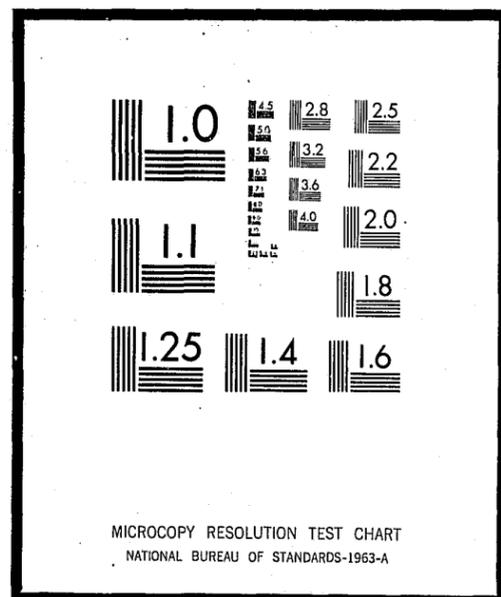


# NCJRS

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U.S. Department of Justice.

U.S. DEPARTMENT OF JUSTICE  
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION  
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE  
WASHINGTON, D.C. 20531

Date filmed 5/29/75

DALLAS COUNTY IMPACT PROJECT

SPECIAL COURT PROCESSING OF IMPACT CASES  
(ORIGINAL TITLE, TWO TEMPORARY DISTRICT COURTS)

INTERIM EVALUATION REPORT

JULY, 1974

DALLAS AREA CRIMINAL JUSTICE COUNCIL

15690

SPECIAL COURT PROCESSING OF IMPACT CASES  
(ORIGINAL TITLE, TWO TEMPORARY DISTRICT COURTS  
INTERIM EVALUATION REPORT  
July, 1974

Funded: January, 1973  
Report Period: January, 1973 - March, 1974

Background Information

This Impact project was designed to attack a problem of an overloaded court system in Dallas. The sheer volume of cases introduced into the Criminal District Courts has increased the backlog of cases awaiting trial and/or appeal. The seven Dallas Criminal District Courts had a combined case backlog, as of December 31, 1972, of approximately 12,000 cases including unapprehendeds. Of these cases, close to 4,000 were Impact or Impact-related and of these 4,000 Impact and Impact-related cases, 46.7 percent of the offenders were apprehended and 53.3 percent were unapprehended. Since expectations are that the various Impact programs of the Dallas Police Department should increase the likelihood of apprehension and prosecution of Impact offenders, the court system will experience an even greater case overload. Background research done for preparing the original grant application for this project indicated that approximately 14,074 Police Department cases were considered by the Dallas County Grand Jury in calendar year 1972. This figure constituted 90 percent of all cases heard by the Grand Jury during that calendar year.

In addition to the original problem of overload, the Dallas Police Department's "Repeat Offender Study" indicates that in the event that an offender has committed multiple offenses, cases should be filed on him for all offenses. Since this has not been the practice in the past, the result of this policy would mean a substantial increase in the number of cases filed with the District Attorney's Office, which would, in turn, lead to an increase in the number of Impact cases filed. At this time, all offenders committing multiple offenses may have as many as five separate cases filed against them which would have the immediate consequence of creating a greater load of both Impact and non-Impact cases for the Criminal District Courts of Dallas.

Project Implementation

The project was funded and became operational in January, 1973. The two "temporary" District Courts became permanent State Judicial District Courts in September 1, 1973, by act of the Texas Legislature.

Staffing of the project is virtually complete, since there are only five positions remaining to be filled out of the approximately 60 positions originally designated to staff the two additional courts and provide support personnel in the offices of the District Attorney, District Clerk, Sheriff and County Auditor.

Efforts are being made to fill the positions of three (3) floating court reporters, one (1) Clerk for the Sheriff's office and one (1) civil deputy.

Implementation of Project Evaluation Plan

In view of the scope and size of the Courts Project relative to the 20 million dollar Dallas Impact Program (\$702,118 in annual salaries alone and expansion of support staffs by approximately 60 additional personnel), a rigorous evaluation component, required by LEAA, the TCJC, and the DACJC was submitted as part of the grant application. This plan for project evaluation listed measures and data items that would be supplied by the grantee for intensive evaluation of project results.

Evaluation plans, as stated in the original grant application, were established on the basis that two temporary courts would process cases using a new prioritizing system. However, these two courts became permanent District Courts, by act of the state legislature on September 1, 1973, and subsequently the case assignment and prioritizing procedures were modified to equally distribute Impact cases among all nine Criminal District Courts. (Refer to Attachment A)

This revision of the project's operation inevitably brought about the need to measure activity in all District Courts in order to determine the effects of an enlarged judicial system (nine felony courts rather than the previous seven) on problems addressed by grant objectives.

In order to deal with the modified data requirements resulting from the September 1 shift in project policies and to affirm plans to provide base line data to permit "before and after" comparisons, meetings were held on July 2, 1973 with LEAA, TCJC and Dallas County representatives and again on November 28, 1973 with representatives of the same agencies plus the DACJC.

It was affirmed in these meetings that fourth quarter of 1973 (October, November, and December) statistical data and data from the period January through August would be generated by Dallas County and compared for evaluation of project objectives by January, 1973.

In addition to the proposed quantitative evaluation that would be performed on the Courts portion of the project, the grant also indicated that qualitative evaluations would be made by outside evaluators, to assess the effects of corresponding expansions of the various supporting departments (District Attorney's Office, Sheriff's Department, District Clerk's Office, Courts and Data Processing).

Analysis of Data Availability

This project has represented a major effort, in terms of its purpose and scope, toward attaining the crime-reduction goals of the Dallas Impact Program and likewise the critical crime situation in Dallas.

The stated objectives in the grant application clearly address the more critical areas in need of improvement. Expanding the judicial system from seven felony courts to nine, with corresponding expansions of supporting department of the criminal justice system, represented a significant enlargement of resources to deal with the stated problems.

In view of the importance and scope of this effort, there is a high degree of interest in how the project is measuring up in terms of goal achievement. However, attempts to perform an evaluation at mid-point (July, 1974) in the proposed, three-year effort have been unsuccessful due to the absence of needed statistical data and/or qualitative, outside evaluations.

The remainder of this section presents a detailed analysis of the status of the project evaluation data reporting, by objective.

Project Objective #1: Reduce the number of repeat Impact and non-Impact offenses by persons on release while awaiting trial.

|  | <u>Base Line</u> | <u>1973</u>                | <u>1974</u>                 | <u>1975</u>                 |
|--|------------------|----------------------------|-----------------------------|-----------------------------|
| (Objective 1)                          |                  |                            |                             |                             |
| Re-arrests of persons released on bond | Not Available    | 5% below base line figures | 10% below base line figures | 15% below base line figures |

Although this project objective is certainly worthwhile in that it addresses one of the criminal justice system's most serious problems (repeat offenders), it appears unlikely that data will be available to measure its results during the life of the project. The necessary data, i.e., whether or not an offender is in custody, whether or not an offender has any prior cases against him, etc., to address this objective are kept in the Judicial Information File; however, to lend itself specifically to evaluation of project objective #1, particular computer programs are needed which will produce specific types of reports. To evaluate this objective, a computer program needs to be written which would produce a report to interface bond information and book-in information, i.e., number of offenders who have "bonded out," number of offenders who have previous records, etc. With this type of report, it would be possible to identify repeat offenders, both Impact and non-Impact.

Impediments in computer program development are further complemented by the fact that, presently, Sheriff's Office personnel have concerned themselves primarily with keeping manual bond records updated. For example, all Impact offenses in Dallas are felonies, therefore, all Impact cases would be tried in the District Courts which are housed in the Dallas County Courthouse. Automated records displaying bond information for the District Courts are handled by the County Data Processing Division via request made by the Sheriff's Office. Consequently, all bond information for Dallas Impact offenders would be placed into the county computer system (Judicial Information File) from the Sheriff's Office after it is received from the Dallas Police Department.

As a result, the "tie-up" caused by the need for particular kinds of automated reports to address project objectives and the "tie-up" of Sheriff's Office personnel in maintaining manual files, have slowed the development of an automated "bond file."

Project Objective #2: Reduce the elapsed time between filing and disposition of cases.

|   | <u>Base Line (1971)</u> | <u>1973</u> | <u>1974</u> | <u>1975</u> |
|---|-------------------------|-------------|-------------|-------------|
| Elapsed time between filing and disposition | 290 days                | 180 days    | 120 days    | 90 days     |

Several reporting problems have arisen regarding this objective. The first grant application of 1973 proposed a reduction of elapsed time between filing and disposition of cases and base line data was developed accordingly, yet when the Impact Case Coordinator was hired and began collecting data to evaluate this objective, he found that filing information in judicial files was incomplete. To facilitate reporting the information that was available in the judicial files that would give some indication of case-days elapsed from a point in the criminal justice system to subsequent disposition, a representative of the County Grants Section of the County Auditor's Office and the Impact Case Coordinator decided to report "elapsed time between indictment and disposition." Reporting problems arose with the realization that indictment-disposition information could not logically be compared to filing-disposition base line data. Hence, evaluation of project objective #2 is not possible for 1973.

Beginning with calendar year 1974, and as proposed in the second year grant application, project objective #2 was once again changed. The proposal became to "reduce elapsed time between arrest and disposition" primarily to align the objective with data displayed on the District Attorney's automated report which was first produced on October 8, 1973 (see Page 3, Para. 4). The reporting problem now is two-fold: (1) base line data is still unavailable in order to evaluate accomplishment of this project objective; and (2) when an offender is "logged" into the D.A.'s automated report as "unapprehended," his status is not changed in the computer files even if he is subsequently arrested and disposed of after the "logging" date. Hence, a great deal of potentially "good" information is lost in the system.

County officials expect to resolve this problem by September, 1974, by leaving the objective as written in the second year grant application (reduce elapsed time between arrest and disposition). Subsequent evaluation of this project objective will be then made in accordance with the procedure outlined as follows:

A. The proposed procedure to measure elapsed time between arrest and disposition:

1. District Attorney's automated report (initiated October 8, 1973)

a. This report presently displays the number of days elapsed between arrest and Grand Jury Action (indictment or no bill), for all Impact and non-Impact offenders who have a known arrest date.

b. A "field" will also be added to the automated report which will specifically display the number of days elapsed between indictment and subsequent disposition of cases for those offenders who are indicted. (This information will be available for cases disposed of on July 1, 1974 until the end of the project).

(1) Figures used to calculate average elapsed time between arrest and indictment will be only partial figures owing to the fact that arrest dates are not always available for offenders—average elapsed time between arrest and indictment will be only an estimation since a portion of the needed data to calculate this average will be unavailable.

- a. Many Impact and non-Impact offenders who appeared on the D.A.'s automated report as unapprehended were, in fact, later arrested and adjudicated - hence, they passed through the court system but necessary statistics for these cases were never compiled.
- b. By figuring the average elapsed time between indictment and disposition, "lost" statistics will be picked up because the overall average will be calculated by using figures for cases which have already been disposed of by the Courts during a particular reporting period--that is, all cases that were disposed of by the nine courts in a given reporting period will have their elapsed time between indictment and disposition figured into the overall average for that reporting period, regardless of when the case was indicted.
- c. Also, when the justification letter, establishing the 290 days as a valid base line for comparison of elapsed time between indictment and disposition statistics, is reviewed and approved, reasonably accurate evaluation of this entire project objective will be enhanced.

Project Objective #3: Reduce the elapsed time between trial and final appeal.

|   | <u>Base Line</u> | <u>1973</u> | <u>1974</u> | <u>1975</u> |
|---|------------------|-------------|-------------|-------------|
| Elapsed time between trial and final appeal | 24 Mos.          | 22 Mos.     | 20 Mos.     | 18 Mos.     |

The limited appeal information that is available at this time is considered, by the Impact Case Coordinator, to be both incomplete and inaccurate. The reasons given for these inaccuracies are (1) lack of case identification and (2) confusion of the various Court Coordinators concerning the appropriate appeal data to be placed in the Judicial Information File. The problem is being worked upon as of this writing. The Court Coordinators have been "re-briefed" by the Court Judges concerning the kind of appeal data needed and the importance of accurate reporting of appeal information. Accurate appeal information is expected to be reported in the second quarter, 1974 statistical report.

Project Objective #4: Eliminate the excess case backlog in Criminal District Courts.

|  | <u>Base Line</u> | <u>1973</u> | <u>1974</u> | <u>1975</u> |
|--|------------------|-------------|-------------|-------------|
| Case backlog (apprehended & unapprehended) | Total: 12,000    | 9,500       | 7,000       | 5,000       |
|  | Impact: 4,000    | 3,200       | 2,400       | 1,680       |

Since backlog statistics are only available for one quarter of 1973 (4th quarter), it is impossible to evaluate project efforts in terms of the 1973 objective.

- (2) However, figures used to calculate average elapsed time between indictment and disposition will be complete because these figures will be collected for all cases actually disposed of by the nine courts.

2. Addressing the "no base line data" problem:

- a. The Impact Case Coordinator has determined through his manual collection of data that the average elapsed time between arrest and indictment is approximately 40 days.
- b. The Impact Case Coordinator has also determined from analysis of his manually-kept records (indictment through disposition figures), that the average elapsed time between indictment and disposition is approximately equal to the average elapsed time between filing and disposition for which the original base line data were calculated (290 days: Dallas Police Department's "Repeat Offender Study").
- c. Therefore, base line data to address average elapsed time between arrest and disposition is estimated to be approximately 330 days (Arrest-indictment = 40 days + indictment-disposition = 290 days), with the adjusted 1974 objective being a reduction to an average of 150 days and the 1975 objective being a reduction to an average of 110 days.
- d. Adding the average elapsed time between arrest and indictment to the average elapsed time between indictment and disposition (separately for both Impact and non-Impact offenders), will yield partial statistics which can be compared against the arrest through disposition base line of 330 days - once again, these will be only partial statistics because there is no complete or accurate reporting method to report dates of arrest, hence, average elapsed time between arrest and indictment may not be representative figures for all Impact and non-Impact offenders who are arrested and indicted.

NOTE: The Impact Case Coordinator is now in the process of writing a justification, complete with statistical data, for changing the arrest-disposition base line to 330 days and for the subsequent adjustments of the 1974 and 1975 objectives to 150 days and 110 days respectively. Representatives of the County Grants Section of the County Auditor's Office have approved these changes and will submit the modification request to the Criminal Justice Council for its approval.

3. Addressing the problem of the "loss" of statistics for "unapprehendeds" in the District Attorney's automated report (unapprehendeds in this report are Impact and non-Impact offenders who have had cases filed against them in the D.A.'s Office but have no known arrest date):

However, comparison of fourth quarter, 1973, and first quarter, 1974, statistics suggests that Impact case backlog increased from 696 to 824. At this point, with the limited statistics, it is impossible to make a definitive evaluative statement concerning the reason for this increase, yet two factors must be considered here. First of all, county personnel responsible for supplying Impact and non-Impact statistics have become more "comfortable" with the concept of Impact and more cognizant of the needs for Impact reporting and therefore, increasingly better record-keeping of Impact and non-Impact statistics has been the result. Secondly, the new system of assignment of cases initiated in the District Courts (September 1, 1973) has created some confusion which may have contributed to the case backlog increase. The Impact Case Coordinator anticipates that the backlog will reach peak proportions during the third reporting period of 1974 (July-September), then decrease from that point on to approach "backlog objectives" set for year's end of 1974 and 1975. Table I presents available statistics relevant to project objective #4; item number 10 in Table I specifically displays backlog statistics.

TABLE I - Courts' Activity Profile Relative to Case Backlog

|                                    | 4th Quarter - 1973 |            |       | 1st Quarter - 1974 |            |        | Diff. | % of Diff. |
|------------------------------------|--------------------|------------|-------|--------------------|------------|--------|-------|------------|
|                                    | Impact             | Non-Impact | Total | Impact             | Non-Impact | Total  |       |            |
| 1. No. of cases filed              | 658                | 3229       | 3887  | 562                | 3188       | 3750   | -137  | - 3.52     |
| 2. No. of indictments (true bills) | 506                | 2365       | 2871  | 557                | 3022       | 3579   | 708   | +24.66     |
| 3. No. of no-bills                 | 152                | 864        | 1016  | 185                | 844        | 1029   | 13    | + 1.28     |
| 4. No. of dismissals               | 67                 | 623        | 690   | 105                | 695        | 800    | 110   | +15.94     |
| 5. No. of jury trials              | 36                 | 123        | 159   | 55                 | 139        | 194    | 35    | +22.01     |
| 6. No. of trials before the Court  | 1                  | 39         | 40    | 4                  | 49         | 53     | 13    | +32.50     |
| 7. No. of guilty pleas             | 199                | 1886       | 2085  | 261                | 1730       | 1991   | 94    | - 4.51     |
| 8. No. of cases appealed           | -                  | -          | -     | 34                 | 72         | 106    | -     | -          |
| 9. No. of cases disposed           | 303                | 2666       | 2969  | 429                | 2632       | 3061   | 92    | + 3.10     |
| 10. No. of cases in backlog        |                    |            |       |                    |            |        |       |            |
| a. apprehended                     | 430                | -          | -     | 519                | 3712       | 4231   | -     | --         |
| b. unapprehended                   | 266                | -          | -     | 305                | 6720       | 7025   | -     | -          |
| c. Total cases                     | 696                | -          | -     | 824                | 10,432     | 11,256 | -     | -          |

Project Objective #5: Reduce the average length of stay by inmates in the County jail.

|                                       | Base Line     | 1973                      | 1974                       | 1975                       |
|---------------------------------------|---------------|---------------------------|----------------------------|----------------------------|
| Average length of stay in County jail | Not Available | 5% below base line figure | 10% below base line figure | 15% below base line figure |

In order to evaluate this objective, both pre-project baseline data and current statistics are needed. In an effort to provide current data, a computer system was designed in September, 1973, to produce a weekly report which would give the following information concerning Impact offenders and jail statistics:

- 1) Total number of Impact offenders in the County jail.
- 2) Average number of days spent in the County jail by Impact offenders.
- 3) A year-to-date average of the number of days spent in the County jail by Impact offenders.

However, no reports giving the above information were produced until late November 1973, and the files have been sporadically updated since that time, therefore jail statistics are considered incomplete at this time.

Table II displays computer-generated Impact statistics and manually-derived non-Impact statistics for first quarter, 1974.

TABLE II - Jail Statistics

|  | 1973-4th Quarter |            | 1974-1st Quarter |               |
|--|------------------|------------|------------------|---------------|
|  | Impact           | Non-Impact | Impact           | Non-Impact    |
| Average length of stay in County jail for inmates awaiting trial                       | -                | -          | 102 days         | 91 days       |
| Average jail population  | -                | -          | 135 Inmates      | 111.5 Inmates |
| No. of unconvicted inmates in the County jail  | -                | -          | 113              | 762           |
| No. of convicted inmates pending appeal  | -                | -          | 28               | 97            |
| No. of convicted inmates transferred to Texas Department of Corrections pending appeal | -                | -          | 35               | 164           |

Project Objectives #6 and #7:

#6 - Develop a more comprehensive data bank for computer retrieval of information pertaining to felony cases and the workload of the judicial system. This objective primarily addresses the providing of information to evaluate the Courts project. Since this report documents the status of data availability, by project objective, the entire report can therefore be considered an evaluation of objective 6.

#7 - Provide greater efficiency and capability in the District Attorney's Office, the Sheriff's Office, the District Clerk's Office and the Courts.

Although objective 7 was not quantified in the grant, provisions were established between the grantee and the Texas Criminal Justice Division, that evaluation teams, selected from a list provided by Mr. Willis Whatley, Program Director, Judicial Processes and Law Reform, Texas Criminal Justice Division, would perform qualitative evaluations of the progress and effectiveness of the project at the end of each year. At this time, any qualitative analyses made by outside evaluators concerning the project has not been reported. It is recommended that the findings of these outside evaluations be coordinated with any interim statistical evaluations that should ever be made. To aid in the

evaluations to be performed by these teams, it was agreed that the grantee would provide the following information:

A. Courts:

- (1) Average sentence by offense and court.
- (2) Cost for each court  
Number of case dispositions by that court
- (3) Total number of case dispositions

B. D. A.'s Office:

- (1) Caseload of Investigators
- (2) Caseload of Appellate Attorneys
- (3) Caseload of Justice of the Peace Court Attorneys
- (4) Caseload of Grand Jury Attorneys

C. District Clerk's Office:

- (1) Number of writs processed
- (2) Appeals backlog
- (3) Number of certified copies
- (4) Number of case jackets completed

D. Sheriff's Office:

- (1) Number of civil papers served
- (2) Number of warrants issued
- (3) Number of bonds made

Summary

Attachment B graphically illustrates the status of data availability, described in detail in the preceding section. The chart indicates that there is insufficient data to evaluate any of the project's objectives for the first year of operation (1973).

According to County Grant personnel, corrective action is being taken, with the assistance of the data processing department, to resolve the problems related to Objective #2 (reduce elapsed time in case dispositions), at least in regard to 1974 data.

Statistics to evaluate Objective #4 (reduce case backlog) appear to be the most adequate of all the objectives and it appears that it will be possible to measure 1974 case backlog against the second year (1974) objective.

The remaining quantified objectives, #1 (reduce repeat offenses by persons awaiting trial), #3 (reduce time between trial and final appeal), and #5 (reduce jail detention time) are seriously deficient in terms of statistical data.

As a result of numerous meetings with County grant personnel, on the subject of project data collection, it appears that the Impact Case Coordinator assumed a monumental task of identifying data sources, initiating data collection and verification procedures, and assimilating a complex array of statistical data from nine courts. He assumed these duties in October, ten months after the project started, and found the data to be in varying degrees of availability and reliability.

Although there appears to be an adequate number of clerical personnel, assigned data collection duties, and ample computer services budgeted, according to the grant application, the bulk of the data gathering effort appears to rest disproportionately with the Impact Case Coordinator.

The intended purpose of interim evaluations of Impact projects is to assimilate and document information on project activity and analysis of results at logical points during the project's duration, to provide a decision-making tool for LEAA and the TCJD, for the grantee agency and to provide factual guidance to other agencies in the criminal justice system, possibly in other areas of the country, who may be having to cope with similar problems.

In order to produce the necessary current data and historical data to evaluate this project in time to make corrective mid-course, project modifications and refunding decisions, it is recommended that project management institute measures to insure the necessary coordinative authority and cooperation that is essential to this complex effort.



**END**