

# The International Undergraduate Journal For Service-Learning, Leadership, and Social Change

---

Volume 9 | Issue 1

Article 6

---

November 2019

## Observations and Experiences with District Court: A Community Engagement Project for Criminology

Donna Calia  
*Bucknell University*

Koto Hamaguchi  
*Bucknell University*

Richard Shin  
*Bucknell University*

Derek Bastnick  
*Bucknell University*

Follow this and additional works at: <https://opus.govst.edu/iujsl>



Part of the [Criminology and Criminal Justice Commons](#), [Higher Education Commons](#), and the [Service Learning Commons](#)

---

### Recommended Citation

Calia, Donna; Hamaguchi, Koto; Shin, Richard; and Bastnick, Derek (2019) "Observations and Experiences with District Court: A Community Engagement Project for Criminology," *The International Undergraduate Journal For Service-Learning, Leadership, and Social Change*: Vol. 9: Iss. 1, p. 31-40.

Available at: <https://opus.govst.edu/iujsl/vol9/iss1/6>

This Article is brought to you for free and open access by OPUS Open Portal to University Scholarship, Governors State University, University Park, Illinois. It has been accepted for inclusion in The International Undergraduate Journal For Service-Learning, Leadership, and Social Change by an authorized editor of OPUS Open Portal to University Scholarship. For more information, please contact [opus@govst.edu](mailto:opus@govst.edu).

## **Observations and Experiences with District Court: A Community Engagement Project for Criminology**

### **Introduction**

Our service-learning project involved visiting and observing court proceedings in the Magisterial District Court for Union County Pennsylvania. We worked under Judge Leo Armbruster, sitting in on his preliminary court hearings and learning from the District Attorney. Overall, through this experience we were not only able to examine the specific justice system of Union County, but also gain insight on court proceedings that apply in every case nationwide. This made our experiences more applicable to the field of criminology as a whole, as the information and experiences we have amassed over the semester can be easily transferred to other district courts, laws, and cases. Therefore, our experience was unique in that we were able to serve our local community while also analyzing the system as a whole and its implications through a sociological lens.

Furthermore, a typical week in this project consisted of keeping in contact with the Judge and his staff and regularly attending hearings. These hearings usually occurred throughout the day on Thursday and varied in content and length. Thus, we never knew what we would be experiencing beforehand. There were a couple times the Judge contacted us and told us to come in for a particularly interesting case, but we were always surprised at what we would be observing. Even with the mundane cases that came through daily, it was the people involved in each case that made it interesting, whether that be the prosecutors, the defendant, their attorneys, or the public defenders. We also made relationships with the arresting officers in many of these cases, as they frequented the courtroom as much as we did. We were lucky enough to be able to communicate with whomever we wanted in the courtroom and ask questions, make comments, and discuss the cases

---

**Donna Calia** graduated from Bucknell University May 2019 with a major in Psychology. She is now attending law school at Washington University.

**Koto Hamaguchi** graduated from Bucknell University May 2019 with majors in A Economics, Marketing, and English. She now works in New York City as a financial consultant.

**Richard Shin** graduated from Bucknell University May 2019 with a major in Political Science. He is currently exploring his interests in criminology and the justice system.

**Derek Bastinck** graduated from Bucknell University May 2019 with a major in Political Science. He is planning to build his career within the criminal justice system.

after the prosecution and defendant left the room. Most of the time, we found those conversations most valuable, as they contained insight on how exactly each outcome came to be decided.

Moreover, those conversations also aided in making connections to our coursework. We found that Chapter 2 and Chapter 6 were especially helpful in our project as they examined systemic factors that apply to the structure, decisions, and effectiveness of the court. More specifically, Chapter 2 was useful in further examining gender, race, culture, and socioeconomic factors. These systemic factors had individual consequences within the courtroom as many of us noticed inequalities and differences in the proceedings and outcomes dependent on the culmination of these factors. In Chapter 6, we focused on topics including Stratified Society, Culture of Poverty, Social Disorganization, Cultural Deviance, Strain, and Norms to evaluate systemic factors inherent in society and how they affect court outcomes. Overall, these topics were easily observed in our experiences as we were able to observe a unique population comprised of Lewisburg residents and Bucknell students; this diversity led to variance in the way that very similar cases were handled dependent on numerous systemic and societal factors.

Ultimately, the textbook proved to be a valuable resource not only in evaluating these inequalities and inconsistencies, but why they exist. Then, through our court experiences, we were able to see the implications of these differences. Therefore, we were able to gain rich insight in how sociology and psychology are able to explain how the court system functions as well as evaluating its effectiveness and fairness for the community. Through this experience of making critical evaluations and connections, our team expanded our sociological imaginations in a way that allowed us to examine topics that we take for granted and further make sense of them using the textbook and course material.

### **Overview of Pennsylvania Court System**

The Pennsylvania Court system can be divided into four different levels. Starting at the lowest judicial level are the minor courts. Cases that are presented here are presided over by magisterial district and municipal court judges. These can also be referred to entry level courts and according to [pacourts.us](http://pacourts.us) have three primary responsibilities. The first responsibility is determining whether or not the case should go to the Court of Common Pleas, which is the next level of Pennsylvania judiciary. Another responsibility of the minor courts is to set and accept bail for defendants. This said, it is important to know that not all defendants receive bail and this is usually the case for murder or manslaughter cases. Last but not least, the entry level courts are also responsible for preliminary arraignments and preliminary hearings. This can be seen as the most important obligation these courts have, as it holds the same responsibilities as a grand jury indictment.

During a preliminary hearing, the judge determines whether or not there is enough evidence to charge the individual and determines whether or not the individual that is present is the defendant. The purpose of a preliminary hearing is not to determine the verdict, of being guilty or innocent, but rather it is to determine if there should be a trial. Therefore, preliminary hearings are at many times regarded as the trial before the trial. Preliminary hearings are important because the defendant is able to either waive his hearing, prove that there isn't enough probable cause and therefore is able to resolve the case before it goes into the trial.

According to Judge Armbruster, the most common outcomes at his preliminary hearings are individuals either waiving the case or reaching a settlement. The most common settlement present in Union County District Court is probation. Specifically, in Pennsylvania, there is a program called Accelerated Rehabilitative Disposition and this allows for individuals to enter rehabilitation without going through a timely and costly trial. Preliminary hearings generally take place three to ten days after the arrest and only certain people are eligible for this program. The Pennsylvania Code states that the ARD program is only available for first offenders and are charged with minor crimes that do not breach public trust. This allows the potential defendant to come out of the program with a fresh start and even gives them the chance to have a clear record.

All cases that are heard in any court of law can be divided into two different categories: civil or criminal. The minor courts can hear any civil lawsuits that are worth up to eight thousand dollars of damages. The most common type of civil cases that are heard are property damages, contract actions, family law, private nuances and landlord-tenant complaints. On the other hand, criminal cases in the minor courts deal with retail theft, trespassing, traffic citations, traffic tickets, and disorderly conduct.

Following the minor courts is the Court of Common Pleas. Here, appeals from the minor courts can be heard. This is where the defendant has the ability to ask the court to review the verdict and decision. The Court of Common Pleas are also responsible for more serious criminal cases and civil cases that deal with more money than that of the court of minors. Next we have the Pennsylvania intermediate appellate courts: the Superior Court and the Commonwealth Court. The Superior Court like the Court of Common Pleas is a court of appeals and hears appeals from the lower level courts, and although the Commonwealth Court also hears appeals, they can also take on new cases. These original cases are generally civil cases that are brought up against the commonwealth, typically against state and local governments along with regulatory agencies. Finally, at the top of the Pennsylvania Court System there is the Supreme Court. The Supreme Court hold the highest level of judiciary authority and can hear appeals from any of the lower

courts. They also have the ability to take control of any case that is currently presiding in the lower courts and this typically happens with controversial cases. While all these courts do have more responsibilities, we focused in on the obligations of the minor courts and specifically the municipal courts.

In order to better understand the purpose of the minor courts, it is important to look at the history of the Pennsylvania Court system as well as the history of Pennsylvania itself. On 1722, Pennsylvania established a Judiciary Act that created the Supreme Court and the Court of Common Pleas. Although this is only a fraction of the amount of courts that exist today, they were able to hear cases without much problem due to the smaller population. The next change in the judicial system came in 1776, when the Pennsylvania Constitution created numerous minor courts to help deal with cases in the counties that existed than. However, due to an increase in population in 1790, Pennsylvania decided to group different counties into judicial districts in hopes of lowering the workload for the Supreme Court. The most important change came in 1968, when the state would officially organize the structure of the court system. While the responsibilities of the intermediate and Supreme Court remained as is, the state established multiple minor courts, including the Pittsburgh Municipal Court, Philadelphia Traffic Courts, and other Magisterial Courts around the state. Today, there are a total of 555 judges in the minor court systems. This is the highest number of courts on any level, with the next highest being 451 in the Court of Common Pleas. As the population grew, the number of cases would grow and Pennsylvania had a very efficient response.

To understand whether the criminal justice system is serving the population you must understand the Union County Demographics. The Union County population is unique compared to other populations since there are three special population groups. They consist of university students, Amish and Older Mennonite families, and federal inmates. These are considered “special” population groups because they do not contribute to the traditional demand of the local housing market. The county population has been rapidly growing around 8% between the years of 2000 and 2014. In addition, the total number of households in Union County has also increased around 14.3% during the same time period. It has been seen that when households grow faster than the population, it suggests that it is not a result of births and immigration but because of a change in preference and lifestyle.

The unemployment rate in the county reached an all-time peak of 9% in 2009 but fell down to 5% in 2014. There has been a correlation between the decline in unemployment, both in Pennsylvania and nationwide, due to the decline in job searches. That being said, the labor force in the county has also grown 4.6% between 2007 and 2014. The total population participating in

the labor market has additionally grown one percent to 50.4%. According to this data it is clear that the workforce participation has kept pace with the increase in population. Although unemployment is decreasing, the types of court cases we were able to sit in on were reflective of the jobs the individuals commonly held. For example, most of the cases we were able to witness were blue collar crimes because most people in the area work blue collar jobs. Finally, there are around 5,000 residents in Union County with a disability. The most common disability reported was ambulatory disability which is the difficulty to walk or move around.

The court deals with criminal offenses such as theft and traffic violations, with exceptions to murder, treason, and piracy. After understanding the demographics, it makes sense that the most common cases were theft and DUI's. With the preliminary hearings, the court is able to diminish the time spent and reduce the resources used on petty cases. We were able to see this first hand with how short each case we sat in on were. The time spent on each case estimated around 10 to 15 minutes. The median income in Union County is \$54,000 making it difficult to hire an attorney. In cases where people are in dire need of an attorney and cannot afford it, a public defendant is given to them. However, this being said, there is a very strict application process where you must qualify to be given a public defendant. It was very interesting to see how the district court would treat the individuals in the special population differently. Students who were caught with marijuana possession were dropped off at their dorm buildings with a very minor charge. Their parents had driven from Connecticut with their personal lawyers, essentially only coming for a 5-minute case trial. Had this crime been committed by someone of the normal Lewisburg population there is a likelier chance the punishment would have been more severe.

### **Evaluation of Criminal Justice System**

For this part of the project, we found it most effective to separate our research into distinct categories. Thus, we were able to evaluate multiple different aspects of crime, the criminal justice system, and criminal behavior. Richard focused on the Union County Court itself, its purpose, structure, and importance. Koto focused her research on demographic information of the community and critically evaluated how the court serves its community. Their research has been reflected above. Donna chose to study the psychology of the court system and how human behavior affects the outcomes of court cases. Finally, Derek focused his research more specifically on preliminary hearings, the pros and cons, and how effective the overall system is in achieving justice.

Moreover, Donna examined psychological sources in her research that made connections between systemic factors within society and how societal inequality translates into the courtroom. One study by Schuller, Kazoleas, & Kawakami, (2009), examined the impact of the

challenge for cause procedure and its effectiveness in curbing racial prejudice in trials involving Black defendants. The researchers provided each juror with the same case, except for some, the defendant was Black, and for the rest, the defendant was White. The jurors were then asked to give a sentence for the crime. The results showed significantly longer or harsher sentences for the Black defendant, what the researchers called “anti-Black bias.” However, they also examined how to lessen these effects, and found that reflective questioning techniques forced jurors to more deeply examine why they are making their decisions, and hopefully realize their biases so they can work against them. Overall, this study shows not only racial bias, but more generally, bias is evident in the courtroom and significantly affects the outcomes of cases. This type of bias is sometimes unrecognized, meaning even within a carefully constructed system to ensure fairness, bias can still affect the case unnoticed by the judge or jury.

The second study by Gnisci & Di Conza (2012), focused on the Judge in the case and the attorneys that are hired or assigned to defend their clients. This study focused on judge intervention, behavior, and attitude on the outcome of criminal trials; it is unique in that it combines qualitative and quantitative methods. The role of the judge is significant because they control the procedures and provide the ultimate sentence, especially in preliminary hearings in which there is no jury. Therefore, using social psychology, the authors further analyze how their role affects the trial. The researchers found that the “judges’ interactive profiles get rich of behaviors expressing a neutral, positive, and negative attitude toward the interviewee, the prosecutor, and the lawyer respectively” (Gnisci & Di Conza, 2012). Overall, they have found that language is extremely important in shaping the behavior, attitude, and decision of the judge. It also demonstrates how the application of the law can be problematic for lay people who cannot afford an attorney to counteract the effects of this bias. This study is also beneficial in examining sociological implications of inequalities in society, especially socioeconomic status and resources available to you within the criminal justice system.

Another study by English, Mussweiler, & Strack, (2005) looked at bias in a more structural fashion through the questioning order in which the defendant and prosecution bargain for punishment. Therefore, there is inherent bias within the system itself, no matter the bias that exists between the people involved anyway. These authors argue that legal decisions are made in the context of multiple anchors, ultimately shaping the end result that may be different if a different legal proceeding sequence was used. Specifically, they use the prosecutor’s initial demand and the defense’s counter demand to demonstrate these effects. Ultimately, the final outcome is significantly dependent on the initial suggestion from the prosecution, making sentencing longer or harsher than it would be if the defendant went first, putting them at an inherent disadvantage. Therefore, even within carefully constructed law and proceedings that ensure fairness, there is bias before adding the dimension of human generated bias.

Derek took a critical look at preliminary hearings in practice in an effort to determine their effectiveness as well as the overall pros and cons of their use. When researching on preliminary hearings, one study looked into the dominance of the judiciary throughout the preliminary hearing process. It was found that in Cook County, Illinois - Chicago and the surrounding area - 80% of all cases reached final disposition at the preliminary hearing level (McIntyre 464). This was influenced by “the single grand jury in Cook County, the 10 district judges who preside over felony charges, the limited personnel in the state’s attorney office, and the heavily taxed jails and probation facilities” (McIntyre 465). The study goes into further depth about the disparity in terms of application of the law in middle class areas versus the slums and ghettos of Chicago. The author of the study felt that there would need to be further questions on how to reform the criminal justice system both for the hopes of reducing crime and as well as having the adequate resources to rehabilitate and deter crime properly. One might use the study to back the instrumental theory of critical criminologists, arguing that the discrepancy between different neighborhoods and their rates of crime as a product of have versus have-nots. It also encourages people to look into social structure theories regarding the broader consequences of poverty-stricken neighborhoods and their inherently higher rates of crime.

In another study conducted in Chicago, it was discussed how people suspected of homicide had lengthy wait periods for a preliminary hearing. Despite the fact that Illinois law requires a preliminary hearing for any felonies, “In a sample of 219 cases, only 2 defendants realized a judicial finding of probable cause” (Theis 19). The rest would either be indicted before a preliminary hearing could be held or were released without ever having been taken to trial. In the meantime, there was an average of 63 days between a suspect’s first appearance in court and their subsequent indictment or release (Theis 19). The author goes further as to why this may be the case, looking at reasons such as the prosecutor having the liberty to request continuances while pursuing an indictment from a grand jury, to the coroner's office habit of recommending cases to grand jury hearings. It goes to show the startling degree in which under the right circumstances the state’s operating procedure in regards to criminal justice can have far broader consequences on both a systemic and personal level.

One study focused on the particular subject of the exclusion of unconstitutionally seized evidence in regard to preliminary hearings. The author looked into how different jurisdictions approached the subject, as while on the federal level exclusion was not allowed in preliminary hearings, in numerous states it was, albeit with varying criteria. In acknowledging the differences in practice depending on the jurisdiction, it raises the question if these differences in procedure impact the way in which cases come to their conclusions.

## **Personal Reflections**

### **Donna**

Overall, this project gave me an opportunity to critically evaluate a system that I assumed was completely fair. I found that in fact, I have taken this system and my position in society for granted, as the truth of this “fair and just” system is that it is not fair and just in many ways. Indeed, it is not completely the fault of the court, however, there are numerous discrepancies that I strongly believe should receive more attention, such as resource access. I found that psychologically, there are many theories and concepts that only reinforce the sociological concepts we examined in class. Through these lenses, I have realized that there are many factors in society that affect how people are treated in the courtroom, what kind of crime they commit, and the outcome of their cases.

### **Koto**

Through this immersive project I was able to understand more about the court system in a sociological sense and through this, I was able to question whether the system was fair. I touched upon this in my section of the presentation where I discussed how since most of the cases we oversaw were petty, they wanted to eliminate wasting time and resources through creating the preliminary hearing process. I believe the court system is fair and tries to benefit everyone as much as possible but it can sometimes be unfair as well. I remember vividly the first plea hearing where the woman got sentenced to probation but the days she spent in jail counted as credit. I thought this was very considerate and it seemed like the whole system was trying to help her in some way. However, that being said, I found it interesting how Bucknell students are treated differently than Lewisburg residents. I found it very interesting how so many factors weigh into a court hearing.

### **Derek**

By looking at preliminary hearings from a sociology perspective, it draws into question the equality of hearings in regard to our perception of them. Despite what the laws may be written as, in practice there can be wide discrepancy in their prosecution depending on where a person may live or what resources they have available to them. These things are often out of an individual’s control, and further reinforces how people who are afforded privilege in terms of resources have a fundamentally different experience in court compared to those who do not.

### **Richard**

I believe the court system that is currently set up in Pennsylvania is efficient and operates at a good level. From my research, I found that Pennsylvania has been able to respond to the increase of population by establishing more courts and allowing the higher-level courts to hear

more important cases. From my time at the Union County Courthouse, I found that the workload was fair and that everyone was given more than enough time to go through their procedure. The part that most impacted my sociological imagination was the idea that not all defendants should be seen as heinous people and that the legal system allows for individuals to show their side of the story. Although I have never been part of a case, I found it reassuring that the Pennsylvania legal system does make time for every case and that everyone gets a fair trial.

### **Significant Take-a-Ways**

#### **Donna**

I learned that there are many aspects that affect a person's life, not only things they can control such as their behavior, but things out of their control. I have learned to examine why and how people commit crime, and how that can be the result of numerous factors other than they are "bad people." More importantly, I have learned to examine society and how it affects an individual, their decisions, and their life outcomes no matter what that may be.

#### **Koto**

I learned that everyone has a story regardless of whether or not it's pertinent to the case being presented and it should be considered when writing about them. It was so interesting to actually go to these court cases because reading it on paper or somewhere online, it wouldn't have been the same. I have also learned so much about the criminal justice system and how everything works. Before this class and this project, I never knew the process and the steps but now that I have witnessed it so many times, I am more well-spoken about the topic. Now that I have a better general idea of how court works, I am able to think more deeply about each case and the motive behind it.

#### **Derek**

This project has made me reconsider what I think when it comes to the criminal justice system. Previously, I liked to imagine that the judicial system was ideally set up so that anyone who found themselves in court would receive a fair and just trial. After seeing things first hand, however, it does not always seem to be the case. It is not to say that the people involved in District Court had bad intentions. Rather, it is a reflection of a system that has started to grow long in the tooth and needs reforms going forward. What these reforms may be, I am not sure. But there needs to be an acknowledgement that there are legitimate issues that need to be solved.

#### **Richard**

This project is definitely something that is both mind opening and educating. Being in a courtroom with potential felons was something I never thought I would be in, however it was

fascinating to see how this individual is just another member of society. It was also interesting to see how Judge Armbruster conducted his courtroom, which was very surprising because I expected there to be strict rules and regulation. We were able to dress any way, drop by whenever we wanted and were allowed to speak to him as he was just another person. Many of us probably believe that courthouses are very formal and well regulated, but after attending Judge Armbruster's court you can see that it does not always have to be that serious. Although this is probably true because it is a minor court, I think it would be interesting if we were able to sit in on other minor courts and upper level courts to conduct our research.

### Works Cited

- McIntyre, Donald M. "A Study of Judicial Dominance of the Charging Process." *The Journal of Criminal Law, Criminology, and Police Science*, vol. 59, no. 4, 1968, pp. 463–490. JSTOR, JSTOR, [www.jstor.org/stable/1141828](http://www.jstor.org/stable/1141828).
- "Exclusion of Unconstitutionally Seized Evidence at the Preliminary Hearing." *The Journal of Criminal Law and Criminology (1973-)*, vol. 66, no. 2, 1975, pp. 135–149. JSTOR, JSTOR, [www.jstor.org/stable/1142777](http://www.jstor.org/stable/1142777).
- Theis, William H. "Preliminary Hearings in Homicide Cases: A Hearing Delayed Is a Hearing Denied." *The Journal of Criminal Law, Criminology, and Police Science*, vol. 62, no. 1, 1971, pp. 17–28. JSTOR, JSTOR, [www.jstor.org/stable/1142118](http://www.jstor.org/stable/1142118).  
<https://www.pacode.com/secure/data/234/chapter3/chap3toc.html>
- Union County Housing Authority (2017). *Union County Housing Study*. Retrieved from <http://www.unioncountypa.org/data/uploads/contentblock/Planning/Union%20County%20Housing%20Plan%206.21.2017.pdf>
- "Preliminary Hearings on Indictable Offenses in Philadelphia." *University of Pennsylvania Law Review*, vol. 106, no. 4, 1958, pp. 589–607. JSTOR, JSTOR, [www.jstor.org/stable/3310203](http://www.jstor.org/stable/3310203).
- "Magisterial District Court FAQ." Zoning Information | Union County Commissioners, [www.unioncountypa.org/departments/courts/magisterial-district-courts/magisterial-district-court-faq/page.aspx?id=1362](http://www.unioncountypa.org/departments/courts/magisterial-district-courts/magisterial-district-court-faq/page.aspx?id=1362).