81.0% in Queens. Computing the case indictment rates as a percentage of all cases (including pending cases), the rates range from 47.4% in Brooklyn to 73.9% in Queens with the city-wide rate being 58.2%. (Indictment rates computed on the "all arrest" or "all case" basis are the lowest which can ever be recorded for the cases studied; additional indictments among the pending cases can increase the rates while other dispositions cannot reduce them.)

Comparing the October caseload data to the 10 month data on program activity and dispositional outcome indicates that the program activity for the month was representative of the current state of operations, while the dispositional outcomes appear to be qualitatively better than those recorded in previous studies.

Case Work Activities -- Scope of the Follow-up Investigation

In an effort to determine the amount and type of work involved in the enhancement process, every AIR prepared during the month of October 1982 was read, its contents catalogued, and its qualitative merits assessed. In the initial effort (the quantitative assessment of the scope of the enhancement investigation), investigative activities were identified and recorded without reference to the qualitative merits of the information contained. Thus, if the investigator recorded the interview of a witness, the case was credited with "witness interviewed" regardless of whether or not the prospective testimony appeared material to the case. This exercise permits a quantitative assessment of enhancement investigations. In the review which followed (the qualitative assessment of case report content), the AIRs were rated according to the quality of the report as measured against the standard format adopted by the Police Department; the results of this effort will be reported below.

Table 9

Criminal Court Dispositions of RCEP Cases - October, 1982

I. By Defendant Count

	<u>Man.</u>	<u>Bronx</u>	<u>Bklyn.</u>	<u>Queens</u>	<u>City-Wide</u>
No. Arrests	42	55	106	31	233
Pending	7	8	26	2	42 (18.0%)
Closed	35	42	80	29	191 (82.0%)
Dismissed/ Not Processed	7	7	26	7	47
P.G. Misd/Vio.	5	3	7	1	16
Indicted	23	37	47	21	128
Indictment Rate:					
As a % of All Arrests	54.8%	67.3%	44.3%	67.7%	54.9%
As a % of Closed Arrests	65.7%	78.7%	58.8%	72.4%	67.0%

II. By Case Count

No. Cases	30	48	76	23	177
Pending	4	7	18	3	31 (17.5%)
Closed	26	41	58	20	146 (82.5%)
Dismissed/ Not Processed	5	6	16	2	29
P.G. Misd/Vio.	3	3	6	1	13
Indicted	18	32	36	17	103
Indictment Rate:					
As a % of all Cases	60.0%	66.7%	47.4%	73.9%	58.2%
As a % of Closed Cases	69.2%	78.0%	62.1%	81.0%	70.5%

Scope of Investigation (Case Content Analysis)

As indicated above, the 177 case reports (AIRs) for the month of October were read and the contents catalogued to determine the scope of the enhancement investigations. The results of this exercise are detailed in Table 10 which summarizes the findings, and in Table 11 which details the findings by precinct. A review of the data in Table 10 indicates that while the investigators do an effective job of interviewing the parties to the case, they do not perform substantial supplemental or self-initiated investigation. Enhancement at the precinct level appears to be very effective in capturing the statements of relevant parties at the earliest stage in the proceedings. Arresting officers were interviewed in 99.4% of the cases; assisting officers in 70.6%; multiple assisting officers in 11.9%, complainants in 96.6%; other witnesses in 32.8%; multiple other witnesses in 9.0%; defendants were interrogated in 99.4% of the cases, leading to exculpatory statements (which may be of great value to the prosecution) or admissions in 56.9% of the interrogations conducted. The high percentage of complainants and witnesses interviewed indicates that arresting officers in those precincts are responding positively to the training given at the inception of the program and are both identifying witnesses at the scene of the crime and instructing them to report to the precinct for debriefing.

Scope of Investigation (Qualitative Assessment)

The case content analysis described above, while valuable, does not go to the issue of quality. A reading of the case files discloses a wide range of investigative effort. Some detectives approach the enhancement task with great vigor and apparent determination to do a good job, while others demonstrate a minimal effort. One could reasonably infer that some detectives accept enhancement as an investigative assignment, while others view it as a clerical chore. As the results of these efforts, both good and bad, are subject to supervisory review, supervisory attitudes towards the program may also be inferred from a review of the work products of the various commands.

To quantify the results of the qualitative review, each case was assigned a quality rating, ranging from poor to excellent. Further, each case was given two ratings, the first an overall rating, and the second a rating as to format -- how closely the detective followed the department's format for Arrest Investigation Reports. Poor adherence or lack of adherence to the recommended format is reflected in the overall rating by the cases designation as either Excellent or Very Good. An excellent report is a Very Good report which adheres to the recommended format. Thus every report rated as being Very Good differs from those rated as Excellent only as to the manner in which the information is presented.

Table 10

RCEP -- Level of Enhancement (Case Content Analysis)

	Manhattan (n=30)		Bronx (n=48)		Brooklyn (n=76)		Queens (n=23)		Total (n=177)	
	n	%	n	%	n	%	n	%	n	%
<u>Interviews Recorded</u>										
Arresting Officer	30	100	48	100	75	98.7	23	100	176	99.4
Assisting Officer	23	76.6	35	72.9	53	69.7	14	60.9	125	70.6
Multiple Asst.Off.	2	6.7	17	35.4	1	1.3	1	4.3	21	11.9
Complainant	28	93.3	45	93.8	75	98.7	23	100	171	96.6
Other Witness	11	36.7	14	29.1	27	35.5	6	26.0	58	32.8
Multiple Other Wit.	6	20.0	3	6.3	6	7.9	1	4.3	16	9.0
<u>Defendants Interrogated</u>	30	100	47	97.9	76	100	23	100	176	99.4
Refused Interview	14	(46.7)*	17	(36.2)	34	(44.7)	11	(47.8)	76	(43.2)
Exculpatory Statement	6	(20.0)	20	(42.5)	27	(35.5)	8	(34.7)	61	(34.7)
Admission	10	(33.3)	10	(21.3)	15	(19.7)	4	(17.4)	39	(22.2)
<u>Supplemental Steps</u>										
Other Witnesses ID'd	1	3.3			1	1.3			2	1.1
Visited Crime Scene	1	3.3	1	2.1					2	1.1
Conducted Line-up	4	13.3	5	10.4	3	3.9	2	8.6	14	7.9
Identified Other Defendants	2	6.7							2	1.1

(Percentages total more than 100%)

* As a percentage of the number of defendants Interrogated.

Table 11

RCEP -- LEVEL OF ENHANCEMENT BY PRECINCT (CASE CONTENT ANALYSIS)

Precinct	MTS	MTN	9th	23rd	24th	40th	43rd	44th	46th	48th
No. Cases Rev.(n)	17	3	4	4	2	6	2	14	19	7
<u>Interviews Rec.</u>										
Arr. Off.	17	3	4	4	2	6	2	14	19	7
Asst. Off.	13	2	3	3	2	5	1	7	17	5
Mult.Ast.Off.					2		2		2	
Complainant	17	2	3	4	2	5	1	13	19	7
Other Wit.	5		2	3	1	1	1	1	8	3
Mult. Ot.Wt.	2		1	3		1	1		1	
<u>Defendants Interr.</u>	17	3	4	4	2	5	2	14	19	7
Refused Int.	8	2	2	1	1	1	1	5	8	2
Exculpatory	4	1		1		3	1	7	7	2
Admission	5		2	2	1	1		2	4	3
<u>Supplemental Stp.</u>										
Other Wit. ID'd	1									
Visit Cr.Sc.	1						1			
Cond. Line-up	3	1					1		1	3
ID Other Deft.	1			1						

Table 11(Continued)

RCEP -- LEVEL OF ENHANCEMENT BY PRECINCT (CASE CONTENT ANALYSIS)

Precinct	67th	71st	73rd	75th	77th	79th	84th	88th	90th	103d	110th	114th
No. Cases Rev. (n)	7	10	12	12	5	16	6	4	4	8	7	8
<u>Interviews Rec.</u>												
Arr. Off.	7	10	12	12	5	16	6	3	4	8	7	8
Asst. Off.	3	7	12	7	2	14	3	2	3	5	6	3
Mult. Ast.Off.						1				1		
Complainant	7	10	12	12	5	16	6	3	4	8	7	8
Other Wit.	1	1	3	5	1	8	5	2	1	2	1	3
Mult. Ot. Wt.			1	2			2	1		1		
<u>Defendants Interr.</u>	7	10	12	12	5	16	6	4	4	8	7	8
Refused Int.	2	6	4	4	4	6	4	2	2	4	5	2
Exculpatory	4	3	4	4	1	8	1	1	1	2	2	4
Admission	1	1	4	4		2	1	1	1	2		2
<u>Supplemental Stp.</u>												
Other Wit. ID'd		1										
Conduct Line-up	1	1			1						1	1

While the assignment of quality ratings is essentially a subjective task, it is based upon the criteria established for post arrest investigations in the Department's Operations Manual for the Post-Arrest Investigation of Felonies, copies of which were given to every detective in the 22 precincts during the one day training course they attended prior to the implementation of the program. Definitions of the ratings assigned are as follows:

- POOR -- The investigation report does not provide sufficient information to establish the elements of the crime, or to identify the defendant as the perpetrator.

OR

The information provided in the report is so minimal that the case could not be accepted for prosecution without extensive oral supplementation by the arresting officer and complainant.

- FAIR -- The investigation report provides sufficient information to establish that a crime was committed and the defendant was identified as the person who committed it, but lacks sufficient detail to permit a reasonable person to fully understand what took place. The fair investigation lacks continuity, is missing some information, and requires substantial oral supplementation from the arresting officer and complainant. However, it is probably sufficient on its face to warrant acceptance for prosecution.

- GOOD -- The investigation report provides detailed information to establish that a crime was committed and to establish that the defendant was identified and arrested as the person who committed it. However, the summary nature of the report requires some oral supplementation by the arresting officer or complainant.

- VERY GOOD -- Provides detailed information which establishes that a crime was committed and that the defendant was identified and arrested as the person who committed it. The report is written in sufficient detail as to require little or no oral supplementation by the arresting officer or complainant.

- EXCELLENT -- The report meets the criteria of a Very Good Report, and in addition, adheres to the Department's recommended format for the preparation of AIRs.

In addition to the October reports, 117 additional AIRs (primarily from September and November) were obtained, read and rated. This was done to insure that there was a large enough number from each precinct to permit a formulation of judgement as to the overall performance of the individual PDUs. Thus, the qualitative assessment was performed on a total of 294 cases, or 11.6% of all of the AIRs prepared during the 10 month period.

The results of the qualitative assessment are contained in Table 12. A list of the individual cases read and the ratings assigned to them may be found in Appendix C of this report. A review of the overall ratings assigned to the 294 cases indicates the following: On a city-wide basis, 15.6% of the investigation reports were rated as excellent while 32.3% were rated as very good. Thus, 47.2% of the reports prepared were of the highest quality, the only difference between the two categories being adherence to the recommended format. In addition, 28.8% of the reports were rated as being good. On the lower end of the scale, 4.8% of the reports were rated as fair while 19.0% were rated as poor.

A review of the data in Table 12 indicates that there are substantial differences in the quality of performance between the various boroughs and between individual precincts within the boroughs. The most consistent performance appears to be in the Borough of Brooklyn, in which 28.8% of the investigations were rated as excellent and 34.6% were rated as very good. Brooklyn also had the lowest percentage of cases rated poor (12.5%). On the other end of the scale, only 28.0% of Bronx reports were rated as being very good (none were rated excellent as no report from a Bronx precinct fully adhered to the recommended format), and 24.0% of Bronx reports were rated as being poor.

The quality of case preparation is an important issue. Not only does it reflect detective and supervisory attitudes towards the program, but it can also directly influence the degree to which the program succeeds in achieving its goals. Research has demonstrated that case enhancement results in some cases being indicted and convicted as felonies which would otherwise be non-processed or dismissed in the Criminal Courts. While it is believed that poor case preparation does not necessarily result in a case being lost (it merely shifts the burden to the District Attorney's Office), there is some evidence that the quality of the enhancement effort can have a direct bearing on the dispositional results achieved. After the reports were read and rated, the case dispositions at the Criminal Court level were obtained and cross-tabulated with the quality ratings assigned. The results of this tabulation are presented in Table 13. When the Criminal Court dispositions of cases rated as being good, very good or excellent are grouped together and compared with the dispositional results of cases rated fair or poor, the following results are observed:

Table 12
Quality Ratings of Enhancement Reports

<u>Pct.</u>	<u>n</u>	<u>Excellent</u>	<u>Very Good</u>	<u>Good</u>	<u>Fair</u>	<u>Poor</u>
MTS	17	3	11	1	1	1
MTN	18	1	3	4	2	8
9th	19	1	4	8		6
23rd	10	7	2	1		
24th	12	2	4	3		3
<u>Man.</u>	<u>76</u>	<u>14 (18.4%)</u>	<u>24 (31.6%)</u>	<u>17 (22.4%)</u>	<u>3 (3.9%)</u>	<u>18 (23.7%)</u>
40th	13		3	7	2	1
43rd	17		4	3	3	7
44th	14		2	6		6
46th	20		9	7	2	2
48th	11		3	4	2	2
<u>Bx.</u>	<u>75</u>	<u>0</u>	<u>21 (28.0%)</u>	<u>27 (36.0%)</u>	<u>9 (12.0%)</u>	<u>18 (24.0%)</u>
67th	12	4	3	2	1	2
71st	10	5	5			
73rd	12		6	5	1	
75th	12		4	4		4
77th	11	3	6	2		
79th	16	6	2	5		3
84th	13	9	1	1		2
88th	8		5	2		1
90th	10	3	4	2		1
<u>Bklyn.</u>	<u>104</u>	<u>30 (28.8%)</u>	<u>36 (34.6%)</u>	<u>23 (22.1%)</u>	<u>2 (1.9%)</u>	<u>13 (12.5%)</u>
103rd	15	1	7	6		1
110th	12	1	4	3		4
114th	12		3	7		2
<u>Qns.</u>	<u>39</u>	<u>2 (5.1%)</u>	<u>14 (35.9%)</u>	<u>16 (41.0%)</u>	<u>0</u>	<u>7 (17.9%)</u>
<u>City- Wide</u>	<u>294</u>	<u>46 (15.6%)</u>	<u>95 (32.3%)</u>	<u>83 (28.8%)</u>	<u>14 (4.8%)</u>	<u>56 (19.0%)</u>

Table 13

CRIMINAL COURT DISPOSITION BY QUALITY RATING OF AIR

<u>Disposition</u>	<u>Quality Rating</u>				
	<u>Excellent</u> (n=46)	<u>Very Good</u> (n=95)	<u>Good</u> (n=83)	<u>Fair</u> (n=14)	<u>Poor</u> (n=56)
<u>Indicted</u>	29	53	49	7	27
% of all arr.	63.0	55.8	59.0	50.0	48.2
% of disposed arr.	76.3	73.6	72.0	58.3	62.8
<u>Pled Guilty M/V</u>	3	5	9	1	5
% of all arr.	6.5	5.3	10.8	7.1	8.9
% of disposed arr.	7.9	6.9	13.2	8.3	11.6
<u>Dismissed/Not Proc.</u>	6	14	10	4	11
% of all arr.	13.0	14.7	12.0	28.6	19.6
% of disposed arr.	15.8	19.4	14.7	33.3	25.6
<u>Pending</u>	8	22	14	2	12
% of all arr.	17.4	23.2	16.9	14.3	21.4
<u>Trans. Fam.Ct.</u>		1	1		1
% of all arr.		1.1	1.2		3.7

(n)	<u>Ex. -VG-G</u>	<u>Fair-Poor</u>
	224	70
Pend. & Transf.	46	15
<u>Disposed</u>	<u>178</u>	<u>55</u>
Dism./Not Processed	39 (16.9%)	15 (27.3%)
Plead Guilty/Misd. or Vio.	17 (9.6%)	6 (10.9%)
Indicted	131 (73.6%)	34 (61.8%)

Thus, it appears that there is not only a relationship between enhancement and dispositional outcome, but also between the quality of the enhancement effort and the dispositional outcome of the case.

Investigative Format of AIRs: The standard or recommended format for the preparation of Arrest Investigation Reports was developed during the early months of the Bronx pilot project. Essentially, it is designed to present the case information to the District Attorney in the manner most useful to him, and parallels the way in which a prosecutor must present a case in court. This involves first establishing that a crime was committed, which normally springs from the testimony of the complainant and any witnesses to the crime. After establishing the elements of the crime, the identity of the defendant must be established, which frequently is also done by reviewing the testimony of the complainant and witnesses, but may also involve the statements of the arresting and assisting officers. Finally, the statement of the defendant to both the arresting and investigating officers is recorded. Essentially, the report should be developed in a time sequence fashion, enabling the reader to fully understand how the case developed.

The operations manual calls for each AIR to begin with an "Offense Paragraph", which is defined in the operations manual as:

"The "Offense" paragraph is the investigator's own description of how the crime was committed, how the defendant(s) was identified, and how the arrest was made. The "Offense" paragraph should be written by the investigator after he has completed his investigation and should be based on all of the facts known to him at that time. It should tend to establish the elements of the crime in a brief fashion and the evidence available to prove these elements. The "Offense" paragraph is intended to let the reader know what the case is all about and to set the stage for the presentation of the facts which follow and tend to establish the crime as charged."*

* Police Department, City of New York. Operations Manual for the Post-Arrest Investigation of Felonies, New York: By the agency, 1981.

Offense paragraphs are, in effect, summaries of the total investigation. They are particularly important in complex cases as the following examples will illustrate:

Offense Paragraph from AIR 71-163-82

"ROBBERY: On Oct 21, 1982 the complainant and his wife were returning to their residence. As they left their vehicle they were aware that a group of youths were following them. When the complainants reached the fourth floor of their building they were surrounded by this group of youths, who simulated weapons and forcibly removed property from them.

The responding officers observed this same group of youths entering a 1978 Red Chevy which belonged to the complainant. (The complainant's car keys were removed from him during the robbery.) As the officers approached, this group ran in all directions. The above arrested person was apprehended and identified (show-up) by the complainants.

After the above person was placed under arrest and removed to the 71 Precinct, a lawful search of his person disclosed that he had in his possession a Credit Card. Investigation by the arresting officer revealed that this card was the proceeds of another robbery which occurred this date at 1910 hours in the confines of the 70th Precinct. A line-up was conducted at the 71st Precinct and the additional complainant (John Doe) picked out this person arrested as being one of the persons that robbed him."

Offense Paragraph from AIR 67-111-82

"ROBBERY: On October 14, 1982 at about 1700 hrs. complainant returning from shopping, entered her apartment building at 615 Ocean Ave. and walked to the elevator, as the elevator did not appear to be operating she began to walk up the stairs, and at that time (2nd fl. landing) was accosted by subject, who pointed a small black handgun at her and demanded her pocketbook. Subject ripped shoulder bag from complainant and ran down the stairs.

On October 19, 1982 complainant responded to the 67 PDU office and viewed photo's at both PDU and cache, picking out a photo of defendant as the man who robbed her on October 14, 1982. On October 22, 1982 armed with a photo of the defendant and having had dealings with defendant in the past, the arresting officer PO. Castiglia and his partner PO. King observed defendant walking along the street. Officer arrested def't and brought him to the 67th Pct. detective unit where a six (6) man lineup was conducted for the benefit of the complainant. Complainant identified defendant as the perpetrator."

Offense paragraphs, such as those presented above, provide a focus to the district attorney's review of the investigation report. They tell him very quickly what the case is all about and permit him to focus his review on those elements of testimony which flesh out and substantiate the summary.

Both the offense paragraph and the suggested method of testimonial presentation (sequential development) are merely the application of communications theory to the transfer of case information between the police department and the district attorney. Utilization of the standard format places no additional burden on the investigating officer, but does require him to approach the report writing phase of the investigation in a thoughtful manner.

The qualitative review of the 294 cases indicated that the bulk of the AIRs are written in accordance with the standard format, as far as sequential development is concerned. However, there is less adherence to the development and utilization of comprehensive offense paragraphs. A review of quality ratings assigned offense paragraphs (Appendix C) discloses that of the 294 cases rated, only 74 or 25.2% were judged as having acceptable (fair through excellent) offense paragraphs. Thirty-one reports or 10.5% of the total had no offense paragraph whatsoever. The balance were defective in that they failed to provide a summary of the investigation (e.g., "Defendant is charged with robbery in that he took complainant's property by force."), or the summary description is limited to the commission of the crime and does not go to the identification and arrest of the defendant.

As with some other factors, there is wide variation between boroughs and between precincts within boroughs as to the use of offense paragraphs. Quality distribution by borough is as follows:

	<u>(n) Cases</u>	Fair-Gd. V.G.-Exc. <u>Off. Par.</u>	<u>%</u>
Manhattan	76	20	26.3%
Bronx	75	2	2.7%
Brooklyn	104	49	47.1%
Queens	39	3	7.7%
City-wide	<u>294</u>	<u>74</u>	<u>25.2%</u>

Adherence to standard format, including the development and use of comprehensive offense paragraphs appears to be most consistent in the Borough of Brooklyn, and implies a high level of supervisory commitment and review.

It should be stressed that failure to adhere to the recommended format or to include a comprehensive offense paragraph does not negate the value of a good investigation. The most notable example of this is the 46th Precinct. AIRs in that command are prepared by the RIP unit, and none adhered to the recommended format as to sequential development, nor did any contain a comprehensive offense paragraph summarizing both the crime and the identification and arrest of the defendant. Some were written in DD5 fashion, i.e., one interview to a page, while others included more than one interview on a report page. Most were written with the statement of the arresting officer as the lead entry in the report. Nevertheless, the quantity and quality of information provided was generally outstanding. (Quality ratings assigned to the 19 46th PDU cases read were: VG - 9; Good - 7; Fair - 2; Poor - 2.) While the work of this unit is above average, it is suggested that with little additional effort, it would be outstanding.

Common Errors and Omissions in the Preparation of AIRs.

The following are some of the more common errors or omissions observed in the review of the 294 cases.

1. Re: Statements of Complainant and Eye Witnesses
 - a. Brevity -- in an attempt to make statements brief, some detectives omit essential points. Frequently, the complainant's and witnesses' statements end with the description of the crime and omit details regarding the complainant's report to the police and the actions he observed thereafter.
 - b. Poor language choice -- in several instances, complainant's and witnesses' statements were presented in the first person, attributing the words used to the complainant or witness. In these cases, the witnesses were quoted in statements replete with police slang such as perpetrator, forthwith, effected the arrest, etc.
 - c. Missing witnesses -- in several instances the complainant's statement identified a witness to the crime who was never again referred to or further identified in the report. There were no statements as to attempts to interview him, nor was there any further identification information provided which would assist the prosecutor in locating him should his testimony be necessary.
2. Re: Statements of Arresting or Assisting Officers
 - a. Officers' statements frequently omitted information regarding the complainant's statement to them upon arriving at the scene. This is particularly important when the officer makes the arrest at another location based on a description provided by the complainant. In those cases in which the information is provided, it provides the basis for establishing the officer's probable cause for making the arrest.

b. Frequently in cases in which the arrest was made by the enhancing detective, all details of the arrest are omitted. Such case reports generally jump from the statement of the complainant to the interrogation of the defendant. There is no information provided on how the defendant was identified as the perpetrator, and when and where the arrest was made.

3. Re: Defendants' Statements

In the majority of instances, statements made by defendants to interrogating officers were very well reported. In several cases, complete Q&A's were presented. However, in several instances, the detective attempted to paraphrase the defendant, and in doing so probably weakened the statements' value to the prosecutor.

4. General:

- a. Excessive use of abbreviations and police slang: In a minority of cases, the reporting officers resorted to excessive use of abbreviations and police slang (e.g., At T/P/O perp. I did yoke the complainant etc.). By comparison, the majority of the detectives demonstrated their ability to write their reports in simple yet effective language, and resisted the temptation to resort to the use of the word perpetrator even once.
- b. Omission of background details: In a good number of cases the arrest resulted from a crime committed days or weeks in the past. In some of the reports on these investigations, details regarding the complainant's report of the crime to the police were omitted thus confusing the issue as to probable cause for the current arrest.
- c. In several reports, no reference was made to the seizure of evidence (no indication of from whom it was seized, and by whom) and the first the reader became aware of its existence was in reading the evidence list on the "Witness" page of the AIR. In some instances the evidence seized resulted in additional charges being lodged against the defendant (e.g., possession of controlled substances) and yet the report was silent as to details of the seizure.
- d. In a large number of cases, the reporting officer indicated that the defendant has a prior criminal record by providing his NYSID number, but omitted a summary of his previous arrests.
- e. Poor reporting: The most serious criticism which can be made of a small number of case reports is that it is evident that they were hastily prepared by detectives who viewed the task as a disagreeable clerical chore rather than an investigative assignment, and were allowed to remain in their current state even though subjected to supervisory review.

- f. Failure to follow investigative leads: As indicated in the case content analysis (Table 10), detectives assigned to enhancement activities did not perform substantial supplemental investigation. They frequently failed to follow investigative leads provided them. In several cases, the defendants provided the identities of alibi witnesses, but there was no indication of any effort to contact these persons to either substantiate or refute the alibi.

Examples of Excellent, Very Good, and Poor Arrest Investigation Reports are attached as Appendix D.

Effects of Case Type on Prosecutorial Actions.

Research on the Felony Case Preparation and Robbery Case Enhancement Projects has already demonstrated that case enhancement has a direct effect on dispositional outcome, resulting in some cases being indicted or disposed of as misdemeanor convictions which would otherwise have remained in the Criminal Court and in some instances, dismissed. In addition, as an earlier section of this current report indicates, the quality of the enhancement effort also affects dispositional outcome in a similar manner. However, neither of these findings provide clues to the reasons for differences in indictment, conviction and dismissal rates among the various boroughs, and among the precincts within those boroughs.

While this study does not focus on the data which might provide the answer to this question, it does provide strong impressionistic information which directly addresses the issue. A careful reading of the case reports with a knowledge of their Criminal Court dispositions suggests the following:

a. The District Attorneys Office in each of the four counties is enthusiastically supporting the Police Department's efforts to reduce the incidence of robberies by the vigorous prosecution of offenders. Indictments are sought and obtained in almost every case in which a reasonable person could conclude that the available facts of the crime merit felony prosecution.

b. Dismissals and misdemeanor convictions result, for the most part, from cases in which the fact pattern is such that a reasonable person would not expect the resources of the criminal justice system to be expended on an almost predictably unsuccessful felony prosecution. Some of these fact patterns are as follows:

- (1) Prior relationship robberies in which the crime resulted from a long-standing dispute over property. (7 Dismissals and 1 Misd. conviction in October.)
- (2) Robberies in which both the complainant and defendant are youthful, and which involved force rather than the use of dangerous weapons. (3 Dismissals and 3 Misd. convictions in October.)
- (3) Robberies arising out of prostitution. (1 Dismissal in October.)

- (4) One-on-one situations generally involving a youthful offender, no additional witnesses, and no injury to the complainant. (6 Dismissals and 2 misd. convictions in October.)
- (5) Cases in which the DA screening results in misdemeanor charges being lodged. (1 Dismissal in October.)
- (6) Cases in which the complainant either could not be identified (although the officer witnessed the crime), or refused to cooperate in the prosecution. (2 misd. convictions in October.)

The above account for 18 of the 29 dismissals recorded on October cases, and 8 of the 13 misdemeanor convictions recorded. Of the remaining 11 dismissals, 5 were in cases in which a reading of the AIR failed to suggest any reason for the dismissal, and 4 were in cases in which the quality of the AIR was so poor as to preclude the formulation of any judgement. Of the remaining 5 misdemeanor convictions, 3 resulted from cases in which a reading of the AIR cannot suggest any reason for that disposition, and 2 resulted from cases in which the poor quality of the AIR precludes making a judgement as to possible cause.

All of this strongly suggests that it is the type of case rather than any deficiencies in police performance which is the most important determinant of disposition. Presented with good evidence on violent or serious robberies the District Attorneys respond with positive action. Presented with less serious crimes (many of which are defective in the sense that it would be difficult to persuade a Grand Jury that the defendant's actions merited felony prosecution), the District Attorneys respond accordingly.

c. This information assists one in understanding the differences in indictment rates in RCEP cases among the various boroughs and among precincts within the same borough. To the extent that the October sample is representative of the range of cases handled during the 10 month period, the greatest number of "problem" cases arise in the borough of Brooklyn. Many of the arrests in that borough involve youthful offenders with little, if any, prior criminal records. They are generally arrested in cases in which the complainants are also youthful and the fact patterns normally involve the strong-arm taking of chains and other jewelry. The fact that such cases do not result in indictments and felony prosecutions assists one in understanding why the Brooklyn indictment rate is the lowest in the four boroughs. For the first 7 months of 1982, 55.2% of RCEP cases were indicted in Brooklyn as compared to 42.5% of the comparison group cases. The RCEP indictment rates for the other boroughs were: Manhattan, 66.8%; the Bronx, 61.3%; and Queens, 65.6%. This case review strongly suggests that the differences in indictment rates among boroughs is more a factor of case type than differences in prosecutorial policies between the boroughs.

This information also helps to explain some of the differences in indictment rates among the various precincts, in particular, the 71st Precinct in Brooklyn. Case enhancement efforts in that command are outstanding as judged by the October case reports. In October, of the 10

reports reviewed, 5 were rated Excellent and 5 Very Good. Yet the precinct has the lowest indictment rate of any of the Brooklyn commands for the 7 month period on which detailed dispositional information is available. A reading of the 71st Precinct's case reports discloses that the majority of the robbery arrests meet the fact patterns described above; those which did not conform to these patterns were indicted.

The Cost of Enhancement Activities

As previously noted, additional detectives were assigned to the RCEP precincts to offset the increase in workload that was anticipated with introduction of the enhancement process. These detectives were fully integrated into the PDUs and carry investigative case-loads in addition to their enhancement duties. There were no "RCEP Detectives" intended in the implementation plan; all members of the individual units were expected to perform enhancement activities. As a result, the cost of the program is limited to the number of hours devoted to case enhancement. Based on salary costs supplied by the Department's Budget Section, the cost of RCEP operations for the 10 month period can be approximated.

Total cost to the city for a 3rd grade detective (salary plus fringe benefits) is \$47,748 per year. The hourly rate, based on total costs is \$22.87 per hour. During the 10 month period, a total of 6,625.5 hours were devoted to case enhancement (Table 8). As a result, the cost of enhancement activities was \$151,525.18 for the 10 month period. These costs arose from a workload of 1,893 cases, resulting in a per case cost of \$80.04.

The unit cost would be increased to the extent that any of the detectives assigned these duties were either 1st or 2nd grade, and would also increase to the extent that any of the detectives were required to make court appearances as a result of their participation in the case (except where the investigating officer was also the arresting officer.)

Cost figures may also be produced for other units of measurement. For example: During the first 3 months of operation, indictments were obtained on 462 RCEP defendants. Operational costs for the three month period were \$51,869.16. (648 cases X 3.5 hrs X \$22.87) Therefore the RCEP cost per indictment was \$112.27 to date, although the unit cost would be reduced if any of the pending cases from this period resulted in indictments. As a result of cases arising during this period, a total of 111 defendants have received prison sentences. Therefore the RCEP cost per defendant incarcerated in a state prison was \$467.29 for the period to date, although the unit cost would be reduced if any of the pending cases from this period resulted in prison sentences.

Individual Precinct and PDU Performance

Table 14 presents a composite of all of the activity and performance indicators reviewed in this report. Tables 15 through 19 present data on individual precinct performance for the period between January and October, 1982. In addition, because the effects of the trends observed cannot be determined from aggregate data, statistics for the month of October are also presented in these tables as a reflection of current operations in each command.

Table 14

ROBBERY CASE ENHANCEMENT PROGRAM -- ACTIVITY AND PERFORMANCE INDICATORS

Pct.	Exclu. Miss. Rate	Waiver Rates % Elig. & Pres.	Arr. Enhanced % Tot Arr	Ave. no. per mo.	7 Month Indictment Rates			Quality Ratings			Invest. Effort*					
					Eh. Arr.	Comp.	N	Exc.	V.G.	Gd.		Fair	Poor			
MTS	60.8	35.4	05.8	09.0	23.0	58.7	22	63.8	35.5	17	3	11	1	1	1	2.2
MTN	55.0	41.6	30.3	51.8	12.7	28.2	7	72.7	45.3	18	1	3	4	2	8	0.7
9th	42.0	30.8	10.8	15.6	33.9	58.4	11	73.6	41.4	19	1	4	8	0	6	1.5
23rd	62.7	37.5	0	0	23.3	62.5	6	64.1	62.8	10	7	2	1	0	0	0.7
24th	48.4	33.3	12.5	18.5	38.0	54.2	8	60.0	58.0	12	2	4	3	0	3	1.2
Man. Tot.	55.6	35.9	12.8	19.9	22.8	51.3	53	66.8	44.8	76	14	24	17	3	18	1.3
40th	48.4	27.2	4.2	5.8	35.4	68.6	13	62.9	47.7	13	3	3	7	2	1	2.2
43rd	43.8	44.0	3.9	6.9	29.3	52.1	11	62.5	48.9	17	3	4	3	3	7	1.4
44th	54.5	27.9	0	0	32.8	72.0	16	51.5	54.1	14	2	2	6	6	6	2.2
46th	55.1	40.0	9.0	15.0	22.9	51.0	10	69.1	57.9	20	2	9	7	2	2	1.4
48th	45.1	30.6	2.7	3.9	36.6	66.7	10	66.7	54.3	11	3	3	4	2	2	1.6
Bx. Tot.	50.1	34.0	3.9	6.0	30.9	61.9	60	61.3	52.9	75	0	21	27	9	18	1.7
73rd	50.4	24.9	07.0	09.3	33.8	68.1	14	50.0	55.8	12	6	6	5	1	4	2.5
75th	47.9	23.0	10.5	13.6	34.7	66.5	17	56.6	51.2	12	4	4	4	4	4	1.9
77th	46.2	26.9	21.8	29.8	27.6	51.3	12	66.0	38.6	11	3	6	2	2	3	1.8
79th	33.6	18.8	4.2	5.2	51.1	77.0	16	46.7	31.2	16	6	2	5	3	3	3.0
84th	50.7	32.8	16.1	24.0	25.2	51.1	9	62.7	40.0	13	9	1	1	2	2	2.1
88th	31.6	11.4	9.5	10.7	54.1	79.1	13	65.1	35.3	08	5	5	2	1	1	2.5
90th	74.2	47.5	16.2	30.8	09.4	36.4	4	52.6	57.6	10	3	4	2	1	1	0.5
67th	35.4	16.9	5.1	6.1	50.4	77.9	14	50.6	30.0	12	4	3	2	1	2	2.2
71st	56.2	16.0	26.0	30.9	25.4	58.0	15	45.9	35.7	10	5	5	5	2	2	1.8
Bklyn. Tot.	49.2	22.9	13.4	17.3	32.4	63.7	114	55.2	42.5	104	30	36	23	2	13	2.0
103rd	56.7	24.7	10.6	14.0	28.0	64.7	11	62.7	44.3	15	1	7	6	1	1	1.5
110th	45.2	31.0	12.7	18.4	30.9	56.3	7	74.4	52.6	12	1	4	3	4	4	0.8
114th	47.8	22.9	0	0	40.3	77.1	8	62.0	68.0	12	2	3	7	2	2	1.3
Qns. Tot.	51.3	26.2	8.5	11.5	31.8	65.3	26	65.6	50.8	39	2	14	16	0	7	1.2
City-Wide Tot.	51.3	28.7	10.6	14.9	29.4	60.4	253	60.2	46.7	294	46	95	83	14	56	1.6

*Percentage of available investigative man hours devoted to enhancement activities.

Because of the wide range of differences in performance among the individual precincts, it would be difficult to attempt to summarize the individual precinct and borough data. However, some summarization is possible and informative.

	<u>Borough</u>	<u>Precinct</u>
Highest Exclusion Rate	Manhattan	90th
Lowest Exclusion Rate	Brooklyn	88th
Highest Missed Rate	Manhattan	90th
Lowest Missed Rate	Brooklyn	88th
Highest Waiver Rate	Manhattan	MTN
Lowest Waiver Rate	Bronx	23rd, 44th, 114th
Highest Percentage Total Arrests Enhanced	Brooklyn	88th
Lowest Percentage Total Arrests Enhanced	Manhattan	90th
Highest Percentage Eligible Arrests Enhanced	Queens	88th
Lowest Percentage Eligible Arrests Enhanced	Manhattan	MTN
Highest Percentage of Indictments in Enhanced Cases	Manhattan	110th
Highest Percentage of Investigative Time Devoted to Enhancement Activities	Brooklyn	79th
Lowest Percentage of Investigative Time Devoted to Enhancement Activities	Queens	90th

Mid-Town Precinct South

MTS has the highest exclusion rate of the 22 precincts. This is a result of the large number of arrests made on the late tour, and the large number of arrests made by other agencies. Other exclusion categories are below borough and city-wide averages. MTS also has a high rate of missed cases, the incidence of which has increased in each of the periods measured; 26.9% were missed during the first three months, 35.9% during the middle four months, and 40.9% during the final 3 months, for a 10 month average of 35.4%.

Despite its reputation as one of the busiest units in the City, the MTS PDU has only waived 9.0% of the cases presented during the 10 month period, and leads the city with the largest average monthly caseload of enhanced cases, 22. As a result, the unit enhanced 58.7% of all eligible arrests, which is above the borough average, and only slightly below the city-wide average of 60.4%. The quality of case preparation efforts as reflected in the AIRs is considered to be well above average, which evinces a sincere effort on the part of the detectives and the supervisory staff. During the 10 month period, 2.2% of the total investigative time available was devoted to enhancement activities, which is above both the borough and city-wide averages.

Mid-Town Precinct North

MTN has a higher than average exclusion rate for the 10 month period. As in MTS, this reflects a high percentage of late tour arrests, and an above average percentage of other agency arrests. MTN has the second highest rate of missed cases of all of the precincts for the 10 month period, 41.6%. The missed rate increased in each of the periods measured, jumping from 17.6% during the first three months to 41.3% during the middle 4 months, and finally to 55.8% during the last 3 months. MTN's missed rate in October was 55.9%. The high rate of missed cases is believed to be a direct consequence of the exceptionally high PDU waiver rate. It is apparent that, because so few arrests are enhanced by the PDU, arresting officers are by-passing the process out of the reasonable expectation that the case will not be enhanced.

The MTN PDU has the highest waiver rate of any of the 22 PDUs in the program. During the first three months 35.7% of the cases presented were waived; this increased to 41.8% during the middle 4 months; and increased further to 64.1% during the last 3 months. The unit waived 66.7% of presented cases during the month of October. As a result, the precinct reported the lowest percentage of eligible cases enhanced for the 10 month period, 28.2%, and the second lowest percentage of total arrests enhanced, 12.7%. The MTN PDU only enhanced an average of 7 cases per month, the third lowest number in the city.

During the 10 month period, MTN PDU only devoted 0.7% of its total available investigative time to case enhancement. This is well below the borough and city-wide averages and is second lowest in the city. Lack of attention to and concern for the program is reflected in the poor quality of the case reports reviewed. Eight of the 18 cases reviewed were judged to be poor, and 2 only fair. The high waiver rate and low quality of work performed are indicative of lack of attention to the program by both the detectives assigned and their supervisors. In the current structure, when RCEP is in selected precincts only, credibility of the program would be well served if MTN precinct were dropped.

9th Precinct

The 9th Precinct's exclusion rate of 42.0% is lower than both the borough and city-wide averages. It has however, increased appreciably

from the 28.0% excluded in January to the 40.7% excluded in October. The principal reason for this is the designation of the 9th Precinct for RIP operations and the exclusion of RIP arrests from the enhancement process. The percentage of cases missed in the precinct (30.8% for the 10 month period) is below the percentage missed in the borough and only slightly higher than the city-wide missed rate of 28.7%. However, the percentage of cases missed has increased in each of the periods reviewed, rising from 20.0% during the first three months to 31.1% during the middle 4 months, and finally to 39.3% for the last three months. The missed rate for October was 62.5%.

The 9th PDU's waiver rate for the 10 month period (15.6%) was below the borough average and only slightly higher than the city-wide average of 14.9%. However, the waiver rate has increased appreciably from month-to-month during the 10 month period, rising from 5.0% during the first three months to 13.7% during the middle 4 months, and finally to 29.7% during the last three months. During the 10 month period, the unit enhanced 33.9% of all robbery arrests in the precinct, and 58.4% of all eligible arrests. The unit expended 1.5% of its available investigative manpower on enhancement activities, and each detective had an average monthly workload of 0.4 cases. While 32% of the cases reviewed were rated as being poorly prepared, the balance were generally acceptable. Overall, in comparison with the results observed in other precincts, the precinct and PDU would be rated as average with respect to the enhancement program.

23rd Precinct

The exclusion rate in the 23rd Precinct was 62.7% for the 10 month period, and 82.4% for the month of October. This is the second highest exclusion rate of the 22 precincts and reflects the impact of RIP operations in that command. The percentage of cases missed during the 10 months was 37.5%, which is above both the borough and city-wide averages. For the periods measured, the missed rate was 26.8% for the first three months, 48.5% for the middle 4 months, and 42.9% for the final three months.

The 23rd PDU is one of three commands which have not waived any cases during the 10 month period. As a result, 23.3% of total robbery arrests and 62.5% of eligible arrests have been enhanced. The unit expended only 0.7% of its available investigativeman-hours on case enhancement, well below the borough and city-wide averages. Quality of enhancement effort as determined by a review of case reports is deemed to be well above average. The 23rd Precinct would be rated well above average except for the accelerating exclusion and miss rates.

24th Precinct

The exclusion rate in the 24th Precinct for the 10 month period was 48.4%, which is below both the borough and city-wide averages. The missed rate in that command, 33.3% was also below average for the period, however, as in most precincts, it increased in each of the measured periods; 20.0%

of cases were missed during the first 3 months; this increased to 38.6% during the middle 4 months; and increased further to 45.7% during the final three months.

The 24th PDU waiver rate for the 10 month period was 18.5% of presented cases, which is above the city-wide average and has increased in each of the periods measured, rising from 7.5% during the first three months to 24.3% during the middle 4 months, and finally to 31.6% during the last three months. No cases were waived during the month of October. As a result of these factors, 38.0% of all robbery arrests were enhanced during the 10 months, which is above both the borough and city-wide averages, and 54.2% of eligible arrests were enhanced, a percentage which is higher than the borough but lower than the city-wide average. The PDU expended 1.2% of its available investigative man-hours on enhancement activities which is below both the borough and city-wide averages. Enhancement efforts, as determined by a review of cases reported, are deemed to be average.

40th Precinct

The 10 month exclusion rate in the 40th Precinct was 48.4%, which is below the borough and city-wide averages. The missed rate for the period, 27.2% is also below average, although missed cases have increased in each of the periods measured, rising from 18.2% during the first three months to 28.3% during the middle four months, and finally to 39.0% for the last three months. The missed rate in October was only 18.2%.

The 40th PDU only waived 5.8% of the cases presented during the 10 months, although the waiver rate increased in each of the periods measured, rising from 0% in the 1st period, to 7.2% in the 2nd, and finally to 12.0% in the 3rd. The PDU devoted 2.2% of its available investigative man-hours to enhancement activities during the 10 months, which is above both the borough and city-wide averages. Enhancement efforts, as reflected in the quality of the case reports reviewed appears to be average.

43rd Precinct

The exclusion rate in the 43rd Precinct was 43.8% for the 10 month period, which is well below both the borough and city-wide averages. However, the 10 month missed rate of 44.0% is substantially above average and increased significantly during the last three months. The missed rate during the first three months was 43.8% of eligible cases; this decreased during the middle 4 months to 35.9%, only to increase during the final three months to 42.4%. The missed rate in October was 73.3%.

The 43rd PDU devoted 1.4% of its available investigative man-hours to enhancement activities, which is below both the borough and city-wide averages. The PDU waiver rate for the 10 months was only 6.9%, but it has increased in each of the periods measured rising from 2.4% during the first 3 months to 5.5% during the middle 4 months, and finally to 20.0% during the final 3 months. During October, the PDU waived 2 of the 4 cases presented for enhancement, or 50.0%. The quality of the enhancement efforts as reflected in the case reports reviewed is well below average, with 41% of the cases rated poor and 17.6% rated as only fair. Overall, the enhancement effort in the 43rd Precinct would be rated as below average.

44th Precinct

The 10 month exclusion rate in the 44th Precinct was 54.5%, which is above both the borough and city-wide averages. This high exclusion rate reflects above average activity by special units and other agencies. The missed rate of 27.9% is below both borough and city-wide averages, however, it has increased in each of the measured periods (23.4%, 25.3%, and 35.2%). The missed rate in October was 46.2%.

The 44th PDU did not waive any cases during the 10 month period, and the unit devoted 2.2% of its available investigative man-hours to enhancement activities. However, the quality of the enhancement effort, as judged from the case reports reviewed is deemed to be below average. Of 14 reports reviewed, 6 (43%) were little more than expanded arrest reports and were judged to be among the poorest of the 294 cases reviewed during this study. As a result, all of the AIRs prepared during the 10 month period were reviewed to determine if the October reports were representative of the 10 month effort. This appeared to be the case, and may be a partial explanation of the fact that of all of the Bronx precincts in the RCEP, the 44th is the only one in which the comparison group cases have a higher indictment rate than the RCEP cases. Despite the fact that the PDU did not waive any cases and had one of the highest percentages of eligible cases enhanced, its overall efforts are believed to be well below standard.

46th Precinct

The 46th Precinct's 10 month exclusion rate of 55.1% is higher than both the city-wide and borough averages and is reflective of the impact of RIP operations in that command. While the 10 month missed rate (40.0%) is higher than both the borough and city-wide averages, the 46th Precinct is the only one of the 22 which has evidenced a consistent reduction in the percentage of missed cases. During the first 3 month period, 54.4% of all eligible arrests were missed; this was reduced to 37.1% during the middle 4 month period, and was further reduced to 21.9% during the last 3 month period. The missed rate for October was only 10.3%.

The 46th PDU waiver rate for the 10 month period was the highest recorded in the Bronx, 15.0%. However, this reflects a substantial waiver rate during the middle 4 month period (25.6%) when the unit was first converted to RIP operations. Operations appear to have stabilized, and the waiver rate for the last 3 month period was 16.0%, with the October waiver rate being 11.5%. The 46th PDU devoted 1.4% of its available investigative man-hours to enhancement activities, enhancing 22.9% of all robbery arrests, and 51.0% of eligible arrests, both figures being below the borough and city-wide averages. Again, there appears to be a reversal of these trends, and in the month of October the unit enhanced 45.1% of all robbery arrests in the command, and 79.3% of all eligible arrests. (Effective October 1, RIP arrests in the 46th Precinct were subjected to enhancement as part of an experiment being conducted by the Central Robbery Division.) Enhancement efforts, as judged by the quality of the reports

prepared is deemed to be well above average, and if current trends continue in the command, its overall rating will be well above average.

48th Precinct

The 10 month exclusion rate in the 48th Precinct was 45.1%, which is below both the borough and city-wide averages. The missed rate for the 10 month period was 30.6%, which is below the borough average, but higher than the city-wide average. For the 3 periods measured, the missed rate was 34.9% during the first 3 months, 25.0% during the middle 4 months, and 32.7% for the last three months. The missed rate in October was only 21.1%.

The 48th PDU's 10 month waiver rate was only 3.9%, which reflected no waivers during the first three months, 2.6% during the middle 4 months, and 8.6% during the last 3 month period. As a result, the unit enhanced 36.6% of all robbery arrests in the command, and 66.7% of all eligible arrests, both of which are above both the borough and city-wide averages. The PDU devoted 1.6% of its available investigative man-hours to enhancement activities, and the quality of the enhancement effort was judged by the case reports is deemed to be average.

73rd Precinct

During the 10 month period, 50.4% of all robbery arrests in the 73rd Precinct were excluded from the enhancement process. This reflects an above average number of arrests by other agencies. The 10 month missed rate of 24.9% is above the borough average, but below the city-wide average. For the periods measured, the missed rate was 25.5% during the first 3 months, 17.9% during the middle 4 months, and 31.9% during the last three months. The missed rate in October was 19.0%.

The 73rd PDU's waiver rate for the 10 month period, 9.3%, was below both the borough and city-wide averages, although it increased in each of the periods measured, rising from 0% to 10.9%, and then to 14.2%. As a result, the unit enhanced 33.8% of all robbery arrests in the command, and 68.1% of all eligible arrests, both percentages being above the borough and city-wide averages. The PDU devoted 2.5% of its available investigative man-hours to enhancement activities, and the quality of the enhancement efforts as reflected in the case reports was deemed to be well above average. Overall, and in comparison with the other 21 precincts, the 73rd Precinct should be viewed as above average in the enhancement program.

75th Precinct

The 10 month exclusion rate in the 75th Precinct is 47.9% which is below both the borough and city-wide averages. The missed rate of 23.0% is only slightly above the borough average, but well below the city-wide average. For the periods measured, the missed rate was as follows: 24.4% during the first 3 months, 26.6% during the middle 4 months, and 17.3% during the last 3 months. The missed rate for October was 18.5%.

The 75th PDU waiver rate for the 10 months was 13.6% of the cases presented to the unit for enhancement. This broke down as follows: 0% during the first three months, 28.6% during the middle 4 months, and 19.4% during the last 3 months. The waiver rate for October was 27.3%. During the 10 month period, the unit devoted 1.9% of its available investigative man-hours to enhancement activities, enhancing 13.6% of all robbery arrests in the command, and 34.7% of all eligible arrests. The quality of enhancement efforts as judged by the case reports reviewed is deemed average, with 33.3% of the 12 cases reviewed having been rated poor. Overall, the precinct is rated as average on a city-wide basis, but below average in comparison to other Brooklyn precincts.

77th Precinct

During the 10 month period, 46.2% of all robbery arrests made in the 77th Precinct were excluded from the enhancement program. This percentage is below both the borough and city-wide averages. The percentage of cases missed during the 10 month period was 26.9%; however, the missed rate increased appreciably in each of the periods measured, rising from 15.0% during the first 3 months to 25% during the middle 4 months, and rising again to 37.8% during the last 3 months. It is believed that the increase in the percentage of missed cases is related to and a consequence of the accelerating waiver rate in the 77th PDU.

During the 10 month period, the 77th PDU waived 29.8% of the cases presented for enhancement. The waived rate increased significantly in each of the periods measured, rising from 2.0% during the first 3 months to 26.1% during the middle 4 months, and finally to 62.7% during the last 3 months. The PDU waiver rate in October was 69.6%, over two-thirds of all arrests presented. During the 10 month period, the PDU devoted 1.8% of its available investigative man-hours to enhancement activities, and enhanced 27.6% of all robbery arrests in the command, and 51.3% of all eligible arrests. Both percentages are below both the borough and city-wide averages. Quality of enhancement efforts as evidenced in the case reports reviewed is well above average, however, because of the extremely high waiver rate the precinct is rated as below average overall.

79th Precinct

During the 10 month period, only 33.6% of robbery arrests in the 79th Precinct were excluded from the enhancement program, a percentage well below both the borough and city-wide averages. The precinct's missed rate for the period, 18.8% is also well below the borough and city-wide averages, and did not vary appreciably during the periods measured, being 20.5% during the first 3 months, 15.6% during the middle 4 months, and 19.7% during the last 3 months. The missed rate in October was 11.1%.

The 79th Precinct Detective Unit had the third smallest average number of detectives assigned for the 10 month period, 14.8. Despite this, their performance in the RCEP must be considered as outstanding in comparison to all of the other precincts. The PDU devoted 3.0% of its available investigative man-hours to case enhancement. During the period the PDU waiver rate was only 5.2%, which

broke down as follows: 12.0% during the first 3 months, 0% during the middle four months, and 3.3% during the final 3 months. The waiver rate in October was 4.6%. As a result, the unit enhanced 51.1% of all robbery arrests in the command, the second highest percentage of all of the precincts, and 77.0% of all eligible arrests, also the second highest average. The quality of enhancement efforts as judged by the case reports reviewed was generally well above average, with only 18% of the case reports being rated poor. Overall, both the precinct and the PDU must be viewed as well above average.

84th Precinct

During the 10 month period, 50.7% of all robbery arrests in the 84th Precinct were excluded from enhancement. In addition, 32.8% of the remaining arrests were missed, with the missed rate increasing in each of the periods measured. The percentage of missed cases increased from 18.5% during the first 3 months to 28.0% during the middle 4 months, and finally to 45.5% during the last 3 months. The missed rate for October was 34.8%.

The 84th PDU, which had the lowest number of detectives assigned for the 10 month period, 11.6, waived 24.0% of the cases during the 10 months. The percentage of cases waived increased significantly in each of the periods measured, rising from 0% during the first 3 months to 18.6% during the middle 4 months, and finally to 50.0% during the last 3 months. The waiver rate for October was 46.7%. As a result, the unit enhanced 25.2% of all robbery arrests in the command, and 51.1% of all eligible arrests, both percentages being below both the borough and city-wide averages. Quality of enhancement effort, as judged by a review of case reports is deemed to be well above average. During the 10 month period, the unit devoted 2.1% of its available investigative man-hours to case enhancement. While the work done is well above average, the extremely high waiver rate results in this unit being rated as below average in comparison with all other commands.

88th Precinct

During the 10 month period, only 31.6% of robbery arrests in the 88th Precinct were excluded from the enhancement program, a percentage well below both the borough and city-wide averages. In addition, the 88th Precinct's missed rate of 11.4% was the lowest of the 22 precincts, although it has fluctuated during the periods measured, dropping from 9.4% during the first 3 months to 6.6% during the middle 4 months, and then increasing to 20.0% during the last 3 months. The missed rate during October was 11.1%. As a result, the 88th Precinct sent the highest percentage of robbery arrests to the PDU for enhancement of all of the precincts in the program, 60.4%.

The 88th PDU only waived 10.7% of the cases presented during the 10 month period, although the waiver rate increased in each of the periods measured, rising from 0% during the first 3 months to 13.0% during the middle 4 months, and rising again to 16.3% during the final 3 months. The waiver rate for October was 37.5%. As a result, the 88th PDU, while devoting 2.5% of its available investigative man-hours to case enhancement, enhanced 54.1% of all robbery arrests in the command, and 77.9% of all eligible arrests, both percentages being the highest

recorded in each category among the 22 precincts. Quality of enhancement as judged by a review of case reports is deemed to be above average, and as a result, both the precinct and the PDU are deemed to be well above average in comparison to the other precincts in the program. It is significant to note that the 88th PDU had the second lowest average number of detectives assigned for the 10 months, 14.

90th Precinct

During the 10 month period, 74.2% of all robbery arrests made in the 90th Precinct were excluded from the enhancement program. This is the highest percentage excluded among the 22 precincts and reflects the fact that the 90th Precinct conducted RIP operations for the entire 10 months, with all RIP arrests being excluded from enhancement. The Special Unit Exclusion Rate in the 90th Precinct was 43.6% for the 10 months, the highest recorded in the 22 precincts. In addition, the 90th Precinct recorded the highest missed rate for the 10 month period, 47.5%. As a result, only 13.5% of all of the robbery arrests made in the command were forwarded for enhancement.

Within RIP precincts, the responsibility for enhancement of uniformed and out of command arrests is vested in the RIP unit. During the 10 month period, RIP personnel waived 30.8% of the cases presented for enhancement. The waived rate varied as follows: 0% during the first 3 months, 70.0% during the middle 4 months, and 11.1% during the last 3 months. No cases were waived during October. As a result, the RIP unit only enhanced 9.4% of all of the robbery arrests in the command, and 36.4% of the eligible arrests. The RIP unit devoted 0.8% of its available investigative man-hours to enhancement activities, and the quality of the enhancement efforts, as judged by the cases reviewed is deemed to be well above average. Overall, the high percentage of arrests excluded and the high RIP waiver rate combine to negate the impact of the enhancement program in the 90th Precinct. Of all of the precincts in Brooklyn, the 90th is the only one in which the indictment rate of comparison group (non-enhanced) cases is higher than the indictment rate of enhanced cases (57.6% v. 52.6%).

67th Precinct

During the 10 month period, only 34.5% of all robbery arrests in the 67th Precinct were excluded from the enhancement program, a percentage lower than both the borough and city-wide averages. In addition, only 16.9% of the remaining cases were missed, although the missed rate increased in each of the periods measured, rising from 8.3% during the first 3 months to 16.5% during the middle 4 months, and finally to 24.5% during the final 3 months. The missed rate for October was 21.4%.

The 67th PDU waiver rate for the 10 month period was 6.1%, which broke down as follows: 0% during the first 3 months, 6.0% during the middle 4 months, and 12.5% during the last 3 months. The waiver rate for October was 9.1%. As a result, the 67th PDU, which devoted 2.2% of its available investigative man-hours to the program, enhanced 50.4% of all of the robbery arrests in the command, and 77.9% of all of the eligible arrests. Both of these percentages are well above the borough and city-wide averages. The quality of the enhancement efforts as

judged by a review of case reports is deemed to be above average, although 33.3% of the reports read were rated as fair to poor. Overall, both the precinct and PDU are rated as well above average.

71st Precinct

During the 10 month period, 56.2% of all robbery arrests made in the 71st Precinct were excluded from the enhancement program. This reflects the high percentage of Special Unit Exclusions resulting from RIP operations in the command. In addition, 16.9% of the remaining arrests were missed, with the missed rate varying as follows: 4.0% during the first 3 months, 22.9% during the middle 4 months, and 17.9% during the last 3 months. The missed rate for October was 21.9%.

During the 10 month period, the PDU waived 30.9% of the arrests presented for enhancement, the waiver rate increasing from 8.3% during the first 3 months to 40.0% during the middle 4 months, and finally to 43.8% during the last 3 months. The unit devoted 1.8% of its available investigative man-hours to the program, enhancing only 25.4% of all robbery arrests and 58.0% of eligible arrests, both percentages being below both the borough and city wide averages. The quality of the enhancement efforts is deemed to be well above average, as judged by a review of case reports. Of 10 reports read, 5 were judged to be excellent and 5 very good. Overall, the precinct is rated as average because of the high exclusion and waiver rates.

103rd Precinct

During the 10 month period, 56.7% of all robbery arrests made in the 103rd Precinct were excluded from the enhancement program. This percentage is higher than both the borough and city-wide averages and reflects the impact of RIP operations in that command. In addition, 24.7% of the remaining arrests were missed, the missed rate varying as follows: 21.2% during the first 3 months, 36.8% during the middle 4 months, and 14.8% during the last 3 months. There were no cases missed in October.

During the 10 month period, the PDU waived 14.0% of the cases presented, with the waiver rate varying as follows: 11.5% during the first 3 months, 22.2% during the middle 4 months, and 10.0% during the last 3 months. The waiver rate for October was 11.7%. The PDU devoted 1.5% of its available investigative man-hours to the program, enhancing 28.0% of all robbery arrests in the command, and 64.7% of all eligible arrests. The quality of the enhancement efforts as judged by a review of case reports is deemed to be above average. Overall, the precinct's performance in the enhancement program is deemed to be above to be above average.

110th Precinct

During the 10 month period, 45.2% of all robbery arrests in the 110th Precinct were excluded from the enhancement program. This percentage is below both the borough and city-wide averages. At the same time, 22.9% of the remaining arrests were missed, with the missed rate varying as follows: 11.9% during the first 3 months; 52.8% during the middle 4 months, and 17.2% during the last 3 months. The missed rate for October was 7.7%.

The 110th PDU waived 18.4% of the cases presented during the 10 months, with the waiver rate fluctuating as follows: 16.2% during the first 3 months, 26.9% during the middle 4 months, and 12.5% during the last 3 months. The waiver rate for October was 33.3%. The 110th PDU devoted 0.8% of their available investigative man-hours to enhancement activities, enhancing 30.9% of all robbery arrests in the command, and 56.3% of all eligible arrests. Quality of enhancement efforts as judged by a review of case reports is deemed average, with 33.3% of the cases reviewed having been judged poor. Overall, the command is judged to be below average in comparison with the other precincts in the program.

114th Precinct

During the 10 month period, 47.8% of all robbery arrests in the 114th Precinct were excluded from the enhancement program, a percentage below both the borough and city-wide averages. In addition, 22.9% of the remaining cases were missed, with the missed rate fluctuating as follows: 3.6% during the first 3 months, 36.8% during the middle 4 months, and 23.1% during the last 3 months. The missed rate for October was 20.0%.

The 114th PDU did not waive any cases during the 10 month period, and the unit devoted 1.3% of its available investigative man-hours to enhancement activities. As a result, the unit enhanced 40.3% of all robbery arrests in the command, and 77.1% of all eligible arrests, both percentages being well above both the borough and city-wide averages. Quality of enhancement efforts, as judged by a review of case reports was deemed to be below average, with 16.7% of the reports being judged poor, 58.3% good, and only 25.0% very good. Overall, the command is rated as slightly below average.

Table 15

Robbery Case Enhancement Program

Unit Activity -- October, and January through October, 1982

	Manhattan		Bronx		Brooklyn		Queens		City-Wide	
	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct
Total Arrests	274	2328	196	1939	386	3505	90	824	946	8596
Precinct Voids	0	2	0	3	0	12	0	1	0	18
% of Total Arrests			0.08	0.1		0.3		0.1		0.2
Special Units	28	252	25	296	55	559	30	158	138	1265
% of Total Arrests	10.2	10.8	12.8	15.3	14.2	15.9	33.3	19.2	14.6	14.7
Juvenile Arrests	4	70	18	175	42	250	7	74	71	569
% of Total Arrests	1.4	6.1	9.2	9.0	10.9	7.1	7.8	9.0	7.5	6.6
Other Agencies	44	419	31	226	52	485	2	52	129	1182
% of Total Arrests	16.0	18.0	15.8	11.7	13.5	13.8	2.2	6.3	13.6	13.8
Late Tour Arrests	84	552	22	272	45	418	11	138	162	1380
% of Total Arrests	30.7	23.7	11.2	14.0	11.7	11.9	12.2	16.7	17.1	16.0
TOTAL EXCLUDED	160	1295	96	972	194	1724	50	423	500	4414
% of Total Arrests	58.4	55.6	49.0	50.1	50.3	49.2	55.6	51.3	52.9	51.3
TOTAL ELIGIBLE	114	1033	100	967	192	1781	40	401	446	4182
% of Total Arrests	41.6	44.4	51.0	49.9	49.7	50.8	44.4	48.7	47.1	48.7
Waived	19	132	8	38	43	238	5	34	75	442
% of Total Arrests	6.9	5.7	4.1	2.0	11.1	6.8	5.5	4.1	7.9	5.1
% of Elig. Arrests	16.7	12.8	8.0	3.9	22.4	13.4	12.5	8.5	16.8	10.6
Missed	52	371	32	330	41	408	3	105	128	1214
% of Total Arrests	19.0	15.9	16.2	17.0	10.6	11.6	3.3	12.7	13.5	14.1
% of Elig. Arrests	45.6	35.9	32.0	34.0	21.4	22.9	7.5	26.2	33.5	28.7
A.I.R.s Prepared	43	530	60	599	108	1135	32	262	243	2526
% of Total Arrests	15.7	22.8	30.6	30.9	28.0	32.4	35.6	31.8	25.7	29.4
% of Elig. Arrests	37.7	51.3	60.0	61.9	56.3	63.7	80.0	65.3	54.5	60.4

Table 16

Robbery Case Enhancement Program

Manhattan Unit Activity -- October, and January through October, 1982

	MTS Pct.		MTN Pct.		9th Pct.		23rd Pct		24th Pct.		Manhattan	
	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct
Total Arrests	120	965	64	529	27	319	34	236	29	279	274	2328
Precinct Voids	0	0	0	0	0	0	0	0	0	2	0	2
% of Total Arrests										0.7		0.08
Special Units	6	70	6	41	1	58	14	67	1	16	28	252
% of Total Arrests	5.0	7.3	9.4	7.8	3.7	18.2	41.2	28.4	3.4	5.7	10.2	10.8
Juvenile Arrests	2	22	0	11	1	5	1	15	0	17	4	70
% of Total Arrests	1.7	2.3		2.1	3.7	1.6	2.9	6.4		6.1	1.4	3.0
Other Agencies	26	281	8	61	1	26	6	27	3	24	44	419
% of Total Arrests	21.7	29.1	12.5	11.5	3.7	8.3	17.6	11.4	10.3	8.6	16.0	18.0
Late Tour Arrests	36	214	16	178	8	45	7	39	17	76	84	552
% of Total Arrests	30.0	22.2	25.0	33.6	29.6	14.1	20.6	16.5	58.6	27.2	30.7	23.7
TOTAL EXCLUDED	70	587	30	291	11	134	28	148	21	135	160	1295
% of Total Arrests	58.3	60.8	46.9	55.0	40.7	42.0	82.4	62.7	72.4	48.4	58.4	55.6
TOTAL ELIGIBLE	50	378	34	238	16	185	6	88	8	144	114	1033
% of Total Arrests	41.7	39.2	53.1	45.0	59.3	58.0	17.6	37.3	27.6	51.6	41.6	44.4
Waived	8	22	10	72	1	20	0	0	0	18	19	132
% of Total Arrests	6.7	2.3	15.6	13.6	3.7	6.3				6.5	6.9	5.7
% of Elig. Arrests	16.0	5.8	29.4	30.3	6.2	10.8				12.5	16.7	12.8
Missed	18	134	19	99	10	57	0	33	5	48	52	371
% of Total Arrests	15.0	13.9	29.9	18.7	37.0	17.9		14.0	17.2	17.2	19.0	15.9
% of Elig. Arrests	36.0	35.4	55.9	41.6	62.5	30.8		37.5	62.5	33.3	45.6	35.9
A.I.R.s Prepared	24	222	5	67	5	108	6	55	3	78	43	530
% of Total Arrests	20.0	23.0	7.8	12.7	18.5	33.9	17.6	23.3	10.3	38.0	15.7	22.8
% of Elig. Arrests	48.0	58.7	14.7	28.2	31.3	58.4	100.0	62.5	37.5	54.2	37.7	51.3

Table 17

Robbery Case Enhancement Program

Bronx Unit Activity -- October, and January through October, 1982

	40th Pct.		43rd Pct.		44th Pct.		46th Pct.		48th Pct.		Bronx	
	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct
Total Arrests	33	370	35	368	46	488	51	445	31	268	196	1939
Precinct Voids	0	3	0	0	0	0	0	0	0	0	0	3
% of Total Arrests		0.8										0.1
Special Units	1	20	6	36	7	91	7	102	4	47	25	296
% of Total Arrests	3.0	5.4	17.1	9.8	15.2	18.6	13.7	22.9	12.9	17.5	12.8	15.3
Juvenile Arrests	7	39	1	43	6	37	3	33	1	23	18	175
% of Total Arrests	21.2	10.5	2.9	11.7	13.0	7.6	5.9	7.4	3.2	8.6	9.2	9.0
Other Agencies	10	70	7	32	5	75	4	34	5	15	31	226
% of Total Arrests	30.3	18.9	20.7	8.7	10.9	15.4	7.8	7.6	16.1	5.6	15.8	11.7
Late Tour Arrests	4	47	6	50	2	63	8	76	2	36	22	272
% of Total Arrests	12.1	12.7	17.1	13.6	4.3	12.9	15.9	17.1	6.5	13.4	11.2	14.0
TOTAL EXCLUDED	22	179	20	161	20	266	22	245	12	121	96	972
% of Total Arrests	66.7	48.4	57.1	43.8	43.5	54.5	43.1	55.1	38.7	45.1	49.0	50.1
TOTAL ELIGIBLE	11	191	15	207	26	222	29	200	19	147	100	967
% of Total Arrests	33.3	51.6	42.9	56.2	56.5	45.5	56.9	44.9	61.3	54.9	51.0	49.9
Waived	1	8	2	8	0	0	3	18	2	4	8	38
% of Total Arrests	3.0	2.2	5.7	2.2			5.9	4.0	6.5	1.5	4.1	2.0
% of Elig. Arrests	9.0	4.2	13.3	3.9			10.3	9.0	10.5	2.7	8.0	3.9
Missed	2	52	11	91	12	62	3	80	4	45	32	330
% of Total Arrests	6.1	14.1	31.4	24.7	26.1	12.7	5.9	18.0	12.9	16.8	16.2	17.0
% of Elig. Arrests	18.2	27.2	73.3	44.0	46.2	27.9	10.3	40.0	21.1	30.6	32.0	34.0
A.I.R.s Prepared	8	131	2	108	14	160	23	102	13	98	60	599
% of Total Arrests	24.2	35.4	5.7	29.3	30.4	32.8	45.1	22.9	41.9	36.6	30.6	30.9
% of Elig. Arrests	72.7	68.6	13.3	52.1	53.8	72.0	79.3	51.0	68.4	66.7	60.0	61.9

Table 18

Robbery Case Enhancement Program Brooklyn Unit Activity -- October, and January through October, 1982

	73rd Pct.		75th Pct.		77th Pct.		79th Pct.		84th Pct.		88th Pct.		90th Pct.		67th Pct.		71st Pct.		Brooklyn	
	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct	Jan- Oct
Total Arrests	34	405	63	493	47	435	31	321	49	365	25	231	46	383	25	274	66	598	386	3505
Precinct Voids	0	2	0	0	0	0	0	1	0	1	0	3	0	0	0	1			4	12
% of Total Arrests		0.5					0.3			0.2		1.3				0.3		0.7		0.3
Special Units	3	31	3	34	4	42	0	29	4	56	0	13	13	167	4	38	23	149	55	559
% of Total Arrests	8.8	7.7	4.8	6.9	10.6	9.7		9.0	8.2	15.3		5.6	28.3	43.6	16.0	13.9	34.8	24.9	14.2	15.9
Juvenile Arrests	3	47	4	20	6	50	0	10	8	24	8	19	0	16	1	17	12	47	42	250
% of Total Arrests	8.8	11.6	6.3	4.1	12.8	11.5		3.1	16.3	6.6		8.2		4.2	4.0	6.2	18.2	7.9	10.9	7.1
Other Agencies	6	90	15	120	0	47	3	24	9	80	6	23	12	57	0	2	1	42	52	485
% of Total Arrests	17.6	22.2	23.8	24.3		10.8	9.7	7.5	18.4	21.9	24.0	10.0	26.1	14.5		0.7	1.5	7.0	13.4	13.8
Late Four Arrests	1	34	12	62	5	62	1	44	5	24	2	15	8	44	6	39	5	94	45	418
% of Total Arrests	2.9	8.4	19.0	12.6	10.6	14.3	3.2	13.7	10.2	6.6	8.0	6.5	17.4	11.5	24.0	14.2	7.6	15.7	11.7	11.9
TOTAL EXCLUDED	13	204	36	236	16	201	4	108	26	185	16	73	33	284	11	97	41	336	194	1724
% of Total Arrests	38.2	50.4	57.1	47.9	34.0	46.2	12.9	33.6	53.1	50.7	64.0	31.6	71.7	74.2	44.0	35.4	62.1	56.2	50.3	49.2
TOTAL ELIGIBLE	21	201	27	257	31	234	27	213	23	180	9	158	13	99	14	177	25	262	192	1781
% of Total Arrests	61.8	49.9	42.9	52.1	66.0	53.8	87.1	66.4	46.9	49.3	36.0	68.4	28.3	25.8	56.0	64.6	37.9	43.8	49.7	50.8
Waived	0	14	6	27	16	51	1	9	7	29	3	15	0	16	1	9	9	68	43	238
% of Total Arrests		3.5	9.5	5.5	34.0	11.7	3.2	2.8	14.3	7.9	12.0	6.5		4.2	4.0	3.3	13.6	11.4	11.1	6.8
% of Elig. Arrests		7.0	22.2	10.5	51.6	21.8	3.7	4.2	30.4	16.1	33.3	9.5		16.2	7.1	5.1	36.0	26.0	22.4	13.4
Missed	4	50	5	59	8	63	3	40	8	59	1	18	7	47	3	30	2	42	41	408
% of Total Arrests	11.8	12.3	7.9	12.0	17.0	14.5	9.7	12.5	16.3	16.1	4.0	7.8	15.2	12.3	12.0	10.9	3.0	7.0	10.6	11.6
% of Elig. Arrests	19.0	24.9	18.5	23.0	25.8	26.9	11.1	18.8	34.8	32.8	11.1	11.4	53.8	47.5	21.4	16.9	8.0	16.0	21.4	22.9
A.I.R.s Prepared	17	137	18	171	7	120	23	164	8	92	5	125	6	36	10	138	14	152	108	1135
% of Total Arrests	50.0	33.8	28.6	34.7	14.9	27.6	74.2	51.1	16.3	25.2	20.0	54.1	13.0	9.4	40.0	50.4	21.2	25.4	28.0	32.4
% of Elig. Arrests	81.0	68.1	66.6	66.5	22.6	51.3	85.2	77.0	34.8	51.1	55.5	79.1	47.2	36.4	71.4	77.9	56.0	58.0	56.3	63.7

Table 19

Robbery Case Enhancement Program

Queens Unit Activity -- October, and January through October, 1982

	103rd Pct.		110th Pct.		114th Pct.		Queens	
	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct	Oct	Jan- Oct
Total Arrests	47	393	23	230	20	201	90	824
Precinct Voids	0	0	0	1	0	0	0	1
% of Total Arrests				0.4				0.1
Special Units	24	105	3	23	3	30	30	158
% of Total Arrests	51.1	26.7	13.0	10.0	15.0	14.9	33.3	19.2
Juvenile Arrests		28	3	16	4	30	7	74
% of Total Arrests		7.1	13.0	7.0	20.0	14.9	7.8	9.0
Other Agencies	1	21	0	15	1	16	2	52
% of Total Arrests	2.1	5.3		6.5	5.0	8.0	2.2	6.3
Late Tour Arrests	5	69	4	49	2	20	11	138
% of Total Arrests	10.6	17.6	17.4	21.3	10.0	10.0	12.2	16.7
TOTAL EXCLUDED	30	223	10	104	10	96	50	423
% of Total Arrests	63.8	56.7	43.5	45.2	50.0	47.8	55.6	51.3
TOTAL ELIGIBLE	17	170	13	126	10	105	40	401
% of Total Arrests	36.2	43.3	56.5	54.8	50.0	52.2	44.4	48.7
Waived	2	18	3	16	0	0	5	34
% of Total Arrests	4.3	4.6	13.0	7.0			5.5	4.1
% of Elig. Arrests	11.8	10.6	23.1	12.7			12.5	8.5
Missed	0	42	1	39	2	24	3	105
% of Total Arrests		10.7	4.3	17.0	10.0	11.9	3.3	12.7
% of Elig. Arrests		24.7	7.7	31.0	20.0	22.9	7.5	26.2
A.I.R.s. Prepared	15	110	9	71	8	81	32	262
% of Total Arrests	31.9	28.0	39.1	30.9	40.0	40.3	35.6	31.8
% of Elig. Arrests	88.2	64.7	69.2	56.3	80.0	77.1	80.0	65.3

APPENDIX B

OPERATIONAL REVIEW OF THE
FELONY AUGMENTATION PROGRAM

THE FELONY AUGMENTATION PROGRAM -- OPERATIONAL REVIEW

The Felony Augmentation Program was established on a city-wide basis on January 1, 1982. In expanding the program, which had been piloted in the Borough of Manhattan, Career Criminal Investigating Units were established in each of the boroughs except Staten Island, which is covered by the Brooklyn CCIU. Table 1, following, presents the principal indicators of FAP operational activity during the first ten months of operation of the program, January through October, 1982. A review of this data indicates the following:

- a. During the 10 month period, there were a total of 2,598 targeted defendants arrested on new felony charges. Of these, 971 defendants were subjected to augmentation procedures, 37.4% of the total arrested. The balance were not augmented for a variety of reasons. (See section on program operations.)
- b. There were a total of 382 non-target defendants augmented as co-defendants in target cases.
- c. In addition, 580 other defendants who were not involved in target arrests were also subjected to case augmentation. As a result, 1,933 defendants were included in the total city-wide case load.
- d. The above defendants were involved in a total of 1,290 individual cases. Of these, 911 were cases involving one or more targeted defendants and 379 were cases in which only non-targeted defendants were augmented.
- e. Based on the number of detectives assigned as of November, 1982, the average case load per detective on a city-wide basis was 1.74 cases per month.
- f. Of the 1,933 individual defendants involved in augmentation cases, 1,298 were indicted, producing a city-wide indictment rate of 67.1% for the 10 month period.

PROGRAM OPERATIONS

A more thorough understanding of the above indicators may be provided by a review of program operations in each borough. Vera staff visited each of the Borough CCIUs, conferred with unit supervisors and representatives of the various District Attorneys' Offices, and reviewed case and administrative records in each borough. Except where noted, the descriptions which follow pertain to all boroughs.

Table 1

FAP -- PRINCIPAL INDICATORS OF PROGRAM ACTIVITY -- JAN 1 to OCT 31, 1982

Indicator	Manhattan	Brooklyn	Queens	Bronx	City-Wide
1. Targets Arrested on Felony Charges*	848	1008	374	368	2598
2. Targets Augmented in Above Arrests	374	332	133	132	971
3. Percentage of Target Felony Arrests Augmented	44.1%	32.9%	35.6%	35.9%	37.4%
4. Non-targets Augmented In Target Arrest Cases	133	129	58	62	382
5. Other Defendants Augmented	113	89	215	163	580
6. Total Defendants Augmented	620	550	406	357	1933
7. Total Target Cases Augmented	358	302	123	128	911
8. Other Cases Augmented	80	60	145	94	379
9. Total Cases Augmented	438	362	268	222	1290
10. Number of Detectives Assigned as of November, 1982	23	24	14	13	74
11. Detective Monthly Caseloads (Cases per month for the 10 month period)					
a. Total Cases	1.9	1.5	1.9	1.7	1.74
b. Target Cases	1.6	1.26	0.88	0.98	1.23
c. Other Cases	0.35	0.25	1.03	0.72	0.51
12. Indictments Returned -- All Defendants	416	379	264	239	1298
13. Indictment Rate -- All Arrests Augmented	67.1%	68.9%	65.0%	66.9%	67.1%

*New Arrests only -- targets arrested on warrants for old cases are not included.

Case Intake: As indicated above, the borough CCIUs augmented 37.4% of all of the felony arrests of targeted defendants during the ten month period. The process through which target arrests are either selected for augmentation or rejected involves both a criteria-based selection process (which is fairly uniform in all boroughs), and an accidental rejection process which is the result of inefficiencies in the notifications system. The principal factors which both account for and explain case acceptance rates are as follows:

- a. Target List construction
- b. Inefficiencies in the notifications system
- c. Case selection criteria

a. Target List Construction: There is a relationship between the size and manner in which the Career Criminal Target Lists are constructed and the number of target arrests augmented. Career Criminal Programs, both in New York and elsewhere, are a relatively new phenomenon. Little or no empirical research has been conducted on police targeting of career criminals, and what research has been done to date is concerned primarily with prosecution and sentencing criteria. As a result, the New York City efforts must be regarded as both experimental and developmental. Although list creation was based both on arrest and conviction criteria, it must be recognized that the current state of the art is imprecise. As a result, there will be a number of persons listed who, although they have the requisite arrests and convictions to qualify for the list, will not be arrested at all, or will not be arrested for committing serious crimes, and in some instances will be arrested for crimes which are not appropriate for augmentation. Indeed, during the first 10 months of 1982, only 14.2% of the persons listed were arrested on felony charges.

b. Inefficiencies in the Notification System: Despite attempts by the program's administrators in both the detective and patrol bureaus, the notification system by which CCIU detectives become aware of the arrest of target defendants continues to operate ineffectively. In addition, the system is highly labor-intensive reducing the effectiveness of the CCIUs in several ways.

Because of the centralized mode of operations and the fact that the size of the target list rosters prohibits their dissemination to field commands, CCIU detectives are dependent upon a telephone notifications system to apprise them of the arrest of targeted individuals. To accomplish this, Interim Order No. 33-1 was issued on April 13, 1982 directing station house officers to notify the Borough CCIU (on late tours, the Manhattan CCIU) of the arrest of any person on a felony charge. Upon receipt of such notification, the CCIU detective checks the pedigree given by the defendant against the target rosters and informs the precinct if the defendant is a career criminal, and if so, what steps to take. Despite repeated attempts by both detective and field commanders, monitoring reports by the Felony Augmentation Section indicate that borough compliance rarely exceeds 65% of the required notifications. (The process through which compliance rates are calculated is unable to differentiate between precinct personnel arrests and arrests by outside specialized commands and other agencies, many of which bypass the precinct in the arrest process. As a result, precinct

compliance with I.O 33-1 is probably much higher than that indicated in the compliance reports.)

Of equal importance to unit operations is the timeliness with which such notifications are made by the precinct. If the notification is made at the point when the officer has completed precinct processing of the defendant and is ready to depart for central booking (having already released the complainant and any potential witnesses) it is almost as useless to the CCIU as not having received any precinct notification at all. Late notifications, either by the precinct or by one of the back-up systems (to be described below), can seriously hamper the work of the CCIU detective and can possibly affect case outcome. In addition, late notification can result in the case not being augmented because of the inability of the investigator to contact the relevant parties on a timely basis. (While department records indicate that only 111 defendants were not augmented because of late notifications, the number is probably higher. For example, records indicate that 113 defendants were not augmented because of reluctant complainants; it is highly probable that if the CCIU were able to enter the case at an early enough stage, some number of those complainants would have cooperated in the prosecution.)

The notification process is also highly labor-intensive. To provide for accountability at both the precinct and CCIU level, records are maintained of each notification sent or received, resulting in voluminous files which serve little purpose other than to document the notification process. Further, manning the telephones ties up at least 8 detectives daily on a city-wide basis, making them unavailable for field assignments. However, they are able to prepare case-related paper work during these periods.

c. Case Selection Criteria: When notified of the arrest of a targeted defendant, the CCIU investigator reviews the facts of the case over the telephone. As a result of this review, he will confer with the supervisor on duty and make a determination of whether or not the unit will accept the case for augmentation. This is a two step process. The first step involves the automatic exclusion of specific arrests because of either the nature of the crime charged or the identity of the arresting officer. The second step is case specific, involving a review of the facts of the case to determine if there are any bars to mounting a successful felony prosecution.

(1) Automatic Exclusions: There are no automatic exclusions in the sense that the CCIU never accepts certain charges for augmentation, but there are some charges that, in the absence of other mitigating circumstances, will not usually result in an augmentation. These are:

- (a) Misdemeanor Arrests -- while precincts are not required to notify the CCIU of misdemeanor arrests, the units become aware of them through FATN notifications from DCJS. Misdemeanors are not augmented.
- (b) Narcotics Arrests -- Borough CCIUs exclude narcotic arrests from augmentation regardless of whether or not the arresting officer is a member of OCCB, or the specific circumstances of the arrest.

- (c) Grand Larceny Auto or Criminal Possession of Stolen Property Auto -- except in the Borough of Queens, CCIUs will not augment GLA or CPSP Auto arrests on the theory that the District Attorney's Office in those boroughs will not seek indictments in such cases regardless of the identity of the defendant. In Queens however, such cases are augmented and indictments have been obtained for GLA.
- (d) Precinct Detective Unit Arrests -- arrests by PDU detectives are excluded from augmentation unless the PDU detective either requests or accepts CCIU assistance. There are several reasons advanced for this policy. The first is the potential morale problem which may result from having one detective supersede another. The second is the desire to avoid possible conflicts in department records between the pre-arrest reports of the investigating detective and the post-arrest reports of the augmenting detective.
- (e) Arrests by members of Specialized Detective Units (Central Robbery, SCRUI, etc.) are also excluded unless the arresting detective requests or accepts CCIU assistance. Arrests by members of RIP units are excluded in some boroughs and not in others.
- (f) Arrests by Housing or Transit Police may or may not be excluded, depending on whether or not the CCIU receives timely notification of the arrest, and whether or not the arrest is being enhanced or augmented by the arresting officer's department.

(2) Case-Specific Exclusions: If the arrest is not excluded from the augmentation process by virtue of the crime charged or the identity of the arresting officer, the facts of the case are reviewed to determine the probability of mounting a viable felony prosecution. Factors such as prior relationship, severity of crime charged, strength of evidence, District Attorney policies, etc. are considered, and the case is rejected if it appears that no amount of effort by the CCIU could succeed in building the case to the point where a successful felony prosecution at the Supreme Court level could be mounted. Unit commanders are required to document these decisions and submit a monthly report indicating the reasons why each individual arrest was not accepted for augmentation. A review of these reports from each borough indicates that the criteria are uniformly applied and the rejection decisions appear justified, within the current policy context.

Case Intake -- Other Arrests: While the CCIUs were originally created to augment the arrests of career criminals, it soon became evident that the existing target lists did not provide sufficient numbers of cases to fully occupy the units' available investigative time. Additionally, it was recognized that there were a large number of individuals committing serious crimes who were not listed on the

career criminal rosters (because, for example, their records do not show the indices of high-rate crime), and whose arrests could be substantially improved (from a dispositional viewpoint) by augmentation.

In response to these pressures, not only was the original target list increased by adding new categories of predicate felons, but the decision was made to have the CCIUs augment the arrests of other serious offenders as time and manpower availability permitted. As indicated in Table 1, the other arrest category constituted 29.4% of the total workload of the borough CCIUs during the 10 month period. The percentage of total workload taken up by "other" arrests in each borough is as follows: Manhattan -- 18.3%; Brooklyn -- 16.5%; Queens -- 54.1%; and Bronx -- 42.3%.

Other arrests are selected for augmentation in much the same fashion as target arrests. Upon notification to the CCIU of a felony arrest, the CCIU detective conducts a telephone inquiry into the facts of the case. In appropriate cases, the decision is made to augment the arrest and the normal augmentation process is put into operation. There does not appear to be any rigid criteria for the acceptance of other arrests. Severity of the crime charged, background of the defendant, and likelihood of conviction appear to be the principal considerations in accepting a case. In addition, CCIU commanders will honor reports from precinct commanders that specific defendants be included in the augmentation process because of that defendant's criminal activities within the precinct.

As previously indicated, CCIU commanders make monthly reports indicating the reasons why specific arrests of career criminal targets are not augmented. A review of these reports indicates that over half of the rejections are the result of policy exclusions (nature of crime, narcotics arrests, PDU arrests, etc.) and the balance are rejected for case-specific reasons. There is no other objective data available which would permit a further review of this decision making process.

Case Augmentations By Crime Charged: Table 1a, following, presents data on the distribution of CCIU caseloads by crime charged. A review of the data indicates that the vast majority of augmentations are performed on arrests for indictment-prone crimes. This is particularly evident in the case of non-targets, where the units have greater discretion in selecting their cases. This propensity for selecting indictment-prone crimes for augmentation apparently results from several factors. These are:

a. Organizational Goals: The commanders and personnel of the CCIUs believe that the principal indices of operational efficiency are indictment, conviction and sentencing rates. They are of the opinion that these are the sole measures upon which their work will be evaluated. As a result, severity of crime and strength of evidence have become the main screening criteria employed in the selection of cases.

b. Prioritization of effort: Given the wide range of arrest cases from which they may select their case load, unit commanders opt for devoting their resources to the most serious crimes.

Table 1a
 CCIU -- Distribution of Case Load By Crime Charged

Indictment Prone Crimes	Manhattan			Brooklyn			Bronx			Queens		
	Tgt. %	N-T %	Tot. %	Tgt. %	N-T %	Tot. %	Tgt. %	N-T %	Tot. %	Tgt. %	N-T %	Tot. %
Robbery	65.8	72.4	68.4	67.1	72.5	69.3	49.2	84.0	71.1	40.6	69.2	59.8
Burglary	8.6	6.5	7.7	13.9	12.8	13.5	25.0	6.2	13.2	16.5	11.3	13.0
Poss. Weapon	9.0	8.1	8.7	4.8	2.8	4.0	5.3	1.7	3.9	9.8	3.7	5.7
Attempt Murder	1.3	2.8	1.9	2.1	4.1	2.9	0.8	0	0.3	4.5	5.5	5.2
Rape/Sodomy	0.8	0	0.5	3.0	1.8	2.5	6.1	0.8	2.8	0.8	1.5	1.2
<u>Sub-Total</u>	<u>85.5</u>	<u>89.8</u>	<u>87.2</u>	<u>90.9</u>	<u>94.0</u>	<u>92.2</u>	<u>86.4</u>	<u>92.7</u>	<u>91.2</u>	<u>72.2</u>	<u>91.2</u>	<u>84.9</u>
<u>Other Crimes</u>												
Assault	1.9	0.4	1.4	2.4	2.8	2.5	6.8	3.6	4.8	2.3	1.1	1.5
Forgery				0.4	0.5	0.5	0	1.4	0.8			
Grand Larceny	8.1	4.5	6.6	3.9	2.2	3.3	2.3	0.4	1.2	10.5	2.6	5.2
Grand Larc. Auto	0.2	0.4	0.3	0.6	0.5	0.5	0.8	1.4	1.2	7.5	2.9	4.5
Arson				0.9	0	0.5	1.4	0	0.6			
All Others	4.3	4.9	4.5	0.9	0	0.5	2.3	0.5	1.2	7.5	2.2	3.9
<u>Sub Total</u>	<u>14.5</u>	<u>10.2</u>	<u>12.8</u>	<u>9.1</u>	<u>6.0</u>	<u>7.8</u>	<u>13.6</u>	<u>7.3</u>	<u>9.8</u>	<u>27.8</u>	<u>8.8</u>	<u>15.1</u>

c. These decisions are influenced by District Attorney policy in each of the boroughs. Unit commanders are reluctant to expend resources in those areas which are predictably unproductive.

The results of these decisions are evident not only in the tendency to select indictment-prone crimes for augmentation, but also in the further screening of these cases which appears to be directed at eliminating high-risk investigations from the case load. A subjective reading of case folders creates an impression that, in the main, only solid cases are selected for augmentation. There appears to be very little risk-taking, except in the Borough of Manhattan where the CCIU demonstrates its willingness to accept weak or high-risk cases for augmentation. As indicated, this is a subjective judgement by Vera staff; however, it is not without external support. One of the ADAs interviewed, a Major Offense Bureau Chief, stated that it frequently appeared to him that the borough CCIU was wasting its time on many of the cases it worked on. He stated that it frequently pursued cases in which "we have a busload of nuns as witnesses," and suggested that its efforts might better be directed at some of the weaker cases. This same ADA indicated that he was very much in favor of being informed of weaknesses in individual cases, stating that "those were the things that made his successes possible." (Elimination of weak cases conserved resources which could be devoted to meritorious prosecutions.)

Other Investigative Activities: As previously described, the CCIUs conduct follow-up investigations on the arrests of Career Criminal Targets, and other defendants arrested for committing serious crimes. In addition, they sometimes perform other investigative duties. Among these are:

a. In each of the boroughs, the District Attorney's Office periodically makes requests of the CCIUs for assistance on non-CCIU prosecutions. Such requests may involve locating missing witnesses, interviewing alibi witnesses, etc. Each of the ADAs conferred with during this study indicated that the CCIUs' response to such requests was always positive and that their efforts had assisted in maintaining the viability of many prosecutions.

b. The CCIUs will periodically conduct investigations based upon information obtained from the interrogation of defendants or referred to them by members of the department.

c. Individual members of borough units have established working relationships with other specialized investigating units and will assist them in the conduct of major investigations. For example, one member of the Bronx CCIU has established such a relationship with the Senior Citizens Robbery Unit in that borough, and frequently assists in their investigations.

Case Work Activities: In the ideal augmentation effort, the investigating detective would respond to the precinct of arrest and conduct a preliminary investigation. This would involve interviewing the arresting officer, the complaining witness, any other witnesses who were present, and interrogating the defendant. He might then respond to the scene of the crime or the arrest, search for additional physical evidence, conduct a canvass to locate additional witnesses, and

possibly request the assistance of forensic technicians to assist in gathering evidence. After this, he would confer with his counterpart ADA in the District Attorney's Office and determine if the District Attorney felt that there were any weaknesses in the case which could be corrected by additional investigation. When he was satisfied that the preliminary investigation was completed, he would fully document the case, preparing an Arrest Investigation Report for delivery to the District Attorney's Office prior to the grand jury presentation of the case. If supplementary investigations appeared appropriate, he would perform the necessary investigation steps and submit supplemental AIRs to the ADA assigned to the case. He would make necessary court or grand jury appearances as required, and while the case proceeded through the court process, he would maintain contact with the ADA assigned to the case and with his witnesses. He would be available to assist the ADA when necessary, and would transport his witnesses to court if this were necessary to insure a prosecution.

In reality, while some augmentation cases may involve all of the above, the majority do not, nor do most require this type of "full-court press." The amount of work that is done on any individual case is more dictated by the circumstances of that case than by any idealized model of investigation process. For this reason, it is difficult to make qualitative judgements regarding any individual augmentation effort. How much is enough is a question that can only be answered by the individual investigator, his supervisor, and the ADA assigned to the case.

It is also difficult to judge what the effects of the augmentation effort are on the dispositional outcome of the case. There are relatively few cases in which it is readily evident that the activities of the CCIU investigator added the essential ingredient to a successful prosecution. However, while there is no controlled research available to indicate the dispositional impact of the augmentation process on the caseload selected for augmentation (primarily because no comparable control group can be constructed against which to compare the dispositional outcomes of augmented cases), the research conducted on the Robbery Case Enhancement Program and its precursor the Felony Case Preparation Program clearly demonstrates that augmentation substantially affects overall dispositional outcome in a positive fashion when applied to felony arrest in general.

Despite the evaluative difficulties, by reviewing completed cases and by categorizing the contents of the case folders it is possible to obtain a quantitative assessment of the actual augmentation process. Vera staff read a representative number of case folders in each borough CCIU (normally one month's caseload), and catalogued the contents of each folder without reference to the qualitative merits of the information contained. Thus, if an investigator recorded the interview of a witness, the case was credited with "witness interviewed" regardless of whether or not the prospective testimony of the witness appeared material to the case. This exercise permits several levels of examination of the augmentation process.

* Months reviewed were: Manhattan -- October; Brooklyn -- September; Queens -- October; Bronx -- June and October.

Table 2, presents data on a summary analysis of the contents of 150 * augmentation investigations conducted by the members of the Borough CCIUs during 1982. This data supports a broad view of the augmentation process, reviewing it as a two-stage process composed of a preliminary investigation and a supplementary investigation. These are defined as follows:

The Preliminary Investigation is defined as those steps taken by the investigator as a result of information provided him by the parties to the case who were identified prior to his involvement. This normally involves the interview of the complaining witness, the arresting and assisting officers, witnesses identified by the complainant or the officers, and the documentation of the case in the form of an Arrest Investigation Report. The preliminary investigation may be completed on the day the case is initiated, or may stretch over some period of time if one or more of the identified parties cannot be immediately interviewed.

The Supplementary Investigation is defined as those steps taken by the investigator on his own initiative. They may include conducting canvasses, visiting the crime scene and locating additional evidence, obtaining department records which will assist in the prosecution (e.g., CB Tapes of a radio run), interviewing alibi witnesses, etc. Again, these steps may be taken on the day of case initiation or may stretch over a period of time. They represent substantive actions by the investigator whether or not they materially add to the case.

A review of the data contained in table 2 indicates the following:

- a. Of the 150 cases reviewed, 123 consisted only of the preliminary investigation interviews and documentation. No self-initiated substantive steps were recorded in the case folders. Thus, only 18.0% of cases sampled reflected augmentative investigative steps taken by the detective assigned.
- b. Of the 113 cases on which interrogation data is available (the Brooklyn sample was collected in a manner which does not permit retrieval of these data) interrogations which produced either admissions or exculpatory statements (which may be of great value to the prosecutor) were obtained in 61 cases, or 54.0% of the sample.
- c. A canvass of the crime scene to locate additional witnesses or evidence was conducted in 15 cases, or 10.0% of the 150 sampled.
- d. Additional witnesses were located in 8 of the 150 cases, or 5.3% of the sample.

* In each of the Boroughs, there were several cases in the month reviewed which, while read, were not included in the content analysis because they were not representative of normal case assignments. These normally involved investigation conducted on old cases either at the request of the D.A. or as a result of a 2nd or 3rd arrest on an on-going investigation.

e. Additional physical evidence (which may consist of a photograph of the crime scene by the investigator) was obtained in 7 of the 150 cases, or 4.7% of the sample.

Based on this limited analysis (11.6% of the cases worked on during the 10 month period) it appears that the vast majority of augmentation efforts are concluded at the preliminary investigation stage, and that they do not result in substantial supplemental investigation. This is not a negative finding. As indicated in the introduction of this section of the report, the degree of augmentation which is deemed appropriate (or for that matter, even possible) is closely related to the circumstances of the individual case. It can be limited by the actions or inactions of the arresting officer, the time span between arrest and notification to the CCIU, and by a number of other factors, one of which is that no further work may be necessary to insure a conviction. Post-arrest investigation can differ greatly from those conducted for the purposes of identifying an offender, and some of the traditional steps taken in the latter instance may be entirely inappropriate once the defendant has been arrested.

Table 2

Level of Augmentation (Summary Case Content Analysis)

	Manhattan (n=50)		Brooklyn (n=37)		Bronx (n=29)		Queens (n=34)		Total (n=150)			
	n	%	n	%	n	%	n	%	n	%		
P R E L I M I N A R Y	Interview & Documentation Only		42	84.0	25	67.6	24	82.8	32	94.1	123	82.0
	Interview of Defendant with Admission or Exculpatory Statement		20	40.0	N/A*		17	58.6	24	70.6	61 of 113	54.0%*
S U P P L E M E N T A R Y	Canvass of Crime Scene		2	4.0	11	29.7	1	3.4	1	2.9	15	10.0
	Additional Witness(s) Located & Interviewed		2	4.0	3	8.1	3	10.3			8	5.3
	Additional Evidence Located		4	8.0	1	2.7	1	3.4	1	2.9	7	4.7

(Percentages total more than 100%)

*Brooklyn case content analysis does not permit retrieval of this data and it is excluded from the overall total of cases in calculating the percentage of cases in which exculpatory statements or admissions were obtained.

Table 3, following, contains data on an expanded analysis of the contents of augmentation case files in three boroughs, Manhattan, the Bronx, and Queens. The analysis of Brooklyn cases, which was the first borough visited during the survey, was not conducted in a fashion which permits its inclusion in this table. This table presents data on the total contents of the case files read, and does so without qualitative assessment of the merits of any investigative step recorded. Thus, if a detective visited a crime scene (with or without discovering additional evidence or witnesses) he is credited with the investigative step of "visiting the crime scene." The purpose of the table is to document the range of investigative steps taken by the investigators, and the relative frequency with which they are taken. The table also identifies problem areas (for example, in only 61.1% of the cases reviewed was the defendant approached for an interrogation) and suggests areas for additional inquiry.

Reviewing the data contained in this table discloses the following:

a. Interviews Recorded: The first section of the table presents the number of interviews conducted and recorded as part of the preliminary investigation. In each arrest there is always an arresting officer (even if he were assigned to a civilian arrest) and a complainant (even if it were the officer himself), and there may be one or more assisting officers and civilian witnesses. As indicated, interviews were conducted of arresting officers in 85.8% of the cases; of assisting officers in 34.5% of the cases; of complainant in 67.3% of the cases (including those cases in which the arresting officer was the complainant); and of other witnesses in 24.7% of the cases. Stated in the reverse, arresting officers were not interviewed in 14.2% of the cases, and complainants were not interviewed in 32.7% of the cases.

b. Defendants Interrogated: As indicated in the table, defendants were approached for interview in only 61.1% of the 113 cases. Admissions were obtained from 44.9 of those interviewed (or in 26.5% of the cases); exculpatory statements were obtained in 43.5% of the interrogations conducted; and 11.5% of the defendants refused interview.

c. Supplemental Steps Conducted: This section of the table sets forth the substantive supplemental steps taken by the investigators in the 113 cases reviewed. If more than one investigative action was taken in an individual case, each step is separately credited. Thus, if a detective visited a crime scene and also photographed it, he is credited both under the caption "Visited Crime Scene", and "Photographed Crime Scene." For this reason, both the number of steps recorded and the percentages of cases in which they took place are not cumulative. Thus, while 30 investigative actions are recorded, they took place in only 15 individual cases. (See table 2)

The preceding portion of this section of the report has presented data on what the CCIU detective does in augmenting an arrest. The presentation of those data raised some questions which were not answered by the information provided. This section will present additional data which may answer some of the open questions.

Table 3

Level of Augmentation (Expanded Case Content Analysis)

	<u>Manhattan</u>		<u>Bronx</u>		<u>Queens</u>		<u>Total</u>	
	(n=50)		(n=29)		(n=34)		(n=113)	
	<u>n</u>	<u>%</u>	<u>n</u>	<u>%</u>	<u>n</u>	<u>%</u>	<u>n</u>	<u>%</u>
<u>Interviews Recorded</u>								
Arresting Officer	40	80.0	23	79.3	34	100	97	85.8
Assisting Officer	6	12.0	14	48.3	19	55.9	39	34.5
Complainant	27	54.0	23	79.3	26	76.5	76	67.3
Other Witnesses	11	22.0	7	24.1	10	29.4	28	24.7
<u>Defendants Interrogated</u>								
Refused Interview	3	(13.0)*	2	(10.5)	3	(11.1)	8	(11.5)
Exculpatory Statement	10	(43.5)	6	(31.6)	14	(51.8)	30	(43.5)
Admission	10	(43.5)	11	(57.9)	10	(37.0)	31	(44.9)
<u>Supplemental Steps</u>								
Canvass Conducted	2	4.0	1	3.4	1	2.9	4	3.5
Other Witnesses Identified	2	4.0	3	10.3			5	4.4
Other Evidence Found			1	3.4			1	0.9
Visited Crime Scene	4	8.0	4	13.8	1	2.9	9	8.0
Photographed Crime Scene	2	4.0	3	10.3	1	2.9	6	5.3
Obtained Other Department Records	4	8.0					4	3.5
Contacted Other Agencies	1	2.0					1	0.9
(Percentages total more than 100%)								
*() As a percentage of the number of interrogations conducted.								

Impact of Notifications on Case Processing Activities

There appears to be a strong relationship between the promptness with which the notification of the arrest is made to the CCIU, and the range of investigative steps taken by the detective. In simplest terms, the sooner the detective is made aware of the case, the more he is able to do. Table 4 presents data on notifications of felony arrests made to the CCIUs in each of the boroughs. A review of these data indicates that while some notifications are received almost immediately (10-20 minutes) others may be delayed as long as 31 hours.* While the median time for notification ranges between 2 hours and 3 hours 30 minutes, the average time ranges between 4 and 6 hours. Delayed notification seriously hampers the work of the CCIUs.

Table 4

Span Between Time of Arrest and Time of Notification to CCIU

	<u>Manhattan</u> (n=50)	<u>Brooklyn</u> (n=81)	<u>Bronx</u> (n=29)	<u>Queens</u> (n=34)
Range:	30 Min to 25 hours	10 Min to 20 hours	10 Min to 31 hours	10 Min to 18 hours
Average:	4.7 Hours	5.2 Hours	6 Hours	4 Hours
Median:	2 Hours	2.75 Hours	3.5 Hours	2.5 Hours

* As indicated earlier, while the primary responsibility for notifying the CCIU of felony arrests rests with the precinct, there are two back-up systems in place to insure that the Units are notified of every arrest of a career criminal. The first back-up system is at central booking where an inquiry into the warrant files will identify the defendant as a targeted individual. In these cases, the central booking supervisor will notify the borough CCIU of the arrest. The second back-up system is DCJS, which will notify the department when the arrest fingerprints of a targeted individual are received in Albany. This notification triggers an FATN message to the Borough CCIU, and accounts for those cases in which the longest time gap exists between arrest and notification.

The promptness with which the arrest notification is made to the CCIU can often dictate the manner in which the detective pursues the follow-up investigation. If the notification is received at an early enough stage, the investigator can respond to the precinct of arrest and conduct his initial interviews there. This places him near the scene of the crime and facilitates the conduct of a witness canvass or the search for additional physical evidence if these steps are indicated by the circumstances. It also insures the availability of the arresting and assisting officers, and the defendant for interview, and may facilitate the interview of the complainant and other witnesses known at the time of arrest. On the other hand, a late notification can seriously hamper the investigative effort and increase its labor-intensity by forcing the investigator to conduct his interviews by phone or by tracking down his witnesses (back-tracking). Some of the principal consequences of late notifications are:

a. They can negate the value of responding to the precinct of arrest because all of the relevant parties have already left the station house.

b. They can result in the defendant being unavailable for interrogation as he has already been arraigned. As indicated in Table 3, only 69 defendants in the 113 cases reviewed were approached for interrogation. In addition, three more were not interrogated because it was known that they had pending cases in the court and were therefore represented by counsel. The remaining 41 defendants were unavailable for interrogation because they had already been delivered to the custody of the Department of Correction.

c. They make the conduct of the follow-up investigation difficult and labor-intensive by forcing the detective to back-track in his investigation, interviewing the relevant parties as he can find them. This delays the completion of the preliminary investigation and can influence DA decision making on the case.

d. They result in incomplete case files due to the fact that some of the parties are either never located, or give their testimony directly to the ADA, precluding the investigator from recording it.

e. There is some evidence, particularly in the borough of Brooklyn, that they can result in cases not being accepted for augmentation because of the difficulties inherent in initiating an investigation at a very late stage in the proceeding.*

The negative consequences of late notifications is also apparent in the investigative pattern which emerges from the case analysis review. Table 5 provides data on the relationship between the promptness of notification and the response to the precinct of arrest by the CCIU detective. In the construction

* During the month reviewed (October, 1982) every augmentation initiated in Brooklyn was as the result of a notification received while the unit was open. There were no augmentations resulting from precinct notifications made on the late tour.

of this table, 3 hours was arbitrarily chosen as the latest point at which a notification would be considered prompt. (However, it should be noted that 3 hours may already be too late to justify the detective's response to the precinct as the complainant and witnesses may have already been released and the officer is about to depart for central booking.)* In addition, a prompt notification can only be expected to generate a precinct response during the hours when the CCIUs are manned. For this reason, the data were organized to reflect prompt notifications only during those hours when the CCIUs were open.

A review of the data contained in Table 5 indicates that of the 113 cases reviewed, prompt notifications were received in only 45 instances (39.8%). These notifications generated 9 responses to the precinct of arrest, or 20.0%. In addition, detectives responded to the precinct on 7 occasions in response to the 68 late notifications received (10.3%). Total precinct response for the 107 cases was 16, or 14.2%.

Table 5

PRECINCT RESPONSE BY CCIU DETECTIVES

	<u>Manhattan</u> (n=50)	<u>Bronx</u> (n=29)	<u>Queens</u> (n=34)	<u>Total</u> (n=113)
<u>Prompt Notification</u> <u>CCIU Open</u>	17	9	19	45
Responded to SH	5	3	1	9
% at SH	29.5	33.3	5.3	20.0
Investigation at other locations	12	6	18	36
% at other loc.	70.6	66.7	94.7	80.0
<u>Late Notifications</u>	33	20	15	68
Response to SH	3	3	1	7
% at SH	9.0	15.0	6.7	10.3
<u>Total SH Response</u>	8	6	2	16
<u>% of Total Cases</u> <u>Investigated at SH</u>	16.0	20.7	5.9	14.2

* During the conduct of this study, 12 patrol precincts were randomly chosen and the Commanding Officers conferred with by telephone to determine the procedures established at the field level to insure notification to the CCIUs. In each instance, the procedure consisted of an entry in the command log immediately prior to the arresting officer leaving for central booking. As a result, the officers could have spent several hours in the precinct processing the arrest before making the notification.

In addition to documenting the consequences of late notifications on the investigative efforts which result, the data may also suggest that there is a preference on the part of many of the investigators not to respond to the precinct. Three of the borough CCIUs are located in the same building as the central booking facilities, and in close proximity to the court complaint rooms and District Attorneys' Offices. As a result, they are in a position to intercept the parties to a case at those locations. In addition, many of the detectives express a preference for conducting interrogations in a neutral location, away from the precinct of arrest on the belief that they are more productive.

To determine if there were any differences in the scope of investigation conducted between investigations initiated at the precinct of arrest and those initiated at Central Booking or at the CCIU offices, the Case Content Analysis data contained in Table 3 was further analyzed to separate station house initiated investigations from investigations initiated at other locations. The new data which results, (Table 6, following), compares the contents of case folders for both types of investigations in the Boroughs of Manhattan and the Bronx. (Queens was omitted because there was only 1 station house initiated investigation in that borough, and the Brooklyn sample was not collected in a manner which permits this analysis.)

A review of the data in Table 6 indicates that there are obvious measurable differences between the two types of investigations. Based upon the contents of the case folders, investigations initiated at the station house level result in the investigator being able to interview a greater percentage of involved parties than those investigations conducted at other locations. Further, there is a marked increase in the number of supplemental steps taken by detectives who respond to the precinct of arrest. Taken together, it appears that detectives who respond to the precinct of arrest are able to conduct a more thorough augmentation than those detectives who initiate their investigations at other locations. Again, failure to respond to the precinct of arrest may be the consequence of late notification. *

* Although the method used in the collection of data in the Brooklyn sample does not permit its inclusion in this analysis, there are data which strongly suggest that the percentage of cases in which the investigation is initiated at the precinct of arrest is appreciably higher in Brooklyn than in the other boroughs. The results of the summary case content analysis (Table 2) indicates that Brooklyn investigations evidence the highest percentage of supplemental steps conducted by the detectives. Based on the above analysis (Table 6), this would suggest that a higher proportion of Brooklyn investigations are initiated at the precinct of arrest. This may result from the fact that the Brooklyn CCIU is the only unit not located in close proximity to the Central Booking or the Court building.

Table 6
Case Content Analysis -- Investigations Initiated at
Station House v. Investigations Initiated at Other Locations

	Manhattan (n=50)			Bronx (n=29)			Total (n=79)		
	At S.H. (8) n %	Other Loc. (42) n %		At S.H. (6) n %	Other Loc. (23) n %		At S.H. (14) n %	Other Loc. (65) n %	
<u>Interviews Recorded</u>									
Arresting Officer	8 100.0	32 76.0		6 100.0	17 73.9		14 100.0	49 75.4	
Assisting Officer	2 25.0	4 9.5		3 50.0	9 39.1		5 35.7	13 20.0	
Complainant	6 75.0	21 50.0		6 100.0	17 73.9		12 85.7	38 58.5	
Other Witness	3 37.5	8 19.0		1 16.7	7 30.4		4 28.6	15 23.1	
<u>Defendants Interrogated</u>									
Defendants	8 100.0	15 35.7		6 100.0	13 56.5		14 100.0	28 43.0	
Refused	2 (25.0)*	1 (6.7)		0 0	2 (15.4)		2 (14.3)	3 (10.7)	
Exculpatory Statement	3 (37.5)	7 (46.7)		1 (16.7)	5 (38.5)		4 (28.6)	12 (42.9)	
Admission	3 (37.5)	7 (46.7)		5 (83.3)	6 (46.2)		8 (57.1)	13 (46.4)	
<u>Supplemental Steps</u>									
Canvass Conducted	1 12.5	1 2.4		1 16.7	0 0		2 14.3	1 1.5	
Other Witness ID'd	2 25.0	0 0		1 16.7	2 8.7		3 21.4	2 3.0	
Other Evidence Found	0 0	0 0		1 16.7	0 0		1 7.1	0 0	
Visited Crime Scene	3 37.5	1 2.4		2 33.3	2 8.7		5 35.7	3 4.6	
Photographed Cr.Sc.	1 12.5	1 2.4		2 33.3	1 4.3		3 21.4	2 3.1	

(Percentages total more than 100%)

* As a percentage of the number of interrogations conducted.

Case Documentation and Presentation to the District Attorney

While there is a great deal of standardization in the files and records maintained by the Borough CCIUs, there is less agreement on the manner in which the investigation is documented and presented to the District Attorneys' Offices. The predominant model of operation is found in Manhattan and has been copied to large degree in Brooklyn and Queens. The second model is that utilized in the Bronx. Both have their origins in the pilot programs conducted in those boroughs prior to the city-wide expansion of the FAP program.

The pilot felony augmentation program was conducted in the Borough of Manhattan between March 1980 and December 1981. In implementing the program, the Police Department created a Career Criminal Investigating Unit within the Detective Bureau to conduct follow-up investigations on the arrests of career criminals and to coordinate the Department's activities in this area with the Career Criminal Bureau of the Manhattan District Attorney's Office. The District Attorney's unit had been in operation for several years at that point, and was responsible for the prosecution of persons deemed to be career criminals because of their prior records. In linking these two units together, a method of operation evolved which was highly dependent upon face-to-face communication between the members of the two groups, a process which was facilitated by the relatively small numbers of personnel involved on both sides. On the police side, the detectives conducted and documented their investigations in standard police fashion. While the unit adopted the Arrest Investigation Report form which had been designed for use in the Bronx pilot program, they used the AIR as a substitute for the DD5, preparing them in DD5-fashion, one interview to a page, one investigative step to a page, etc. Further, the forms were not routinely given to the District Attorney, although they were available to him on request. On the District Attorney's side, they continued to operate in standard fashion, obtaining their information by interviewing the parties to the case. Thus, the two units worked well together without the necessity for developing any mechanism for the documentary transfer of information.

The model currently operating in the Bronx has its roots in the Felony Case Preparation pilot program which was operated between 1979 and 1981. That program, which was initially operated in one precinct and then expanded to three, provided for detective follow-up investigations on all felony arrests made in the target precincts. After the detective had completed his investigation, he was required to prepare an Arrest Investigation Report for delivery to the District Attorney's Office at the time the case was presented for prosecution. The AIR in the Bronx program was designed as a comprehensive summary of all of the facts of the case known to the police. It included a summary description of how the crime was committed, how the defendant was identified and apprehended, any physical evidence secured, and provided the DA with a summary of the prospective testimony of every party to the case, including the results of the interrogation of the defendant. The AIR served as the foundation of the District Attorney's file of the case, and based on the evaluation of the program by the Bronx District Attorney's representatives, proved extremely valuable to the DA's Office at every stage of the proceedings. Unlike the Manhattan pilot, the cases emanating from the target precincts in the Bronx were handled by a variety of units in the Bronx District Attorney's Office. Initially, all cases were screened by the Felony Complaint

Bureau; Major Offense type cases were referred to the MOB unit; sex offenses to the Sex Unit; and other crimes to the Supreme Court Bureau. As a result, the Bronx cases were handled by a large number of different ADAs, and the written report of the investigation (the AIR) served as the principal communication link between the precinct detective and the ADA, a system highly appropriate to the organizational structure of the Bronx District Attorney's Office.

Current operations in both Manhattan and the Bronx reflect these historical origins. In Manhattan, the CCIU detectives still use the AIR forms in DD5-fashion, utilizing a separate form for each interview conducted, etc. The forms are not routinely given to the District Attorney's Office, and for the most part, all four copies remain in the detective's case folder. The principal communication link between the Manhattan detectives and the ADAs continues to be verbal. Viewing the Manhattan operation chronologically, the CCIU detective conducts his initial investigation by interviewing those parties available to him at the time of notification. Most arresting officers are interviewed at Central Booking or in the CCIU office; most civilian complainants are interviewed at either ECAB or elsewhere in the court building; and assisting officers and other witnesses are generally interviewed by telephone. Those defendants that are interrogated are generally interviewed in a designated location in the Police Headquarters Building. When the detective has completed these preliminary steps, he generally telephones the Career Criminal Bureau and informs the ADA of the CCIU involvement in the case. The detective then accompanies the arresting officer to either the Career Criminal Bureau offices or ECAB where he confers with the District Attorney assigned to the case. When he has completed this stage of the process, he will either return to his office or go out into the field to complete his preliminary investigation. Either that day, or at some point in the near future, he will prepare AIR forms recording the results of the interviews he has conducted and whatever supplementary steps he may take, and file these forms in his case folder.

Initial operations are similar in the Bronx. Upon notification of the arrest, the detective will undertake his preliminary investigation, interviewing the parties to the case either in the court building or at the precinct of arrest. When the detective has completed his interviews, he will generally telephone the Major Offense Bureau of the District Attorney's Office and attempt to interest that Bureau in accepting the case for prosecution. (In the absence of a Career Criminal Bureau, the CCIUs in the Bronx, Queens, and Brooklyn all attempt to have their cases handled by the MOB units in their boroughs). Regardless of whether or not MOB expresses interest in the case, all Bronx arrests are initially screened by the Felony Complaint Bureau and the detective instructs the Arresting Officer to inform the FCB ADA that the CCIU is conducting a follow-up investigation on the arrest -- the detective does not normally accompany the arresting officer to the complaint room. (The Bronx District Attorney's representative interviewed indicated that this notification triggers special handling of the case in the FCB, including a stamping of the case file indicating that it is a CCIU case.) At this point, the detective may either return to his office or go out into the field to complete his preliminary investigation. Within 48 hours, the detective is required to prepare a comprehensive Arrest Investigation Report for delivery to the District Attorney's Office. This report then becomes a permanent part of the District Attorney's case file, much as it did in the earlier

Bronx program. If supplementary steps are taken after submission of the original AIR, they are documented on Supplementary AIR's and are delivered to the ADA assigned to the case. (It should be noted that in the current Bronx effort, the written AIR is not intended to serve as the only communication link between the investigator and the DA. Bronx CCIU detectives maintain close liaison with the ADAs assigned to their cases in much the same fashion as the detectives in the other borough units.)

Brooklyn and Queens CCIU operations were modeled after the original pilot in Manhattan. As a result, detectives in those units prepare their AIRs in DD5 - fashion, and do not provide the District Attorney's Office with a comprehensive record of the investigation. In each borough the CCIU detective accompanies the arresting office to the complaint room and the principal form of information transmittal is verbal.

Caseload: As indicated in Table 1, CCIU detectives are currently carrying a caseload of approximately 1.74 cases monthly, per detective. Previous sections of this report have identified some of the factors which must be considered in evaluating the import of this productivity measure. In summary, these are:

- a. Limitations inherent in current target list construction.
- b. Inefficiencies in the notification system.
- c. Labor-intensity of the notification system.
- d. Screening procedures employed.
- e. Criteria for selection of non-target (other) cases.
- f. Investigative back-tracking caused by late notifications.
- g. Suggested preference for non-precinct initiated investigations.

To pursue this issue further, CCIU commanders were conferred with concerning productivity standards. There is uniform agreement among the commanders that CCIU caseload must be maintained at a level below that of the average PDU detective. One commander suggested that an average caseload of between 35 and 45 cases per year might be an appropriate CCIU productivity standard. In discussing this issue, all of the lieutenants and sergeants interviewed indicated that they believed that the average CCIU investigation took a substantial period of time to complete. In addition, they cited the liaison function and the need to make grand jury and court appearances as other limiting factors.

To provide some quantitative measures of investigative case duration, case folders in three boroughs were analyzed to determine the number of days required to complete the various stages of the investigative process. Data was organized on two distinct levels of investigative effort:

- a. Preliminary Investigation: Those steps taken by the investigator as a result of information provided him by the parties to the case who were identified prior to his involvement.

Using the information recorded in the case file by the detective (date and time of interview or investigative action) the number of days required to complete the preliminary investigation was determined.

- b. Substantive Investigation: Using the information recorded in the case file by the detective (date and time of interview or investigation action) the time span between initiation of the case and the last substantive action taken by the detective was determined. A substantive action was defined as any step necessary to the conduct of the investigation and included interviews conducted as well as supplemental steps taken by the investigator, whether or not they constituted part of the preliminary or supplementary investigation. (As indicated in Tables 2 and 3, supplementary steps were only taken in 15 of the 107 cases studied, or 14.0%.) Telephone calls to the District Attorney's Office or to the court clerk to determine case status were not considered substantive actions.

The time spans recorded indicate when the detective took the investigative action and not necessarily when he recorded it; the interviews or investigative actions may have been recorded on the date they were taken or at some later point in time. The analysis provides data on a gross measure of case duration and does not address the issue of man-hours involved. Thus, while an investigation may have required 10 days to complete, the preliminary investigation may have been completed on the date of assignment and the substantive action taken on the 10th day may have involved a telephone interview of a witness who could not be contacted until that time.

Table 7, following, presents data on the number of days required in completing the preliminary and substantive investigations on 107 cases. A review of these data indicates the following:

- a. In 70.0% of the cases, the preliminary investigation was completed on the day the case was assigned to the detective. In 11.2% of the cases, the preliminary investigation was completed within 3 days, and only 16.8% of the preliminary investigations required over three days to complete. (In 1.9% of the cases, the time-span could not be determined from the case files.)
- b. In 69.2% of the cases, the substantive investigation was completed on the day the case was assigned to the detective, that is, no substantive investigative steps were recorded beyond those taken on the date of assignment.

Table 7

Chronological Length of Reported Investigations

	<u>Manhattan</u> (n=50)		<u>Bronx</u> (n=29)		<u>Queens</u> (n=28)		<u>Total</u> (n=107)	
	<u>no.</u>	<u>%</u>	<u>no.</u>	<u>%</u>	<u>no.</u>	<u>%</u>	<u>no.</u>	<u>%</u>
<u>Preliminary Invest.</u>								
<u>Completed:</u>								
On Day Assigned	35	70.0	25	86.2	15	53.6	75	70.1
Within 3 days	4	8.0	1	3.4	7	25.0	12	11.2
Over 3 days	9	18.0	3	10.3	6	21.4	18	16.8
Could not be determined	2	4.0					2	1.9
<u>Substantive Invest.</u>								
<u>Completed:</u>								
1 Day	34	68.0	25	86.2	15	53.6	74	69.2
2-3 days	4	8.0	1	3.4	7	25.0	12	11.2
4-10 days	5	10.0	3	10.3	6	21.4	14	13.1
11-20 days	1	2.0					1	0.9
over 20 days	4	8.0					4	3.7
Could not be determined	2	4.0					2	1.

c. In 11.2% of the cases, the substantive investigation was completed within 3 days of assignment. Thus, over 80% of the substantive investigations are completed within 3 days.

Combining this data with that contained in Tables 2 and 3 indicates that the average CCIU investigation consists primarily of the interview of the parties identified prior to the detective's involvement in the case, and the recording of those interviews. Supplementary actions are taken in relatively few cases regardless of whether or not they augment the initial investigation. The average investigation is completed on a timely basis, with the majority being completed on the day the case is assigned. A reading of the case files indicates that the principal reason why some cases take more than 1 day to complete is back-tracking caused by the inability of the investigator to enter the case on a timely basis before witnesses have been released at the precinct of arrest.

While there are cases in which it is obvious that a supplementary step taken by the detective is essential to mounting a successful prosecution, these are the exception rather than the rule.

As indicated earlier, the CCIUs have taken steps to increase their caseloads. Indeed, the Department's statistics indicate that the Manhattan CCIU increased its 1982 caseload by 59% over 1981, with a 103% increase in the number of target cases augmented. The other steps taken have involved the identification of other target groups as candidates for augmentation. It is reasonable to expect that CCIU caseload will increase over time; however, the increase will most likely be experienced in the "other target" or crime-specific category rather than in the career criminal caseload.

During the first 10 months of 1982, the 22,000 name target list yielded a total of 2,598 individuals arrested on new felony charges. On an annualized basis, one could expect 3,120 target arrests per year, or some 14.2% of the targeted population. On a one-arrest to one-case basis, this would result in a monthly caseload of 3.5 cases per detective assigned, if every arrest was appropriate for augmentation. This however, is not the case, and secondary screening criteria must continue to be applied if program credibility is to be maintained. If improvements were made in some of the sub-systems supporting the program (notifications, etc.) one could expect an increase in the percentage of target arrests which are augmented; however it is doubtful if the number would ever exceed 60% which would produce a monthly caseload of approximately 2 cases per detective. Therefore, if unit productivity is to be increased, it will most probably result from increasing the number of "other arrests" augmented.

Program Administration and Policy Formulation

The Borough CCIUs are supported by a strong administrative command structure within the Detective Bureau. The Commanding Officer of the Felony Augmentation Section and the personnel of the Case Evaluation and Analysis Unit maintain operational records on both the Felony Augmentation Program and the Robbery Case Enhancement Program and monitor the progress of both. While systemic problems in the operation of these programs have been identified by the analysis conducted, it must be noted that the scope and magnitude of these problems would be far greater were it not for the efforts of the personnel of the FAS and CEAU. The commanding officer of the Felony Augmentation Section is keenly aware of the major problem areas in both programs and has taken corrective action to alleviate them. That the problems have not been completely eliminated is more reflective of their systemic nature than of any lack of affirmative effort on his part.

Numerous changes have been made in program operations over the 10 month period. In large measure, these changes have resulted from research conducted by the FAS and CEAU, and have generally been directed at improving both the operation of the program and its impact. Research of this type should be encouraged and continued.

Despite the quality of its administration, there are several apparent inconsistencies in the policies regulating the work of the CCIUs and the operation of the program, and there is a strong indication that command personnel view the Felony Augmentation Program and the Robbery Case Enhancement Program as separate entities which are engaged in competitive activities rather than as complementary efforts in the pursuit of a common department goal.

In some instances, the preeminence of the CCIUs in the area of career criminal prosecution is clearly evidenced, while in others there is a tendency to abrogate this position in favor of other department units, possibly to the detriment of the Department's overall goals. The clearest example of this is the automatic waiver of career criminal arrests made by members of precinct detective units or other specialized commands.

As indicated above, there is some evidence that FAP and RCEP are regarded as separate entities engaged in competitive activities. This view may be fostered by the fact that FAP personnel are assigned to the Central Robbery Division while RCEP personnel are assigned at the Detective Borough level. Despite the differences in assignment, both groups of personnel perform similar augmentation or enhancement activities, with apparent equal success. In the initial city-wide expansion of both programs, a policy decision was made which resulted in target arrests made in RCEP precincts being augmented by the CCIU rather than by the PDU detectives (presumably unless the arrest was made by the PDU detective.) The purpose of this policy was to centralize the career criminal augmentation function within the CCIU, insuring its accountability. Recently this policy has been expanded to exclude RCEP detectives from enhancing the robbery arrests of youths between 14 and 18 years of age, when such arrests are selected for augmentation by the borough CCIUs, regardless of whether or not the defendants are targeted individuals. As a result, the scope of operations of the RCEP program is diminished without reference to the qualifications of RCEP personnel to conduct these follow-up investigations, the potential advantages of timing and logistics associated with the precinct location of RCEP personnel, or the potential loss of impact on dispositional outcome in career criminal cases that may be associated with central handling of investigations in these robbery cases.

Case File Maintenance: CCIU case files are maintained in a similar fashion in each of the four boroughs. In addition to the AIR forms documenting the detective's investigation, they generally contain other documents pertinent to the case. Generally, the following may be found in each of the case folders: copies of the PD booking reports; copies of precinct vouchers when these are prepared; copies of the defendant's rap sheet; copies of the court complaint forms; photographs of the defendant; line-up reports, when conducted; etc. In general, the AIR forms are filed on the right side of the folder, and supporting documents on the left side under a case management check-off form.

While the folders are maintained in uniform fashion, they are, as indicated in a previous section of this report, difficult to review. The AIR forms are filed chronologically, with the first form in the rear of the folder, and more recent ones on top. As a result, one must begin at the back and read forward. The absence of comprehensive AIRs in the boroughs outside of the Bronx further complicates case review. In those boroughs, the AIRs are filed in chronological order of interview flow, frequently beginning with the defendant's interrogation. As a result, one must frequently read the case several times before the logical sequence of events becomes clear. In contrast, some case files are organized in event-sequential order, generally beginning with the interview of the complainant, and ending with the interrogation of the defendant (although still requiring beginning at the back and reading forward) -- these cases may be read and comprehended much more quickly than those filed in interview-sequential order.

Relations with the District Attorneys' Offices

While this study focuses on the operation of the Police Department's Felony Augmentation Program, it was felt that the various District Attorneys' Offices should be conferred with to determine their impressions regarding the program. Accordingly, interviews were conducted with senior Assistant District Attorneys in each of the four boroughs in which the CCIUs are located.

While the formal relationships differ with the organizational structures of the various District Attorneys' Offices, each of the ADAs interviewed expressed a high degree of confidence in the CCIU in his borough. There is uniform agreement that the CCIU detectives perform an extremely valuable service and that their work is of the highest caliber. Each of the DA's Offices reported numerous instances where they sought and received assistance from the Borough CCIU, indicating that on numerous occasions the work of the CCIUs was directly responsible for the success of the prosecution's efforts. Each of the ADAs was queried with respect to the possible receipt of comprehensive AIRs at an early stage in the proceedings. In Manhattan, ADA Frazier stated that he had not previously considered the matter and would like to speak to some of his assistants before commenting. His initial reaction was that it would probably not be a good thing because of discovery; however, upon reflection he stated that the material was as discoverable in the Police Department files as it was in the District Attorney's. In Brooklyn and Queens the ADAs interviewed indicated that they would welcome comprehensive documentation at the earliest possible stage. In discussing the matter, both referred to the Robbery Case Enhancement Program, commenting that the AIRs submitted on those cases were extremely helpful to the prosecution.

The formal relationship between the CCIUs and the District Attorneys' Offices differs from borough-to-borough. Manhattan is the only borough in which the District Attorney's Office contains what may be viewed as a counterpart unit to the CCIU, the Career Criminal Bureau. As a result, the relationship between the CCIU and the DA's Office is both more formal and more efficient in that borough.

The Manhattan CCB reviews and accepts for prosecution most of the cases handled by the Manhattan CCIU. There also appears to be a greater philosophical acceptance of the selective incapacitation concept in the borough of Manhattan. A review of dispositional outcomes of CCIU cases in the four boroughs indicates that the Manhattan District Attorney's Office will seek felony prosecutions on a wider range of charges than the other DA's Offices. For example, they will regularly seek indictments of targeted offenders on Grand Larceny and Robbery 3rd degree charges while it appears that in the other boroughs, these cases are normally disposed of in the Criminal Courts. On the matter of the mixture of cases handled by the CCIU (CC Targets v. Crime-specific targets), ADA Frazier indicated that he was normally made aware of the status of the defendant, and that the only problem created by the mix was a result of the limited function of his unit. He stated that while he would always want to pursue a good case, he must frequently pass on a non-career criminal case to another unit in the DA's Office, stating that every one of the units wants to get good cases and he would be criticized if he attempted to garner them all. He further indicated that individual ADA case-load was also a limiting factor in accepting CCIU cases.

The absence of counterpart units in the other boroughs as well as the organizational structures of those District Attorneys' Offices results in complicating the work of the CCIUs, increasing the number of individual ADAs with whom they must deal. As previously indicated, the CCIUs in those boroughs attempt to persuade the MOB units to accept their cases for prosecution. While there is no readily available data to document the MOB acceptance rates, it is the impression of the CCIU commanders that they are only successful a portion of the time. In discussing this with the representatives of those District Attorneys' Offices, it appeared that the decision to seek MOB prosecution rested more on the nature of the crime charged than on the status of the defendant, although any defendant with a significant criminal record would certainly be considered. If the cases are not accepted by the MOB units for prosecution, they are handled by one of the other bureaus in the DA's office. As indicated above, there is also some evidence that there is less philosophical acceptance of career criminal prosecution in the boroughs outside of Manhattan, as indicated by the manner in which various crimes charged are disposed of. When queried on this, the representatives of those DA's Offices indicated that they believed that they could not achieve qualitative results in the Supreme Court on charges which are not normally indicted in those boroughs.

Each of the ADAs was questioned with respect to DA Office policy in their boroughs, with particular reference to the fact that the CCIUs exclude some cases from augmentation on the belief that certain charges would not be prosecuted as felonies. Each ADA denied that there were any automatic exclusions, although felony prosecutions were rare in some instances. With particular reference to Grand Larceny Auto, the Bronx District Attorney's Office indicated that it had recently amended its policy on that charge and would welcome GLA cases involving persistent offenders. In Brooklyn, the ADA indicated that the new District Attorney in that borough was also desirous of prosecuting meritorious GLA cases. As previously indicated, GLAs are currently being indicted in Queens.

Despite variations in DA policy and organizational structure between the various boroughs, the early indicators (indictment rates) suggest that CCIU cases receive serious consideration in all boroughs, in approximately equal measure. This, however, may be more a result of the manner in which arrests are selected for augmentation than any indication of active program participation by the District Attorneys.

The Cost of Augmentation Activities

The Borough Career Criminal Investigating Units were established for the sole purpose of augmenting the arrests of career criminals, although that function has been expanded by the addition of other categories of augmentation cases. As these are dedicated units, their total costs are attributable to the program. Based on salary costs supplied by the Department's Budget Section, the operational costs of the Borough CCIUs for the 10 month period can be approximated.

Salary costs utilized in this analysis are total cost-to-the-city figures (salary plus fringe benefits) and are as follows:

Lieutenant	\$ 61,034
Sergeant	\$ 53,233
3rd Gr. Det.	\$ 47,748
P.A.A.	\$ 17,889

Based on these salary levels, total cost of operation of the four Borough CCIUs is as follows:

4 Lieutenants	\$ 244,136
12 Sergeants	\$ 638,796
74 Detectives	\$ 3,533,352
7 P.A.A.s	\$ 125,223
Total Annual Cost	\$ 4,541,507
Cost for the 10 mo. period	\$ 3,784,589

During the 10 month period, there were a total of 1,290 cases augmented, which results in a per case cost of \$2,933. These costs would be increased to the extent that any of the detectives assigned to the CCIUs were either 1st or 2nd grade, or if any of the supervisors were designated as Squad Commanders of Squad Supervisors.

Cost figures may also be produced for other units of measurement. For example: During the first 10 months, indictments were returned on 1,298 FAP defendants, at a cost of \$2,915.71 per indictment. (The indictment costs are slightly lower than the case costs, because there were a larger number of defendants than cases.) During the first three months, for which there is more detailed dispositional information available, it cost \$6,965.50 for each of the 163 FAP defendants sentenced to State prison. Both the indictment and incarceration unit costs would be reduced if any of the pending cases from the period resulted in indictments or incarcerations.

APPENDIX C

Quality Ratings Assigned to
Arrest Investigation Reports
Reviewed as Part of the
Study of the Robbery
Case Enhancement Program

<u>Precinct</u>	<u>AIR No.</u>	<u>Overall Rating</u>	<u>Offense Paragraph Rating</u>	<u>Length in pages</u>	<u>Court Disposition</u>
M.T.S.	179	V.G.	Poor	1	Ind.
	177	V.G.	Poor	1.5	Ind.
	176	V.G.	Poor	1.5	Ind.
	175	Exc.	V.G.	1.5	Ind.
	174	V.G.	Fair	1	Ind.
	168	V.G.	Poor	1.5	Pend.
	167	V.G.	Poor	1.5	Ind.
	166	Fair	Poor	2	Dism.
	165	Exc.	Exc.	3	Ind.
	164	V.G.	Poor	1	Ind.
	163	Exc.	Fair	2	Ind.
	162	V.G.	Poor	1	PGM/V
	161	V.G.	Poor	2	Dism.
	160	V.G.	Poor	2	Pend.
	159	V.G.	Poor	1	Ind.
	158	Good	Poor	1.25	Ind.
157	Poor	Poor	1	Pend.	
M.T.N.	107	Fair	Fair	1	PGM/V
	105	Poor	Poor	1	Pend.
	103	Poor	Poor	1	Ind.
9th	94	Exc.	V.G.	2	PGM/V
	92	Poor	Poor	1	Dism.
	89	Poor	Poor	1	N.P.
	88	V.G.	Poor (none)	1.5	Ind.
23rd	38	Good	Exc.	2	Ind.
	37	Exc.	Poor	3	Ind.
	36	Exc.	Exc.	2	Ind.
	35	Exc.	Good	2	Dism.
24th	65	V.G.	Poor (none)	2	Ind.
	64	V.G.	Poor	2	Ind.
40th	108	Fair	Poor	1.25	Pend.
	107	Good	Poor	1.25	Ind.
	105	Good	Poor	1.5	Ind.
	104	Good	Poor	2	Ind.
	103	V.G.	Poor	2	Ind.
	102	Poor	Poor (none)	0.5	PGM/V
43rd	91	Good	Poor	2	Ind.
	90	Good	Poor (none)	2	Ind.

<u>Precinct</u>	<u>AIR No.</u>	<u>Overall Rating</u>	<u>Offense Paragraph Rating</u>	<u>Length in Pages.</u>	<u>Criminal Court Disposition</u>
44th	121	Good	Poor	1	Pend.
	122	Poor	Poor	0.5	Ind.
	123	V.G.	Poor	1.25	Dism.
	124	Poor	Poor (none)	1	N.P.
	120	Good	Poor	1	Ind.
	119	V.G.	Poor	1.25	Ind.
	118	Poor	Poor	1	Ind.
	117	Poor	Poor	1	Dism.
	116	Good	Poor	1	PGM/V
	115	Good	Poor	1	Dism.
	114	Poor	Poor	1	PGM/V
	113	Good	Poor	1	Pend.
	112	Poor	Poor	1	Ind.
111	Good	Poor	1	Ind.	
46th	101	V.G.	Poor	1.5	Ind.
	100	Good	Poor	1	Ind.
	98	V.G.	Poor	1.5	Ind.
	97	Good	Poor	1	Ind.
	96	Fair	Poor	1.5	Dism.
	95	V.G.	Poor	1.25	Pend.
	94	V.G.	Poor	2.5	Ind.
	93	V.G.	Poor	1.5	ACD
	92	Poor	Poor	1	Ind.
	91	V.G.	Poor	1.25	Ind.
	90	V.G.	Poor	2	Pend.
	88	V.G.	Poor	1	Ind.
	87	V.G.	Poor	1.5	Ind.
	86	Fair	Poor	1	Ind.
	85	Good	Poor	1	Ind.
	84	Good	Poor	1.25	Ind.
	82	Good	Poor	2	Ind.
81	Good	Poor	1	Ind.	
80	Good	Poor	1	Pend.	
48th	80	V.G.	Poor	1	Ind.
	79	Good	Poor	1.5	Ind.
	78	Poor	Poor	1	Ind.
	77	Good	Poor	1.25	Ind.
	75	Fair	Poor	1.5	Ind.
	74	Poor	Poor	1.5	Pend.
	72	V.G.	Poor	2	Ind.
67th	113	Exc.	Good	2	Pend.
	112	Exc.	Good	1.5	Ind.
	111	Exc.	Exc.	1.5	Ind.
	110	V.G.	Poor	1.25	Pend.
	109	V.G.	Poor	1.5	Ind.
	107	Fair	Poor (none)	1.25	Dism.
	106	V.G.	Poor (none)	1	Pend.

<u>Precinct</u>	<u>AIR No.</u>	<u>Overall Rating</u>	<u>Offense Paragraph Rating</u>	<u>Length in Pages</u>	<u>Criminal Court Disposition</u>
71st	163	Exc.	Exc.	3.25	Pend.
	162	Exc.	V.G.	1.5	Dism.
	161	Exc.	V.G.	1.5	Ind.
	159	V.G.	Fair	1.75	Dism.
	157	V.G.	V.G.	1.5	Dism.
	155	V.G.	V.G.	1.25	Dism.
	154	V.G.	Good	1.5	Pend.
	151	V.G.	Good	1.5	Pend.
	150	Exc.	V.G.	1.5	Ind.
	149	Exc.	Exc.	2	Ind.
73rd	116	V.G.	Poor	1.5	Ind.
	115	Good	Poor	1.25	Pend.
	114	V.G.	Poor	1.25	N.P.
	113	V.G.	Poor	1.5	Ind.
	112	Good	Poor	2	Dism.
	111	Good	Poor	1.5	Ind.
	110	Good	Poor	2	Ind.
	109	Good	Poor	1.5	Pend.
	108	V.G.	Poor	1.5	PGM/V
	107	V.G.	Poor	1.5	Pend.
	106	V.G.	Poor	1.25	Ind.
	105	Fair	Poor	1.25	Ind.
	75th	130	Good	Poor	1.5
129		V.G.	Fair	2.5	PGM/V
127		V.G.	Poor	1.5	Ind.
126		Good	Poor	1.25	Pend.
124		Poor	Poor	1.25	Pend.
123		V.G.	Poor	1.5	Ind.
122		Good	Poor	1.75	PGM/V
121		V.G.	Poor	1.5	Dism.
118		Poor	Poor	1	Dism.
117		Good	Poor (none)	1.25	Ind.
114		Poor	Poor (none)	1	Ind.
113		Poor	Poor (none)	1	PGM/V
77th		141	V.G.	Poor	2
	138	V.G.	Good	1.5	N.P.
	136	Good	Poor	1.5	Pend.
	135	V.G.	Poor	1.5	Ind.
	132	Exc.	Good	2	Dism.
79th	128	Exc.	V.G.	2	Dism.
	127	Good	Poor	1.25	Ind.
	126	Exc.	Exc.	2.25	Ind.
	125	V.G.	Poor	2.5	N.P.
	124	Exc.	Exc.	1	Ind.
	123	Good	V.G.	1.5	PGM/V
	122	Good	Good	1.75	Dism.

<u>Precinct</u>	<u>AIR No.</u>	<u>Overall Rating</u>	<u>Offense Paragraph Rating</u>	<u>Length In Pages</u>	<u>Criminal Court Disposition</u>
103	119	V.G.	Poor	2	Pend.
	117	V.G.	Poor (none)	1.5	Ind.
	114	Good	Poor (none)	1	Ind.
	113	Exc.	Poor (none)	1.75	Pend.
	112	Good	Poor	1.5	Ind.
	111	V.G.	Poor	1.25	PGM/V
	1 10	Good	Poor	1.25	Dism.
110th	64	Exc.	V.G.	3	Ind.
	63	V.G.	POOR	2	Ind.
	61	Poor	Poor	1	Ind.
	60	Poor	Poor	.5	Pend.
	59	Good	Poor	2	PGM/V
114th	74	Good	Poor	1	Ind.
	73	V.G.	Poor	1.5	N.P.
	72	V.G.	Poor (None)	3	Ind.
	71	Good	Good	1.25	Ind.

<u>Precinct</u>	<u>AIR No.</u>	<u>Overall Rating</u>	<u>Offense Paragraph Rating</u>	<u>Length In Pages</u>	<u>Criminal Court Disposition</u>
MTN	67	Poor	Poor (none)	.5	Ind.
	64	Poor	V.G.	1.5	Ind.
	61	Fair	None	.5	N.P.
	57	V.G.	Poor	2.5	Ind.
	56	Poor	Poor	1	Ind.
	55	Exc.	V.G.	2	Ind.
	75	Good	V.G.	2	Ind.
	72	Poor	V.G.	2	Ind.
	69	Good	Poor (none)	2	Ind.
	79	V.G.	Poor (none)	2	Pend.
	78	Poor	None	1	Pend.
	83	V.G.	Poor (none)	1	Ind.
	80	Good	Poor (none)	1.5	Pend.
	95	Poor	Poor (none)	.5	Pend.
93	Good	Poor (none)	1.5	Ind.	
<u>9th</u>	77	Good	Poor	1	Ind.
	76	Poor	Poor	1	Dism.
	74	Poor	Poor	2	Dism.
	73	Good	Poor	2	Dism.
	72	V.G.	Poor	1.5	Ind.
	71	V.G.	Poor	2	Pend.
	70	Good	Poor	1.5	Ind.
	69	V.G.	Poor	1.25	Ind.
	67	Good	Poor	2	Ind.
	66	Good	Poor	1.5	Ind.
	65	Poor	Poor	1	Ind.
	86	Poor	Poor	.75	N.P.
	82	Good	Poor	1	PGM/V
	81	Good	Poor	1	Ind.
80	Good	Poor	1.5	Ind.	
<u>23rd</u>	32	Exc.	V.G.	2	Ind.
	31	V.G.	Poor	2	Ind.
	33	V.G.	Poor	1.5	Ind.
	34	Exc.	V.G.	1.75	Ind.
	41	Exc.	V.G.	1.5	Pend.
	40	Exc.	Exc.	1.5	PGM/V
<u>24th</u>	56	Good	Poor (None)	1.5	PGM/V
	55	V.G.	Poor	1.5	Ind.
	54	Poor	None (poor)	1	Ind.
	63	Good	Poor (None)	1	Ind.
	62	V.G.	Poor	1.5	Dism.
	61	Good	Poor (none)	1.5	Pend.
	60	Exc.	Fair	2	Pend.
	68	Poor	Poor (None)	2	Ind.
	67	Exc.	Fair	2	Ind.
	66	Poor	Poor (None)	.5	Ind.
<u>48th</u>	89	Good	Poor	1.25	Ind.
	88	Fair	Poor (none)	1	Ind.
	87	Good	Poor	1	Ind.
	86	V.G.	Poor	2	Pend.

<u>Precinct</u>	<u>AIR No.</u>	<u>Overall Rating</u>	<u>Offense Paragraph Rating</u>	<u>Length In Pages</u>	<u>Criminal Court Disposition</u>
40th	114	Good	Poor	1.25	Ind.
	114(sic)	V.G.	Poor	2	Pend.
	113	V.G.	Poor	2	Ind.
	112	Fair	Poor	1	Ind.
	111	Good	Poor	2	Ind.
	110	Good	Poor	1.5	Fam.Ct.
	109	Good	Poor	1.5	PGM/V
43rd	110	Poor	Poor	1	Ind.
	109	V.G.	Poor	2	PGM/V
	108	V.G.	Poor	2	Ind.
	107	V.G.	Poor	1.25	Dism.
	106	Poor	Poor	1	Pend.
	105	Poor	Poor	.5	Fam.Ct.
	104	Poor	Fair	1	PGM/V
	101	Fair	Poor	1	Ind.
	100	Poor	Poor	1	Pend.
	99	V.G.	Poor	1.5	Pend.
	98	Poor	Poor	1	Pend.
	97	Fair	Exc.	1	Ind.
	96	Fair	Poor	1	Pend.
	95	Poor	Poor	1	N.P.
94	Good	Poor	1.5	Pend.	
67th	120	Poor	Poor (none)	1	PGM/V
	119	Poor	Poor (None)	1	Ind.
	118	Exc.	V.G.	1.5	Pend.
	117	Good	Poor	1.5	N.P.
	116	Good	Poor	1.25	Pend.
77th	165	Exc.	Exc.	2	N.P.
	162	Exc.	V.G.	2	Ind.
	157	V.G.	Poor	2	Fam.Ct.
	156	V.G.	V.G.	2	Ind.
	154	Good	Fair	1.5	Dism.
	150	V.G.	Fair	1.5	Ind.
84th	99	Good	Poor	2	PGM/V
	98	Exc.	Good	2	Ind.
	97	Exc.	Exc.	1.25	Ind.
	96	Exc.	Exc.	2	Ind.
	95	Exc.	Exc.	3	Ind.
	94	V.G.	Fair	2	Ind.
	93	Exc.	Exc.	2	Pend.
88th	100	V.G.	Poor	2	Pend.
	98	V.G.	Poor	2	Pend.
	97	V.G.	Poor	3	Ind.
	96	V.G.	Poor	1.5	Pend.
90th	36	Good	Poor	1	N.P.
	37	V.G.	Poor	2	Pend.
	35	V.G.	Poor	1.5	N.P.
	33	Poor	Poor	1.5	Ind.
	43	V.G.	Poor	1.5	Ind.
	42	Exc.	Good	2.5	Ind.

<u>Precinct</u>	<u>AIR No.</u>	<u>Overall Rating</u>	<u>Offense Paragraph Rating</u>	<u>Length In Pages</u>	<u>Criminal Court Disposition</u>
79th (cont)	121	Exc.	Exc.	2	Ind.
	120	Exc.	Exc.	3	Ind.
	119	V.G.	Poor	2.5	Pend.
	118	Good	Exc.	1.5	Ind.
	117	Exc.	Exc.	2	Pend.
	116	Good	Poor	1.5	Pend.
	115	Poor	V.G.	1.5	Ind.
	114	Poor	V.G.	1.5	Ind.
	113	Poor	Poor	1.5	Pend.
84th	89	Poor	Fair	1.5	Ind.
	88	Poor	Poor	1.5	Pend.
	87	Exc.	Exc.	2	Dism.
	85	Exc.	V.G.	1.5	Ind.
	84	Exc.	V.G.	5	PGM
	81	Exc.	V.G.	2	Ind.
88th	107	Poor	Poor	1	N.P.
	106	Good	Poor	1	Ind.
	105	V.G.	Poor	2	Ind.
	102	Good	Fair	4	Pend.
90th	41	Exc.	Exc.	3	Ind.
	40	Exc.	Good	3	Ind.
	39	V.G.	Poor	2	Ind.
	38	Good	Good	1.5	Ind.
103rd	109	V.G.	Poor	2	Ind.
	108	Good	Poor	2	Ind.
	107	V.G.	Poor	1.5	Ind.
	106	Poor	Poor	1.5	Ind.
	105	Good	Poor	2.5	Dism.
	103	V.G.	Poor	3	Ind.
	101	Good	Poor	1	Pend.
	100	V.G.	Poor	1.5	Pend.
110th	58	Good	Fair	1.75	Ind.
	56	V.G.	Poor (none)	2	Ind.
	55	Poor	Poor	1	Ind.
	54	V.G.	Poor	2	Ind.
	52	Poor	Poor	1	Ind.
	51	V.G.	Poor	2	Ind.
	50	Good	Poor	1.5	PGM/V
114th	70	Good	Poor	1	Dism.
	69	Poor	Poor	1.5	Ind.
	68	Good	Poor	1	Ind.
	67	Poor	Poor	1	Ind.
	66	Good	Poor	1	Ind.
	65	V.G.	Poor	1	Pend.
	64	Good	Poor	1	Ind.
	63	Good	Poor	1	Ind.

APPENDIX D

Selected Arrest Investigation
Reports Reviewed as Part of
The Study of the Robbery
Enhancement Program

A.I.R. MTS-165-82 Quality Rating: Excellent

ARREST INVESTIGATION REPORT

Misc. 838-F (Rev. 3-82)

Date of Arrest 10-15-82	Time of Arrest 16:05 Pm	Pct of MTB	AIP # 165						
DEFENDANT'S LAST NAME, FIRST, MI				ADDRESS, ZIP CODE		AGE	SEX	RACE	DATE of BIRTH
1 HARRIS Louis						21	M	Blk	4-7-1961
2									
3									
4									
5				<i>Case 3553-82</i>					

Time of Offense 23:00	Date of Offense 10-14-82	Location of Offense 42 Street & 6 th Ave. NYC.		Pct Complain No. 36638.
PRINCIPAL CHARGE	Penal Law Section	Title of Offense		
160.40	160.40	ROBBERY 2*		
Complainant's Name Michael WILKINS & Perry VASQUEZ		Address, Zip Code 305 East 40 th Street Apt. 8-J NYC, N.Y.		
Age 23	Date of Birth 8-17-59	Sex M	Race W	Home Telephone No. 682-3625
Occupation Computer Programmer		Relationship to Defendant(s) None Perry VASQUEZ Age 23 DOB: 5-6-59.		
Bus. Telephone No. 661-2640		Business Address, Zip Code 6 E 43 St. NYC, N.Y. 1007		

REPORT OF INVESTIGATION

Description of Offense and Arrest: Include full circumstances of commission of offense, details of arrest and follow-up investigation. Continue on Supplementary Report if necessary

ROBBERY 2nd Degree - TWO COURTS.

OFFENSE: Subject was ~~under surveillance~~ by P.O. LOFANO, Sh. # 11125 and his partner P.O. LEGGIO Sh. # 18071 both assigned to Manhattan South Task Force from about 12:30 pm 10/15/82 to about 16:05 Pm 10/15/82, at which time Subject was observed by both above Officers trying to get into a Ladies Pocketbook. At this point Subject was placed under arrest and a check was found on his possession. Person named on said check was robbed with his friend at approx. 23:00 Pm on 10-14-82 and had made an report of said Robbery on 10-15-82 at about 12:45 Pm. The two complainants description of the Perp matched that of the above named Subject. A Line up was conducted at approx. 19:50/19:55 pm on 10-15-82 at M.T.S. P.D.U. Office in Room # 207 and both Complainant identified the above Subject as the person, who robbed them on 10-14-82. The Subject was then charged in addition to Jostling with two counts of Robbery in the 2 nd. degree.

INTERVIEW OF ARRESTING OFFICER'S PARTNER - P.O. LEGGIO Sh. # 18071 MS T.F.

2000 hrs 10-15-82. The above Officer made the following statement:
 At about 12:30 Pm today, we, I and my partner (Arresting Officer P.O. LOFANO) observed the Defendant at the South-East corner at West 34 th Street and Broadway, in front of Chuck Full O'Huts Restaurant watching passing people and followed several of them. I and my partner tailed him until about 16:05 pm, at which time we observed the Defendant tried to reach into a woman's Handbag, as she walked northbound on the westside of Broadway, between 34th & 35th Street. The Defendant came out of the main entrance to Macy's. I stopped the Defendant, while my partner (P.O. LOFANO) went after the female (Complainant.) I met up with my partner on W. 35th Street and Broadway at the South West Corner, by the Subway entrance, where he informed me, that the Complainant (Female) didn't want to get involved. My partner (P.O. LOFANO) placed the Defendant under arrest. I padded him down for a weapon - with negative result. I then informed our Prisoner of his rights, My partner informed him, that he was under arrest for Jostling. My partner (P.O. LOFANO) then searched the Prisoner for Identification and contraband and found a check in his pouch of the windbreaker, that he was wearing. My partner then cuffed him and we took him to Midtown South Precinct. At M.T.S. Pct. I read the Prisoner his rights from a card and he made the following statements to my partner (P.O. LOFANO) When asked if he committed the robbery at 42 nd Street and 6 th Avenue, he said " Yes I did. When asked if he put his hands into his Pocket to simulate a weapon, his response was: " Yes, I did." When my partner, what he did with the Credit Cards, he stated: " I sold them." those statements were repeated several times during the evening.

Continued on page # 2.....

INVESTIGATING OFFICER	Rank	Name	Shield	Com'd	Date	Time
Pet. Holger KREUZ			687	MTS-PDU	10-15-82	2015P

SUPPLEMENTARY ARREST INVESTIGATION REPORT

Misc. 838G (9-80)

Name of Defendant No 1

HARRIS, Lou

P.I.U. Rep No
165.

Case 3553-82

Continued from Page # 1:

20:15 hrs: INTERVIEW OF COMPLAINANT: Michael WILKINS of 305 East 40th Street NYC, N.Y. Tel. # 662-9625 present at N.Y.S. - P.D.U. and states the following:

At about 11:00 clock last night, while we were going into Popeye's Fried Chicken Place at 42 nd Street by 6th Ave and Broadway, on the north side of West 42nd Street as I tried to open the door to enter the Restaurant the male black, that I picked out as # 3 in the Line Up, came up from behind and said: " Give me your Wallets." or something to that affect, while he (The Defendant) had his right hand in his Jacket Pocket. I reached in my left front Trouser Pocket and handed him my Wallet. He (The Defendant) then asked me, what I had in my other Pocket and I said: " Just my Keys." He (The Defendant) then stuck his left hand into my right Trouser Pocket and when he felt the keys, he pulled his hand back out. He also took my friends Wallet. When I asked him for the Wallet he (the Defendant) responded in an loud tone: " Get out of here, repeating it several times. He (the Def.) then crossed 42 nd Street to the south side and disappeared.

The undersigned asked him for a description and the Complainant: Michael WILKINS gave the following: Male, black, about 5'9, 140 to 160 lbs, wearing a blue Windbreaker, Blue Jeans, Dark colored Cap, Medium Afro with hair sticking out on both sides of his cap.

INTERVIEW OF COMPLAINANT: Perry VASQUEZ also of 305 East 40th Street NYC.

20:30 hrs 10/15/82: Complainant # 2, as Compl. # 1 was interviewed in front of the Arresting Officer, P.O. LOFANO, gave the following account: I heard the statements, that my friend Michael gave you and I have nothing to add, he cover everything pretty well. The man, that I picked out of the Line-Up as # 3, he al took my Wallet with about \$ 90 or \$ 100 in it, but he did not reach into any of my Pockets.

INTERVIEW OF ARRESTING OFFICER: P.O. LOFANO, No. # 11425 of Manhattan South Task Force at approx. 20:55 pm 10-15-82, stated the following: I heard my partners account and the Complainants account and I have to add some information to my partners statement: At about 16:05 hrs today, I interviewed the female (Complainant) into her Handbag, the Defendant was trying to reach, she was a female, white, in her mid 30's, brown hair, shoulder length wearing a red Jacket or Coat, with that black Handbag/Shoulderbag. First I identified myself to her, then I said he tried to get your Bag, on which she responded: " Yes, yes, then I said would you like to make an complaint and she said: " No, I'm in a hurry, I have to meet someone." At this time I returned to my Partner, who was with the Defendant at Broadway and West 35 th Street by the Subway entrance and I then placed the Defendant under Arrest for Jostling. My partner (P.O. LEGGIO) patted him down for a weapon, with Negative Results. I then searched the Defendant for Identification and checked for Contrabands when I found a Check in his pouch of his Windbreaker. The arresting Officer then showed the undersigned a Check. Check # 22670 made out by BECK, MACK & OLIVER to be payed to Michael I. WILKINS the sum of: \$ 270.25, said check was drawn from the Bank of New York, located at 530 5th Ave. NYC, N.Y. 10036 and dated October 15 th, 1 1982. The Arresting Officer then continued: I cuffed the Defendant and we took him to Midtown South Station House. Arriving there-at at about 16:25 hrs, I read him the Miranda Warnings and my partner did the same. I then called the Owner of the Check, BECK, MACK & OLIVER Tel. # 661-2640 and asked the Reception ist, if they had an Employee with the name of Michael WILKINS and she said: " YES," I then asked, if he lost a check and she told me to hold on, adding: " I let you talk to him." I then spoke to Mr. Michael WILKINS, who informed me, that he and his friend: Perry VASQUEZ were robbed at 42 nd Street and 6 th Ave. yesterday and when I asked Mr. Wilkins, if he could describe the person, that robbed him and his friend, he said: " He was a male, black, about 5'8" tall, about 140 to 160 lbs, around 17 to 29 yrs. old, and was wearing a blue Jacket a blue Cap with his hair sticking out. I then asked him, if he had filed an report with the Police, he said yes, and gave me # 36638. I then asked Fr. Wilkins to come to NYS PDU for a Line-Up and he said, that he will bring his friend, that was robbed with him along also.

INTERVIEW OF DEFENDANT: Mr. Louis HARRIS: At 2130 hrs the undersigned interviewed the Defendant Mr. Louis Harris in front of the Arresting Officer. First the undersigned requested the Arresting Officer to read the Defendant

To be continued on Page # 3..... page _____ of _____ pages

SUPPLEMENTARY ARREST INVESTIGATION REPORT

Name of Defendant No. 1

Louis HARR

MIS P.I.U. No. 165

Continued from Page # 2: (Interview of the Defendant.) Case 355

the Miranda Warnings from a card, which he did at 21:35 hrs 10-15-82.

Then the undersigned asked the Defendant, if he understood his rights, or he answered " YES." Then the undersigned asked the Defendant if he wished to make a statement, on which he replied: " Yes."

The undersigned then asked the Defendant, what he would like to say, in connection with his arrest and he made the following statement: I saw two guys up on 42 nd Street, I ran up to them and said: " Freeze, this is a stick give me your wallets" and that was it. The undersigned asked: DID YOU HAVE A GUN ? Def. answered: " NO."

DID YOU TELL THEM, YOU HAD A GUN ? Def. answered: " NO."

DID YOU HAD YOUR HAND IN YOUR POCKET? Def. answered: YES.

WHICH ONE ? Def. answered: Right Hand.

DID YOU MAKE BELIEVE, YOU HAD A GUN ? Def. answered: " YES."

DID YOU GO IN ANY OF THOSE TWO PERSONS POCKETS ? Def. answered: " NO."

The undersigned then said: Now, the one with glasses stated, you asked him what he had in his other Pocket, he said Keys and you reached into his Pocket - Pantspocket, but left him the keys. Def. answered: " YES."

WHAT DID YOU DO, AFTER YOU GOT THE TWO WALLETS ? Def. answered: " I ran."

WHICH WAY ? Def. answered: " ACROSS THE STREET "

WHAT STREET? Def. answered: " ACROSS 42 nd STREET.

WHERE DID THE WHOLE THING TOOK PLACE ? Def. answered: " 42 nd STREET BETWEEN BROADWAY AND 5 th AVE. , IN FRONT OF POPEYES RESTAURANT.

DID YOU KNOW THOSE TWO PEOPLE ? Def. answered: " NO."

WHAT DID YOU DO, WITH THE CREDIT CARDS ? Def. answered: " I SOLD THEM." TO WHOM ? Def. answered: " DOWN THE STREET," TO A MALE."

HOW OLD ? Def. answered: " ABOUT 25 YRS.

HOW MUCH YOU GOT FOR THEM ? Def. answered " TEN DOLLARS."

WHAT HAPPENED TO THE OTHER ITEMS ? Def. answered: " I TOOK THE MONEY OUT AND THREW THE WALLETS AWAY.

DO YOU REMEMBER, WHERE YOU THREW THEM AWAY ? Def. answered: " NO."

DO YOU WANT TO ADD ANYTHING TO THAT? Def. answered " NO."

TIME IS NOW ABOUT: 21: 45 PM 10-15-82.

I GAVE THE ABOVE STATEMENT ON MY OWN, FREE WILL.

Time signed on this typed sheet: _____ hrs. 10-16-82.

At 0115 Am 10-16-82 the undersigned checked with B.C.I. and S.R.F.T. informed the undersigned that the above Def. is known to the NYC. P.D. under NYIIS # 4087154 P he had used the following names in the Lewis HARRIS, BRUCE HARRIS and Louis HARRIS.

SUPPLEMENTARY ARREST INVESTIGATION REPORT
WITNESS LIST

Misc. 838E (9-80)

P.I.U. Report No. **165**

Police Officers	Shield	Com'd	Sad	Involvement
P.O. Peter LOFANO	41125	N.S.TP	4th	Arresting Officer.
P.O. Phillip LEGGIO	18071	MS TP	6th	Assisting Officer.
Michael L. WILKINS				Complainant / Witness.
Ferry VASQUEZ				Complainant / Witness.
Holger KREUZ Detective	687	MTS-PDU		ENFORCEMENT OFFICER.

Complainant's Name **See above.** Criminal Record **NY 118 # 4087154 P.**

Statement **He and his friend were robbed on 10-14-82 at 42 St. & B'way/6th Ave by Popeye Restaurant by Defendant, which they both picked out of an Line-Up.**

Case 3553-82

OTHER WITNESSES

Name	Address	Telephone No
Age Sex Race Relationship to Complainant or Defendant(s) Business Address	Telephone No	

Statement

Name	Address	Telephone No
Age Sex Race Relationship to Complainant or Defendant(s) Business Address	Telephone No	

Statement

Name	Address	Telephone No
Age Sex Race Relationship to Complainant or Defendant(s) Business Address	Telephone No	

Statement

Name	Address	Telephone No
Age Sex Race Relationship to Complainant or Defendant(s) Business Address	Telephone No	

Statement

PHYSICAL EVIDENCE

Property Clerk No	Description	Relationship to Case
B 340149	1 Check # 22670. Bank of N.Y.	Prop. of Compl. & Evidence.

INVESTIGATING OFFICER **Det. Holger KREUZ** Name **687** Shield **MTS-PDU** Com'd **10-16-82** Date **0145** T-1

REVIEWING OFFICER Rank Name Shield Com'd Date T-1

ARREST INVESTIGATION REPORT

Misc. 838-F (Rev. 3-82)

Date of Arrest	Time of Arrest	Pct. of Arrest	A.I.R. #					
10-22-82	1700	67	67-111-82					
DEFENDANT'S LAST NAME, FIRST, M.I.				AGE	SEX	RACE	DATE OF BIRTH	
1 Oauji, Sylvester				236 E. 25st. B'klyn N.Y	17	M	B	9/19/65
2								
3								
4								
5								

Time of Offense	Date of Offense	Location of Offense		Pct. Complaint No.
1700	10-14-82	2nd. floor hallway of 615 Ocean Ave		10372
PRINCIPAL CHARGE	Penal Law Section	Title of Offense		
	160.15/2	Robbery 1°		
Complainant's Name				Address, Zip Code
Esterile, Suse				615 Ocean Ave apt. C4
Age	Date of Birth	Sex	Race	Home Telephone No.
20	5/16/62	F	B	856-4832
Occupation		Bus. Telephone No.		Relationship to Defendant(s)
				none
			Business Address, Zip Code	

REPORT OF INVESTIGATION

Description of Offense and Arrest. Include full circumstances of commission of offense, details of arrest and follow-up investigation. Continue on Supplementary Report if necessary.

OFFENSE: ROBBERY: On October 14, 1982 at about 1700 hrs. complainant returning from shopping, entered her apartment building at 615 Ocean Ave. and walked to the elevator, as the elevator did not appear to be operating she began to walk up the stairs, and at that time (2nd fl. landing) was accosted by subject, who pointed a small black handgun at her and demanded her pocketbook. Subject ripped shoulder bag from complainant and ran down the stairs.

On October 19, 1982 complainant responded to the 67 PDU office and viewed photo's at both PDU and cache, picking out a photo of defendant as the man who robbed her on October 14, 1982.

On October 22, 1982 armed with a photo of the defendant, and having had dealings with defendant in the past, the arresting officer PO. Castiglia and his partner PO. King observed defendant walking along the street. Officer arrested def't and brought him to the 67 Pct. detective unit where a six (6) man lineup was conducted for the benefit of the complainant. Complainant identified defendant as the perpetrator.

INTERVIEW OF COMPLAINANT: 2100 hrs. 10-22-82 Complainant is present at 67PDU office and after viewing lineup gave the following statement.

On 10-14-82 at about 1700 hrs. I was returning to my home from a shopping trip. As I entered my apartment building and opened the door to the hall, I observed this guy who was standing in the lobby. I pressed the button for the elevator and waited, I thought that the elevator was not working so I started to walk up the stairs. When I reached the second floor landing this guy came from behind me and pointed a small black gun at me, he said "GIVE ME YOUR POCKETBOOK" I'M GOING TO SHOOT YOU" I STEPPED BACK AND SAID WHAT YOU WANT MY POCKETBOOK FOR" the guy said "I'M GOING TO SHOOT YOU" and he grabbed my bag tearing it from my shoulder, he took out the purse, which had about \$20.00 US currency and my Florida drivers license. He fled down the stairs

On 10-19-82 at about 1100 hrs. I went to the Pct. and detectives showed me pictures, drawers full. I saw the guy who robbed me and told the detective.

Tonight 10-22-82 a Detective called me at home and asked me to come into the Pct. to look at some guys who fit the description I had given them. The guy who robbed me might be one of them. I looked through a window and saw a bunch of guys, with numbers on them. I saw the guy that robbed me, he was holding number one (1). I told the detective its number one (1), a hundred percent sure, he's the one. END OF INTERVIEW.....

INVESTIGATING OFFICER	Rank	Name	Shield	Com'd.	Date	Time
	Det.	Alfred Brough	2691	57PDU	10-22-82	2100

SUPPLEMENTARY ARREST INVESTIGATION REPORT

Misc. 838G (9-80)

Name of Defendant No. 1

P.I.U. Rep. No.

Osuji, Sylvester

67-111-82

INTERVIEW OF ARRESTING OFFICER: PO. M. Castiglia sh.#31730 67/A/c present at 67 PDU and interviewed by investigating officer at 2135 hrs. October 22, 1982

PO. Castiglia states that on October 22, 1982 he and PO. J. King sh.# 31848-67 were assigned 67 A/C and while on patrol did observe defendant, (who is known to them) walking along Cortelyou rd. just west of Rogers ave. They approached defendant at Veronica pl. on Cortelyou rd. Def't. offered no resistance and was placed under arrest on the photo identification of complainant 10-19-82. Def't was taken to the 67 Pct. where he was placed in a six (6) man lineup-see voucher#B314642/67Pct. And positively identified by complainant.

INTERVIEW OF ASSISTING OFFICER: PO. J. King sh.#31848 67 A/C present at 67PDU and interviewed by investigating officer 2150 hrs. 10-22-82.

PO. King concurred with the facts as related by PO. Castiglia, in addition he states that he has arrested defendant in the past and knows him well.

LINEUP: At 2030 hrs. 10-22-82, a six (6) man lineup was conducted at the 67 PDU office. Lineup was viewed by complainant Suzie Esterile who positively identified defendant Osuji, as the perpetrator of the robbery. Lineup report attached.

B.C.I. CHECK: reveals that defendant is known to this department under NYSIS #4823493H, C.C.I.U. Det. Carter log#7940 n/r

INTERVIEW OF DEFENDANT: The defendant Sylvester Osuji was interrogated by investigating officer 2230 hrs. 10-22-82, at 67 PDU office. After being advised of his rights by PO. King in the presence of investigating officer and reiterated by me, the defendant Osuji states that he was home all day on the date of occurrence 10-14-82 and could not have committed this robbery.

Further defendant Osuji states that his previous arrests have brought to conclusion and that he is on probation, his Probation officer is named Brand. He does not know the phone number.
END OF INTERVIEW

SUPPLEMENTARY ARREST INVESTIGATION REPORT WITNESS LIST				P.I.U. Report No. 67-111-82
Misc. B38E (9-80)		Police Officers	Shield	Com'd.
Castiglia, Michael		31732	67	Arresting officer
King, Jack		31848	67	Assisting officer
Complainant's Name Esterile, Suzie		Criminal Record None		
Statement Complainant states that as she returned home after shopping she was accosted in the hall of her apartment building by defendant who pointed a small black handgun at her and demanded her pocketbook, he ripped it off her shoulder and fled.				
OTHER WITNESSES				
Name n/a		Address		Telephone No.
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address
Statement				
Name n/a		Address		Telephone No.
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address
Statement				
Name n/a		Address		Telephone No.
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address
Statement				
Name n/a		Address		Telephone No.
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address
Statement				
PHYSICAL EVIDENCE				
Property Clerk No.	Description			Relationship to Case
B314642	Lineup forms and photo's			identification
INVESTIGATING OFFICER	Rank Det	Name Alfred Brough	Shield 12691	Com'd. 67
REVIEWING OFFICER	Rank <i>[Signature]</i>	Name <i>[Signature]</i>	Shield <i>[Signature]</i>	Com'd. <i>[Signature]</i>
Date 10-22-82		Time 2400		
1st COPY D.A.—2nd COPY P.I.U. FILE—3rd COPY ARREST. OFF.—4th COPY PROJ. COORDIN.				
page ___ of ___ pages				

ARREST INVESTIGATION REPORT								Misc. 838F (9-80)			
Date of Arrest	Time of Arrest	Pct. of Arrest	P.I.U. Rep. No.					AGE	SEX	RACE	DATE OF BIRTH
DEFENDANT'S LAST NAME, FIRST, M.I.	ADDRESS, ZIP CODE										
10-1-82	2045	71	71-149-82	934 Carroll St.				16	M	B	5-9-66
2											
3											
4											
5											
Time of Offense	Date of Offense	Location of Offense				Pct. Complaint No.					
2045	10-1-82	Midwood St and Rogers Ave.				15313					
PRINCIPAL CHARGE	Penal Law Section	Title of Offense									
	160.15	Robbery 1									
Complainant's Name				Address, Zip Code							
Laguerra, Dawn				237 Midwood St. apt 1-R							
Age	Date of Birth	Sex	Race	Home Telephone No.	Relationship to Defendant(s)						
30	9-3-52	F	B	771 8547	None						
Occupation	Bus. Telephone No.		Business Address, Zip Code								
Student	N/A		N/A								

REPORT OF INVESTIGATION

Description of Offense and Arrest. Include full circumstances of commission of offense, details of arrest and follow-up investigation. Continue on Supplementary Report if necessary.

OFFENSE: ROBBERY: On Oct. 1, 1982 at 2045 hours the complainant was returning to her residence after food shopping. As she was walking home she observed that she was being followed by three males. Two of these males robbed the complainant at knife point of cash and jewelry. The complainant then observed a male, later identified as an off-duty New York City Transit Police Officer exit a vehicle and subdue one of the males, as the other fled on foot. A struggle ensued between the Officer and the male apprehended and at this time the complainant was instructed by the Officer to call for Police assistance. Radio Motor Patrol Cars responded to the complainants call and removed the perpetrator to Kings County Hospital for treatment of injuries received as a result of resisting arrest. The officer and the complainant both responded to the 71 Precinct.

INTERVIEW OF COMPLAINANT: Complaining witness, Miss Dawn Laguerra, F-3-80 years of age, of 237 Midwood St., Apt 1-R, interviewed at the 71 Precinct R.I.P. Office at 2110 hours, Oct. 1, 1982. Interviewed by investigating officer.

Miss Laguerra stated that on Oct. 1, 1982 at about 2045 hours she was on her way home from shopping at the "Waldbaums" supermarket located at Clarkson Ave and Bedford Ave. As she turned on to Midwood St. (North bound on Bedford Ave, east bound on Midwood St.) she was aware that three males were following her. One of these males approached her and requested to help her with her groceries, the complainant declined. This male then returned to the location of the other two remaining males. The complainant then stated that these males were looking at various buildings; she feared that they were looking for an abandoned building or apartment to force her to enter. At this time one of the males left the others and went on his way. The two remaining males approached her, one produced a knife and the other, the male who offered to help her with the groceries remained behind Miss Laguerra. The male armed with the knife stated.....
 ... "Don't make any noise; Your life is in my hands; Give me all your gold". The complainant replied... "I'll give you my chain and I have some money in my bag". The same perpetrator then pulled the chain from the complainants neck and began to search her bag. As the perpetrator removed currency (eight dollars) from the complainant bag, she observed a male later identified as an off-duty police officer exit his vehicle and come to her aid. This officer approached the perpetrator announced his authority and purpose and then a struggle ensued with this male, as the remaining male fled north bound on Rogers Ave.. The male (Officer) then instructed the complainant that he was a police officer and instructed her to call for assistance. The complainant complied

INVESTIGATING OFFICER	Rank	Name	Shield	Com'd.	Date	Time
P.O.	E.J. Wilton	<i>E.J. Wilton</i>	6308	71RIP	10-2-82	0130

1st COPY D.A. - 2nd COPY P.I.U. FILE - 3rd COPY ARREST. OFF. - 4th COPY PROJ. COORDIN. page 1 of 3 pages

SUPPLEMENTARY ARREST INVESTIGATION REPORT

Misc. 538G (9-80)

Name of Defendant No. 1

P.I.U. Rep. No. 71-149-82

by running to Maple St and Rogers and called a Phone Company Operator; who in turn connected her with 911. Miss Laguarre was interviewed by 911 operator number 894 who transmitted Job Number FS170 - "Officer in need of Assistance" At this time several Radio Motor Patrol Units responded assisted the arresting officer and transported the civilian complainant - Miss Laguarre - to the 71 Precinct.

INTERVIEW OF ARRESTING OFFICER: Police Officer James Jeffries, shield # 3490 assigned to the New York City Transit Task Force present at the 71 Precinct E.I.P. Unit and interviewed by the investigating officer.

Police Officer Jeffries states that on Oct 1, 1982 at about 2045 hours he observed four males on the street at Midwood St and Bedford Ave. At this time the males broke up into two groups; two males were following the complainant and the other two were walking adjacent (north side of Midwood St) on the other side of the street. The officer who was off-duty at this time then entered his vehicle (1975 Audi) and went around the block to approach the two males from behind (Midwood St is a one way west bound, the officer went to Rutland Rd in order to come up the one way behind the perpetrators.) At this time he observed the male arrested (later identified as Kevin Cornish) holding the complainant at bay with a knife and removing currency from her pocketbook. Officer Jeffries exited his vehicle, announced to Kevin Cornish that he was a Police Officer, produced his service revolver, approached the suspect and an immediate struggle ensued. Police Officer Jeffries grabbed the suspects right hand which he the suspect was holding the knife in and then the Officer struck the suspect once on the head with his weapon. The Officer and the suspect fell against a fence and the knife fell to the ground. At this time Officer Jeffries instructed the female victim to call for assistance. Officer Jeffries held the perpetrator on the ground until 71 Units arrived.

Police Officer Jeffries then responded to the 71 Precinct in his vehicle and the perpetrator was removed to Kings County Hospital by 71 Units. There-at he was treated and released with a minor head wound, receiving 5 stitches in his scalp. Mr. Cornish was treated under admission number 281253 and by doctor Cumm.

INTERVIEW OF PERP TRATOR: On Oct 2, 1982 at 0030 hours I, the investigating officer interviewed the perpetrator Kevin Cornish he stated that he had nothing to say to me and refused to answer any and all questions.

B.C.I. CHECK: "Career Criminal Target."

NOTE NOTE NOTE NOTE NOTE NOTE

Kevin Cornish is know to this department under B.C.I. #2808959N he is listed as a CAREER CRIMINAL, Career criminal case # 12080, authority Det. Fealsy, shield # 1297, C.C.I.U.

Cornish, Kevin of 934 Carroll St, apt 3-C. , D.O.B. 5-9-66

Previous Record;

9-4-80	Att Robbery	14 Pct.
11-4-80	Robbery	47 Pct.
11-23-80	Robbery	14 Pct.

The Career Criminal Unit request that this case be brought to the attention of A.D.A. Ned Fox as per instructions.

SUPPLEMENTARY ARREST INVESTIGATION REPORT
WITNESS LIST

P.I.U. Report No. **71 149 82**

Misc. 838E (9-80)

Police Officers	Shield	Com'd.	Sqd.	Involvement
P.O. James Jeffries	3490	N.Y.C. T.P.		Task Force Arresting Officer
XXXXXXXXXXXXXXXXXXXX				
P.O. Edward Wilton	6308	71 R/P 1		Investigating Officer

Complainant's Name
Laguarre, Dawn

Criminal Record
None

Statement
She was approached by two males one of whom pulled a knife and they removed her property.

OTHER WITNESSES

Name	Address	Telephone No.
Age Sex Race Relationship to Complainant or Defendant(s)	Business Address	Telephone No.
Statement		

Name	Address	Telephone No.
Age Sex Race Relationship to Complainant or Defendant(s)	Business Address	Telephone No.
Statement		

Name	Address	Telephone No.
Age Sex Race Relationship to Complainant or Defendant(s)	Business Address	Telephone No.
Statement		

Name	Address	Telephone No.
Age Sex Race Relationship to Complainant or Defendant(s)	Business Address	Telephone No.
Statement		

PHYSICAL EVIDENCE

Property Clerk No.	Description	Relationship to Case
B311715	Black Handle Knife 6 inch.	Weapon used
B311714	Eight dollars & Jewelry 4	Proceeds.

INVESTIGATING OFFICER	Rank	Name	Shield	Com'd.	Date	Time
	P.O.	Edward J. Wilton	6308	71	10-2-82	0130
REVIEWING OFFICER	Rank	Name	Shield	Com'd.	Date	Time
		<i>[Signature]</i>				

A.I.R. 71-163-82

Quality Rating: Excellent

ARREST INVESTIGATION REPORT										Misc. 838F (9-80)	
Date of Arrest	Time of Arrest	Pct. of Arrest	P.I.U. Rep. No.								
10-31-82	2310	71	71-163-82								
DEFENDANT'S LAST NAME, FIRST, M.I.								AGE	SEX	RACE	DATE of BIRTH
1 John Brown 1834 Caton Ave.								38	M	B	8-11-64 8-11-66
2											
3											
4											
5											
Time of Offense	Date of Offense	Location of Offense						Pct. Complaint No.			
2300	10-31-82	Parkside Ave and Ocean Ave.						17051			
PRINCIPAL CHARGE	Penal Law Section	Title of Offense									
	160.15/03	Robbery 1									
Complainant's Name						Address, Zip Code					
Moses Lyn						353 Ocean Ave.					
Age	Date of Birth	Sex	Race	Home Telephone No.		Relationship to Defendant(s)					
38	Aug. 6, 44	M	O	287 1672		None					
Occupation			Bus. Telephone No.			Business Address, Zip Code					
REPORT OF INVESTIGATION											
Description of Offense and Arrest. Include full circumstances of commission of offense, details of arrest and follow-up investigation. Continue on Supplementary Report if necessary.											
OFFENSE:											
<p>ROBBERY: On Oct 31, 1982 the complainant and his wife were returning to their residence. As they left their vehicle they were aware that a group of youths were following them. When the complainants reached the fourth floor of their building they were surrounded by this group of youths, who simulated weapons and forcibly removed property from them.</p> <p>The responding officers observed this same group of youths entering a 1976 Red, Chevy which belonged to the complainant (The complainants car keys were removed from him during the robbery.) As the officers approached, this group ran in all directions. The above arrested person was apprehended and identified (Slow-up) by the complainants.</p> <p>After the above person was placed under arrest and removed to the 71 Precinct, a lawful search of his person disclosed that he had in his possession a Credit Card. Investigation by the arresting officer revealed that this card was the proceeds of another robbery which occurred this date at 1910 hours in the confines of the 70 Precinct. A line up was conducted at the 71 Precinct and the additional complainant (Chesnel Phanord) picked out this person arrested as being one of the persons that robbed him.</p> <p>INTERVIEW OF COMPLAINANT: Moses Lyn, M-0-36 of 353 Ocean Ave., apt. 5-A was interviewed at the 71 Precinct R.I.P. Office at 0005 hours by the investigating officer.</p> <p>Mr. Lyn states that on Oct. 31, 1982 at 2300 hours he parked his car (1976 Chevy N.Y. Reg # 3652AIB) on Parkside Ave at Ocean Ave. As he exited his vehicle he observed a group of about seven to eight youths. At this time Mr. Lyn's wife one Hilma Lyn was walking a few feet in front of him. The group of youths started to approach his wife. He then told them that they were husband and wife and the group turned as to leave. The complainant and his wife then walked to, and entered thier building. As they walked up the stairs and upon reaching the fourth floor they heard several people running up the stairs behind them. This was the same group that approached them on the street. Mr. Lyn further states that the group then simulated weapons. (Mr. Lyn observed this person arrested, John Brown simulated a hand gun by placing his hand under his coat as to reach for a gun. Everyone in the group claimed to be armed including John Brown) Mr. Lyn was separated from his wife and the perpetrators searched his person and removed the sum of forty seven dollars, U.S. Currency, three dollars Jamacian Currenc and his keys. At this time all the perpetrators ran down the stairs and out of the building. The complainant then wanted to call 911, however when he got to his apartment he realized that he didn't have his keys to enter. He then went downstairs - out of the building and observed the arresting officer with the person arrested in his custody. The complaint then identified this person to the arresting officer.</p>											
INVESTIGATING OFFICER	Bank	Name	Shield	Com'd	Date	Time					
	PO	Edward A. [Signature]	16308	71	11-1-82	650					
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page 1 of 5 pages											

SUPPLEMENTARY ARREST INVESTIGATION REPORT

Misc. 638G (9-80)

Name of Defendant No. 1

P.I.U. Rep. No.

Brown, John

71-161-82

INTERVIEW OF COMPLAINANT: Hilma Lyn, F-8-38 of 353 Ocean Ave., apt 5-A was interviewed at the 71 Precinct R.I.P. Office at 0030 hours by the investigating officer.

Mrs. Lyn concurred with the facts as related by her husband, Moses. However, as far as this perpetrator arrested, she can only state that he was among the group. This is concurrent with the facts related by both her and her husband in that they were separated by the perpetrators when they were robbed. The property removed from Mrs. Lyn was her pocket book which contained one hundred dollars and personal papers.

INTERVIEW OF COMPLAINANT: Chesnel Phanord, M-B-51 of 359 E 32 St, phone Number 693 1270 interviewed at the 71 Precinct R.I.P. Office at 0115 hours by the investigating officer.

Mr. Phanord relates that as he was going to enter a building at 832 Ocean Ave (The residence of his brother) he observed about 12 to 15 youths enter the vestibule behind him. As he reached to ring an apartment bell one of the youths placed his arm around his neck and choked him while another removed his wallet. All of the youths then ran out the door and onto the street with the complainant chasing them. After a short time the complainant gave up his chase, returned to his brothers apartment, called the police and prepared U.F. 61 # 13546 of the 70 Precinct, (Robbery 1). Mr. Phanord then returned to his own residence. There at he received a call from a Police Officer who stated to him that his property was recovered and that a possible suspect was in custody. Mr. Phanord responded to the 71 Precinct and viewed a line up containing the suspect John Brown. He then picked out the suspect who was holding a card marked number 4 and identified him as one of the persons that entered and surrounded him in the building. Mr. Phanord could not state what this person did during the commission of the robbery in that he could not see all of them while being choked. Mr. Phanord further identified a credit card (Master Card #5424180087043367 with his name on it) as being his property.

INTERVIEW OF ARRESTING OFFICER: P.O. Chris Jemmott, shield 12507 of the Street Crime Unit present at the 71 Precinct R.I.P. Office and interviewed by the investigating officer at 0310 hours, Nov. 1, 1982.

Police Officer Jemmott states that on Oct 31, 1982 at about 2300 hours while on Anti-Crime Patrol assigned to the Street Crime Unit he observed several youths running on Ocean Ave. This group was then observed running up to a parked vehicle and entering same, As the arresting officer approached this vehicle all persons in the vehicle ran in different directions, with the officer behind them. At Parkside Ave and Ocean Ave one of the youths was taken into custody by the arresting officer. This youth resisted the officer and a struggle ensued resulting in an injury to the arresting officer. (The officer was treated and released from Kings County Hospital for an injury- sprain to his right thumb) At this time the civilian complainant approached the arresting officer and identified this person in custody (John Brown) as being one of the persons that robbed him, and his wife made the same identification. Both complainants responded to the scene of apprehension, not the scene of occurrence. Police Officer Jemmott after searching this prisoner found him to be in possession of a credit card, (Master Card belonging to one Chesnel Phanord) personal papers and the sum of forty seven dollars the exact amount removed from the victim. At this time the prisoner was removed to the 71 Precinct.

INTERVIEW OF ASSISTING OFFICER: P.O. Richard Falla, shield 13509 of the Street Crime Unit present at the 71 Precinct R.I.P. Office and interviewed by the investigating officer at 0340 hours, Nov, 1, 1982.

Police Officer Falla concurred with the facts as related by Police Officer Jemmott, however he states that he called the Master Card Company and ascertained the phone number

SUPPLEMENTARY ARREST INVESTIGATION REPORT

Misc. 838G (9-80)

Name of Defendant No. 1

P.I.U. Rep. No.

John Brown

71-461-82

of the owner and called him. Officer Falla was advised by the owner, one Chesnel Phanord, that he was also the victim of a robbery that occurred in the confines of the 70 Precinct. This information was made available to the arresting officer and this complainant was requested to respond to the 71 Precinct and view a line-up. (This case is being carried under U.F. 61 # 13546 of the 70 Precinct)

LINE UP: At 0115 hours Nov 1, 1982 a line up was conducted at the 71 R.I.P. Office by Police Officer Jemmott with the assistance of the investigating officer. This line up consisted of 6 people, one being the suspect and the remaining five being fill-ins. The people in the line up sat in the following order from left to right and held the following number cards;

Chris Davis	Holding # 3
Suspect (Brown)	4
James De Silva	2
Vincent Best	1
Kenneth Williams	6
Christopher Moseley	5

B.C.I. CHECK: A B.C.I. Record check was conducted with the assistance of Finger-print tech. James of B.C.I. This person arrested is known to this department under N.C.I.C. # 4608836R and has the following record;

<u>Date of Arrest</u>	<u>Crime Charged</u>
7-16-82	Rob. 2, C.P.S.P.
4-30-81	Rob 2, C.P.S.P.
4-16-82	Burg., Crim Misc.
3-28-81	Burg., Crim Tres.
1-16-81	Burg., Grand Larceny, Stolen Credit Card.
9-2-80	Grand Larceny, C.P.S.P.

INTERVIEW OF DEFENDANT: The defendant, John Brown was interrogated by the investigating officer at 2345 hours Oct 31, 1982 at the 71 Precinct R.I.P. Office. After being advised of his rights by the investigating officer in the presence of the arresting officer the defendant made the following statement;

I was coming out of the Train Station at Parkside Ave and Ocean Ave. I saw a plastic credit card on the street and I picked it up and I kept walking toward Ocean Ave, to go home. I saw four or five guys running toward Prospect Park and then I saw the police speeding up in their car and they jumped over the fence where I was at. The cop came close to me so I ran and a guy I know said that he was a cop and that I should stop. This guy then asked me, John What's happening; Why did you run? I saw the cops chasing them guys so I ran. He told the cop I didn't do anything.

I was at my Aunts House to pick up some money for my mother. My Aunt is Mildred Hill of 32-20 100 St Queens, she has no phone. My Aunt gave me two twenty dollar bills. I also saw my father who was at my Aunts House. I had some money of my own.

At 0030 hours the investigating officer called the Aunt of the defendant Mildred Hill via phone number 476 3889 she stated that she did not see this defendant or his father and she did not give him any money.

At 0015 hours the investigating officer questioned and advised the mother of this defendant in relation to this arrest. She when asked did you send your son out to pick up some money, stated I sent him over to my Girl friends on New Lots Ave to

SUPPLEMENTARY ARREST INVESTIGATION REPORT

Misc. 838G (9-80)

Name of Defendant No. 1

Brown, John

P.I.U. Rep. No.

71-161-82

pick up sixty dollars. The subject John Brown when questioned as to New Lots Ave. stated that he doesn't know anybody on New Lots Ave.

This defendant after and during interrogation was again advised that he could get in contact with an attorney. The mother of this defendant was also advised that her son needed an attorney (Mother Wanneta Brown) however this offer was declined.

SUPPLEMENTARY ARREST INVESTIGATION REPORT WITNESS LIST					P.I.U. Report No. 71-161-82		
Misc. 838E (9-80)		Police Officers	Shield	Com'd	Sqd.	Involvement	
Chris Jemmott			h2507	BCU	5		
Richard Failla			h3509	BCU	5		
Complainant's Name		See details			Criminal Record		
Statement							
OTHER WITNESSES							
Name		Address			Telephone No.		
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address	Telephone No.		
Statement							
Name		Address			Telephone No.		
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address	Telephone No.		
Statement							
Name		Address			Telephone No.		
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address	Telephone No.		
Statement							
Name		Address			Telephone No.		
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address	Telephone No.		
Statement							
PHYSICAL EVIDENCE							
Property Clerk No.	Description			Relationship to Case			
B320082	\$47.00 U.S. Currency			Arrest Evidence			
B320086	CITIBANK Master Card 5424 1800 8704 3367			Arrest Evidence			
490	76 Chevy N.Y. Reg # 3653 ANB			Arrest Evidence			
INVESTIGATING OFFICER	Rank	Name		Shield	Com'd.	Date	Time
		<i>P.O. Weller</i>		E306	71	11-1-82	056
REVIEWING OFFICER	Rank	Name		Shield	Com'd.	Date	Time

A.I.R. 79-126-82

Quality Rating: Excellent

ARREST INVESTIGATION REPORT

Date of Arrest	Time of Arrest	Pct. of Arrest	P.I.U. Rep. No.
10/26/82	1930	79 ^a	79-126-82
DEFENDANT'S LAST NAME, FIRST, M.I.			ADDRESS, ZIP CODE
1 Bradshaw, Curtis			AGE SEX RACE DATE of BIRTH
			32 M B 7/26/50
2			
3			
4			
5			

Time of Offense	Date of Offense	Location of Offense	Pct. Complaint No.
0820	9/16/82	26 Arlington Place, Bklyn., N.Y.	6774/79 ^a
PRINCIPAL CHARGE	Penal Law Section	Title of Offense	
	160.15	Robbery 1 ^o	

Complainant's Name		Address, Zip Code	
James Boney		19 Arlington Place, Bklyn., N.Y.	
Age	Date of Birth	Sex	Race
45	1/24/37	M	B
Home Telephone No.		Relationship to Defendant(s)	
783-4637		none	
Occupation	Bus. Telephone No.	Business Address, Zip Code	
Super of Bldg.	782-3701	19 Arlington Place, Bklyn., N.Y.	

REPORT OF INVESTIGATION

Description of Offense and Arrest. Include full circumstances of commission of offense, details of arrest and follow-up investigation. Continue on Supplementary Report if necessary

OFFENSE:

ROBBERY: On Sept. 16, 1982, the complainant entered a numbers store at 26 Arlington Place in Bklyn., N.Y. at 0820 hours. While in this store two male blacks entered and announced a stick up. A gun was pointed at the complainant and he was stripped and robbed of his property. The second male black was carrying a plastic container, which he stated was full of gasoline and would burn the place down if the second complainant, Mr. John Black did not open the door to the inner section of the store. The two perps. then robbed and stripped Mr. Black and then forced them into the basement and threw their clothes down behind them. The perps. then fled the scene in a 1976 Cadillac bearing plate # 7850 ANE. On Oct. 26, 1982 the arresting officer observed a 1976 Cadillac bearing plate # 7850 ANE and he proceeded to stop the vehicle and when the driver identified himself to the officer, the officer placed him under arrest. The suspect was brought to the 79^a Precinct Detective Unit where a 6-man line-up was conducted for the benefit of the complainants. Both complainants identified the suspect as one of the perpetrators. They identified him as the one with the gun.

INTERVIEW OF COMPLAINANT: Complaining witness, Mr. James Boney, M/B/4^a of 19 Arlington Pl. ground floor apartment, interviewed at the 79^a Precinct Detective Unit at 2040 hours, Oct. 26, 1982. Interviewed by investigating officer.

Mr. Boney stated he was at 26 Arlington Pl. at 0820 hours in the morning to play a number. He was waiting to get his slip back when he heard someone say "GET YOUR HANDS UP." The complainant did so and turned around and saw a male black with a gun pointed at him. The deft. told Mr. Boney to get down on the floor. As Mr. Boney was getting down on the floor, a second male black enter carrying a white plastic container. The deft. took Mr. Boney's property which is listed on the original complaint report. Mr. Boney then heard the second male tell Mr. Black, who was behind the counter, to open the door or he would burn the place down. Mr. Boney is not able to identify this perp. When Mr. Black opened the door to allow the perps. to enter the rear of the store, they entered and took Mr. Boney with them. The perps. then made the two complainants strip and told them to go down to the basement. The perps. then threw the complainants clothes down also. After the perps. left, Mr. Boney call the police. (CON'T)

INVESTIGATING OFFICER	Rank	Name	Shield	Comp'd	Date	Time
	P.O.	Julio E. Alicea	30007	79 ^a DP	10/26/82	

Name of Defendant No. 1

Curtis Bradshaw

P.I.U. Rep. No.

79-126-82

(CCN*T)

Mr. Boney also gave the police the plate # of the vehicle in which the perps. fled. The plate # was 7850 ANB and was told that it was a 1976 white cadillac. The information was given to Mr. Boney by a male who he knows from the neighborhood.

INTERVIEW OF SECOND COMPLAINANT: Complaining witness, Mr. John Black, R/E/25 of 499 Madison St., apt.#3, interviewed at the 79th Precinct Detective Unit at 2100 hours, Oct.26, 1982. Interviewed by investigating officer.

Mr. Black stated that he opened the numbers store at about 0730 hours and that Mr. Boney, who he knows as James, came in about 0815 hours. Mr. Black stated that Mr. Boney had just given him the money for his number when two (2) male blacks entered the store and announced a stick-up. The deft. had a gun and told Mr. Boney to lay down on the floor. The second male had an anti-freeze container which he stated contained gasoline. The perps. then told Mr. Black to open the door to the back of the store or they would burn the place down. Mr. Black then opened the door and the two perps. along with Mr. Boney came into the back. The deft. then put a gun to Mr. Black's neck and asked him for the money from the store. The perps had both Mr. Black and Mr. Boney lie down on the floor. The deft. then told Mr. Black to take off his watch and his rings. The amount of the property taken from Mr. Black came to \$275 and was not reported on the original complaint report. The deft. then asked Mr. Black if that was all the money that was in the store. Mr. Black told him that the \$26 in the box was all the money. The deft. then told Mr. Black to find the rest of the money or he would blow his head off. Mr. Black told him that there was no more money. The perps then told both complainants to take off their clothes and go down to the basement. The perps then threw the clothes down also. After the perps. left, Mr. Boney called the police and gave them the details of the robbery.

INTERVIEW OF ARRESTING OFFICER: P.O. Derrick Jones, Shield # 26702, 79th Precinct present at the 79th PDU and interviewed by investigating officer at 2135 hours, Oct.26, 1982

P.O. Jones states that on Oct.26,1982 he and P.O. Maximo Guerra, shield #17810, 79th Pct. anti-crime were assigned to R/U 393, anti-crime patrol were performing a 1800 to 0200 hours when they responded to a radio run of shots fired at 300 Halsey St. As the officers arrived at Halsey St., they observed a cadillac pulling away from the curb, bearing license plate # 7850 ANB. Officer Jones had knowledge of this vehicle being used in a robbery within the 79th Pct. Officer Jones then called for a back up unit and stopped the vehicle on Putnam Ave. and Tompkins Ave. Upon stopping the vehicle, the driver identified himself as Curtis Bradshaw, who officer Jones knew was wanted for a robbery. Off. Jones placed the deft. under arrest and removed him and the vehicle to the 79th Pct.

INTERVIEW OF ASSISTING OFFICER: P.O. Maximo Guerra, shield # 17810, 79th Pct. present at the 79th PDU and interviewed by the investigating officer at 2150 hours, on Oct.26,1982.

P.O. Guerra concurred with the facts as related by P.O. Jones.

LINE-UP: At 2030 hours, Oct.26,1982 a 6-man line-up was conducted at the 79th PDU. Line-up was separately viewed by the complaining witness James Boney and complaining John Black. Both positively identified deft. Bradshaw as one of the perpetrators of the robbery.

B.C.I. CHECK: BCI records check conducted on defendant Curtis Bradshaw revealed this defendant known to this department under NYIS # 3397202M.

SUPPLEMENTARY ARREST INVESTIGATION REPORT

Misc. 838G (9-80)

Name of Defendant No. 1

Curtis Bradshaw

P.I.U. Rep No.

79-126-82

INTERVIEW OF DEFENDANT: The defendant, Curtis Bradshaw, was interrogated by the investigating officer at 2125 hours, Oct. 26, 1982 at the 79th PDU. After having been advised of his rights by the investigating officer in the presence of the arresting officer, the defendant Bradshaw stated that he did not do any robbery and that he did not know who did the robbery.

SUMMARY OF CHARGES:

1. P.L. 160.15/2 ROBBERY 1st
2. P.L. 265.09/2 Crim. Use Firearm.

SUPPLEMENTARY ARREST INVESTIGATION REPORT WITNESS LIST					P.I.U. Report No.
Misc. B38E (9-80)					
Police Officers	Shield	Com'd	Sqd.	Involvement	
P.O. Derrick Jones	26702	79A/C		Arresting Officer	
P.O. Maximo Guerra	17810	79A/C		Assisting Officer	
P.O. Julio E. Alices	30007	79PTU A		Investigating Officer	
Complainant's Name					Criminal Record
Mr. James Boney					
Statement					
Can testify to presence of defendant at scene of crime Identified defendant in line-up					
OTHER WITNESSES					
Name		Address		Telephone No	
Mr. John Black		499 Madison St., Bklyn., N.Y.		455-1734	
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address	Telephone No
25	M	B	none	26 Arlington Place, Bklyn., N.Y.	638-7507
Statement					
Can testify to presence of defendant at scene of crime Identified defendant in line-up					
Name		Address		Telephone No	
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address	Telephone No
Statement					
Name		Address		Telephone No	
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address	Telephone No
Statement					
Name		Address		Telephone No	
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address	Telephone No
Statement					
PROPERTY			PHYSICAL EVIDENCE		
Property Clerk No	Description	Relationship to Case			
423	1976 Cadillac plate #7850 ANB	Evidence			
INVESTIGATING OFFICER	Rank	Name	Shield	Com'd	Date
P.O.		Julio E. Alices	30007	79PTU	10/27/82
REVIEWING OFFICER	Rank	Name	Shield	Com'd	Date

AIR # 122 **ARREST INVESTIGATION REPORT** *air #122* Misc. 838F (9-8)

Date of Arrest 10/23/82	Time of Arrest 1120	Pct of Arrest 044	P.I.U. Rep No 44-122-82
DEFENDANT'S LAST NAME, FIRST, MI		ADDRESS, ZIP CODE	
1	Aguine Ramon	19 M	Dom 8/31/62
2			
3			
4			
5			

Time of Offense 0700	Date of Offense 10/18/82	Location of Offense 1062 Walton Ave Bx NY	Pct. Complaint N 12641
PRINCIPAL CHARGE	Penal Law Section FL 160.15	Title of Offense Robbery 1	
Complainant's Name Guarina Lopez		Address, Zip Code 1062 Walton Ave Bx NY Apt# b2	
Age 44	Date of Birth 2/5/38	Sex F	Race H
Home Telephone No none		Relationship to Defendant(s) None	
Occupation Counter clerk		Bus Telephone No 588 1410	Business Address, Zip Code 105 E 165 St Bx NY

REPORT OF INVESTIGATION

Description of Offense and Arrest Include full circumstances of commission of offense, details of arrest and follow-up investigation. Continue on Supplementary Report if necessary

OFFENSE:

At t/p/e the defendant acting in concert with one other previously arrest did knock on her door ,at this time compl opened door,subject did produce a s gun and removed property from the complainant.

INTERVIEW OF COMPLAINANT: GUARINA LOPEZ

The complainant states the subject named above knocked on her door with a per previously arrested at about 0700 hrs on Oct 18,1982 the subject unknown to t compl did enter with previous arrested perp. ,the perp named above produced a shot gun and removed US Currency from the compl. At this time they forced her into a taxi and forced her to the Ponce De Leon Federal bank and made a withd of \$2200.00 .The subjects at this time left her at bank and walked away.

INTERVIEW OF ARRESTING OFFICER : IRVING LUDVIG # 6026 44 ROBBERY UNIT.

The complainant informed the arresting officer that the perp was on the stree washing his auto opposite 1315 Merriam Ave. I responded to scene and appreher same.

INTERVIEW OF DEFENDANT: RAMON AQUINO

The affesting officer advised subject of his rights,states He did not do it.

Record Check- BCI PAA Payne NYSIS # 4761364 E
1 arrest Asslt 44 Pet

INVESTIGATING OFFICER	Rank Det	Name [REDACTED]	Shield [REDACTED]	Com d 44PDU	Date 10/28/82	Time 1:
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Handwritten notes:
28136
496 13047

Police Officers	Shield	Com'd	Sqd	Involvement
P.O. Irving Ludvig	6026	44	A	Arresting Officer
Det [REDACTED]	[REDACTED]	44	A	Investigating Officer

Complainant's Name: **Guarina Lopez** Criminal Record: **None**

Statement: **I was in my apartment when the subject named above did knock on my door with a second subject previously arrested, did let them in and at gunpoint did rob me.**

OTHER WITNESSES

Name	Address	Telephone No
Age Sex Race Relationship to Complainant or Defendant(s)	Business Address	Telephone No
Statement		

Name	Address	Telephone No
Age Sex Race Relationship to Complainant or Defendant(s)	Business Address	Telephone No
Statement		

Name	Address	Telephone No
Age Sex Race Relationship to Complainant or Defendant(s)	Business Address	Telephone No
Statement		

Name	Address	Telephone No
Age Sex Race Relationship to Complainant or Defendant(s)	Business Address	Telephone No
Statement		

Property Clerk No	Description	PHYSICAL EVIDENCE	Relationship to Case

INVESTIGATING OFFICER: Det [REDACTED] Name [REDACTED] Shield [REDACTED] Com'd 44 Date 10/28/82 Time 1240
 REVIEWING OFFICER: Rank [REDACTED] Name [REDACTED] Shield [REDACTED] Com'd [REDACTED] Date [REDACTED] Time [REDACTED]

ARREST INVESTIGATION REPORT 44 PDU case# 3004 Misc. 838F (8-80)

124 AIR # 124

Date Arrest	Time of Arrest	Pct of Arrest	P.I.U. Rep No
10/31/82	1700	044	44-124-82

DEFENDANT'S LAST NAME FIRST, M.I.	ADDRESS, ZIP CODE	AGE	SEX	RACE	DATE of BIRTH
1 Marcono Henry	1011 Sheridan Ave Bx NY # A-2	24	M	B	6/1/58
2					
3					
4					
5					

Time of Offense	Date of Offense	Location of Offense	Pct. Complaint No
2330 hr	August 24, 1982	2931 8th Ave (Elevator)	32 -8

PRINCIPAL CHARGE	Penal Law Section	Title of Offense
160.05		Robbery

Complainant's Name	Address, Zip Code
Damon Sims	2931 8th Ave NY NY apt# 5L

Age	Date of Birth	Sex	Race	Home Telephone No.	Relationship to Defendant(s)
13	10/28/69	M	B	None	None

Occupation	Bus. Telephone No.	Business Address, Zip Code
Student		

REPORT OF INVESTIGATION

Description of Offense and Arrest include full circumstances of commission of offense, details of arrest and follow-up investigation. Continue on Supplementary Report if necessary.

OFFENSE:

INTERVIEW OF COMPLAINANT: DAMON SIMS M/R/13

In the presence of the arresting officer the compl states that on 8/24/82 at 2330hrs in the elevator of his residence at 2931 8th Ave was robbed by physical force, the perpetrator described above did remove a Sony radio from him.

INTERVIEW OF ARRESTING OFFICER: P.O. Paul Moloney # 27568 Task Force 2

On 10/31/82 at 1700hrs the ~~arresting~~ arresting officer was advised by the compl that the perp named above did rob him at the t/p/o named above. Compl d further make a physical identification of the perp at the 44 Pct at 1700hrs.

INTERVIEW OF DEFENDANT: HENRY MARCONO M/H/24 BCI Maywood- no record.

In the presence of the arresting officer and after the defendant being advised of his rights, he refused to make any statements.

NAME CHECK BCI Maywood Henry Marcono M/H/24 DOB-6/1/58
No record.

CHARGES 160.05 Robbery 3

INVESTIGATING OFFICER	Rank	Name	Sign	Comm	Date	Time
	Det	[REDACTED]	[REDACTED]	44PDU	10/31/82	1815

1st COPY D.A. - 2nd COPY P.I.U. FILE - 3rd COPY ARREST. OFF. - 4th COPY PROJ. COORDIN. page ___ of ___ P45

10/31/82 1815

SUPPLEMENTARY ARREST INVESTIGATION REPORT
WITNESS LIST

Mo. 838E (5-65)

P.I.U. Report No. _____

Police Officers	Shield	Com'd	Sqd	Involvement
P.O Paul Moloney	27568	4orce		Arresting Officer
Detective [REDACTED]	[REDACTED]	44 PDU		Investigating Officer

Complainant's Name Damon Sims Criminal Record _____
 Statement T/F/C the complainant states the subject arrested by physical force did remove a radio from his person .

OTHER WITNESSES

Name	Address	Telephone No			
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address	Telephone No

Statement _____

Name	Address	Telephone No			
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address	Telephone No

Statement _____

Name	Address	Telephone No			
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address	Telephone No

Statement _____

Name	Address	Telephone No			
Age	Sex	Race	Relationship to Complainant or Defendant(s)	Business Address	Telephone No

Statement _____

Property Class No.	Description	PHYSICAL EVIDENCE	Relationship to Case

INVESTIGATING OFFICER	Rank	Name	Shield	Com'd	Date
REVIEWING OFFICER	481	[REDACTED]	[REDACTED]	[REDACTED]	10/21/82

A.I.R. 114-67-82

Quality Rating: Poor

ARREST INVESTIGATION REPORT				Misc. 838-F (Rev. 3-82)			
10/21/82		1200		114		114-67-82	
DEFENDANT'S LAST NAME, FIRST, M.I.				ADDRESS, ZIP CODE			
1	Ewing, Darryl	18-21 21 Ave Astoria, NY Apt. 3A		28	M	B	2/14/54
2							
3							
4							
5							
Time of Offense		Date of Offense		Location of Offense		Pct. Complaint No.	
0130		9/10/82		88-05 Astoria Blvd.		16360	
PRINCIPAL CHARGE		Penal Law Section		Title of Offense			
160.165		160.165		Robbery 1°			
Complainant's Name				Address, Zip Code			
Holman, Robert				112-24 Northern Blvd.			
Age	Date of Birth	Sex	Race	Home Telephone No.	Relationship to Defendant(s)		
		M	B	672-6491	None		
Occupation		Bus. Telephone No.		Business Address, Zip Code			
Mgt. McDonalds		672-6491		88-05 Astoria Blvd. Astoria, NY			
REPORT OF INVESTIGATION							
Description of Offense and Arrest. Include full circumstances of commission of offense, details of arrest and follow-up investigation. Continue on Supplementary Report if necessary							
OFFENSE: ROBBERY: On 9/10/82 the deft acting in concert with one other not yet apprehended, did both produce hand guns and demanded that the complainant hand over the money from the case register.							
INTERVIEW OF COMPLAINANT: Complainant not available to be interviewed.							
INTERVIEW OF WITNESS: The witness Jose Nives is not available to be interviewed at this time. However on 9/22/82 the undersigned showed the witness a photo line up and he made a positive ID of the Defendant. Darryl Ewing 23-54 95 St East Elmhurst.							
INTERVIEW OF DEFENDANT: The defendant Darryl Ewing states that he is not guilty of any crime and did not do any robberies.							
BCI CHECK:							
INTERVIEW OF ARRESTING OFFICER: On 9/22/82 the A/O showed a photo spread to the witness Jose Nives and he made a positive ID of the defendant Darryl Ewing. NYSIS # 3304727P							

INVESTIGATING OFFICER	Rank	Name	Shield	Com'd.	Date	Time
	Det			114	10/21/82	1400

SUPPLEMENTARY ARREST INVESTIGATION REPORT
WITNESS LIST

P.I.U. Report No. **114-67-82**

Misc. 838E(7-80)

Police Officers	Shield	Com'd	Sqd.	Involvement
Det. [REDACTED]	[REDACTED]	114	A	A/O

Complainant's Name **Robert Holman** Criminal Record **none**

Statement **Complainant states that he is the Mgr of the McDonalds at 89-05 Astoria Blvd. when it was robbed by 2/M/BX On 9/10/82. Complainant did not witness the robbery, and was in the rest room at the time of the robbery.**

OTHER WITNESSES

Name	Address	Telephone No.
Jose Nives	94-38 42 Ave.	429-1882
Age 19 Sex M Race H Relationship to Complainant or Defendant(s) None	Business Address 85-05 Astoria Blvd.	Telephone No. 672-6491

Statement **Witness saw deft enter store and then pull a stocking mask down over his face after he was in the store. Witness made photo ID of perp 9/22/82.**

Name	Address	Telephone No.
Age Sex Race Relationship to Complainant or Defendant(s)	Business Address	Telephone No.

Statement

Name	Address	Telephone No.
Age Sex Race Relationship to Complainant or Defendant(s)	Business Address	Telephone No.

Statement

Name	Address	Telephone No.
Age Sex Race Relationship to Complainant or Defendant(s)	Business Address	Telephone No.

Statement

PHYSICAL EVIDENCE

Property Clerk No.	Description	Relationship to Case
	None	

INVESTIGATING OFFICER	Rank Det	Name [REDACTED]	Shield [REDACTED]	Com'd 114	Date 10/21/82	Time 14
REVIEWING OFFICER	Rank	Name	Shield	Com'd	Date	Time