

Criminal Justice Leadership Alliance
"United to implement justice system innovation"



New Orleans Safe City Initiative

State Misdemeanor Initiative

Performance Results
September 30, 2010

The State Misdemeanor Initiative (SMI) is intended to improve efficiency and justice outcomes for low-level, non-violent state misdemeanor arrests.

The following report presents findings on 334 state misdemeanor cases commenced in Municipal Court under the SMI. All cases were heard in Municipal Court, with arrest dates between July 28, 2010, and September 19, 2010.

The original data file received from Municipal Court contains 1,953 state misdemeanor cases. Included in this file are 749 cases transferred from Criminal District Court (CDC) and 1,204 new cases that commenced in Municipal Court after the implementation of the SMI on March 29, 2010. For this report, we excluded all cases that were transferred from CDC, as these cases represent a short-term and dwindling sub-cohort of the initiative. We also excluded new cases (870) that commenced prior to July 28, 2010, to ensure a recent cohort (July 28 – September 19).

Data presented in this report were analyzed using two different units of analysis. The first and last section of this report uses "charge" as the unit of analysis. Because one defendant can generate multiple charges, we provide the breakdown of all charges. Multiple charges on one case can also result in different disposition outcomes, therefore in the disposition section we use charge as the unit of analysis. The rest of the report uses "case" as the unit of analysis to examine case processing events. A case is defined as a unique defendant record linked to one court case. Considering that an individual defendant may have multiple court cases, defendants may be counted twice in this report.

Charge Breakdown

There were a total of 379 charges generated by the 334 state misdemeanor cases heard in Municipal Court. The top four charges are as follows:

- Possession of Marijuana, 1st offense – 73.1% (277)
- Possession of Drug Paraphernalia – 11.6% (44)

- Possession of Stolen Property, under \$300 – 3.4% (13)
- Theft under \$300 – 2.9% (11)

The majority of state misdemeanor charges (91.3%) heard in Municipal Court are charges that were previously within the Expedited Screening and Disposition Initiative in Criminal District Court.

Time from Arrest to Arraignment and Disposition

Table 1, below, shows the number of days between arrest and arraignment. The majority of cases (79.6%) were arraigned within two days of arrest. The median time from arrest to arraignment was one day.

Table 1: Time from Arrest to Arraignment

Time Range	Percentage of cases that were arraigned within a certain number of days (n=329)*
Same day	0.6% (2)
1-2 days	79.6% (266)
3-5 days	17.1% (57)
6-8 days	--
9+ days	1.2% (4)

*5 cases were missing arrest dates

Table 2 displays the breakdown of days between arrest and disposition for all cases that received a disposition¹ as of September 10, 2010.² Twenty-five percent of the cases did not have a disposition date within this period. The majority of cases that received a disposition (74%) had their case disposed within two days of arrest. The median time from arrest to disposition was one day.

Table 2: Time from Arrest to Disposition

Time Range	Percentage of cases that were disposed within a certain number of days (n=221)*
Same day	0.5% (1)
1-2 days	70.1% (155)
3-5 days	14.9% (33)
6-8 days	1.8% (4)
9+ days	12.7% (28)

*5 cases were missing arrest dates

¹ Cases with multiple charges had all charges disposed on the same day.

² A cutoff date of September 10, 2010, was used to calculate days between arrest and disposition, arrest and bond, and to calculate length of stay until disposition. Using September 10th as a cutoff date instead of September 19th (date of last arrest for this cohort) provides a more accurate picture of case processing time, as it excludes cases that were not in the system long enough to potentially experience court events.

Detention and Release on Bond

Table 3 shows the breakdown of days between arrest and release on bond for all cases in which the defendant posted bond (35% of 334 SMI cases). The majority of cases released on bond (95.7%) posted a commercial surety. At this time we do not have data on the percentage of cases released on ROR, but expect to receive this information from the Municipal Court by October. Below is the breakdown of the number of days between date of arrest and posting bond. The median time from arrest to posting bond was one day.

Table 3: Time from Arrest to Release on Bond

Time Range	Percentage of cases that were released on bond within a certain number of days (n=103)*
Same day	34.0% (35)
1-2 days	61.2% (63)
3-5 days	2.9% (3)
6-8 days	1.0% (1)
9+ days	1.0% (1)

*5 cases were missing arrest dates

Table 4 shows the length of stay for all cases detained up until disposition (n=151). This table accounts for only cases that reached disposition (n=221) and excludes cases in which bond was posted; cases with missing disposition and/or release dates; and cases where the release date is reported to have occurred before the arrest date, indicating a data entry error (a total of 70 cases were excluded).³ The median length of stay for cases held up until disposition was one day. Below is the breakdown of length of stay in jail before the case reached disposition.

Table 4: Length of Stay in Jail up until Disposition

Time Range	Percentage of cases that remained in jail until disposition (n=151)
Same day	6.0% (9)
1-2 days	75.5% (114)
3-5 days	11.3% (17)
6-20 days	4.0% (6)
21+ days	3.3% (5)

Disposition and Sentencing⁴

Seventy-three percent of all charges (n=275) heard in Municipal Court had a disposition result entered within the time period. Below is the breakdown of disposition types.⁵

³ There is an overlap among the excluded cases (e.g., a case released on bond may also have a release date preceding arrest data).

⁴ The unit of analysis for this section is charge. Cases with multiple charges may have different disposition results.

- 77.5% (n=213) pled no contest
- 17.8% (n=49) pled guilty
- 4.4% (n=12) were nolle prosequied

Below is the breakdown of sentences for charges with a disposition result. At this time we do not have data on community service sentences, but expect to receive this information from the Municipal Court by October.

- 82.9% (n=228) received suspended sentences
- 12.4% (n=34) received “none days” or credit for time served
- 2.2% (n=6) received an unsuspended jail sentence
- 2.5% (n=7) were missing sentencing data

Fines and fees⁶:

- Of the charges that reached disposition, 69.5% (n=191) received a fine and/or a court-imposed fee
- 90.1% (n=172) of the charges that received a fine and/or fee also received a suspended sentence
- The average fine and/or fee amount was \$382.94 (minimum \$100.00 and maximum \$500.00)

⁵ One case was “credited for time served”.

⁶ Data on fine and fee amount is aggregated as one value.