

DOCKET REPORT

#02

MAINTAINING APARTHEID:

*ARREST AND CASH BAIL
IN ALLEGHENY COUNTY*

AUG 14, 2020 ——— **DEC 31, 2020**

*This report is made possible by the brilliance
and dedication of our volunteers who accentuate
the fault lines of carceral logics and racial capitalism,
and propel us toward liberatory visions of justice and care.*

ALC Court Watch / April 2021

alccourtwatch.org / @alccourtwatch

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...The truth is, for myself, my family, and those who look like me, we move throughout our lives and in this city differently because of the apartheid conditions that determine and limit our liberty.”

— Autumn Redcross
Director of ALC Court Watch

INTRODUCTION



ew readers will find any parts of this report surprising. The system of apartheid in the criminal justice system is clear and uncontested. Volunteers at the Abolitionist Law Center's Court Watch program continue to be incensed by what we observe and document between arraignments and criminal court proceedings. We collect and analyze data from preliminary arraignments and publish tweets, editorial articles, reports and more to give voice and context to local policing and judicial processes that are not always accessible to publics. We acknowledge the racist practices of state actors and the hostile detainment of our community members that predate our current epoch of carceral capitalism: we are living and resisting in the outgrowths of white settler colonialism. In our work, we aim to accomplish the following objectives: to keep the issues at the forefront, to offer a story in the numbers, and to create a meaningful resource intended for all those working to dismantle the prison industrial-complex.

This report covers two key stages of the Allegheny County system of (in)justice: first, police officers' decisions to arrest (and their departments' roles in sanctioning such decisions); and second, preliminary arraignments on arrest charges and magistrate-judges' decisions concerning whether and how much monetary bail to impose. In a county that is less than 13% Black, 56% of all arrests between Aug 14 and Dec 31 of 2020 were of Black residents. Black residents made up a 4.41 times greater share of the county arrest population than one would expect based on their share of the population. Black men are less than 7% of the county population, yet were subjected to 33% of all misdemeanor arrests.

Police are wielding violence through arrests. In 2019, 63% of arrests by the Pittsburgh police were of Black people; despite the fact that the city of Pittsburgh population was only 23 % Black. In the time-frame covered in this report, only 4% of the total number of police officers in Allegheny county made 20% of all arrests, and 30% of all drug arrests. The more arrests that officers made, the more likely they were to make drug arrests. If in early August police had stopped arresting people on drug charges, we could have reduced the number of arrests by more than 1,000 in just the last 4.5 months of 2020.

Bail charges continue to reflect blaring racial disparities. Despite the fact that Black residents are only about 12.7% of the county population, they were 47.7% of misdemeanor defendants. Black men are less than 7% of the county population, but they were subjected to 48% of all secured monetary bail impositions, and 54% of the total dollar value of secured monetary bail impositions for misdemeanors. Even after controlling for judges and 20 different offense variables, Black defendants are 26.5% more likely to be subjected to secured monetary bail.

There is an arbitrary function in the assignment of a Magisterial District Judge. Defendants' risk of having secured money bail imposed was nearly five times greater if they were assigned to one group of judges rather than another. This risk disparity hardly changes even after one statistically controls for a wide range of offense variables.

Despite the fact that the globe is in the midst of the COVID-19 pandemic, more than two people per day in Allegheny County were required to pay \$1,140 in order to avoid pre-trial incarceration for misdemeanor charge(s). Additionally, one person per day was required to front an average of \$376 in order to avoid pre-trial incarceration. More than \$3 million in bail was imposed on misdemeanor defendants.

The racial disparities apparent at the second stage (MDJs & bail) are informed by the first (policing and arrests). Although Black residents make up less than 13% of the county population, they were 56% of all people whose arrests led to preliminary arraignments between August 14 and December 31, 2020. As this report will show, the racial disparities at the first stage are increased at the second stage of preliminary arraignment. Moreover, in terms of monetary bail decisions, the arbitrariness at the second stage—evidence for which is substantial and detailed below—means that the county justice system is functioning as an apartheid system with dramatic impact on its Black population.



METHODOLOGY



eginning in the Spring of 2020, Court Watch began analyzing preliminary arraignment dockets found on the The Unified Judicial System of Pennsylvania Website. The docket report is a product of that original research. The inaugural report focused on bail and judicial discretion and ended with a discussion of policing during a month-long period and included data points from 825 defendants each having a single docket.

This report is based on the collection of 5,950 individual docket sheets between August 14 and December 31, 2020. It focuses on the 5,664 docket sheets that involve new criminal charges. These 5,664 docket sheets involve 4,900 unique individuals, 4,788 of whom exclusively faced new criminal charges. The policing section concerns all 5,664 docket sheets. Additionally, the portion on monetary bail focuses on the 4,230 defendants who had one docket sheet during the period under consideration.

Concurrent reports will be published with regularity until there are no judicial disparities to write about.

RACE AND POLICING IN ALLEGHENY COUNTY'S 100+ JURISDICTIONS



Arrest by a police officer is nearly always the first step in a person's interaction with the county courts. Police exercise discretion when making arrests. This discretion – whether or not to arrest someone, and if so, how, is informed by police agency policies, training, and bias.

Allegheny County has a population of about 1.2 million, however, 126 different police agencies made arrests leading to preliminary arraignments between August and December 2020. More than 100 of these agencies police one or more of the county's "municipalities" (a general term we use to indicate cities, boroughs, townships, etc.).^[1] One of these is the Pittsburgh city police, which covers a population of 302,255; another 106 agencies police jurisdictions containing nearly all of the remaining 919,539 county residents.^[2]



To put this figure in perspective, across all of England & Wales (pop. 60 million) there are 43 police forces.^[3] Between 2004 and 2015, police in England & Wales fatally shot 24 people—as compared to 13 fatal shootings by police in Allegheny County between 2015 and 2020. Moreover, even though police in Allegheny County fatally shot roughly the same number of people per year in spite of having a population only 1/50 the size of England & Wales, Allegheny County's annual rate per million makes it only the 65th highest among the 100 most populous counties in the United States.^[4]

This hyper-fragmentation of police authority in Allegheny County (and elsewhere in the U.S., with its more than 15,000 police agencies) makes it difficult, to say the least, to hold the county's police agencies accountable. The Pittsburgh city police makes data on arrests available online, but this is far from the norm. Thus, compiling data from the county docket sheets, which report the name of the arresting police agency, gives us an opportunity to learn what is going on across the fragmented jurisdictional landscape.



126 DIFFERENT POLICE AGENCIES IN ALLEGHENY COUNTY

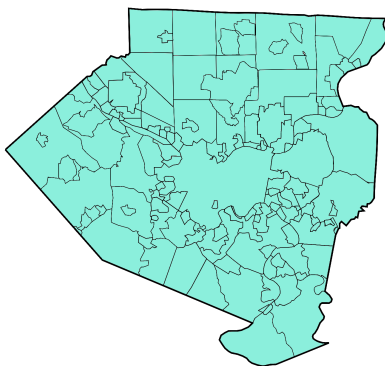
**IS
THERE
SUCH A
PLACE ?**

*In this report we focus on one key question:
Are the dramatic racial disparities in arrests in
Pittsburgh found elsewhere in the county? Is the rest
of the county even relevant to the question? If so,
where in Allegheny County can Black people escape
the drastic front-end disparities in the county justice
system? Is there such a place?*

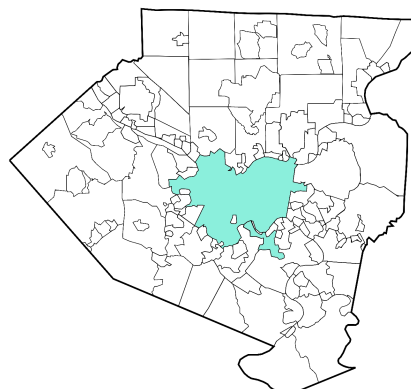
POLICE DEPARTMENTS

One might think that the Pittsburgh city police, despite having a jurisdiction that includes 25% of the county’s population, would account for the lion’s share of all arrests. *It doesn’t*: 67% of all arrests were carried out by agencies other than the Pittsburgh city police.^[5] Moreover, 56% of African Americans in Allegheny County live outside Pittsburgh (86,150 / 154,976), and 54% of their locality-specific arrests (1,542 / 2,843) were carried out by police agencies with jurisdictions outside Pittsburgh.^[6]

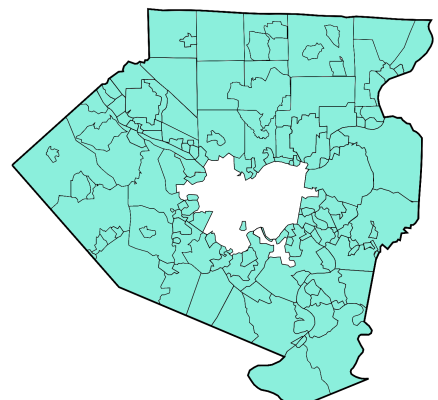
Black people are arrested at rates much greater than their population share nearly everywhere in Allegheny County. The first way to show this is to examine (1) Allegheny County as a whole, (2) arrests by just Pittsburgh city police, and (3) arrests by police agencies with jurisdictions *outside* Pittsburgh.



1



2

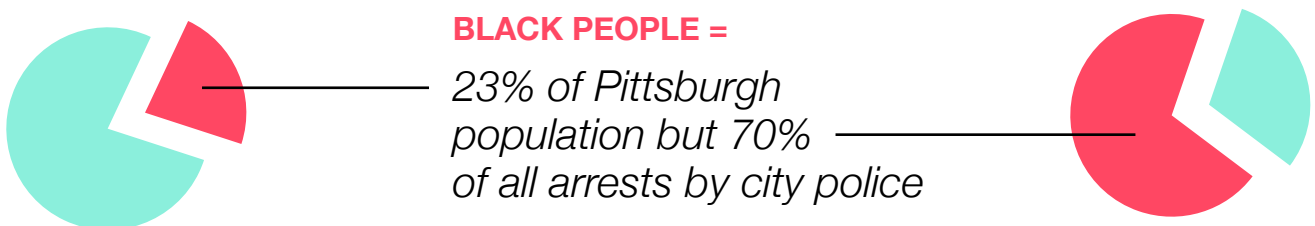


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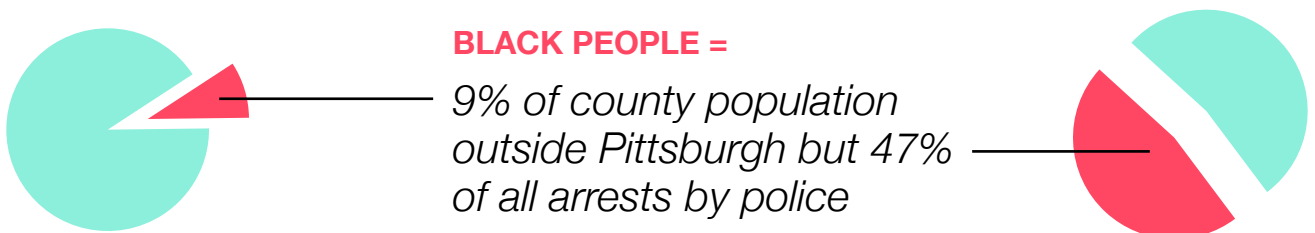
1 – Allegheny County: African Americans = 12.7% of the population^[7] but 56% of all arrests.^[8] African Americans were a 4.41 times greater share of the county arrest population than one would expect based on their share of the population.^[9] Put another way, the ratio of over-representation in the arrest population was 4.41.



2 – Pittsburgh: African Americans = 22.8% of the population (68826/302205) but 69.5% of all arrests by city police (1301/1871). This is a share of all arrests 3.05 times greater than would be expected based on their share of the population.^[10]



3 – Allegheny County, outside of Pittsburgh: African Americans = 9.4% of the county population outside Pittsburgh (86150 / 919539) but 47.1% of all arrests by police agencies with jurisdictions outside Pittsburgh (1542/3272).^[11] This is a ratio of over-representation of 5.03.^[12]





more precise comparison would be to go beyond lumping more than 100 police agencies together as “not-Pittsburgh Police Dept.” That’s just what the following table does (**Table 1**).

It provides agency-level data for all municipal agencies with 40 or more arrests between August and December 2020.^[13] There are several points to highlight (please note that police agencies are mentioned in the order of number of arrests rather than alphabetically, because the table is sorted by number of arrests):

DISPARITY
BETWEEN
AFRICAN
AMERICANS’
SHARE OF THE
POPULATION
AND SHARE
OF ARRESTS

For every police agency, the percent of Black arrests well exceeds the percent of Black people in the jurisdiction’s population. Except for McKees Rocks (179 arrests), Penn Hills (127 arrests), Mt Oliver (95 arrests), Wilkinsburg (93 arrests), Duquesne City (88 arrests), North Braddock (48 arrests), and Millvale (46 arrests), the Black share of the arrests is at least 2 times greater than the Black share of the population; frequently it’s much more than that. Many police agencies should get special note, but perhaps none more than **Frazer Township, where 38% of arrests were of Black people, who comprise exactly 0 percent of this locality’s population** (a few nearby municipalities have 10-20% African American populations: Arnold, New

Kensington, Tarentum).^[14] **Brentwood Borough** should also should be highlighted: **African Americans are 3% of the population but account for a jaw-dropping 53% of all arrests.**

For the county as a whole, **the percent of secured bail during this period was 33.8%** when all 5,664 docket sheets are included (which is different than the single-docket money bail analysis in the second part of this report). In relation to that figure, Pittsburgh city, Mt. Oliver, Wilkinsburg, North Braddock, Brentwood, and Robinson Township are notably high.^[15] The role of drug arrests varies greatly across these agencies, from a high of **40-64% of all arrests** in Mt. Oliver, North Braddock, Brentwood, and Baldwin, to a low of **10-12% of all arrests** in Penn Hills, Wilkinsburg, Swissvale, and Plum. Pittsburgh’s arrest rate per 10,000 population is 61.9. The other agencies/municipalities vary greatly, but when combined their arrest rate is 48.9.

Table 1: Municipal Police Agencies with 40 or More Arrests

AGENCY	ARRESTS	POP.	ARRESTS PER 10,000	% MISDE MEAN OR	% HARM5 ARREST S	% DRUG	% SECURED BAIL	% BLACK ARREST S	% BLACK POP	RATIO: BLACK ARREST TO POP
Pittsburgh City	1,871	302,205	61.9	48.4	27.4	26.7	42.4	69.5	22.8	3.1
McKeesport	208	20,905	99.3	45.7	31.3	26.4	37.0	78.8	32.3	2.4
McKees Rocks	179	5,919	302.4	76.5	12.3	37.4	22.5	60.3	32.3	1.9
West Mifflin	172	19,834	86.7	61.6	17.4	20.9	28.5	48.8	7.3	6.7
Penn Hills	127	41,317	30.7	58.3	25.2	11.8	34.6	74.0	38.2	1.9
Monroeville	117	27,687	42.3	50.4	16.2	35.9	35.0	46.2	12.1	3.8
Stowe Township	101	6,197	163.0	76.2	14.9	30.7	18.5	58.4	23.2	2.5
Mt Oliver	95	3,324	285.8	55.8	17.9	64.2	43.2	48.4	32.6	1.5
Wilkinsburg	93	15,485	60.1	44.1	32.3	9.7	48.9	91.4	55.3	1.7
Duquesne City	88	5,543	158.8	45.5	34.1	37.5	33.0	81.8	56.7	1.4
Bethel Park	85	32,177	26.4	65.9	14.1	30.6	25.0	21.8	2.2	9.8
Ross Township	84	30,603	27.4	57.1	8.3	27.4	22.6	36.9	3.0	12.3
Shaler Township	70	28,030	25.0	77.1	14.3	24.3	10.4	12.9	1.0	12.5
Frazer Township	68	1,123	605.5	72.1	8.8	38.2	12.0 ^[17]	38.2	0.0	>38
Moon Township	58	25,489	22.8	46.6	20.7	27.6	39.7	25.9	3.9	6.6
N Braddock	48	4,741	101.2	37.5	29.2	52.1	43.8	66.7	45.1	1.5
Brentwood	47	9,386	50.1	59.6	25.5	40.4	42.6	53.2	3.1	17.2
Swissvale	47	8,760	53.7	74.5	14.9	10.6	26.3 ^[18]	74.5	32.3	2.3
Millvale	46	3,706	124.1	93.5	10.9	21.7	15.6	13.0	8.9	1.5
Baldwin	44	19,572	22.3	56.8	38.6	45.5	27.3	43.2	8.1	5.3
Plum	44	27,195	16.2	70.5	15.9	11.4	21.6	15.9	3.2	5.0
Mt Lebanon	40	32,303	12.4	47.5	25.0	22.5	27.5	22.5	1.2	18.9
Robinson	40	13,703	29.2	45.0	7.5	35.0	42.5	27.5	4.0	6.9

The table above raises the question:

Is there

ANYWHERE
in Allegheny County where Black people can escape the overwhelmingly greater risk of getting arrested?

The answer is a resounding **“NO”** with reference to the 23 above jurisdictions, each with 40 or more arrests.



Identifying the net to focus now on the 47 municipal police agencies with 20 or more arrests, there is only one place: In Homestead (pop. 3,170), African Americans are 58.8% of the population and 58.1% of all arrests (n = 31).^[19]

- In every single one of the other 46 municipalities the ratio of overrepresentation is **greater than 1.4**
- in 33 municipalities it is **3.0 or more**; that is, African Americans have at least a 3-fold greater share of the arrest population than one would expect based on their share of the population.
- in 26 municipalities it is **5.0 or more**
- in 16 municipalities the ratio of over-representation is **greater than 10**.^[20]

90% of African Americans in Allegheny County live in these 47 jurisdictions.^[21]

The ratio of over-representation can sometimes be difficult to interpret or to use for comparison. For example, in a jurisdiction that is 1% Black and where 3% of all arrests are of African Americans, the ratio of over-representation is 3.0. However, in this scenario 97% of all arrests are of people who are not Black; this is nothing like the roughly 3.0 ratio of over-representation in Pittsburgh, where African Americans are 23% of the population but 70% of those arrested. While the ratio of over-representation is the same, the percentage point difference is only 2 in the hypothetical scenario (i.e., 3-1) but it's 47 points (i.e., 70-23) in the case of Pittsburgh.

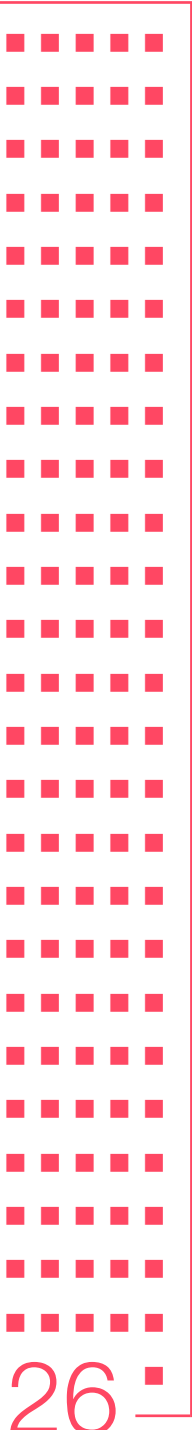


POLICE OFFICERS



Police officers act as autonomous channels leading residents to the county criminal courts. In all, 1,658 police officers working for 126 different police agencies made 5,664 arrests that led to preliminary arraignments in Allegheny County between August 14 and December 31, 2020. Just 71 officers (4% of the total) made 20% of all arrests, and 30% of all drug arrests.

POLICE AGENCIES JUST IN ALLEGHENY COUNTY



126

Because racial disparities in arrests are pervasive across the county's police agencies, the agency-level analysis tells a great deal of the story. Analysis of individual officers reveals the following:

- 613 police officers made 1 arrest, 308 made 2 arrests, 202 made 3 arrests, 143 made 4 arrests, and 109 officers each made 5 arrests.
- 283 police officers each made more than 5 arrests that lead to preliminary arraignment during the time period

The breakdown for these 283 officers:

- 212 officers each made 6-10 arrests
- 43 officers each made 11-15 arrests
- 16 officers each made 16-20 arrests
- 8 officers each made 21-25 arrests
- 3 officers, each made 26-30 arrests. Those officers are: ***Larry Butler of North Braddock** (30 arrests), **Ryan Lawrence of Mount Oliver** (29 arrests) and **William Kelly of McKees Rocks** (26 Arrests). *Larry Butler is the subject of a 2019 federal lawsuit for the excessive force, unlawful arrest, and false imprisonment of Keaira Booker, a Black woman of North Braddock who [filmed Butler at a traffic stop](#).
- And one officer, [Eric Cersosimo](#), made **52 arrests, accounting for more than a quarter (29%) of all arrests in McKees Rocks** from August 14th to December 31st.



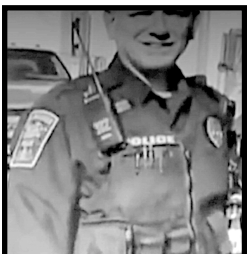
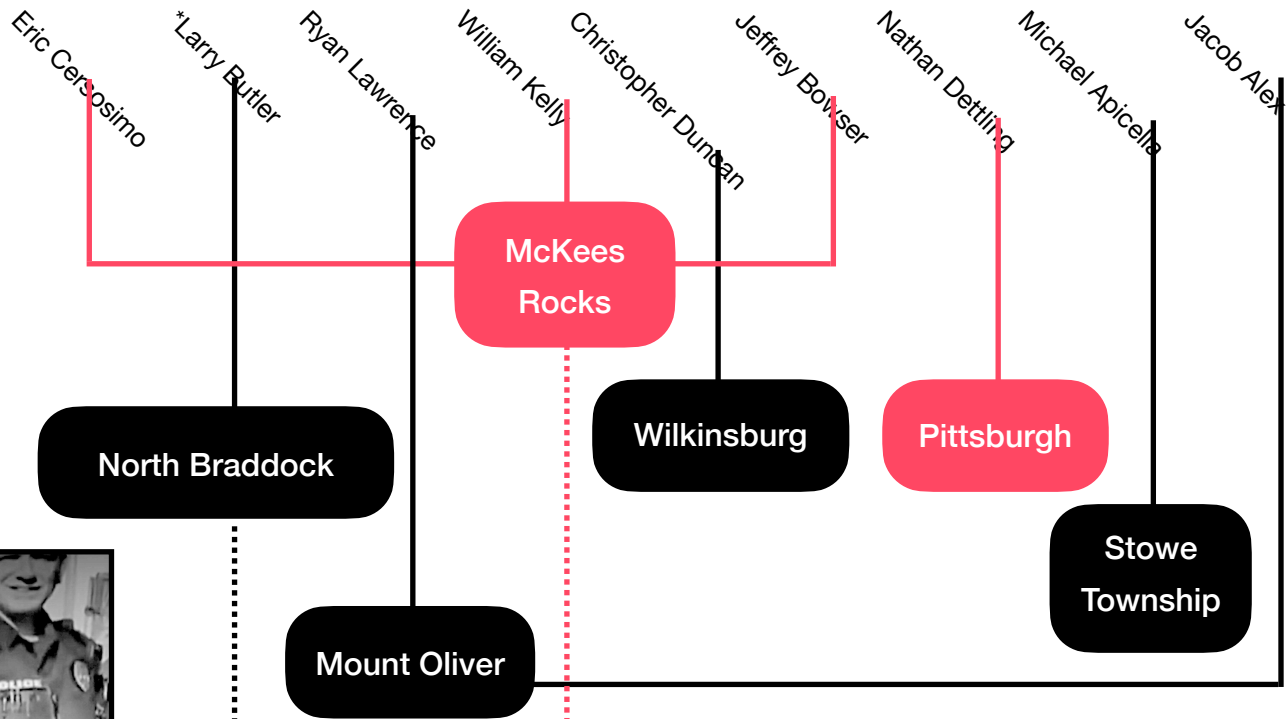
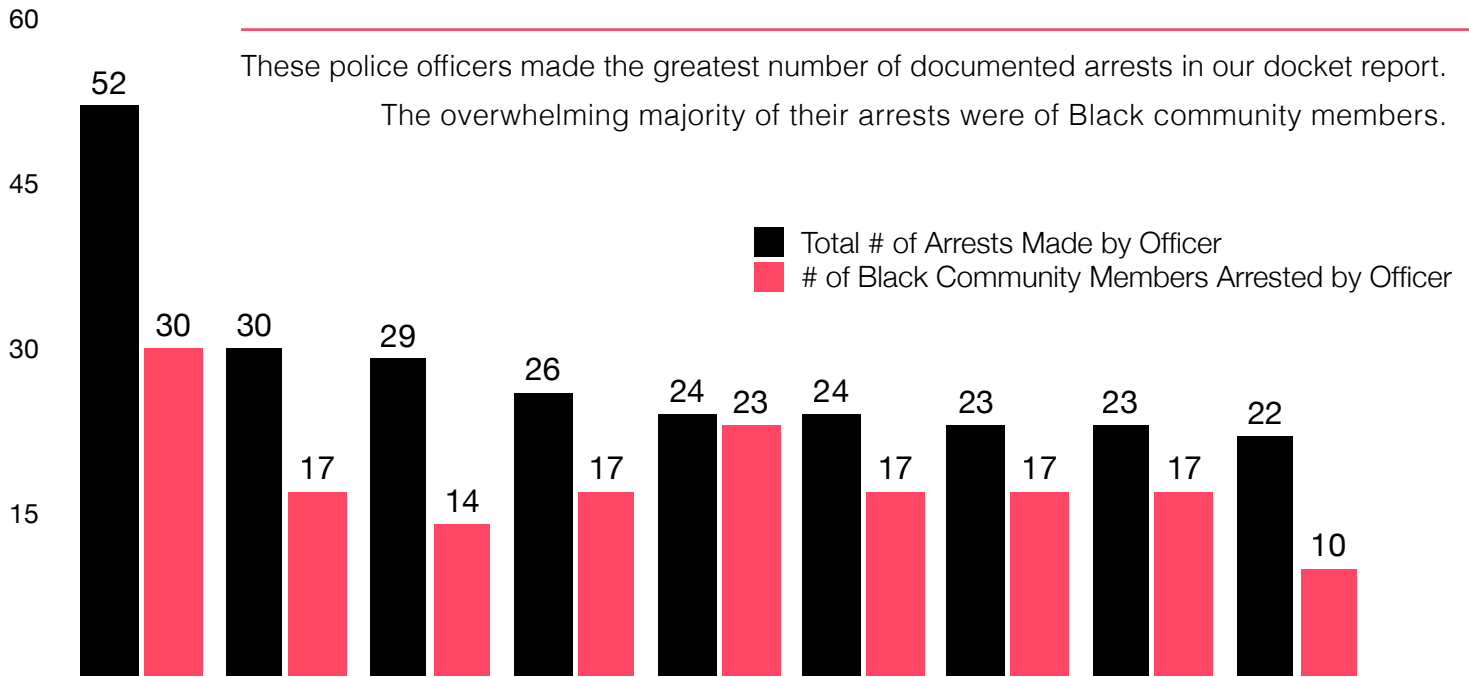
57% 30 OF CERSOSIMO'S 52 ARRESTS WERE OF BLACK COMMUNITY MEMBERS.

TOP 9 TOP COPS

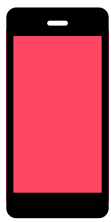
WHO IS ARRESTING WHO IN ALLEGHENY COUNTY?

These police officers made the greatest number of documented arrests in our docket report.

The overwhelming majority of their arrests were of Black community members.

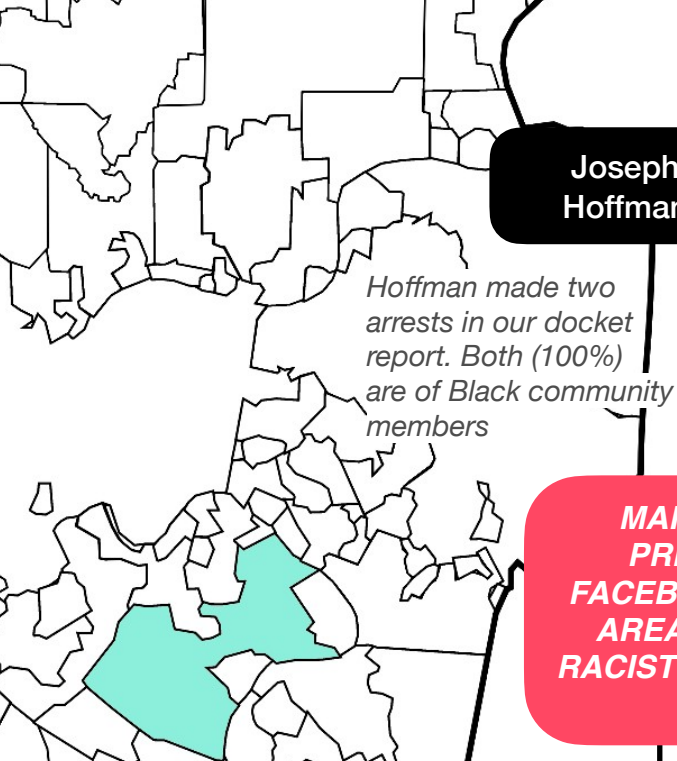


**Larry Butler is the subject of a 2019 federal [lawsuit](#) for the excessive force, unlawful arrest, and false imprisonment of a Black woman of North Braddock who filmed Butler at a traffic stop.*



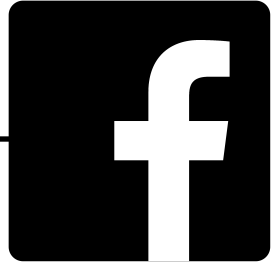
**Throughout the summer of 2020, community members protested the McKees Rocks police, calling for [investigation](#) of the department.*





"If you are a law enforcement officer and you kneel or lie on the ground so easily over the false narrative of police brutality, you will one day be executed on your knees or your stomach without a fight by the same criminals that you are currently pandering to...Black Lies Matter."
 – Joseph Hoffman

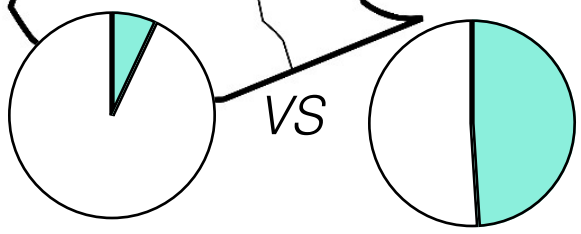
MAR 22, 2021: ASSOCIATED PRESS REPORTS PRIVATE FACEBOOK GROUP 'PITTSBURGH AREA BREAKROOM' REVEALS RACIST AND TRANSPHOBIC POSTS MADE BY COPS



"Remember NO JUSTICE NO PEACE LOL."
 – Tommy Trieu (Tommy Bear on Facebook)

Tommy Trieu

Christopher Mordaunt



Four out of Trieu's 13 arrests (30%) in our docket report are of Black community members

DEC 18, 2020: VIDEO SHOWS TWO WEST MIFFLIN OFFICERS ASSAULT BLACK GIRL ON BUS

Four out of Mordaunt's five arrests (80%) in our docket report are of Black community members

Trieu and Mordaunt brutally assaulted a 15-year-old Black girl on a school bus in December 2020. The [video](#) of Trieu and Mordaunt violently pulling the girl's hair, spraying blood over bus passengers went viral, contradicting the officers' accounts. Civil rights groups and community members have called for Trieu and Mordaunt to be fired.

CASE STUDY: WEST MIFFLIN

Total Pop — 19,800 people
 Total Arrests — 172 arrests

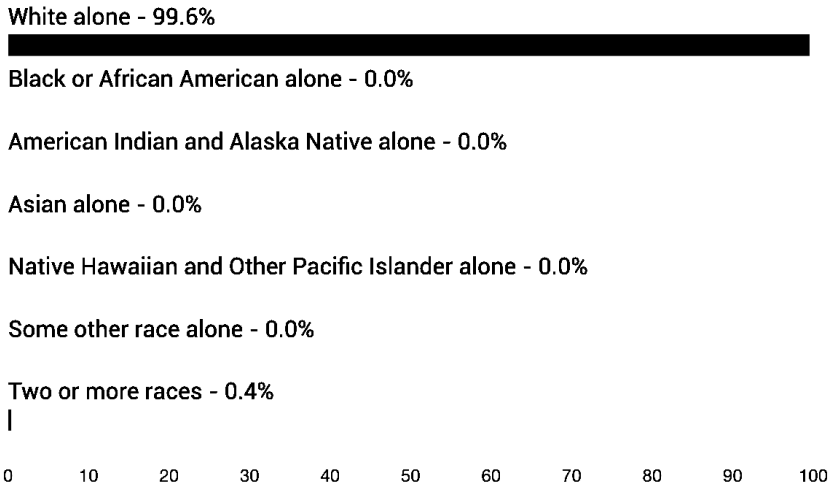
% of Total Pop = Black
ONLY 7%

% of Black people arrested in W.Mifflin (08/14-12/31/20)
49%

This 42-point difference is situated in the contexts of West Mifflin PD's racist outings that have made headlines in the past year – namely those belonging to Joseph Hoffman, Tommy Trieu and Christopher Mordaunt.

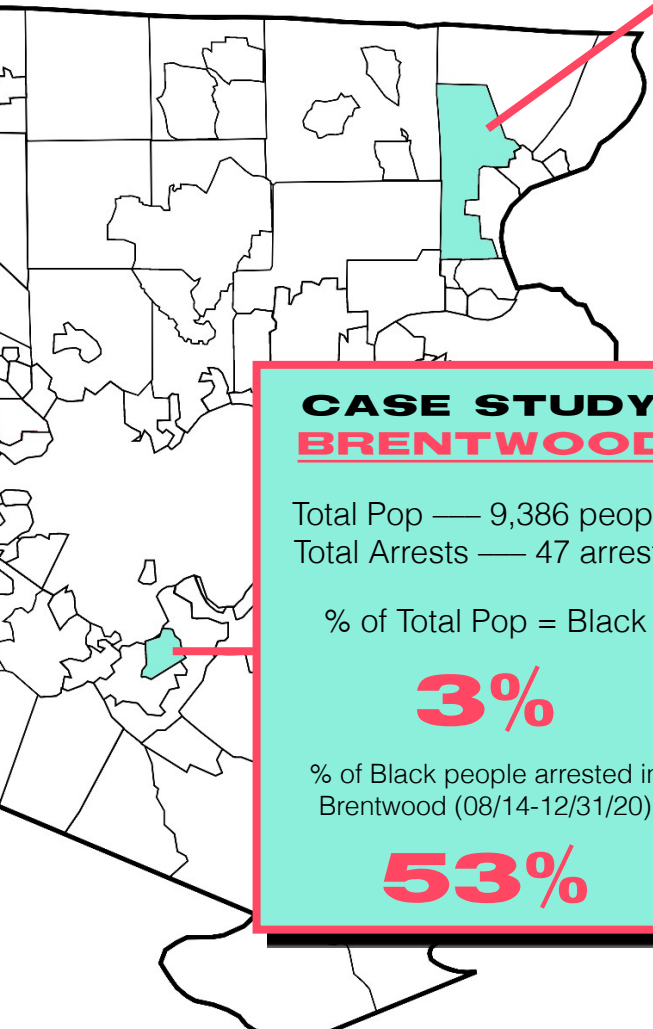


Population by Race in Frazer township, Allegheny County, Pennsylvania



Graph courtesy of 2019 American Community Survey - U.S. Census Bureau

Twenty-six of the 68 community members arrested between Aug 14 and Dec 31, 2020 in Frazer Township are Black. Yet, according to the U.S. Census Bureau, **no Black people live in Frazer**. The Township is 99.6% white: *the whitest of the whitest places to live in all of Allegheny County.*



CASE STUDY: FRAZER TOWNSHIP

Total Pop — 1,123 people
Total Arrests — 68 arrests

% of Total Pop = Black

0%

% of Black people arrested in Frazer Township (08/14-12/31/20)

38%

POLICING BEYOND THE BLACK/WHITE COLOR LINE IN FRASER — IN 2011, THE ACLU OF PENNSYLVANIA FILED A LAWSUIT AGAINST THE FRASER POLICE ON BEHALF OF NINE MEXICAN LAWN SERVICE WORKERS WHO WERE FALSELY ARRESTED AT A J.C. PENNY AND DETAINED FOR HOURS. THE TOWNSHIP AGREED TO PAY THE PLAINTIFFS A TOTAL OF \$27,000.

CASE STUDY: BRENTWOOD

Total Pop — 9,386 people
Total Arrests — 47 arrests

% of Total Pop = Black

3%

% of Black people arrested in Brentwood (08/14-12/31/20)

53%



Youth-led Black Lives Matter memorial protest for Johnny Gammage, July 20, 2020. Photo by Jared Wickerham for Pittsburgh City Paper

The largest point difference of % Black population VS % Black arrests in our datasets, comes out of Brentwood (50 points). Brentwood is the hometown of **JONNY GAMMAGE**, who was murdered by the Brentwood Police on October 12, 1995.

THE WAR ON DRUGS

continues to be a major driver for police who make a large number of arrests.

The 283 officers who made more than 5 arrests accounted for 17% of arresting officers, but 48% of all arrests, and 60% of all drug arrests. The 71 officers who each made more than 10 arrests accounted for about 4% of all officers making arrests, but 20% of all arrests (1131/5664) – 42% of these arrests (476/1131) included drug charges. [22] And these 476 drug arrests represented 30% of all arrests with drug charges (476/1575). § 352 of these 476 arrests (74%) contained none of the charges listed in Appendix 2 table rows 1-8, which is basically the same as for all drug arrests.[23]

Table 2: Relationship between # Arrests per Officer and Likelihood of Drug Arrests

# TOTAL ARRESTS PER OFFICER	# TOTAL ARRESTS	# AND % BLACK ARRESTS	# DRUG ARRESTS	SHARE OF ARRESTS WITH DRUG CHARGES
1-2 arrests	1,229	595 (48.4%)	202	16%
3-5 arrests	1,723	902 (52.4%)	399	23%
6-10 arrests	1,581	973 (61.5%)	498	31%
11-15 arrests	528	312 (59.1%)	178	34%
>15 arrests	603	388 (64.3%)	298	49%

Regarding the 12 officers making more than 20 arrests: They worked for six different police departments: McKees Rocks, Mt. Oliver Boro, N Braddock Boro, Pittsburgh city, Stowe Township, and Wilkinsburg[24] § 4 of the 12 work for McKees Rocks, 2 for Mt. Oliver, 2 for Pittsburgh, 2 for Stowe Township.[25]

In a county that is less than 13% African American, 56% of those arrested were Black. This figure was higher still—62% (700/1131)—for the 71 officers who accounted for 20% of all arrests and 30% of all drug arrests.

As the table above shows, the more arrests that officers made, the more likely they were to make drug arrests. Only 16% of arrests by those making 1-2 arrests were for drug charges; the same was true for 49% of those making more than 15 arrests – 231 of these 298 arrests (78%) contained none of the charges listed in Appendix 2 table, rows 1-8, which was higher than for all drug arrests.[26] The ongoing War on Drugs continues to be a major driver for police who make a large number of arrests.

IGOR BOYCO ----- 33%
1 OUT OF 3 ARRESTS = BLACK
\$183,871.97

GLEN ALDRIDGE ----- 0%
0 OUT OF 1 ARREST = BLACK
\$176,316.30

JEFFREY DEAN ----- 71%
5 OUT OF 7 ARRESTS = BLACK
\$168,890.89

HARRISON MADDUX ----- 85%
17 OUT OF 20 ARRESTS = BLACK
\$159,925.11

PAUL JENNKINS ----- 75%
6 OUT OF 8 ARRESTS = BLACK
\$159,652.30

RICHARD MCCLAIN -- 100%
1 OUT OF 1 ARREST = BLACK
\$158,386.50

*PAUL ABEL ----- 54%
6 OUT OF 11 ARRESTS = BLACK
\$156,106.71





PATRICK WINTERHALTER - 0%
0 OUT OF 5 ARRESTS = BLACK
\$151,713.73

DONALD MITCHELL JR - 100%
1 OUT OF 1 ARREST = BLACK
\$144,031.00

ANDREW TANTELA ----- 50%
2 OUT OF 4 ARRESTS = BLACK
\$140,431.14

FRANCIS RENDE ----- 100%
1 OUT OF 1 ARREST = BLACK
\$203,465.39

TAXPAYER FUNDED APARTHEID POLICING

**HOW MUCH \$
DOES   \$
PITTSBURGH
PAY COPS 
TO ARREST
[BLACK]
PEOPLE? **

These are the names of Pittsburgh Police officers in our docket report (Aug 14-Dec 31, 2020) with [known salaries and overtime pay](#) of more than \$140,000 for the year 2019. For perspective, Pittsburgh Mayor Bill Peduto made \$113,942.60 in 2019. The threshold to the courts lies largely in policing: cops occupy the entrance to the prison industrial-complex and mass warehousing of Black community members. And as you can see, the city pays good money for the ongoing surveillance and terrorizing of Black Pittsburgh, thru brute violence, arrest, and detainment.

**Paul Abel is no longer on the job after years of complaints by community members and investigations into his abuses of power. Following the [highly publicized](#) "thin blue line" mask incident in Squirrel Hill in September 2020 and the arrest of a houseless community member a month later, the FOP appealed to save Abel through arbitration, but ultimately failed. The city finally terminated Abel on March 15, 2021. On April 8, 2021 the FOP [appealed](#) Abel's firing in a petition filed in Allegheny County Commons Please Court.*

Policing and arrests constitute the first stage of the county apartheid system and have an overwhelmingly disproportionate and negative impact on Black residents. The second stage is marked by the preliminary arraignment and the question of whether and how much monetary bail is imposed on defendants by magistrate judges...

MONEY BAIL, RACE, AND ARBITRARY ASSIGNMENT OF BAIL BY ARRAIGNING JUDGE



What happens to arrestees at the preliminary arraignment stage?



This section of the report 1) provides an overview of money bail findings from August 14 to December 31, 2020; 2) summarizes evidence concerning racial disparities in misdemeanor arrests and money bail; and 3) examines the impact of judicial discretion in the imposition of secured monetary bail.

OVERVIEW OF MONEY BAIL FINDINGS

To give the examination of money bail context, Allegheny County judges generally impose three kinds of money bail: **unsecured monetary bail, monetary-10% bail, and (full) monetary bail.** Unsecured money bail imposes no immediate cost on the defendant, but there is a potential cost down the road: defendants must sign their names agreeing to be subject to the dollar amount of the (unsecured monetary) bail if they fail to appear in court on the scheduled date. **Unsecured monetary bail, in essence, is a potentially hefty fine for failure to appear in court.**

The other two types of bail are secured: defendants must pay all or a portion of the bail in order to be released from custody during the pre-trial period. The monetary-10% version of secured monetary bail requires the defendant to pay 1/10 of the bail set by the judge as a condition of release. If defendants then appear in court as scheduled, the money is returned to them. Nevertheless, in order to be released, they must have access to the 10% up front, whether it's their own money, that of their friends/family, or a professional bail bondsman. In this case, pre-trial liberty costs money, but it's money that can be recovered in full (if they put up the 10% themselves) or in

no immediate cost; defendants promise to comply and appear in court

UNSECURED

VS

SECURED

defendants pay ALL (full) or [10]% of bail up front in order to gain pre-trial freedom; bail bondsman

part (if they use the services of a professional bail bondsman (in which case, they would pay 1/10 of the 10%, or 1% of the total bail amount, to cover the bondsman's fee). If \$10,000 is the monetary-10% amount, then defendants must pay \$1,000 up front, and would stand to lose at least \$100 if they use the services of a professional bail bondsman to put up the \$10,000.

Ordinary (full) monetary bail (“monetary bail” on the docket sheets) requires the full amount to be paid as a condition of release. For most defendants this means that they must use the services of professional bail bondsmen. This for-profit service typically costs 10% of the assessed bail amount. But despite the similarity concerning the 10%, the defendant in this case doesn't get that money back; it's the bail bondsman's fee. So, a \$10,000 bail costs the defendant \$1,000 in fees to a professional bail bondsman, assuming the defendants themselves cannot front the \$10,000.

The information that follows focuses on the 4,058 single-docket defendants for whom bail type is known.[27]

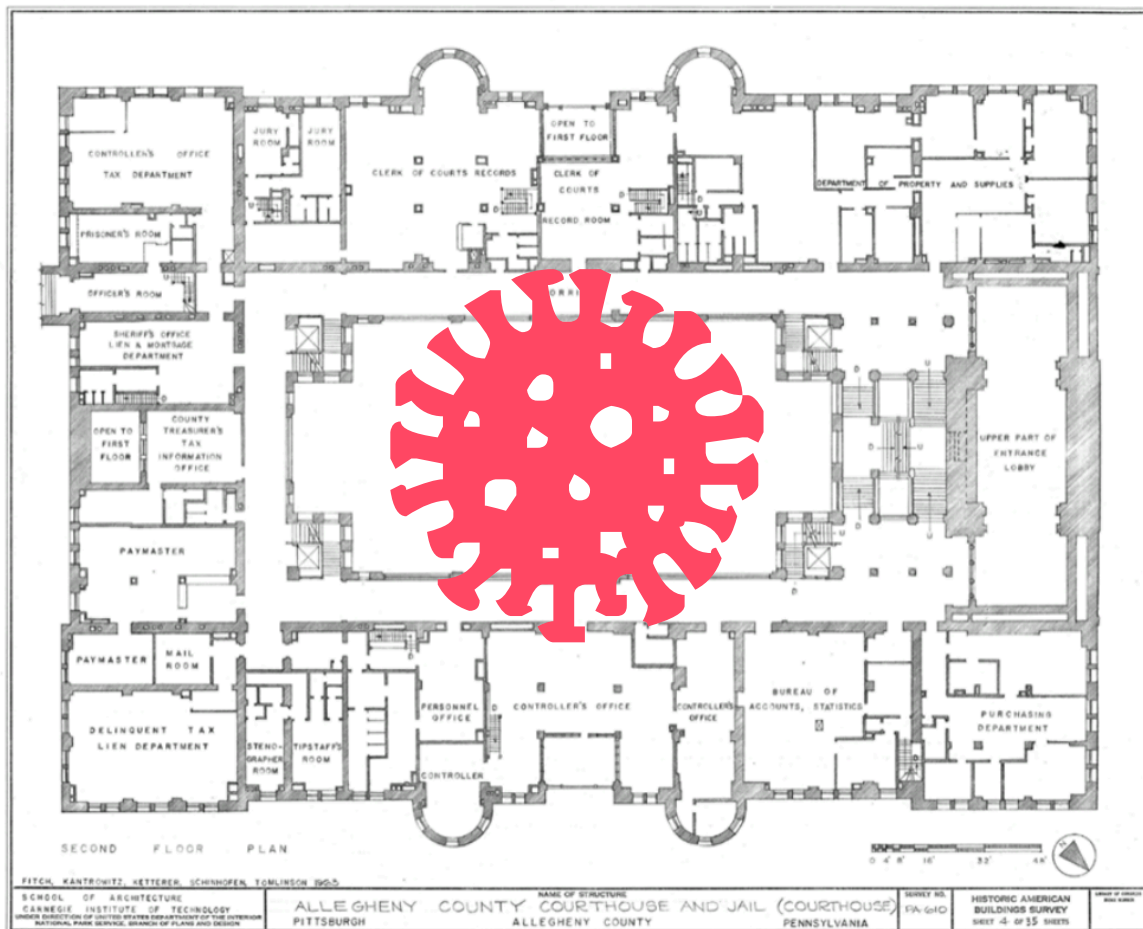
\$23,450,587 in bail (secured, unsecured, and nominal) imposed on 1,643 defendants (\$14,273 per defendant)[28]

\$18,522,700 in secured monetary bail (meaning defendants had to pay for their pre-trial liberty) was imposed on 1,140 defendants, an average of \$16,248 per defendant. • 257 of these 1,140 defendants faced 10%-monetary bail totaling \$1,357,200. That's \$5,281 per defendant, for an average 10% fee of \$528. The median was \$5,000, for a median 10% fee of \$500.[29] • 883 of these 1,140 defendants faced full monetary bail totaling \$17,165,500. That's \$19,440 per defendant for an average 10% fee of \$1,944. The median was \$10,000, for a median 10% fee of \$1,000.

Using the median figure to represent the typical defendant in order to exclude the effect of very large bail amounts, for 257 defendants the cost of avoiding or leaving jail during the pre-trial period was \$500. Assuming the defendants themselves paid the \$500, they should get this back when they return to court for additional proceedings. For a much larger group of 883 defendants, the typical defendant was required to pay \$10,000 for pre-trial liberty. **For most or all of them, this meant a cost of \$1,000 (to pay the bail bondsman) that they would never again see.**

The 1,140 defendants who faced secured monetary bail represented 28% of the 4,058 single-docket defendants with a known bail type. • Of the 1,880 felony defendants with a known bail type, 694, or 37%, faced secured money bail. This included \$798,100 monetary-10% for 110 felony defendants, and \$13,686,500 full-monetary bail for 584 felony defendants. • Of the 2,146 misdemeanor defendants for whom bail type is known, 436, or 20%, faced secured money bail. This included \$549,100 in monetary-10% for 146 defendants (\$3,761 per defendant), and \$3,307,000 in full-monetary bail for 290 defendants (\$11,403 per defendant).

To put the above misdemeanor figures in perspective: In the midst of the COVID-19 pandemic, more than 2 people per day in Allegheny County were required to pay \$1,140 in order to avoid pre-trial incarceration for misdemeanor charge(s). Additionally, one person per day was required to pay an average of \$376 in order to to be released from detainment.



THIS PIE CHART REPRESENTS 1,140 COMMUNITY MEMBERS AND \$18,522,700 IN SECURED MONETARY BAIL

Meaning all these community members had to pay for their pre-trial liberty.

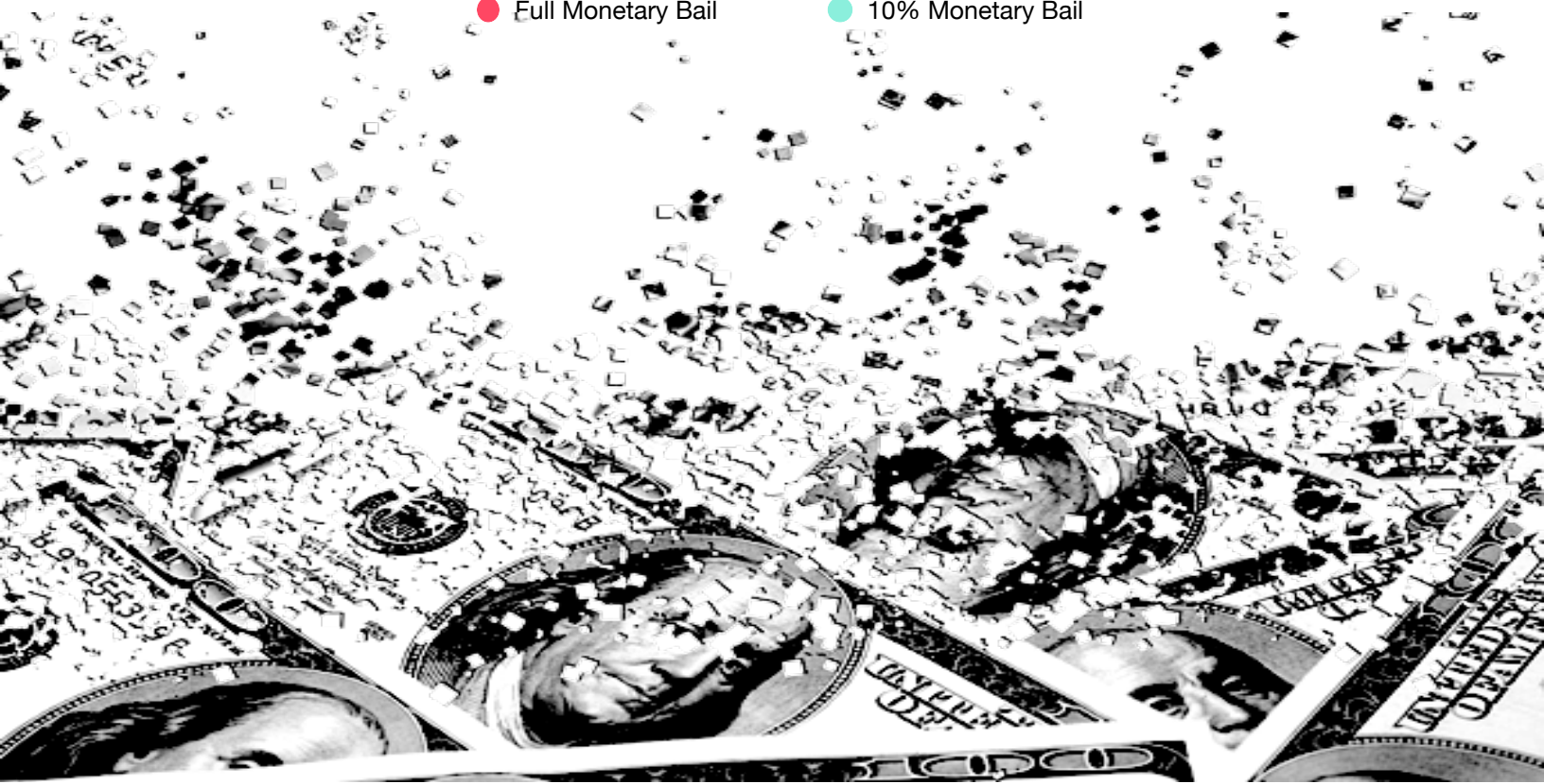
FULL MONETARY BAIL

883 defendants
\$17,165,500 total
~\$19,440 per defendant
~10% fee of \$1,944

10%-MONETARY BAIL

257 defendants
\$1,357,200 total
~\$5,281 per defendant
~10% fee of \$528

● Full Monetary Bail ● 10% Monetary Bail



RACE, BAIL, AND MISDEMEANOR ARRESTS



misdeemeanor arrests affect African Americans much more than white residents of Allegheny County. Of the 2,298 misdemeanor defendants with one docket sheet (2,146 with a known bail type) between 14 August and 31 December, 2,234 were either Black or white. Despite the fact that Black people make up only about 12.7% of the county population, they were 47.7% of misdemeanor defendants (1,096/2,298) – that is, defendants for whom a misdemeanor was the most serious charge.^[30]

The judicial system implements a categorization of people according to sex. To break the white and Black population down by sex and focusing on the 2,084 Black and white misdemeanor defendants for whom bail type is known, Black male misdemeanor defendants were least likely to receive the most “relaxed” form of bail, that is, non-monetary bail: only 56% received this type of bail as compared to 70% of white male defendants. Correspondingly, Black male misdemeanor defendants were 1.63 times more likely to have secured monetary bail imposed on them as compared to white male misdemeanor defendants.^[31]

Table 3: Bail Type by Race & Sex for Misdemeanor Defendants with One Docket Sheet

BAIL TYPE	BLACK FEMALE	BLACK MALE	WHITE FEMALE	WHITE MALE
NON-MONETARY	74.3%	56.4%	78.8%	69.9%
UNSECURED	12.0%	12.1%	9.2%	10.5%
MON-10%	6.3%	9.7%	3.8%	5.4%
MONETARY (FULL)	7.3%	19.9%	7.9%	12.7%
DENIED	0.0%	1.8%	0.3%	1.3%
TOTAL NUMBER	300	713	316	755
% OF ALL SINGLE-DOCKET MISDEMEANOR ARRESTS	14.4%	33.3%	14.8%	34.6%
% OF COUNTY POPULATION	6.4%	6.4%	39.1%	39.1%

NOTE: The categories for “race” and “sex” used throughout these data sets are used by the Allegheny County judicial system. We recognize they do not reflect the political or geographic nuances and multiplicities of racial and ethnic identity and the differences between “gender identity” vs “biological sex” and expansiveness of trans identities.

BLACK MEN

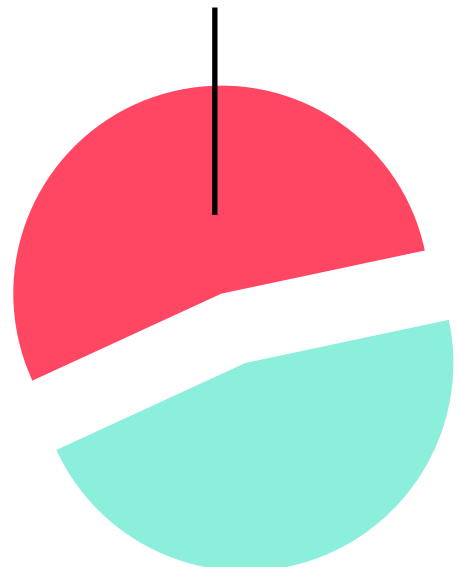
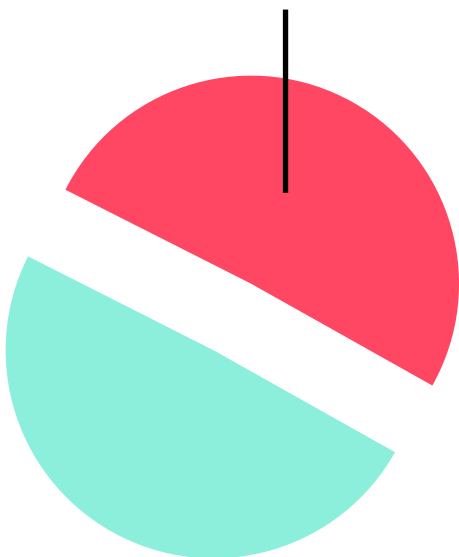
in Allegheny County make up **less than 7%** of the total population...

yet, are burdened with **33%** of all misdemeanor arrests...

and subjected to **43%** of the total dollar value of unsecured monetary bail impositions for misdemeanors.

Black men are also subjected to **48%** of all secured monetary bail impositions...

and **54%** of the total dollar value of secured monetary bail impositions.



These arrest and bail disparities call for close scrutiny of how judges and police use their discretion. As the next section shows, both the defendant's race and individual judicial discretion have a great impact in determining who has to pay for their pre-trial liberty, even after controlling for a wide range of alleged offense variables.

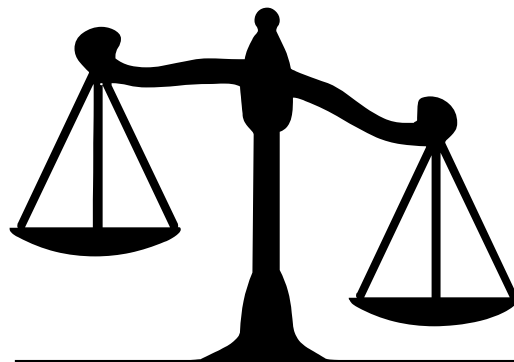
JUDGES & BAIL: ARBITRARY IMPOSITION

Magisterial district judges are locally elected officials who oversee preliminary arraignments and set bail. In the typical case, magistrate judges use discretion to decide on the type of bail, the conditions of bail, and when bail is monetary, the amount of bail. The previously discussed bail figures are ultimately based on the exercise of judicial discretion.

Based on initial analysis of all offenses for defendants with a single docket, we divided the judges into three groups, LOW, MEDIUM and HIGH. Those least likely to impose secured monetary bail ("LOW"), those most likely to do so ("HIGH") and those in the middle ("MEDIUM"). For all offenses, the chance that a defendant was subjected to secured bail was 9% if they faced a judge in the LOW group but nearly 5 times more, 44%, if they faced a judge in the HIGH group.

For Black defendants, this percentage increased from 13% to 51%.

Absent the requirement of detailed written rationales on the part of those making bail decisions, the reasons why secured bail is set, or not, are opaque to the public. Moreover, bail setting practices of the magistrates reflect a refusal to uphold the law. Instead, there appear to be various factors that are putatively taken into account, including a defendant's alleged offending and court history, and the nature and context of the alleged offense when magistrates apply bail.



In other words, whether or not you are subject to cash bail (and if so, the dollar amount) is solely based on who your arraigning judge is – and the judge's personal prerogative to administer [excessive] cash bail as form of pre-trial punishment. And if you are Black, your chances of you being faced with cash bail dramatically increases – regardless of who your judge is and regardless of what your alleged offense is. In sum, the application of cash bail is both random and entropic, yet unwaveringly racist.

TO VIEW OUR COMPLETE STUDY AND ANALYSIS OF JUDGES, BAIL HABITS, RACE, AND OFFENSES, PLEASE VISIT:
alccourtwatch.org/docket-report-2

Our findings reveal that within **every category of judge** (LOW, MEDIUM, HIGH) and **for every alleged offense scenario**, Black defendants are more likely to face secured monetary bail than non-Black defendants.[36]



To view the full version of this section, which includes in-depth regression tables controlling for judge’s application of bail as (“LOW”, “MEDIUM”, “HIGH”) in relation to offense categories and the races of defendants please visit:

 alccourtwatch.org/docket-report-2

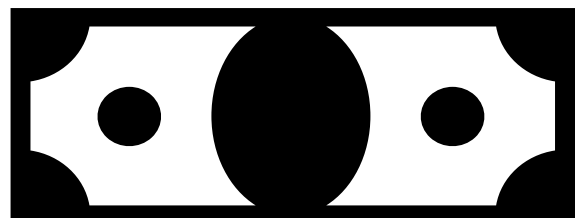
Table 5: Nineteen Judges

NAME	# OF CASES	# SEC. BAIL	% SEC. BAIL
Robert L. Ford	27	17	63%
Regis Charles Welsh	142	87	61%
Leonard J. Hromyak	15	7	47%
Robert Paul Dzvonic	156	69	44%
Daniel E. Butler	87	38	44%
James A. Motznik	82	35	43%
Carla M. Swearingen-Batch	54	22	41%
Thomas S. Brletic	140	57	41%
Randy C. Martini	138	54	39%
Eileen M. Conroy	310	115	37%
Tom Swan	41	15	37%
Jesse J. Cramer	429	156	36%
Eugene Ricciardi	131	47	36%
Anthony M. Ceoffe	53	19	36%
Craig C. Stephens	237	80	34%
Michael W. Thatcher	42	13	31%
Thomas Miller Jr.	46	14	30%
Armand Martin	50	15	30%
Kevin Eugene Cooper Jr.	75	19	25%

← These 19 judges made it into the “top 10” for secured bail imposition in relation to at least one offense specification (see: Appendix 1).



Analyzing the magistrate judges across 11 offense specifications and thus 110 “top 10” spots, only 19 of the 52 judges made it into the top 10 groupings likely to impose secured monetary bail.[38] Of these 19 judges, 18 were in the top 19 for “all offenses.” The one exception, Kevin Eugene Cooper Jr., ranked 23rd on the “all offenses” list but made it on four top 10 lists, three of which are represented in the tables that appear elsewhere in the long report: (1) NOT-harm3, (2) drug, (3) NOT-harm1, and (4) harm1 (see: Appendix 1).



CONCLUSION

The overrepresentation of Black people within the criminal justice system has far more to do with the impact of white supremacy than anything else. In fact, the vast racial disparities presented here are so stark, they constitute prima facie evidence of racial apartheid.” Although the results of this study are well known by people who experience the criminal punishment system and our comrades who work to free them all, the ALC Court Watch program will continue to report the findings until there is no need to. With abolition as our vision and end goal, we share the following demands:

OUR DEMANDS

1

WE AIM TO DISMANTLE POLICE SOVEREIGNTY.

The threshold to courts lies largely in policing: cops occupy the entrance to the prison industrial-complex. With 1,658 police officers working for 126 different police agencies who made 5,664 arrests over the course of 140 days as detailed in this report, we believe there is far too much discretionary power in the hands of the police. The police represent a monopoly of racist state violence that has become normalized under the guise of “public safety.” A reduction in the number of police agencies, number of officers, and amount of overall police funding, would save Black lives and prevent many of the traumas, financial hardships and long-term social stratification that result from arrest and confinement. We suggest traffic enforcement be separated from the police departments and detainment should not be enforced automatically on all misdemeanor charges. We continue to reiterate our calls for abolitionist reforms that divest public funds from the police state and into community-led initiatives centering housing, healthcare, education, employment, and transformative justice.

OUR DEMANDS



WE SEEK PRE-TRIAL FREEDOM FOR COMMUNITY MEMBERS.

We demand magistrates of Allegheny County to be proponents for justice by complying with the Constitution of Pennsylvania. Current bail habits of the Magisterial District Courts point to a continuous and intentional application of bail as a racist, punitive tactic that penalizes the poor. As observed in this report, the inconsistencies of how cash bail is imposed among magistrates reveal there is no real standard for how cash bail is imposed, thus creating a crisis of legitimacy in the District Courts. The current system renders the financial and carceral fates of community members as merely entropic: ending cash bail – and abolishing the use of probation detainers – is urgent and necessary. The use of surveillance, algorithmic violence, and predictive policing, which rely on risk assessment “formulas” that are inherently anti-Black are also not “alternatives” to cash bail. These practices represent an expansion of the surveillance state and do not promote pre-trial freedom. Pre-trial freedom is what we demand; pre-trial freedom is what our community members deserve.

OUR DEMANDS

A large, stylized number '3' is positioned on the left side of the page. The number is rendered with a gradient, starting with a light teal color at the bottom and transitioning to a dark black color at the top.

WE DEMAND OPEN COURTS.

As demonstrated since January 12th of this year, ongoing remote access to courts is feasible and necessary. An open court is a fundamental component of democracy. Although the court order designating court access is temporal, there is no reason to end the current system designed by the administration – only to refine the process to make access a common part of our judicial practices. Transparency of the courts moves us closer to a participatory justice system that is satisfying to the people whom it purports to serve

APRIL 2021



alccourtwatch.org

APPENDIX 1

Offense Category Description in Bail Analysis: harm1, harm3, harm5

offense criteria	harm1 ^[47]	harm3	harm5
burglary			
offenses against children			
serious bodily injury ^[48]			
robbery			
actual sex offenses (not registration)			
weapons offenses			
non-trivial bodily contact offenses (e.g., simple assault) or offenses like arson or reckless endangerment ^[49]			
dui			
coercion offense not involving bodily contact ^[50]			
Counts for bail type known (n = 5,466)^[51]			
harm1	3,257		
harm1 + harm3	2,526		
harm1 + harm5	1,306		
harm3		2,526	
harm3 + harm5		1,306	
harm5			1,306

As the above table reveals, 731 harm1 offenses are because of a DUI or a coercion offense not involving bodily contact ($3257 - 2526 = 731$). Moreover, of the 2,526 harm3 offenses, 1,220 are limited to charges like simple assault (which alone accounts for more than 70% of the harm3-but-not-harm5 offenses and does not involve serious injury) and reckless endangerment and related offenses ($2526 - 1306 = 1220$).

APPENDIX 2

Offense Charge Distribution

focus charge	total	docket sheet contains ZERO charges related to:							
		1	2	3	4	5	6	7	8
all charges	5,664	5,298	5,182	5,104	4,936	4,753	4,344	3,105	2,738
· Pburgh Police	1,871	1,725	1,658	1,633	1,556	1,498	1,358	873	723
· other Police	3,793	3,573	3,524	3,471	3,380	3,255	2,986	2,232	2,015
simple assault, etc. ^[52]	1,679	1,442	1,392	1,377	1,336	1,278	1,239	0	0
· Pburgh Police	669	579	555	552	532	506	485	0	0
· other police	1,010	863	837	825	804	772	754	0	0
perceived coercion ^[53]	1,245	1,116	1,070	1,054	1,005	976	931	367	0
· Pburgh Police	374	338	320	314	290	280	257	150	0
· other police	871	778	750	740	715	696	674	217	0
drug	1,575	1,544	1,538	1,538	1,526	1,473	1,259	1,205	1,191
· Pburgh Police	499	492	487	487	482	470	393	371	362 ^[54]
· other Police	1,076	1,052	1,051	1,051	1,044	1,003	866	834	829 ^[55]
property	1,647	1,596	1,534	1,531	1,407	1,382	1,283	1,114	1,018
· Pburgh Police	499	480	448	448	402	397	365	302	262
· other police	1,148	1,116	1,086	1,083	1,005	985	918	812	756
drug or property	2,986	2,912	2,846	2,843	2,716	2,654	2,393	2,182	2,079
· Pburgh Police	923	900	865	865	817	802	710	628	584
· other police	2,063	2,012	1,981	1,978	1,899	1,852	1,683	1,554	1,495
public order	800	747	740	725	697	685	656	476	364 ^[56]
· Pburgh Police	213	202	199	195	186	185	180	142	108
· other police	587	545	541	530	511	500	476	334	256
resisting arrest	298	269	267	266	260	254	232	145	121 ^[57]

· Pburgh Police	84	77	75	74	71	71	71	47	36
· other police	214	192	192	192	189	183	161	98	85
agg assault b/c status ^[58]	95	95	95	95	92	92	88	0	0
· Pburgh Police	31	31	31	31	29	29	28	0	0
· other police ^[59]	64	64	64	64	63	63	60	0	0

Table notes:

total column: # of docket sheets that include focus charge

column 1: SBI/death

- include focus charge but exclude SBI/death

column 2: robbery, or charge in 1

- include focus charge but exclude robbery or SBI/death

column 3: sex crime, or any charge in 2

- include focus charge but exclude sex crime, robbery, or SBI/death

column 4: burglary, or any charge in 3

- include focus charge but exclude burglary, sex crime, robbery, or SBI/death

column 5: offense against children, or any charge in 4

- include focus charge but exclude offenses against children, burglary, sex crime, robbery, or SBI/death

column 6: weapons charge, or any offense in 5

- include focus charge but exclude weapons charge, offenses against children, burglary, sex crime, robbery, or SBI/death

column 7: variety of charges related to non-trivial bodily contact offenses, including simple assault (even if graded upward based on adult status), strangulation, false imprisonment, and unlawful restraint; or offenses like arson and reckless endangerment that create conditions for serious injury (physz2_i), or any charge in 6

- include focus charge but exclude non-trivial bodily contact offenses, weapons charge, offenses against children, burglary, sex crime, robbery, or SBI/death

column 8: wide variety of charges of perceived coercion but with neither physical contact nor specific physical action (e.g., arson) as an element of the offense (physz3_i), or any charge 7

- include focus charge but exclude perceived non-physical coercion, non-trivial bodily contact offenses, weapons charge, offenses against children, burglary, sex crime, robbery, or SBI/death

Additional Analysis of Offense Charge Distribution

For what alleged offenses are people being arrested? We'll start with the 5,664 docket sheets and reduce the total by subtracting docket sheets that contain specific kinds of offenses, starting with those that most people agree are serious. What follows is based on the above table, and it parallels variables such as "harm1" that were used in the bail analyses and which were detailed in Appendix 1:

- 5,664: all docket sheets with new offenses
- 5,298: subtracting those docket sheets containing offenses related to death or serious bodily injury (SBI)
- 5,182: subtracting those docket sheets containing robbery or death/SBI
- 5,104: subtracting those docket sheets containing sex offenses with a victim, robbery, or death/SBI[60]
- 4,936: subtracting those docket sheets containing burglary, sex offenses with a victim, robbery, or death/SBI
- 4,753: subtracting those docket sheets containing offenses that involve children, burglary, sex offenses with a victim, or death/SBI
- 4,344: subtracting those docket sheets containing weapons offenses, offenses that involve children, burglary, sex offenses with a victim, or death/SBI[61]

The above mirrors what is laid out in columns 1-6 of the above Appendix 2 table. Also, these charges collectively represent the "harm5" variable in the money bail analyses (see also Appendix 1). Putting aside all docket sheets that contain any of the above charges, we are still left with 77% of the original number (4344/5644).

The number declines to 3,105 (55% of the total) when we subtract docket sheets containing any of the above charges and/or those containing "simple assault" or related charges—which by their very legal definition do NOT entail serious bodily injury (column 7 in Appendix 2). Taking these into account is the equivalent of the "harm3" variable in the money bail analyses.

We've now moved from alleged offenses that clearly involve direct and non-consensual physical harm/danger to another person to offenses that may involve some non-serious injury but not serious injury (the simple assault, etc. offenses just discussed). Lastly, there are a wide variety of "threat" offenses. For these "perceived coercion" offenses

(our term), neither physical contact nor any specific physical action is an element of the offense under the crime code. Taking these into account reduces the number of docket sheets to 2,738 (column 8 in Appendix 2).

Even after removing all offenses that may involve serious physical harm (columns 1-3 in Appendix 2) but more often do not (column 7 in Appendix 2), and that may entail no more than a threat (column 8 in Appendix 2), we are still left with 2,738 arrests, or 48% of the total.

If one examines docket sheets that exclude all of the above, then what kinds of alleged offenses remain? Almost all of this remaining half consist of:

- drug offenses (1,191, or 76% of all 1,575 docket sheets with drug charges)
 - property offenses (1,018)[62]
 - DUIs that involve neither property nor drug charges (283)
 - public order charges that involve neither drug nor property nor DUI charges (119)
 - vehicle charges that include none of the above (118).[63]
-

END NOTES

[1] Municipal police agencies that cover more than one municipality: (1) Allegheny Valley Regional PD (Cheswick Borough; Springdale Township); (2) Carnegie PD (Carnegie Borough; Pennsbury Village Borough); (3) Crafton Borough PD (Crafton Borough; Thornburg Borough); (4) East McKeesport PD (East McKeesport Borough; Wall Borough); (5) Elizabeth Borough PD (Elizabeth Borough; West Elizabeth Borough); (6) Forest Hills PD (Forest Hills Borough; Chalfant Borough); (7) McKeesport PD (McKeesport city; Dravosburg Borough); (8) Northern Regional PD of Allegheny County (Bradford Woods borough; Marshall township; Pine township; Richland township); (9) Ohio Township PD (Ohio township; Aleppo township; Ben Avon Heights borough; Emsworth borough; Killbuck township; Neville township; Sewickley Hills borough); (10) Scott Township PD (Scott township; Roslyn Farms borough); Sewickley Borough PD (Sewickley borough; Glen Osborne borough); (11) White Oak Borough PD (White Oak borough; South Versailles township).

[2] A handful of municipalities are covered by state or county police agencies that have broader jurisdictions: Wilmerding Borough (Allegheny County Police); Glenfield Borough and Haysville Borough (Pennsylvania State Police-Findlay); and East Pittsburgh (PSP-Troop B). The balance of the arresting police agencies consists of more than a dozen that are either non-city police agencies within Pittsburgh (e.g., UPMC police) or agencies with jurisdictions that overlap Pittsburgh and the rest of Allegheny County (e.g., Allegheny County Police Department).

[3] source: https://fullfact.org/finder/crime_law/police/

[4] The England & Wales figure is from Franklin Zimring (2017) *When Police Kill* (Harvard University Press), pages 81-82. The Allegheny County figure is from *Police Shooting Fatalities: 2015-2020*, page 8 (published Feb. 23, 2021 by The Ohio Alliance for Innovation in Population Health and Ohio University).

[5] The table in Appendix 2 allows one to compare Pittsburgh with all other police agencies combined. For example, while Pittsburgh accounted for 33% of all arrests, its share of all arrests that exclude the items in columns 1-8 (similar to excluding “harm1” in the money bail analysis, except that harm1 includes DUIs) is about equal to its share of the county population ($723/2738 = 26\%$).

[6] African Americans were named as defendants on 3,170 docket sheets; however, 327 of these were carried out either by non-city police agencies within Pittsburgh (e.g., UPMC police) or by agencies with jurisdictions that overlap Pittsburgh and the rest of Allegheny County (e.g., Allegheny County Police Department). In total, these 17 agencies made 503 arrests, and there were another 18 arrests for which no police agency was listed (62.8% Black: 327/521). Nine of these 17 agencies had fewer than 10 arrests. Those with 10 or more arrests are as follows: Allegheny County Police Department (233 arrests), Allegheny County Sheriff (90 arrests), Port Authority Police (54), UPMC (31), Office of the Attorney General (28), Allegheny County District Attorney (20), Highmark Health PD (13), and University of Pittsburgh Police (10). State agencies with clear non-Pittsburgh jurisdiction (e.g., PSP-Troop D) were included in the non-Pittsburgh Allegheny County calculation but not in later analysis of municipalities.

[7] $154,976 / 1,221,774 = 12.7\%$. The 154,976 is for the non-Hispanic Black population. There are also 2,084 Hispanic Blacks in Allegheny County according to the 2015-19 ACS. If they were included, the Black share of the population would increase from 12.7 to 12.9%.

[8] $3,170 / 5,664 = 55.967\%$

[9] ratio of (over)representation: $(3170/5664) / (154976/1221744) = 4.412$ (also: $56/12.7 = 4.409$)

[10] ratio of (over) representation: $(1301/1871) / (68826/302205) = 3.053$ (also: $69.5/22.8 = 3.048$)

[11] If all police agencies except Pittsburgh city police are used, then African Americans were 49.3% of all arrests (1,869 / 3,793). However, this includes arrests carried out either by non-city police agencies within Pittsburgh (e.g., UPMC police) or by agencies with jurisdictions that overlap Pittsburgh and the rest of Allegheny County (e.g., Allegheny County Police Department). In total, these 17 agencies made 503 arrests, and there were another 18 arrests for which no police agency was listed (62.8% Black: 327/521). Nine of these 17 agencies had fewer than 10 arrests. Those with 10 or more arrests are as follows: Allegheny County Police Department (233 arrests), Allegheny County Sheriff (90 arrests), Port Authority Police (54), UPMC (31), Office of the Attorney General (28), Allegheny County District Attorney (20), Highmark Health PD (13), and University of Pittsburgh Police (10). State agencies with clear non-Pittsburgh jurisdiction (e.g., PSP-Troop D) were included in the non-Pittsburgh Allegheny County calculation but not in later analysis of municipalities.

[12] ratio of (over) representation: $(1542/3272) / (86150 / 919539) = 5.030$ (also: $47.1/9.4 = 5.0106$)

[13] This excludes Allegheny County Police Dept, Allegheny County Sheriff's Dept, the PSP, and Port Authority police, all of which had 40 or more arrests.

[14] Seven of these 26 arrests involved vehicle-related charges. <DELETE> STATA: count if pd=="Frazer Township Police Dept" & otherarrest==0 & vehicle==1 & n2race==1

[15] "Misd." stands for misdemeanor arrests. For the meanings of secured bail and "harm5," see the Money Bail section of the report.

[16] Population figures are from the 5-year American Community Survey estimates for 2015-19.

[17] Bail type is known for only 50 of these 68.

[18] Bail type is known for only 38 of 47.

[19] For municipal police agencies that cover more than one locality (see footnote ___), the totals for all relevant localities were summed

[20] These 47 municipalities account for 75.8 % of the county population (926,151 / 1,221,744), 78.6% of all docket sheets with new offense charges (4,453 / 5,664), 81.2% of all docket sheets that name a Black defendant (2,574 / 3,170), and 89.8% of Allegheny County's African American population (139,116 / 154,976).

[21] The remaining 10% live in either 51 jurisdictions with 1-19 arrests (13,029 Black / 266,792 total pop = 4.9% Black) or in one of 9 jurisdictions with 0 arrests leading to preliminary arraignment between Aug-Dec 2020 (1,155 Black / 13,029 total pop = 4.6% Black). Although only 177 of African Americans 3,170 docket sheets were linked to the <20 arrest jurisdictions (5.6% of the total; the rest of the balance comes from Allegheny County Police Dept, etc. and university police agencies, etc.), these 177 arrests were out of a total of 493 for these 51 jurisdictions (35.9%). This is a ratio of over-representation of 7.35.

[22] <DELETE> STATA: count if s_officerid_count>10 & drug==1 & otherarrest==0

[23] <DELETE> STATA: count if s_officerid_count>15 & drug==1 & otherarrest==0 & ~(physz1_i==1 | robz_all==1 | sexcrime1==1 | burglary==1 | child1==1 | weaponz_all==1 | physz2_i==1 | physz3_i==1)

[24] <DELETE> STATA: tab pd if otherarrest==0 & s_officerid_count>20

[25] MCKEES ROCKS: Jonathan R. Bawkey (21 arrests), Jeffrey C. Bowser (24 arrests), Eric Cersosimo (52 arrests), William J. Kelly (26 arrests).

MT OLIVER: Jacob D. Alexander (22 arrests), Ryan J. Lawrence (29 arrests)

PITTSBURGH: Nathan L. Dettling (23 arrests), Adam H. Pernelli (21 arrests)

STOWE TOWNSHIP: Michael A. Apicella (23 arrests), Nicholas D. Dimichele (21 arrests)

NORTH BRADDOCK: Larry L. Butler (30 arrests)

<DELETE> STATA: tab officer_id if otherarrest==0 & s_officerid_count>20

[26] More information on the appendices can be found in the section on money bail. <DELETE> STATA: count if s_officerid_count>10 & drug==1 & otherarrest==0 & ~(physz1_i==1 | robz_all==1 | sexcrime1==1 | burglary==1 | child1==1 | weaponz_all==1 | physz2_i==1 | physz3_i==1)

[27] This is out of a total of 4,230 single-docket defendants. Defendants with more than one docket sheet are typically subjected to money bail more often than those with one docket sheet, so focusing on defendants with only one docket sheet somewhat underestimates the full scope of money bail impositions. 28% of single-docket defendants were subjected to secured money bail. In contrast, among the 558 defendants with more than one docket sheet, 374 (67%) faced secured money bail on at least one of their docket sheets. [<delete> excel output sheet: "docket-multiple"; filter tally_secured and use Excel count]

[28] 3 single-docket defendants faced "nominal" bail of \$1 each.

[29] <DELETE> STATA for median figures: table nbt if (nbt==4 | nbt==5) & s2_defid_count==1, contents (freq sum bail10pct p50 bail10pct sum bailmonetary p50 bailmonetary)

[30] <delete> excel output: race-sex1b

[31] $(9.7 + 19.9) / (5.4 + 12.7) = 1.63$

[32] The docket sheets reported bail type for 713 of these, which is thus the figure in the table above.

[33] <delete> excel output sheet: rs2b

[34] <DELETE> STATA for 2-docket: tab rank_3 tally_secured if tally2_btknown==1 & s2_defid_count==3

[35] Among the single-docket defendants for whom bail type is known, 1,768 of the 1,877 "not Black" defendants were white, 36 were from other groups, and 73 had no race information listed.

[36] Here is how we created the low/medium/high categories. For "all offenses" judges were ranked from 1-52 based on the percentage of secured bail impositions. This was done for judges with at least 5 known bail type cases. The rankings excluded "Kim Berkeley" because her name is a placeholder for some Pittsburgh cases. Those ranked 1-10 were placed in the HIGH category. The LOW category was then constructed with the other end of the distribution, choosing as many judges at that end as was necessary to get a roughly equal number of cases. All other judges, including "Kim Berkeley Clark" and those with less than 5 cases were placed in the MEDIUM category. We then applied the list of LOW, MEDIUM, and HIGH judges to all other offense scenarios. The roughly equal weighting holds for "all offenses" but is sometimes less balanced for other offense scenarios. This is addressed in the subsequent analysis.

[37] <DELETE> STATA: all offenses: bysort rank_3: tab tally_secured n2race if s2_defid==1 & tally2_btknown==1, col //all offenses//

[38] This number is 52, because the 53rd judge, “Kim Berkeley Clark,” is a placeholder for cases where the actual magistrate is not listed.

[39] The overall total for this table will differ slightly from the related table, because the totals in this table remove “Kim Berkeley Clark” and judges with fewer than 5 cases for a given offense type; these cases were added to the “MEDIUM” category for the 3-group classification used in the earlier table.

[40] The risk of going for before a HIGH judge as compared to a LOW judge. Example of risk ratio calculation using “all offenses”: $(501/1151) / (111/1210) = 4.7448752$

[41] <DELETE> STATA: logistic tally_secured i.n2race i.rank_3 offgradeserious i.drug i.robz_all i.physz1_interp1 i.physz2_interp2 i.physz3_interp3 i.compliance i.obstruction i.coerce_18s2706_a1 i.property i.vehicle i.dui i.weaponz_all i.sexcrime1 i.child1 i.child3 i.title_18 i.publicorderz_all i.phys_18s2702 i.phys_18s2701 if s2_defid==1 & offgrade<8 & tally2_btknown==1, cluster(njpa)

[42] <DELETE> STATA: margins i.n2race rank_3 i.offgrade i.drug i.robz_all i.physz1 i.dui i.coerce_18s2706_a1

[43] All of the variables listed are statistically significant: $p < 0.001$ for judges, race, and offense grade; $p < 0.01$ for drug, robbery, and sbi charge.

[44] $(31-24.5) / 24.5 * 100\%$

[45] The predicted probability for MEDIUM judges is 30% as compared to 31% in the tabular relationship.

[46] These are charges related to “serious bodily injury” (sbi) plus kidnapping.

<DELETE> STATA: mark physz1_interp1 if (phys1a==1 | phys_18s2606==1 | phys_18s2702_a1==1 | phys_18s2702_a2==1 | phys_18s2702_a4==1 | phys_18s2702_a7==1 | phys_18s2702_a8==1 | phys_18s2702_a9==1 | phys_18s2901==1 | veh_agg_assault==1)

[47] A brief description of harm1: offenses concerning interpersonal harm or threats/potential thereof; most involve a direct non-consensual chain of causation between the alleged offender and a victim; others exist purely in the realm of “creating conditions for” but are treated seriously by courts and police (e.g. weapons possession and sales)

[48] <DELETE> STATA: physz1_i

[49] <DELETE> STATA: physz2_i

[50] <DELETE> STATA: physz3_i

[51] <DELETE> STATA: tab2 harm1 harm3 harm5 if tally2==1 & otherarrest==0

[52] Same as what is excluded in #7 (physz2_i)

[53] Same as what is excluded in #8 (physz3_i)

[54] 68% (247) = Black

[55] 46% (379) = Black

[56] 131 of these involve neither drug nor property charges.

[57] 47 of these involve neither drug nor property charges. The total is 88 if property offenses are also excluded, 70 if drug offenses are excluded, and 47 if both property and drug offenses are excluded.

[58] physz_aggassault_adultstatusonly: mark as this if: (phys_18s2702_a3==1 | phys_18s2702_a5==1 | phys_18s2702_a6) & phys_18s2702_a1~=1 & phys_18s2702_a2~=1 & phys_18s2702_a4~=1 & phys_18s2702_a7~=1 & phys_18s2702_a8~=1 & phys_18s2702_a9~=1

[59] Of these 64: UPMC Police (9 total); Highmark Health PD (8—only 2 distinct officers, 5 for one and 3 for the other); Allegheny County Police (5); Penn Hills PD (4); McKeesport Police (3); N Braddock Police (3); West Mifflin Police (3); and 27 other police agencies with 1-2 of these. <DELETE> STATA: tab pd if physz_aggassault_adultstatusonly==1 & otherarrest==0 & pd~="Pittsburgh Police Dept"

[60] The sex offenses figure excludes failure to register—hence “sex offenses with a victim.”

[61] 134 of these 409 dockets with weapons charges are based strictly on carrying a weapon without a license; no other weapons charges are involved.

<DELETE> STATA: count if weaponz_license==1 & otherarrest==0 & ~(physz1_i==1 | robz_all==1 | sexcrime1==1 | burglary==1 | child1==1)

[62] The count of dockets with drug or property offenses is 2,079 (see column 8 in Appendix 2, row “drug or property.”

[63] These numbers sum to 2,279. In reality, the sum is 130 less because of a slight overlap between drug and property charges (see “drug or property” row, column 8, in Appendix 2).