

SYSTEMS RATES ANALYSIS  
PART I CRIMES  
KOOTENAI COUNTY  
JANUARY - AUGUST, 1975

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ACQUISITIONS

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## I N T R O D U C T I O N

The Law Enforcement Planning Commission, in cooperation with Kootenai County Prosecuting Attorney, Mr. Gary Haman, undertook a systems rate study of all Part I\* arrests filed with the Prosecutor's office during the first eight months of 1975. The intent of this analysis was to yield data pertaining to criminal justice system response to the arrested person. Through a review of information provided in case files, the following information was obtained: a comparison of time from arrest to trial and arrest to disposition; an analysis of the disposition and sentence itself; data regarding dismissals, and data dealing with the individual arrestee.

Because the source of all the data used in this study came from the Prosecutor's files, it was not possible to determine, for instance, how many persons were actually arrested in Kootenai County for Part I crimes nor how many cases were cleared. This study simply dealt with the number of Part I arrests in which prosecution was initiated during the first eight months of 1975. This study did not reflect or deal with those cases where prosecution was declined and not filed.

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\*Part I crimes include murder, rape, robbery, larceny, burglary, auto theft and aggravated assault.

## FINDINGS:

Fifty cases were filed with the Prosecutor's Office for Part I offenses during the period January, 1975 through August, 1975. (This figure does not include those juveniles arrested for Part I crimes during this same period.) As can be seen from Illustration 1,\* on the following page, of the fifty cases, 40% were placed on bail, twenty percent were released on their own recognizance, and thirty-four percent remained in jail after initial filing with the office.

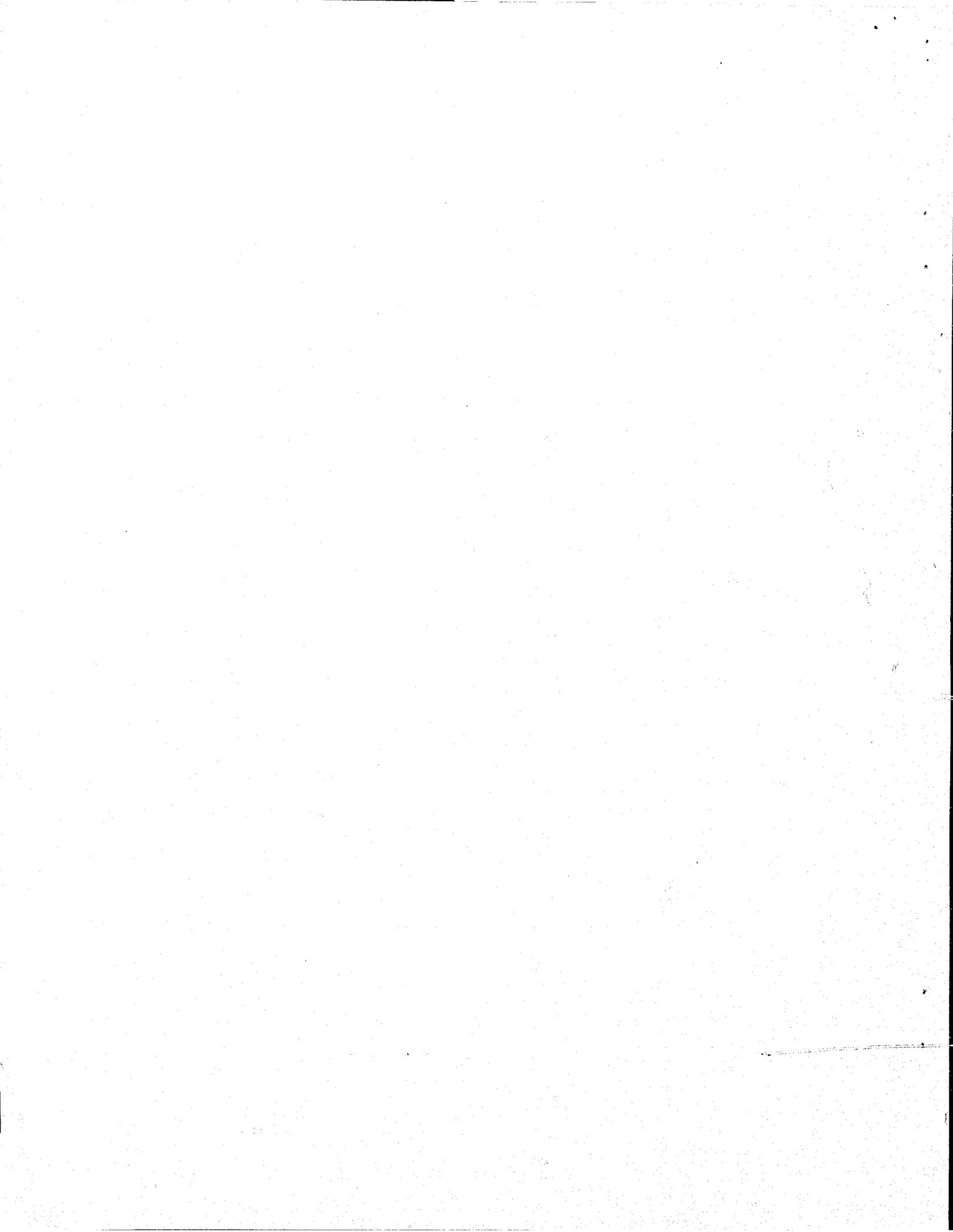
Eighty-six percent of the total were ultimately prosecuted, whereas six (12%) cases were dismissed on the motion of the prosecutor. One failed to appear before the court.

Seventy-two percent of those arrested were convicted either on the original charge or on a reduced charge. Six percent were given a prison sentence, twelve percent received a 120-day sentence, and forty-six percent were placed on probation. One received a jail sentence. As of September 1, 1976, fifty-six percent of the original fifty people arrested were on probation.

Illustration 2 on Page 3 also depicts the percentage of persons going through the various aspects of the system. It differs from Illustration 1, however, in that percentages are based on that portion entering each aspect of the system rather than on the total originally arrested. This illustration shows that of the forty-three individuals prosecuted, eighty-three percent were convicted. Of these, 8.3% were given prison sentences, 16.7% were placed in the 120-day prison program, and 63.9% were sentenced to probation. As of September, five of those originally receiving either prison or 120-day sentences were also placed on probation bringing this total to 77.8% of those thirty-six convicted.

Of the Part I crimes filed with the prosecutor's office during the first eight months of 1975, fifty-eight percent were burglaries, as shown in Table I. Crimes against the person (murder, rape, robbery and assault) accounted for twenty-six percent of the total, while crimes against property (burglary and larceny) accounted for seventy-four percent of the total.

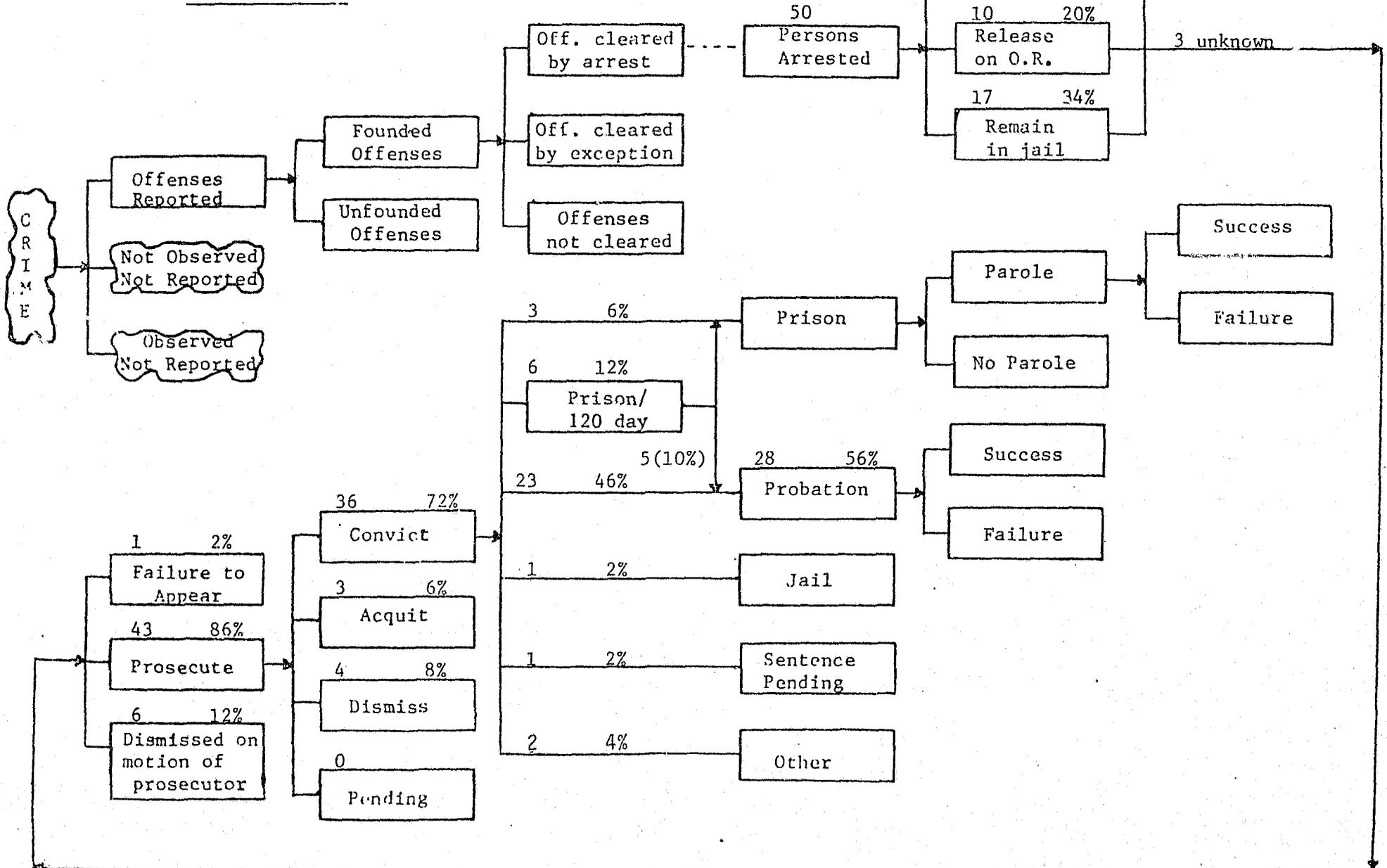
\*Illustration 1, on the following page, shows the input percentages of arrests during the first eight months of 1975, i.e., of the fifty arrests, twenty-eight (50%) were finally placed on probation.



PART I CRIMES  
 INPUT PERCENTAGES  
 KOOTENAI COUNTY  
 JAN-AUG, 1975

IDAHO CRIMINAL JUSTICE  
 SYSTEM RATES MODEL

ILLUSTRATION 1



DECISION POINT PERCENTAGES

IDAHO CRIMINAL JUSTICE  
SYSTEM RATES MODEL

PART I CRIMES

KOOTENAI COUNTY

JAN-AUG, 1975

ILLUSTRATION 2

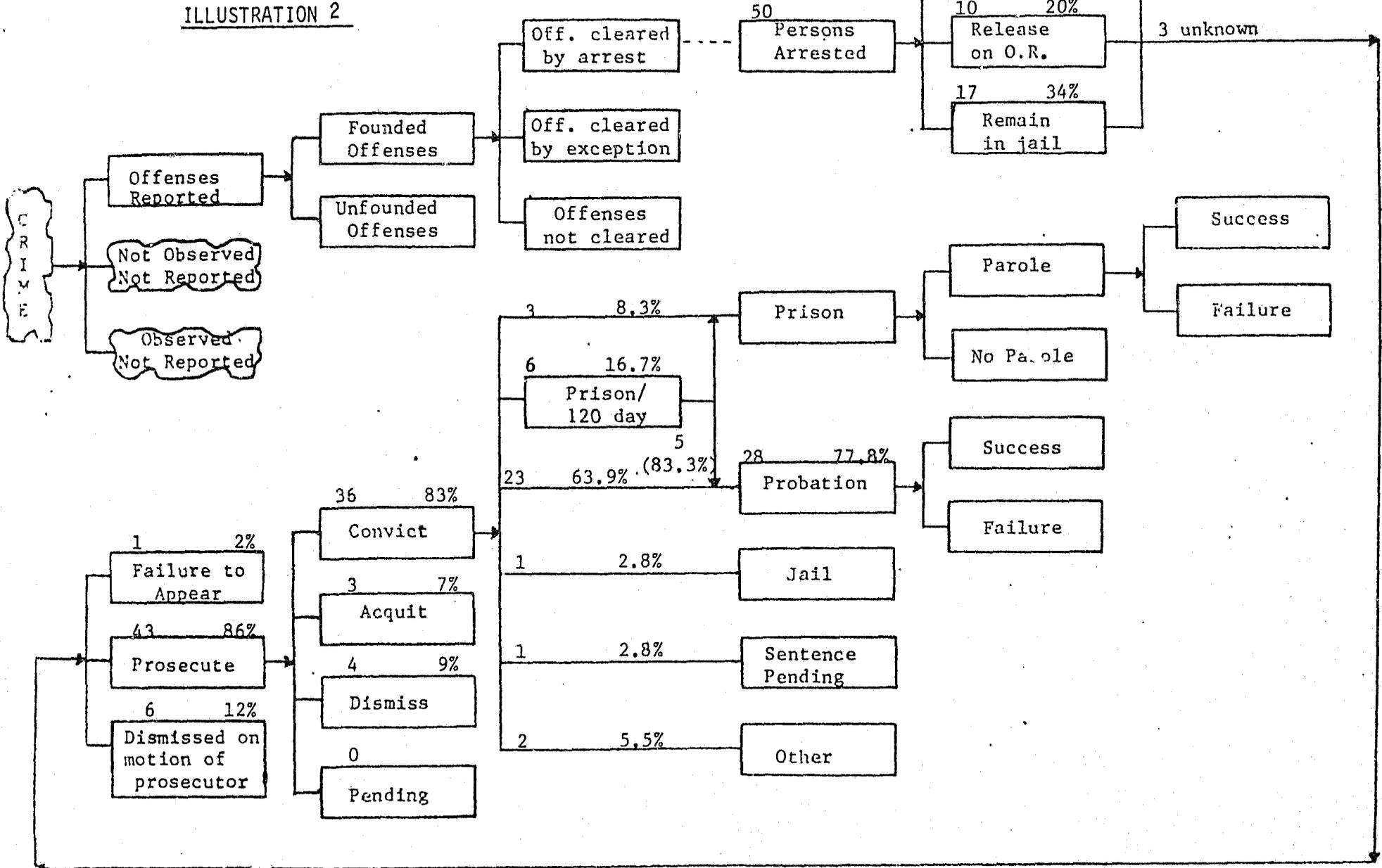


TABLE I  
 BREAKDOWN OF ARRESTS BY CRIME  
 KOOTENAI COUNTY  
 JAN-AUG, 1975

CRIME *	FREQUENCY	PERCENT
Murder	2	4%
Rape	1	2%
Robbery	4	8%
Assault	6	12%
Burglary	29	58%
Larceny**	8	16%
TOTAL	50	100%

\*Includes attempted crimes  
 \*\*Includes motor vehicle theft

Pre-trial release of the arrested person has been broken down by crime. (See Table II below.) Of those arrested, forty percent were released on bond pending further court action, and twenty percent were released on their own recognizance. Thirty-four percent remained in jail while their cases were pending.

TABLE II  
 COMPARISON OF PRE-TRIAL RELEASE/JAIL  
 KOOTENAI COUNTY  
 JAN-AUG, 1975

CRIME	RELEASED ON BOND		RELEASED ON OWN RECOGNIZANCE		REMAINED IN JAIL		UNKNOWN		TOTAL	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Murder	1	50%	0		1	50%	0		2	100%
Rape	0		0		1	100%	0		1	100%
Robbery	2	50%	0		2	50%	0		4	100%
Assault	2	33%	0		1	17%	3	50%	6	100%
Burglary	12*	41%	8	28%	9	31%	0		29	100%
Larceny	3	37.5%	2	25%	3	37.5%	0		8	100%
TOTAL	20	40%	10	20%	17	34%	3	6%	50	100%

\*One defendant jumped bail

The overall analysis of case disposition is shown in Table III, and includes persons convicted, those dismissed, and those acquitted. Of the forty-nine cases having a disposition, 45% were convicted on the original charge, 25% were convicted on a lesser charge, and 4% were convicted on another felony charge. Ten, or 20%, of the cases were dismissed and three, or 6%, of the cases were acquitted.

TABLE III  
 OUTCOME ANALYSIS OF CASES PROSECUTED  
 KOOTENAI COUNTY  
 JAN-AUG, 1975

C O N V I C T E D

CRIME	ORIGINAL CHARGE		LESSER CHARGE		OTHER FELONY		DISMISSED		AQUITTED		TOTAL	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Murder	0		1	50%	0		1	50%	0		2	100%
Rape	1	100%	0		0		0		0		1	100%
Robbery	4	100%	0		0		0		0		4	100%
Assault	0		1	17%	0		4	67%	1	17%	6	100%
Burglary	16	57%	6	21%	2	7%	4	14%	0		28	100%
Larceny	1	12.5%	4	50%	0		1	12.5%	2	25%	8	100%
TOTAL	22	45%	12	25%	2	4%	10	20%	3	6%	49	100%

Table IV, on the following page, indicates that of the thirty-six persons who either pled guilty or received a guilty verdict, twenty-two (61%) were convicted on the original charge; twelve (33%) were convicted on a reduced charge and two (6%) were convicted on another felony charge. For the non-violent crimes (burglary and larceny) seventeen out of thirty-six, or 47% were guilty of the original charge, as compared to five out of seven, or 71%, for the violent crimes (murder, rape, robbery and assault).

For those either pleading guilty or receiving a guilty verdict on a lesser charge, ten out of twelve, or 83%, were guilty of non-violent crimes, while only two out of twelve, or 16%, were guilty of violent crimes.

TABLE IV  
ANALYSIS OF GUILTY PLEAS AND VERDICTS  
KOOTENAI COUNTY  
JAN-AUG, 1975

CRIME	GUILTY OF ORIGINAL CHARGE		GUILTY OF LESSER CHARGE		GUILTY OF OTHER FELONY		TOTAL	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Murder	0		1				1	
Rape	1						1	
Robbery	4						4	
Assault	0		1				1	
Burglary	16		6		2		24	
Larceny	1		4				5	
TOTAL	22	61%	12	33%	2	6%	36	100%

Thirty-five, or 97%, of the thirty-six convictions pled guilty rather than pursue a trial, as detailed in Table V. Of those pleading guilty, fifty-seven percent pled to the original charge, thirty-four percent pled to a lesser or reduced charge and nine percent pled to another Part I crime.

TABLE V  
COMPARISON OF GUILTY PLEAS AND GUILTY VERDICTS  
KOOTENAI COUNTY  
JAN-AUG, 1975

	GUILTY OF ORIGINAL CHARGE		GUILTY OF LESSER CHARGE		GUILTY OF OTHER CHARGE		TOTAL	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Pleas	20	57%	12	34%	3	9%	35	100%
Verdict	1	100%	0		0		1	100%
TOTAL	21	58%	12	33%	3	9%	36	100%

As shown in Table VI, on the following page, of those who were originally arrested for burglary, six, or 17%, pled guilty to a reduced charge. Four, or 50% of the eight persons who originally were arrested for larceny, pled guilty to a reduced charge; and for murder, one of the two defendants pled guilty to a reduced charge.

TABLE VI  
ANALYSIS OF ORIGINAL CHARGE AND  
PLEA TO REDUCED CHARGE BY CRIME  
KOOTENAI COUNTY  
JAN-AUG, 1975

TOTAL NUMBER	ORIGINAL CHARGE	NUMBER REDUCED PLEAS	GUILTY PLEA TO REDUCED CHARGE
1	Murder (attempted)	1	Disturbing the Peace
6	Burglary	3	Accessory to a felony
		2	Petty Larceny
		1	Attempted burglary
1	Assault	1	Battery
4	Grand Larceny	2	Petty Larceny
		2	Driving a vehicle without owners consent.
<u>12</u>		<u>12</u>	

As indicated in Table VII, below, of the six people arrested for assault, five, or 83%, of the cases were either dismissed or acquitted. Of those arrested for burglary, four out of twenty-eight, or 14%, were dismissed or acquitted; and three out of eight, or 38%, were either dismissed or acquitted for larceny.

TABLE VII  
ANALYSIS OF DISMISSALS AND ACQUITTALS BY CRIME  
KOOTENAI COUNTY  
JAN-AUG, 1975

CRIME	DISMISSED		ACQUITTED		TOTAL PERSONS ARRESTED*	
	Freq.		Freq.		Freq.	
Murder	1		-		2	
Rape	-		-		1	
Robbery	-		-		4	
Assault	4		1		6	
Burglary	4		-		28	
Larceny	1		2		8	
TOTAL	10	20%	3	6%	49	100%

\*Does not include one defendant who jumped bail.

Of the original six assault cases, four, or 67%, were dismissed (refer to Table VIII, below). For burglary, 14% of the original cases were dismissed, and for larceny 13% of the original cases were dismissed.

TABLE VIII  
REASONS FOR DISMISSAL  
ON MOTION OF PROSECUTOR AND BY COURT  
KOOTENAI COUNTY  
JAN-AUG, 1975

TOTAL NUMBER OF DISMISSALS	CRIME	REASON	DISMISSALS BY REASON
1	Murder	Lack of sufficient evidence.	1
4	Assault	Insufficient evidence.	1
		Pursue hospitalization of mentally ill.	1
		Result of polygraph.	1
		Ends of justice best served by dismissal.	1
4	Burglary	Ends of justice best served by dismissal.	2
		Other charges pending.	2
1	Larceny	Complaining witness refused to testify.	1
<hr/> 10			<hr/> 10

An analysis of sentences imposed revealed that 37% of the thirty-five persons charged received withheld judgments. Thirty-seven percent received suspended sentences, and 17% were placed under the 120-day program. Nine percent, or three offenders, received a prison sentence (see Table IX, on the following page).

When reviewing sentencing information by type of crime as originally charged, it was determined that two offenders received prison sentences for burglary and one was sentenced to prison on a rape charge. (Refer to Table X, Page 9 .) In some instances the sentence imposed was for a reduced charge. For instance, the one individual originally charged with murder was subsequently sentenced on the charge of disturbing the peace.

TABLE IX  
SENTENCES  
KOOTENAI COUNTY  
JAN-AUG, 1975

SENTENCE	NUMBER	PERCENT
Prison	3	9%
Prison/120 Day	6	17%
Suspended Sentence:		
with probation only	6	17%
with jail, work release, probation and fine	5*	14%
fine only	2	6%
Withheld judgment:		
with probation and fine	8	23%
with jail, probation and work release	5	14%
	<u>35**</u>	<u>100%</u>

\*one defendant did not receive probation

\*\*does not include one case where defendant jumped bail prior to sentence and sentencing is still pending.

TABLE X  
SENTENCES FOR ROBBERY, ASSAULT  
BURGLARY AND LARCENY BY CRIME  
KOOTENAI COUNTY  
JAN-AUG, 1975

SENTENCE	C R I M E			
	ROBBERY	ASSAULT	BURGLARY	LARCENY
Prison			2	
Prison/120 Day	2		3	1
Suspended Sentence				
with probation		1	4	1
with jail, work release, fine	2		3	
With fine only				2
Withheld judgment				
with probation and fine			6	1
with jail, work release, probation			5	
TOTAL	<u>4</u>	<u>1</u>	<u>23</u>	<u>5</u>

As part of the analysis, time spans between arrest, dismissal, trial, and sentencing were calculated for all cases involved in each step of the process. This information is presented on Table XI.

TABLE XI  
TIME FRAME FOR CASES  
KOOTENAI COUNTY  
JAN-AUG, 1975

	Average No. Of Days
Arrest to Dismissal	59.0 Days
Arrest to Trial*	61.5 Days
Arrest to Sentencing**	67.7 Days

\*Cases included in this tabulation are those that were acquitted, and those found guilty either by trial or plea.

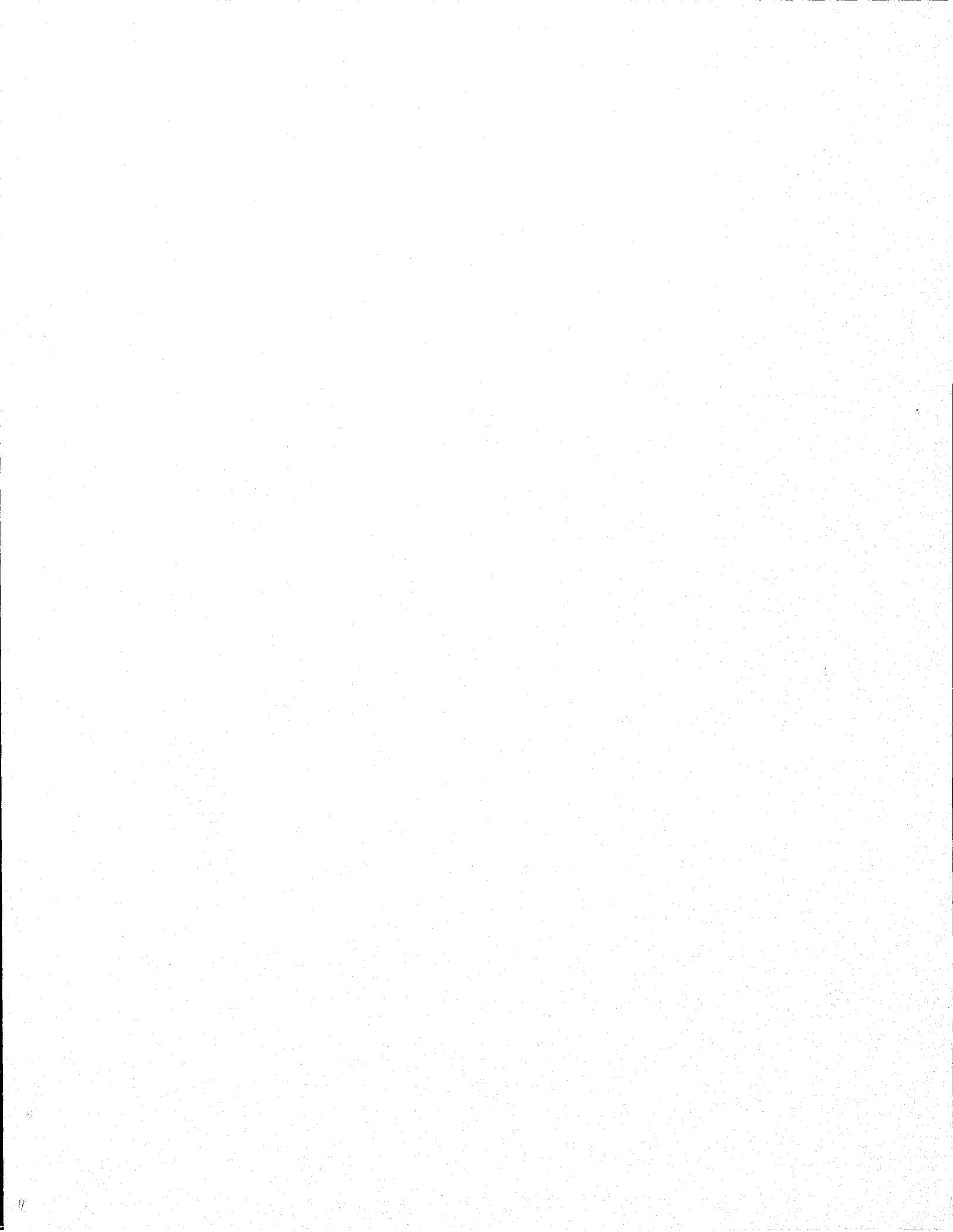
\*\*This figure can be misleading since some cases covered a long period of time between arrest and trial and then resulted in an acquittal.

This table reveals that the average number of days between arrest to dismissal was fifty-nine days. Average number of days between arrest to trial was 61.5 days. This figure closely approximated the time frame of sixty days from arrest to trial for felony cases as recommended by the National Advisory Commission on Criminal Justice Standards and Goals. Finally, the average number of days between arrest and sentencing was 67.7 days.

#### CONCLUSIONS:

This report is presented to provide information related to the processing of Part I crime cases through the prosecutor's office and the court system in Kootenai County. Its intent has been to illustrate what has happened to individuals as they proceed through or drop out of the System so that such information can be used for administrative and planning purposes.

To be a truly effective tool for management, this study should be compared with similar studies of agencies so that significant differences in processing output could be identified. At present, the State of Idaho is developing an offender tracking system which will produce Statewide the type of data presented in this report. When such information is made available, this report should become more valuable as an instrument for planning and management purposes.



**END**