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# BONNEVILLE COUNTY SYSTEM RATES STUDY
## BURGLARY and ROBBERY
## 1975

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ACQUISITIONS

Law Enforcement Planning Commission
Statistical Analysis Center
August 31, 1977

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BONNEVILLE COUNTY SYSTEM RATES STUDY

BURGLARY and ROBBERY

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The Statistical Analysis Center (SAC) of the Idaho Law Enforcement Planning Commission studied the robbery and burglary arrests that occurred in Bonneville County during 1975. The names of persons arrested for these offenses were obtained from the Idaho Falls Police Department and the Bonneville County Sheriff's Office. Arrest records in the Sheriff's Office were not filed by individual years. To identify the robbery and burglary arrests for 1975, researchers manually reviewed all arrests the agency had on file dating back to the 1930's. The Magistrate Court Docket was also searched to find the burglary and robbery cases that were filed in 1975. From these procedures researchers documented 25 robbery and 61 burglary arrests.

The Statistical Analysis Center expresses appreciation to Robert Pollock, Chief, Idaho Falls Police Department; to Blaine Skinner, Sheriff, Bonneville County; to Max Gallup, Deputy, Bonneville County Sheriff's Office; and to Gary Jensen, Prosecutor, Bonneville County.

Illustrations I-A, I-B, II-A, and II-B depict the flow of offenders through the Criminal Justice System. Percentages in Illustrations I-A and II-A are based on the number of arrests; percentages in Illustrations I-B and II-B are based on the number entering each branch.

Of the 25 offenders arrested on robbery charges, 16 were prosecuted and 16 convicted. Nine of the 16 were committed to the Idaho State Correctional Institution (ISCI), with the Court retaining jurisdiction in six cases.

Sixty-one persons were arrested for burglary offenses; forty-four cases were prosecuted and 33 defendants convicted. Three defendants were committed to ISCI, with the Court retaining jurisdiction in two of the three cases.

Table 1 presents the dispositions of the robbery and burglary cases by sex. Of the 25 robbery defendants, 24 were males and one was female. Thirteen (52%) cases reached final disposition in Magistrate Court; six (24%) defendants were found guilty of reduced charges, and seven (28%) cases were dismissed. (Refer to Table 5 , Robbery Dismissals.) Ten (40%) of the 25 were bound over to District Court and were convicted.

Of the 61 burglary defendants (58 males and three females), 27 (44.3%) reached final disposition in Magistrate Court. Eighteen (29.5%) were dismissed (refer to Table 6 , Burglary Dismissal), nine (14.8%) were found guilty of reduced charges and 30 (49.2%) were bound over to District Court. Twenty-four defendants were found guilty of burglary; six (9.8%) cases were dismissed in District Court.

Five cases (one robbery and four burglary) that were originally bound over to District Court were remanded to Magistrate Court. Amended complaints charging misdemeanors were filed; the robbery case and two burglary cases were amended to Receiving Stolen Property, and two burglaries were amended to Petit Larceny.

IDAHO CRIMINAL JUSTICE SYSTEM RATES MODEL

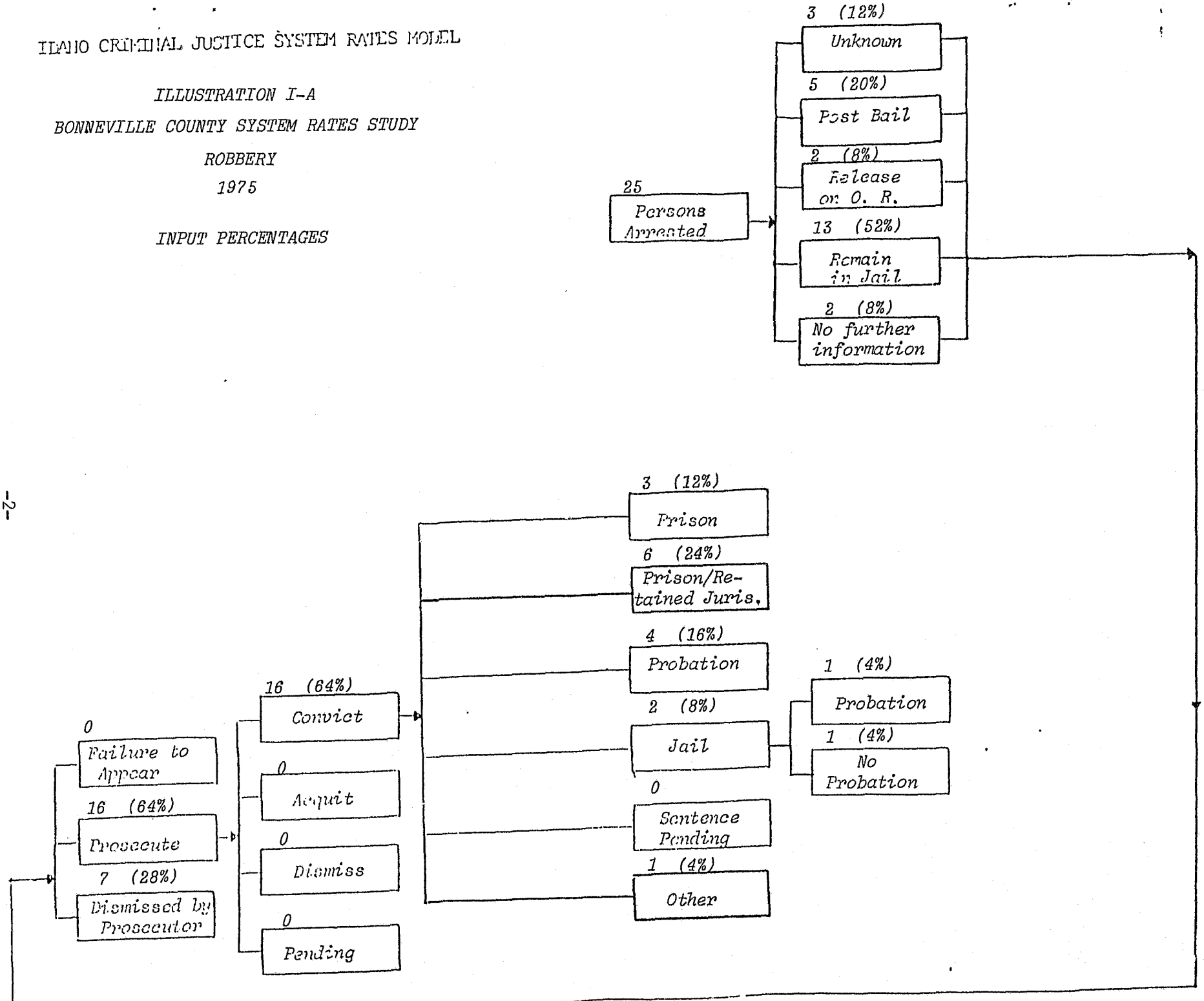
*ILLUSTRATION I-A*

*BONNEVILLE COUNTY SYSTEM RATES STUDY*

*ROBBERY*

*1975*

*INPUT PERCENTAGES*



IDAHO CRIMINAL JUSTICE SYSTEM RATES MODEL

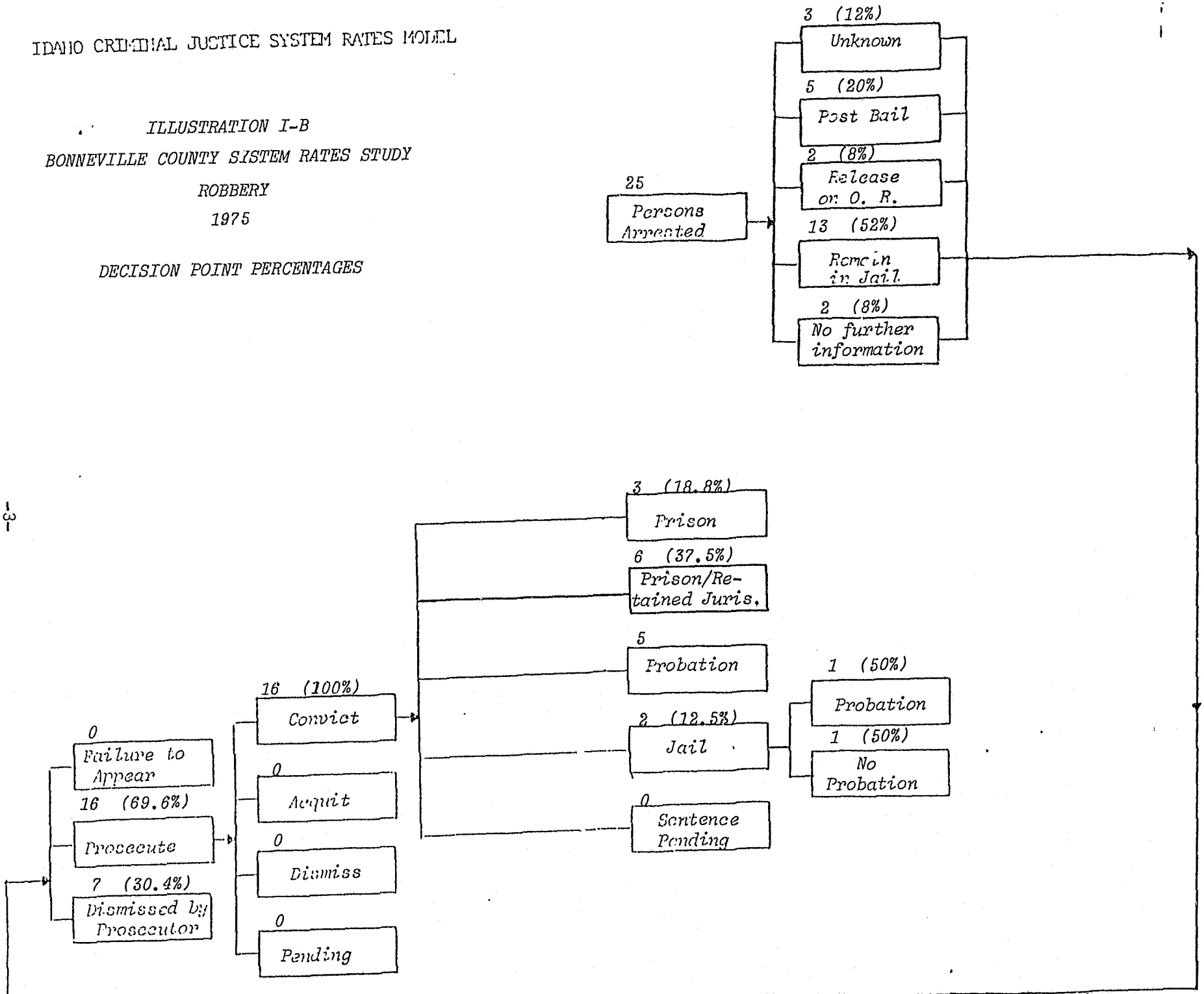
*ILLUSTRATION I-B*

*BONNEVILLE COUNTY SISTEM RATES STUDY*

*ROBBERY*

*1975*

*DECISION POINT PERCENTAGES*



IDAHO CRIMINAL JUSTICE SYSTEM RATES MODEL

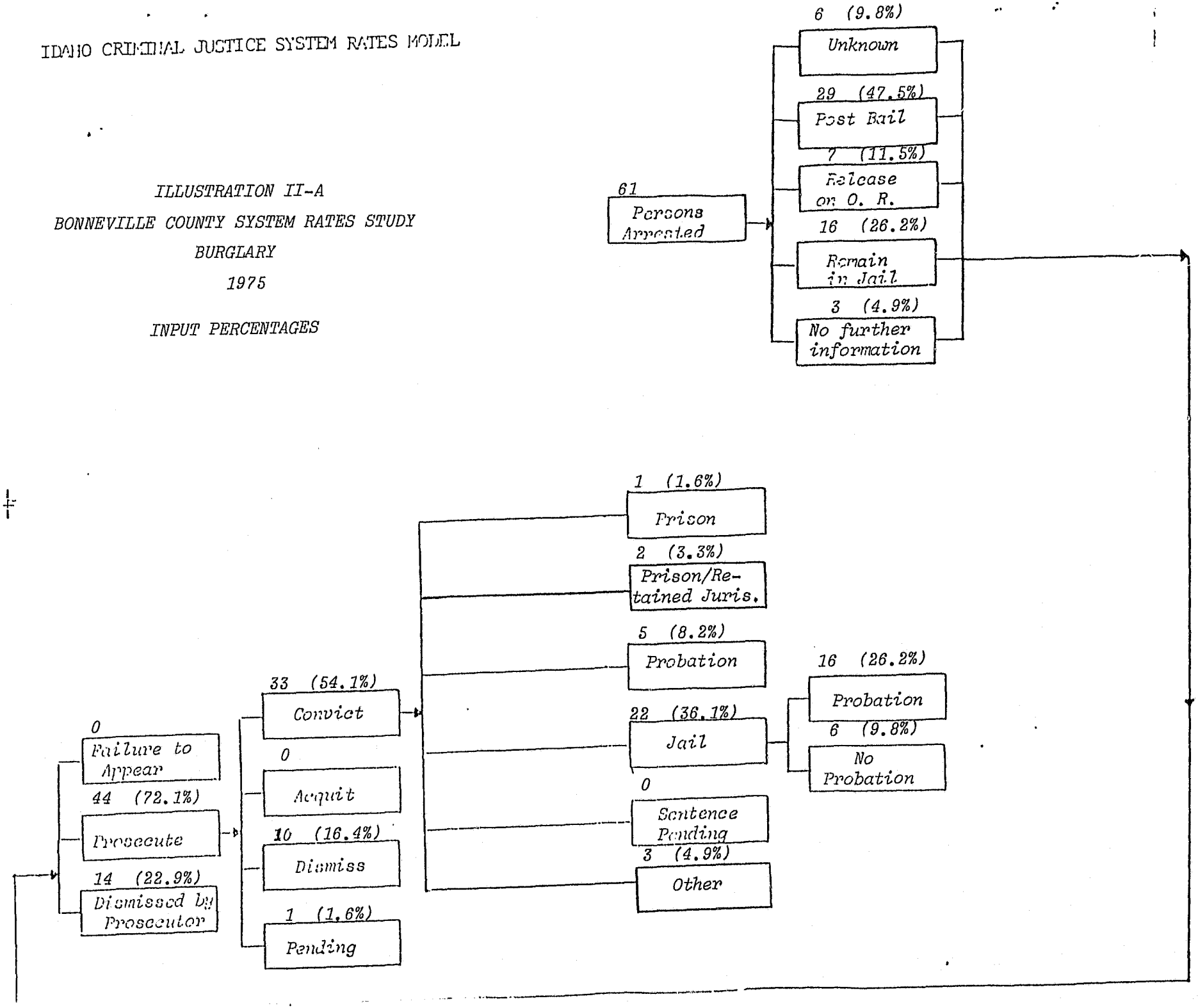
*ILLUSTRATION II-A*

*BONNEVILLE COUNTY SYSTEM RATES STUDY*

*BURGLARY*

*1975*

*INPUT PERCENTAGES*



IDAHO CRIMINAL JUSTICE SYSTEM RATES MODEL

*ILLUSTRATION II-B*

*BONNEVILLE COUNTY SYSTEM RATES STUDY*

*BURGLARY*

*1975*

*DECISION POINT PERCENTAGES*

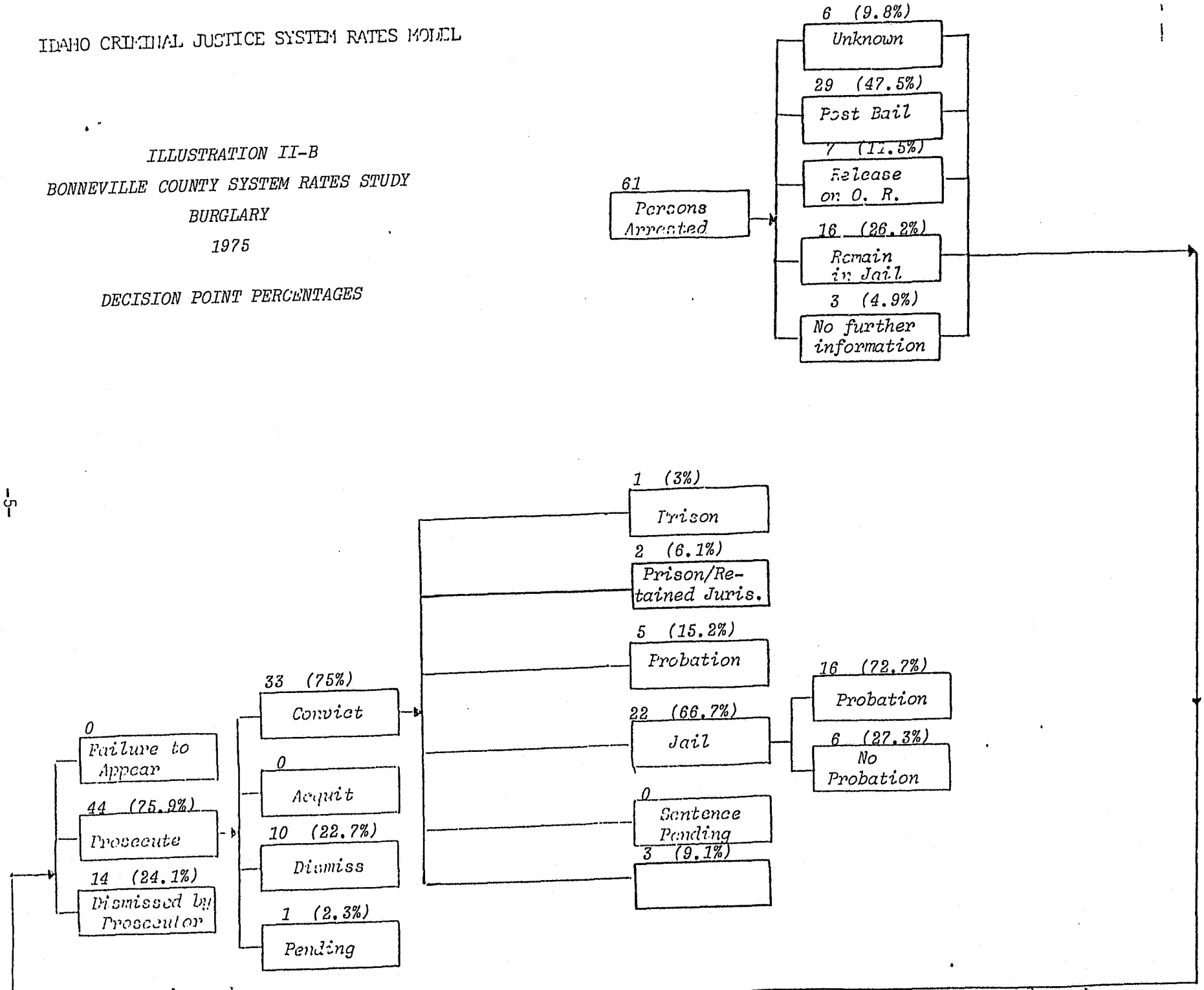


TABLE 1

DISPOSITIONS BY OFFENSE AND SEX

ROBBERY - BURGLARY SYSTEM RATES STUDY

BONNEVILLE COUNTY

1975

| | Magistrate Court | | | District Court | | | |
|---|---|---|---|---|---|---|---|
| | Convict | Dismiss | Bound Over | Convict | Dismiss | Pending | Unk. |
| Robbery: | | | | | | | |
| Male | 6 | 6 | 10 | 10 | | | |
| Female | | 1 | | | | | 2 |
| Total | 6(24%) | 7(28%) | 10(40%) | 10(40%) | | | 2(8%) |
| Burglary: | | | | | | | |
| Male | 9 | 16 | 29 | 23 | 6 | 1 | 3 |
| Female | | 2 | 1 | 1 | | | |
| Total | 9(14.8%) | 18(29.5%) | 30(49.2%) | 24(39.3%) | 6(9.8%) | 1(1.6%) | 3(4.9%) |
| Grand Total | 15(17.4%) | 25(29.1%) | 40(46.5%) | 34(39.5%) | 6(7%) | 1(1.2%) | 5(5.8%) |

The two unknown robbery and three unknown burglary cases could not be located either on the docket or in the Prosecutor's files and are excluded from the remainder of this report.

The grand total of the 1975 robbery and burglary cases shows 40 (46.5%) cases reaching disposition in Magistrate Court, 41 (47.7%) cases bound over to District Court (includes the one case pending), and five (5.8%) unknown. Thirty-one (36.1%) of the grand total of 86 were dismissed.

Ages of robbery defendants ranged between 17 and 27 with the average age of known defendants 19.7 years. For burglary defendants, ages ranged from 17 to 43 with the average age of known defendants 23.2 years. One of the two 17-year-olds waived his juvenile hearing; information concerning a juvenile hearing on the other 17-year-old was not available other than court records which indicated he was held in the adult tank.

Pre-trial release of the arrested person shows 35 released on bond and ten released on own recognizance. Twenty-eight remained in jail while their cases were pending. (Refer to Table 2.) Of the known robbery arrestees, 65% were remanded to jail versus only 29% of burglary arrestees for whom pre-trial release information was available.

TABLE 2

COMPARISON OF PRE-TRIAL RELEASE

ROBBERY - BURGLARY SYSTEM RATES STUDY

BONNEVILLE COUNTY

1975

| Offense | Released on Bond | Released on Own Recognizance | Remained in Jail | Unknown | Total |
|---|---|---|---|---|---|
| Robbery | 5 | 2 | 13 | 3 | 23 |
| Burglary | 30 | 8 | 15 | 6 | 58 |
| Total | 35 | 10 | 28 | 9 | 81 |

The overall analysis of case disposition is presented in Table 3. Thirty-three of the 81 defendants were convicted of the original charge; 15 (18.5%) of reduced charges; one (1.2%) of another felony; and 31 (38.3%) cases were dismissed. No trials were held in 1975 for burglary or robbery cases. Ten defendants who initially entered pleas of not guilty eventually changed their pleas to guilty. (The one defendant whose case is pending entered a plea of not guilty on November 20, 1975, filed a notice to rely on mental disease and was sent to State Hospital South for evaluation; no further information is available from the file.) Twenty-four defendants pleaded guilty of original offenses and 15 pleaded guilty of reduced charges. (Refer to Table 4.)

TABLE 3

ANALYSIS OF CASES PROSECUTED

ROBBERY - BURGLARY SYSTEM RATES

BONNEVILLE COUNTY

1975

| Offense | Original Charge | | Lesser Charge | | Other Felony | | Dismissed | | Acquitted | | Pending | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Freq. | % | Freq. | % | Freq. | % | Freq. | % | Freq. | % | Freq | % | Freq | % |
| Robbery | 10 | 43.5 | 6 | 26.1 | 0 | 0.0 | 7* | 30.4 | 0 | 0.0 | 0 | 0.0 | 23 | 100.0 |
| Burglary | 23 | 39.7 | 9 | 15.5 | 1 | 1.7 | 24** | 41.4 | 0 | 0.0 | 1 | 1.7 | 58 | 100.0 |
| Total | 33 | 40.7 | 15 | 18.5 | 1 | 1.2 | 31 | 38.3 | 0 | 0.0 | 1 | 1.2 | 81 | 100.0 |

*One of seven Robbery cases dismissed was amended to Grand Larceny in the complaint filed in Magistrate Court

**The criminal complaint filed in Magistrate Court for one of the Burglary cases dismissed was for a charge of Carrying a Concealed Weapon.

TABLE 4

GUILTY PLEAS BY OFFENSE
ROBBERY - BURGLARY SYSTEM RATES STUDY

BONNEVILLE COUNTY

1975

| Offense | Guilty of Original Charge | | Change of Plea From Not Guilty to Guilty | | Guilty of Lesser Charge | | Guilty of Other Felony | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Freq. | % | Freq. | % | Freq. | % | Freq. | % | Freq. | % |
| Robbery | 8 | 50.0 | 2 | 12.5 | 6 | 37.5 | 0 | 0.0 | 16 | 100.0 |
| Burglary | 16 | 48.5 | 8 | 24.2 | 9 | 27.3 | 0 | 0.0 | 33 | 100.0 |

Reasons for dismissals of robbery and burglary cases are listed in the following two tables. All seven robbery cases dismissed were dismissed in Magistrate Court; eighteen burglary cases were dismissed in Magistrate Court and six in District Court.

TABLE 5

ROBBERY DISMISSALS

BONNEVILLE COUNTY

1975

| Number of Dismissals | Reason | Court |
|---|---|---|
| 1 | Insufficient evidence | Magistrate |
| 1 | Interests of Justice | Magistrate |
| 1 | Motion of State-- Dismissed without Prejudice | Magistrate |
| 1 | Lack of opportunity for State's witnesses to appear | Magistrate |
| 3 | Good cause appearing | Magistrate |
| 7 | | |

TABLE 6

BURGLARY DISMISSALS

BONNEVILLE COUNTY

1975

| Number of Dismissals | Reason | Court |
|---|---|---|
| 1 | Insufficient evidence to obtain conviction | Magistrate |
| 7 | Interests of Justice | Magistrate |
| 1 | Extradited to California | Magistrate |
| 2 | No probable cause | Magistrate |
| 3 | State's witnesses were unavailable | Magistrate |
| 1 | Preliminary hearing not held within the required 10-day period | |
| 1 | Insufficient evidence -- 3 of 4 State exhibits not accepted, lacking proper identification | Magistrate |
| 1 | Not sufficient probable cause, but probable cause found for a simple assault | Magistrate |
| 1 | Unknown | Magistrate |
| 3 | Interests of Justice | District |
| 1 | Insufficient proof | District |
| 2 | Sentenced on related charge-- prosecution serves no useful purpose | District |
| 24 | | |

Presented in Tables 7 and 8, analysis of sentences imposed revealed that four defendants were committed to the Idaho State Correctional Institution; eight were also committed to ISCI with the Court retaining jurisdiction for 120 or 180 days. In the ten robbery cases that reached District Court, all ten defendants received prison sentences with the court retaining jurisdiction in six cases. In one case, the defendant received a suspended prison sentence of three years with 90 days jail withheld. Jail sentences and/or probations were imposed in the majority of the burglary cases.

It is interesting to note that one defendant who served six months in jail was given a choice between two sentences and chose six months in the county jail over eight months in prison.

TABLE 7

SENTENCES FOR CONVICTIONS OF ROBBERIES

BONNEVILLE COUNTY

1975

| Magistrate Court | | |
|---|---|---|
| Sentences | Number | Amended to |
| Jail: | | |
| 90 days-70 suspended/ 1 year probation/costs | 1 | Receiving Stolen Property |
| 90 days - 60 suspended/ costs | 1 | Conspiracy to Commit Grand Larceny |
| Jail Suspended: | | |
| $200/costs/ 2 years probation | 2 | Receiving Stolen Property |
| Withheld Judgment/ 1 year probation/ costs/$150 contribution to county | 2 | Conspiracy to Commit Grand Larceny |
| **District Court** | | **Outcome if Known** |
| Prison: | | |
| 9 years | 2 | |
| 3 years | 1 | |
| Prison/Retained Jurisdiction: | | |
| 6 years/180 days/ Restitution | 2 | (1) Probation, 5 years 90 days jail (f)* (1) Probation, 5 years |
| 6 years/180 days | 1 | Probation, 5 years |
| 6 years/120 days | 1 | Probation, 5 years |
| 5 years/180 days | 1 | |
| 3 years/120 days/ restitution | 1 | Probation, 3 years |
| Prison--Suspended | | |
| 90 days jail withheld | 1 | Extended to 5 years probation for probation violation |

*Failed; 1/7/77 sentenced to ISCI for 6 yrs. on burglary charge in Jefferson County

TABLE 8

SENTENCES FOR CONVICTIONS OF BURGLARIES

BONNEVILLE COUNTY

1975

| Magistrate Court | | |
|---|---|---|
| Sentence | Number | Amended to: |
| Jail | | |
| 90 days/costs | 1 | Petit Larceny |
| 30 days/costs | 2 | Petit Larceny |
| 60 days/$200/costs | 1 | Receiving Stolen Property |
| Jail-Suspended | | |
| 1 year probation/$150/costs | 1 | Petit Larceny |
| Restitution/costs | 1 | Malicious Injury to Property |
| Withheld Judgment/6 months informal probation/$50 contribution to County/costs | 1 | Disturbing the Peace |
| $500/costs | 1 | Malicious Injury to Property |
| Fine | | |
| $50/costs | 1 | Disturbing the Peace |

| District Court | | |
|---|---|---|
| Sentence | Number | Outcome if known: |
| Prison | | |
| 6 years | 1 | |
| Prison/Retained Jurisdiction | | |
| 5 years/120 days | 1 | |
| 3 years/120 days | 1 | Retained additional 60 days before placed on 2 yrs. prob. |
| Prison-Suspended | | |
| 5 Years-Suspended | | |
| 3 years probation/6 months jail/restitution | 1 | |
| 5 years probation/30 days jail/costs | 1 | |
| 5 years probation/90 days jail | 1 | Failed probation; committed to ISCI |
| 3 years probation | 1 | Failed probation; committed to ISCI |
| Restitution | 1 | |
| 4 Years-Suspended | | |
| 90 days jail-served 7 | 1 | |

Table 8 (contd.)

| District Court | | |
|---|---|---|
| Sentence | Number | Outcome if known: |
| 3 Years-Suspended | | |
| 60 days jail-58 suspended/ costs | 1 | |
| 90 days jail/2 years probation/ restitution $125 Public Defender fees | 1 | |
| Withheld Judgment | | |
| 2 years/120 days jail/costs | 1 | |
| 3 years probation | | |
| Restitution/$35 fine | 1 | Probation terminated, case dismissed |
| Costs | 1 | |
| Restitution/90 days jail | 2 | |
| Restitution/30 days jail | 3 | |
| 2 years probation | | |
| 90 days jail | 1 | |
| 2 weeks jail/$125 | | |
| Public Defender fees | 1 | |
| Withheld Sentence | | |
| 2 years probation/90 days jail | 2 | |
| Jail | | |
| 7 days/2 years probation | 1 | |

Time frames analyzed by number of days from arrest to disposition showed that the grand average for robberies was 152 days and for burglaries 68.6 days. Three robbery cases distorted the average days for dismissals in Magistrate Court; criminal complaints were filed in February 1974, and the cases were dismissed in March 1977, good cause appearing. The average days in parentheses in Table 9 exclude these three cases and present a more representative time span.

TABLE 9

TIME SPANS FROM ARREST TO DISPOSITION

ROBBERY - BURGLARY SYSTEM RATES STUDY

BONNEVILLE COUNTY

1975

| | Magistrate Court | | District Court | | |
|---|---|---|---|---|---|
| Offense | Convictions | Dismissals | Convictions | Dismissals | Grand Average |
| Robbery | 50.7 | 336.4<br>(23.3)* | 83.7 | | 152<br>(61.7) |
| Burglary | 70 | 55.7 | 65.9 | 115.5 | 68.6 |

*Excludes the three robbery cases mentioned above

END