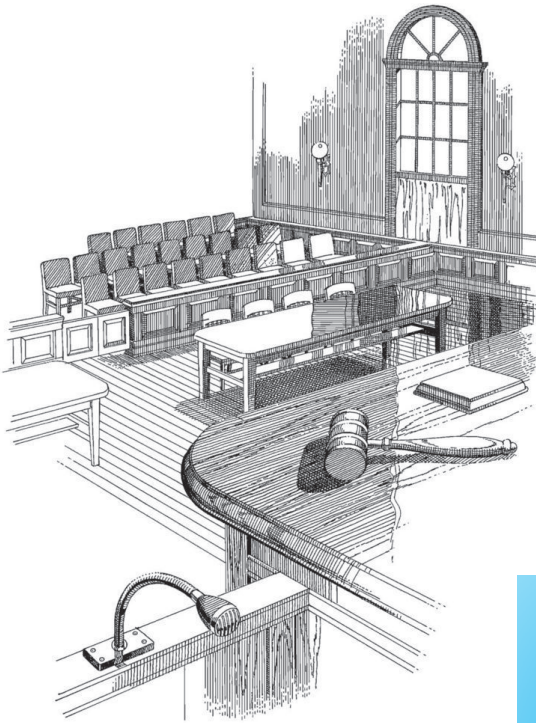Mecklenburg County Criminal Justice Matters

Criminal Justice Quarterly Report
January 2009-March 2009

July 2009

Report prepared by the County Manager's Office

Introduction and Overview

The Board of County Commissioners values the safety of Mecklenburg County residents and documents this as a priority in its 2015 Community Vision. As an organization, Mecklenburg County has specific goals of increasing the safety and security of residents and increasing the efficiency and effectiveness of criminal justice services. In May 2008, the Board created the Justice and Public Safety Task Force to review the criminal justice system and make recommendations to restore its functional effectiveness. The Board-appointed Justice and Public Safety Task Force produced its final report in November 2008. The report included 16 prioritized recommendations designed to make an effective impact on crime and justice-related activities in Mecklenburg County. The Task Force's fourth recommendation called for the creation of a criminal justice system report that would provide transparent and easily accessible information to the public regarding the efficiency and effectiveness of the criminal justice system. This is the first comprehensive report produced to give residents a tool to track the progress of the coordinated effort of the County to increase the efficiency, effectiveness, and accountability of the criminal justice system.

The framework for this report, and future quarterly and annual versions of **Mecklenburg County Criminal Justice Matters**, will include the following four areas:

- ❏ Law Enforcement
- ❏ Jail and Pretrial Services
- ❏ Court System
- ❏ Alternatives to Incarceration/Community Based Programs

Quarterly reports will highlight key events that have taken place within the system and track the system's progress by providing measures that indicate how each area within the system is performing compared to the same time period the previous year. The annual report will summarize the progress the criminal justice system has made during the year towards achieving outcome goals within each of the four areas. The annual report will vary slightly from the quarterly reports, as it will be focused on specific outcome goals for each area within the criminal justice system.

Each edition of **Mecklenburg County Criminal Justice Matters** will be posted and updated at www.MecklenburgCountyNC.gov so that residents and stakeholders can track progress and share information about the efficiency and effectiveness of the Mecklenburg County criminal justice system.

Performance Indicators

Each of the four areas within the report has associated measures that indicate the progress of the criminal justice system towards its annual goals. Quarterly reports have a singular performance goal for the Law Enforcement and Jail and Pretrial Services areas, this goal is to show an improvement in performance compared to the same three month time period the previous year.* The Court System measures do not have performance indicators because that data is shown for the entire fiscal year and is not compared to any other period.

*For detailed data and information, see Table 1: Criminal Justice System Performance Report Measures

A red marker indicates a decline in performance compared to the same quarter the previous year.

A green marker indicates an improvement in performance compared to the same quarter the previous year.

Law Enforcement

Law enforcement measures demonstrate the success of Mecklenburg County's crime fighting efforts. Although local law enforcement is primarily responsible for public safety, residents play a pivotal role in increasing public safety by reporting crime and assisting law enforcement by practicing good prevention measures. The level of crime is important because it has a direct correlation to the quality of life in Mecklenburg County.

Uniform Crime Report (UCR) Part 1 Index Offenses

25.4% decrease (3,818 fewer offenses) in reported Part 1 Index Offenses in Mecklenburg County.
> Note: Part 1 Index Offenses include only the following felonies: Homicide, Rape, Robbery, Aggravated Assault, Burglary, Larceny, Auto Theft, and Arson.

Crime Rate

28% decrease (466 fewer offenses/100,000 residents) in the rate of Part 1 Index Offenses reported per 100,000 people, despite a population increase of 3.6% between 2008 and 2009.

Inmates Released on Electronic Monitoring (CMPD)

329.9% increase (221 people) in pretrial inmates released on bond with the added condition of CMPD Electronic Monitoring.
> Note: The primary purpose of CMPD Electronic Monitoring is to monitor higher risk pretrial defendants that post bond but require intensive supervision. This program has experienced tremendous growth, including an increase in the use of monitoring individuals accused of property offenses.

Jail and Pretrial Services

Jail measures demonstrate the likelihood of the jail population being at or below its functional capacity of 2,268 inmates. These measures include factors that contribute to the County's jail population as well as the actual number of people being housed in County jail facilities. The Mecklenburg County jail population includes both pretrial and sentenced inmates; however, on average, pretrial inmates represent approximately 2/3 of the entire population. Maintaining a jail population that is within the maximum jail housing capacity is important because it allows the Sheriff's Office (MCSO) to operate a safe and secure jail facility and minimizes cost to the taxpayer.

Total Arrests Processed

5% increase (562 more arrests) in new arrests processed in Mecklenburg County.
   Note: The data in this report shows a decrease in the number of crimes reported and an increase in the number of new arrests processed. One reason for this difference is that misdemeanors are not included in Part 1 Index Offenses as reported above. According to the May 2009 Sheriff's Office document, "Analysis of Arrests and Releases," seventy-one percent (71%) of the arrestees brought into the Arrest Processing Center were charged with a misdemeanor or traffic offense. The largest offender group to enter the jail was misdemeanants (48%), followed by those charged with a traffic violation (23%), felonies (20%), and federal inmates (9%).

Average Daily Population

5.9% decrease (152 inmates) in the average daily population (ADP) of inmates housed in the jail.

Average Length of Stay

10.4% decrease (2 days) in the average number of days an inmate is detained in the jail.

Inmates Released through Pretrial Services

25.1% decrease (464 people) in pretrial inmates released via Pretrial Services.
   Note: Pretrial Services is a County agency whose measures are included as a subset of the jail measures because Pretrial Services helps in managing the jail population. Pretrial Services identifies inmates who can safely be released on their own recognizance or to the supervision of a third party custodian prior to their first scheduled court appearance.

Inmates Released on Electronic Monitoring (MCSO)

31.3% increase (20 people) in pretrial inmates released via MCSO Electronic Monitoring Pretrial Services.
   Note: The purpose of MCSO Electronic Monitoring is to monitor moderate risk pretrial defendants who are unable to secure bond, thereby alleviating crowding at the county detention facilities.
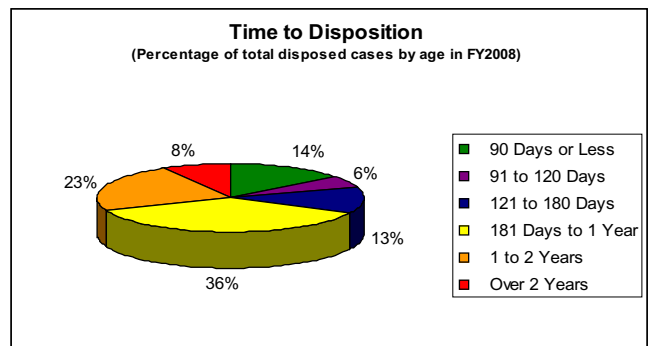
Court System

Court System measures demonstrate the efficiency of the Mecklenburg County Superior Court's case processing. The North Carolina Administrative Office of the Courts tracks data on a fiscal year basis.   The data in this report is for FY2008, July 01, 2007 through June 30, 2008. *Note: The County has invested in the expedited processing of Superior Court cases with the implementation of the Criminal Reorganization Plan. Due to the heightened focus on the processing of Superior Court cases, District Court data is not included in court system measures at this time.*
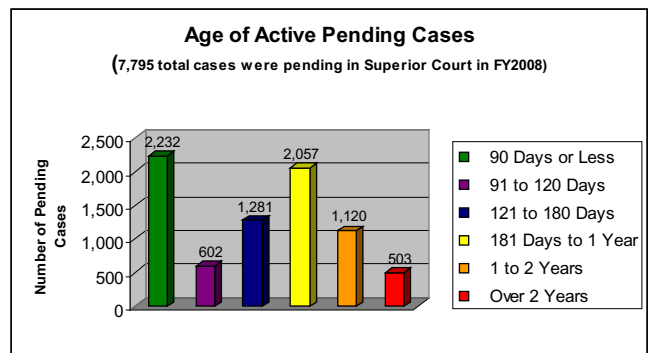
The National Center for State Courts recommends "CourTools" as a best practice for gauging trial court performance and the criminal case flow management process. This report provides data for three CourTools measures: *Clearance Rate, Time to Disposition and Age of Active Pending Cases*. It is important to evaluate the results of these measures together in order to have a complete understanding of the efficiency of the court system. Efficient processing of cases is important because it directly impacts the jail population and overall costs to taxpayers.

Clearance Rate shows whether Mecklenburg County's Superior Court can keep up with the flow of its incoming felony cases. CourTools measures Clearance Rate by the number of outgoing cases (i.e., cases that have a verdict from a judge and have been disposed) as a percentage of incoming cases (i.e., case filings). 105% of new felony cases filed in Superior Court were cleared in FY2008. This means the Court exceeded at "handling the flow" or the processing of new case filings for the fiscal year. In other words, 105% shows the Court cleared 5% more cases than were filed during the year. A unique approach is to include the number of pending cases (i.e., the court's backlog) as part of the "clearance" measure calculation. This practice is contrary to CourTools' recommendations, but the result (58%) reveals an opportunity for evaluating the Court's process for disposing all pending case files.

Time To Disposition measures the age of a felony case from the date of indictment to the date the case is closed. 10,028 felony cases were disposed in FY2008. Of the total, 69% (6,913 cases) were less than a year old on the date of case disposition and 31% (3,115 cases) were over a year old when closed.

Time to Disposition
(Percentage of total disposed cases by age in FY2008)

- 90 Days or Less — 14%
- 91 to 120 Days — 6%
- 121 to 180 Days — 13%
- 181 Days to 1 Year — 36%
- 1 to 2 Years — 23%
- Over 2 Years — 8%

Age of Active Pending Caseload shows the age of cases that have been filed with the court at some time in the past and are still awaiting disposition. Knowledge of the age of pending cases is useful in determining which case types lag behind the court's time standards for disposition. 7,795 felony cases were pending in Superior Court in FY2008. For the time period assessed, 28.8% (2,232 cases) of pending cases are less than 90 days old, and 21% (1,623 cases) of pending cases are one year and older.

Age of Active Pending Cases
(7,795 total cases were pending in Superior Court in FY2008)

Number of Pending Cases

- 90 Days or Less — 2,232
- 91 to 120 Days — 602
- 121 to 180 Days — 1,281
- 181 Days to 1 Year — 2,057
- 1 to 2 Years — 1,120
- Over 2 Years — 503

Alternatives to Incarceration/Community Based Programs

Community based programs help reduce recidivism and rehabilitate offenders so that they can become productive members of society. It is acknowledged that these programs are a key component of a successful criminal justice system; however, measures for this category are under development and will not be included in the current report.

Table 1:
Criminal Justice System Performance Report Measures

Performance Indicators	What the Measure Shows	Data			
Law Enforcement	**Desired Outcome: Create a safe community.**	**Law Enforcement Data**			
		January-March 2008	**January-March 2009**	**2008 to 2009 Variance**	**% Change**
*Total Uniform Crime Report (UCR) Part 1 Index Offenses	Shows the total number of Part 1 Index offenses that are *reported* within Mecklenburg County, thus serving	15,026	**11,208**	(3,818)	-25.4%
**Crime Rate per 100,000	Shows the rate of occurrence of Part I offenses per	1,664	**1,198**	(466)	-28.0%
Inmates Released on Electronic Monitoring (CMPD)	Shows how many pretrial inmates are released via Bond, with the added condition of Electronic Monitoring. The primary purpose of CMPD Electronic	67	**288**	221.0	329.9%
Jail	**facility**	**Jail Data**			
		January-March 2008	**January-March 2009**	**2008 to 2009 Variance**	**% Change**
Total Arrests Processed	Shows the total volume of arrestees entering the jail. This number includes both felony and misdemeanor	11,278	**11,840**	562.0	5.0%
Average Daily Population	Shows the average number of inmates housed in the jail. This provides an indication of the number of beds	2,562	**2,410**	(152)	-5.9%
Average Length of Stay	in the jail.	19.1	**17.1**	(2)	-10.4%
Pretrial Services	**Desired Outcome: Effectively utilize jail space.**	**Pretrial Data**			
		January-March 2008	**January-March 2009**	**2008 to 2009 Variance**	**% Change**
Inmates Released on Pretrial Services	Shows how many pretrial inmates are released via Pretrial Services. Provides an indication of the	1,845	**1,381**	(464)	-25.1%
Inmates Released on Electronic Monitoring (MCSO)	Shows how many pretrial inmates are released via Pretrial Services on Electronic Monitoring. These are generally moderate risk inmates who were unable to	64	**84**	20.0	31.3%
Court System	**Court system.**	**Court Data**			
Clearance Rate	Shows whether a court can keep up with its incoming cases. CourTools measures "Clearance Rate" as the number of outgoing cases (disposed) versus incoming cases (filings). The calculation does not include pending cases as part of the court's total caseload or denominator. A unique approach is to assess	**Fiscal Year 2008 - % Cleared**	**Fiscal Year 2009 - % Cleared**	**2008 to 2009 Variance**	**% Change**
		105%	Data Not Available	N/A	N/A
Time to Disposition	Shows the length of time it takes the Superior Court to process and close its cases. This can be used to	**Length of Time to Disposition**	**Fiscal Year 2008**	**% of Total**	
		90 Days or Less	1,428	14.2%	
		91 to 120 Days	564	5.6%	
		121 to 180 Days	1,260	12.6%	
		181 Days to 1 Year	3,661	36.5%	
		1 to 2 Years	2,270	22.6%	
		Over 2 Years	845	8.4%	
		Total Cases Disposed	10,028	100%	
Age of Active Pending Cases	Shows the age of all active, pending cases within Superior Court. This demonstrates whether a backlog	**Age of Pending Cases**	**Fiscal Year 2008**	**% of Total**	
		90 Days or Less	2,232	28.6%	
		91 to 120 Days	602	7.7%	
		121 to 180 Days	1,281	16.4%	
		181 Days to 1 Year	2,057	26.4%	
		1 to 2 Years	1,120	14.4%	
		Over 2 Years	503	6.5%	
		Total Pending Cases	7,795	100%	

* Part 1 Index Crimes include only these felonies: Homicide, Rape, Robbery, Aggravated Assault, Burglary, Larceny, Auto Theft, and Arson.

** Estimated 2008 Mecklenburg County population 902,803: 2009 estimated Mecklenburg County population 935,304. Data source Charlotte Chamber of Commerce 06/2009.