

2/01/12
UPDATE ON
CASE
DISMISSALS

<TARGET><BILL></BILL><SUBJECT>2-01-12 UPDATE ON CASE
DISMISSALS</SUBJECT><COMM>SJUD27</COMM></TARGET>

Alaska Court System

Criminal Case - Time to Disposition (Final Judgment)

Cases Closed 07/01/2010 to 06/30/2011

Breakdown by Disposition and Case Type

Felony													
Days - Number of Cases and Percent of Total Cases													
Disposition	Number of Cases	1 - 120 Days		121-180 Days		181 - 365 Days		366 - 730 Days (1-2 yrs)		Over 730 Days (2 yrs)		Mean	Median
		Cases	Percent	Cases	Percent	Cases	Percent	Cases	Percent	Cases	Percent		
Acquittal													
District Court Felony	4	2	50.0 %	0	0.0 %	1	25.0 %	1	25.0 %	0	0.0 %	200	139
Superior Court Felony	28	4	14.3 %	5	17.9 %	14	50.0 %	2	7.1 %	3	10.7 %	289	204
Total Case Count:	32												
Convictions													
District Court Felony	1442	1146	79.5 %	152	10.5 %	115	8.0 %	24	1.7 %	5	0.3 %	89	64
Superior Court Felony	3261	1218	37.4 %	636	19.5 %	913	28.0 %	387	11.9 %	107	3.3 %	230	155
Total Case Count:	4703												
Dismissals													
District Court Felony	926	745	80.5 %	88	9.5 %	66	7.1 %	21	2.3 %	6	0.6 %	81	38
Superior Court Felony	526	218	41.4 %	84	16.0 %	149	28.3 %	60	11.4 %	15	2.9 %	265	154
Total Case Count:	1452												
Other													
District Court Felony	15	14	93.3 %	1	6.7 %	0	0.0 %	0	0.0 %	0	0.0 %	29	14
Superior Court Felony	16	14	87.5 %	0	0.0 %	1	6.3 %	0	0.0 %	1	6.3 %	105	13
Total Case Count:	31												
6218													

End of Felony report

End of Report

Alaska Court System

Felony Time to Disposition (Final Judgment)

Cases Closed 07/01/2010 to 06/30/2011

Statewide

Days to Disposition	Degree of Offense at Filing							Totals	Percent	Cumulative Percent
	Felony Conversion	Murder Unclass Felony	Unclass Felony	Class A Felony	Class B Felony	Class C Felony	Misdemeanor			
1-120	33	5	32	113	743	2,151	65	3,142	52.4%	52.4%
121-180	25	0	17	68	231	601	22	964	16.1%	68.5%
181-365	50	4	56	136	291	673	48	1,258	21.0%	89.4%
366-730	31	15	53	45	111	226	14	495	8.3%	97.7%
Over 730	16	12	22	15	21	41	10	137	2.3%	100.0%
Others	0	0	0	0	1	1	0	2	0.0%	100.0%
	155	36	180	377	1,398	3,693	159	5,998		

Degree of Offense at Filing	Mean	Median
Felony Conversion	552	334
Murder Unclassified Felony	550	429
Unclassified Felony	429	327
Class A Felony	277	235
Class B Felony	214	136
Class C Felony	165	111
Misdemeanor	291	175
All Felonies	216	133

Note: Cases listed as a misdemeanor were originally charged as a misdemeanor but subsequent felony charges were filed in the case. Cases where a charging document was never filed are not included in this report.

Report Selection Parameters:

The report lists felony cases where the date of judgement is in the period listed in the report header. The report excludes from the calculation, any time period the case was in warrant status and any period the case was closed prior to indictment. The cases are categorized based on the degree of offense of the most serious charge at the time of filing.

End of Report

Cindy Smith

From: Nancy Meade <NMeade@courts.state.ak.us>
Sent: Friday, January 27, 2012 11:11 AM
To: Sen. Hollis French; Sen. Bill Wielechowski; Sen. John Coghill; Sen. Lesil McGuire; Sen. Joe Paskvan
Cc: Cindy Smith
Subject: response to crime summit question

Dear Senators:

During the Alaska Court System's presentation at the Crime Summit this past Wednesday, Senator Paskvan asked about the percentage of all felony cases that are dismissed (as opposed to going to trial or being disposed of with a guilty plea) that are dismissed because of the running of the Criminal Rule 45 deadline of 120 days. I responded that the number was very low and that it is a rare occurrence for a felony to be dismissed because Rule 45 has run.

I have now verified that the actual percentage of **felony cases dismissed for a Rule 45 violation in FY11 was zero**. That is, **no felony case** was dismissed in any court because Rule 45 had run. The court and parties watch that timeframe very carefully, and are committed to preventing a Rule 45 dismissal.

For comparison, although you did not specifically ask this question, in FY11, **five misdemeanor** cases were dismissed statewide for a Rule 45 violation. That compares with 32,000 misdemeanor filings; that number is also extremely low, but we are working to bring that misdemeanor number to zero also.

Senator French also asked me about the time that felony cases take to be disposed (finished and closed). I intend to verify some of the court's statistics and will be able to respond to that soon.

I hope this is helpful and please let me know if you have any other questions. Thank you.

*Nancy Meade
General Counsel
Alaska Court System
Anch: 907-264-8264
Juneau: 907-463-4736*

Alaska Court System
Felony Case Dispositions
 Fiscal Year 2009

Case Disposition

Acquittal	25	0.4%
Convictions	4500	75.3%
Dismissals	1390	23.3%
Other	61	1.0%
Total Dispositions:	5976	

Dismissal Breakdown:

Dismissal Type	# Cases	% of Total Dismissals
*Dismissed Prior to Conversion	185	13.3%
Complaint or Citation Not Filed. Case Closed.	213	15.3%
Dismissed - Furtherance of Justice CrR 43(c)	22	1.6%
Dismissed by Prosecution (CrR43(a))	844	60.7%
Dismissed on Motion of Defendant	16	1.2%
Dismissed Under CrR 45 (Speedy Trial)	1	0.1%
Dismissed-Delay in Sup Ct Transfer CrR 5(e), 43(b)	101	7.3%
Probable Cause Not Found. Case Dismissed.	8	0.6%
	1390	

End of Report

Alaska Court System
Felony Case Dispositions
 Fiscal Year 2010

Case Disposition

Acquittal	32	0.5%
Convictions	4602	74.8%
Dismissals	1478	24.0%
Other	41	0.7%
Total Dispositions:	6153	

Dismissal Breakdown:

Dismissal Type	# Cases	% of Total Dismissals
*Dismissed Prior to Conversion	92	6.2%
Case Dismissed. Defendant Found Incompetent	3	0.2%
Complaint or Citation Not Filed. Case Closed.	198	13.4%
Dismissed - Furtherance of Justice CrR 43(c)	19	1.3%
Dismissed by Prosecution (CrR43(a))	1048	70.9%
Dismissed on Motion of Defendant	11	0.7%
Dismissed-Delay in Sup Ct Transfer CrR 5(e), 43(b)	89	6.0%
Dismissed. Wrongly Filed in Adult Court	4	0.3%
Probable Cause Not Found. Case Dismissed.	14	0.9%
	1478	

End of Report

Alaska Court System
Felony Case Dispositions
 Calendar Year 2011

Case Disposition

Acquittal	38	0.6%
Convictions	4662	76.1%
Dismissals	1391	22.7%
Other	37	0.6%
Total Dispositions:	6128	

Dismissal Breakdown:

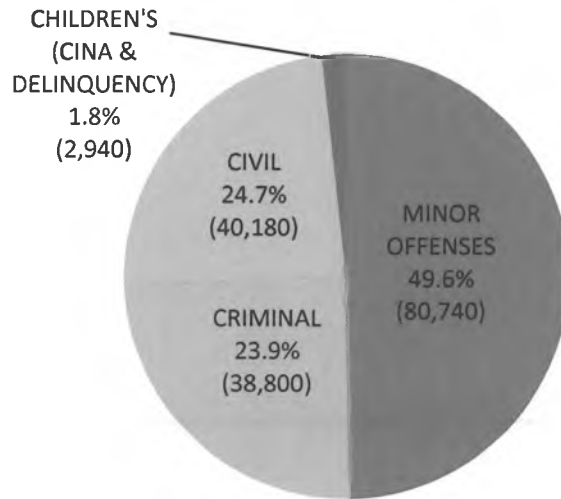
Dismissal Type	# Cases	% of Total Dismissals
Case Dismissed. Defendant Found Incompetent	2	0.1%
Complaint or Citation Not Filed. Case Closed.	204	14.7%
Dismissed - Furtherance of Justice CrR 43(c)	16	1.2%
Dismissed by Prosecution (CrR43(a))	1020	73.3%
Dismissed on Motion of Defendant	42	3.0%
Dismissed-Delay in Sup Ct Transfer CrR 5(e), 43(b)	99	7.1%
Dismissed. Wrongly Filed in Adult Court	1	0.1%
Jury Trial: Dismissed by Court After Trial Start	1	0.1%
Probable Cause Not Found. Case Dismissed.	6	0.4%
	1391	

End of Report

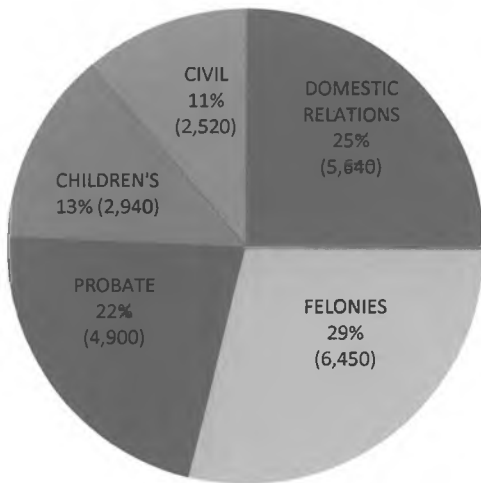
FY11 FILINGS STATEWIDE

SUPERIOR AND DISTRICT COURTS COMBINED

(162,647 total trial court cases filed in FY11)

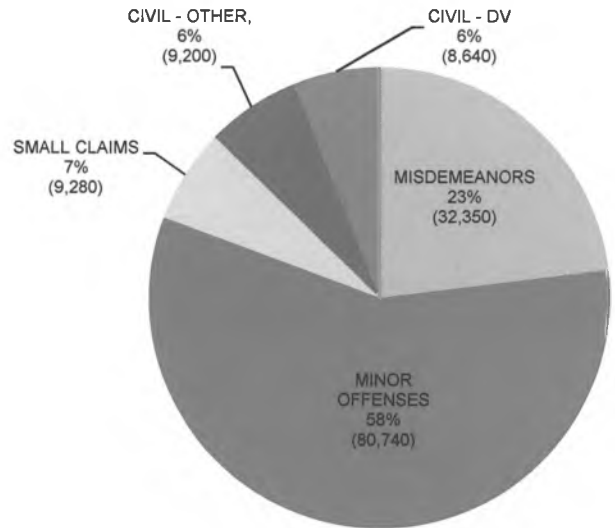


SUPERIOR COURT FILINGS (42 judges) (22,440 superior court cases filed in FY11)



[In addition to 6450 new felony case filings, superior courts handled 4500 felony PTRPs in FY11]

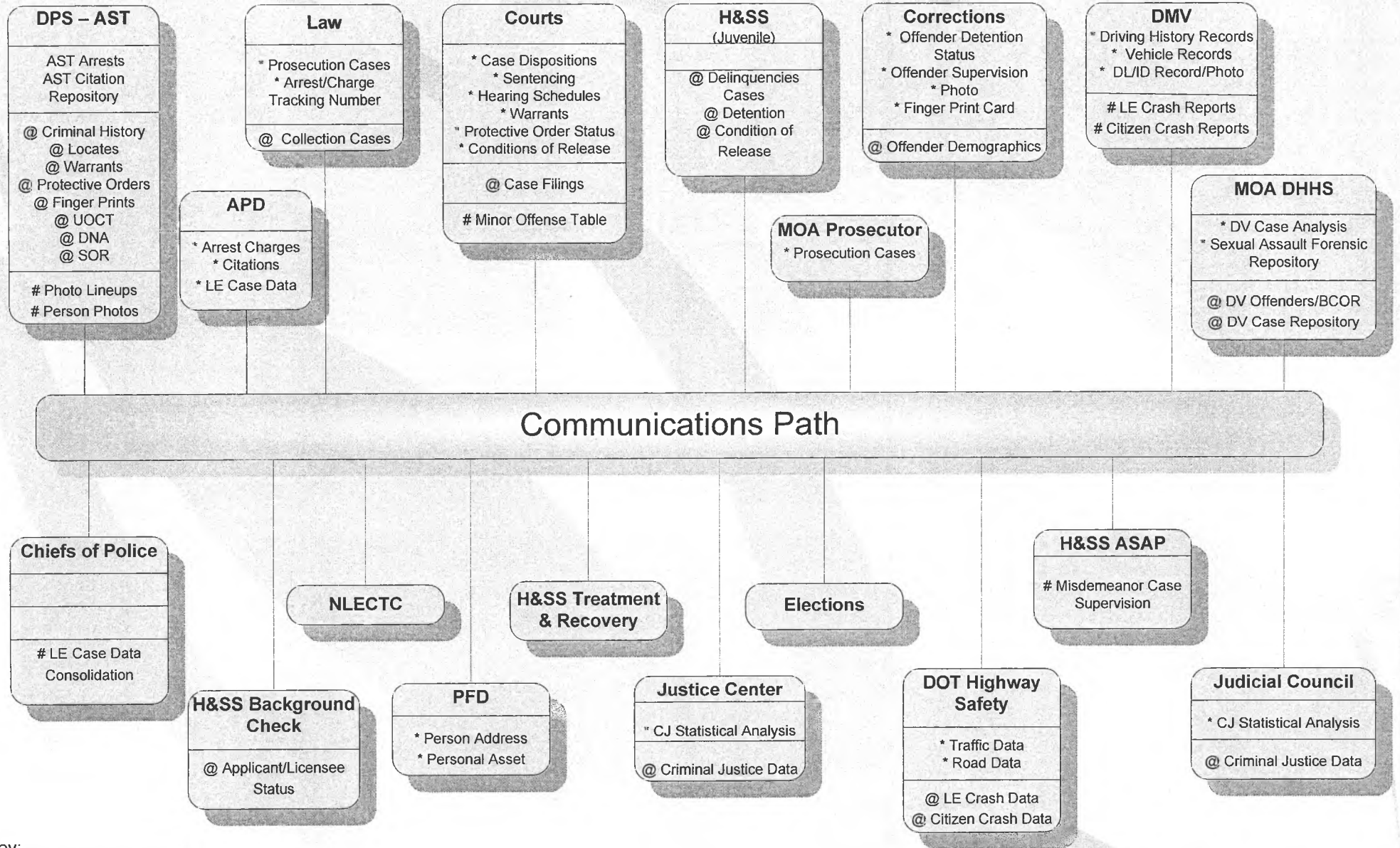
DISTRICT COURT FILINGS (23 judges & 43 magistrates and masters; 140,207 district court cases filed in FY11)



[31% of MO citations statewide were filed electronically]

Numbers of case filings rounded to nearest ten; percentages rounded to the nearest whole percent in superior and district court pie charts.

MAJIC Enterprise



Key:

Member Name
Source (Creator) *
Custodian (legal) @
Provider #

Definitions

DV= Domestic Violence
 BCOR = Bail Conditions of Release
 CJ=Criminal Justice
 UOCT=Uniform Offense Code Table
 LE=Law Enforcement

Multi-Agency Justice Integration Consortium (MAJIC)

<http://www.aisac.state.ak.us/maaic/>

Membership

Alaska Association of Chiefs of Police

Alaska Court System

Alaska Department of Administration, Public Defender Agency

Alaska Judicial Council

Alaska Department of Law, Criminal Division

Alaska Department of Transportation, Program Development

Alaska Department of Public Safety, Alaska State Troopers

Alaska Department of Administration, Division of Motor Vehicles

Alaska DHSS, Division of Behavioral Health/ASAP (Alcohol Safety Action Program)

Alaska DHSS, Division of Juvenile Justice

Alaska Department of Corrections

Alaska DHSS, Division of Health Care Services, Alaska Background Check Program

Alaska Department of Revenue, Criminal Investigations Unit

Alaska Department of Transportation, Alaska Highway Safety Office

Alaska Division of Elections

Anchorage Police Department

Municipality of Anchorage, Prosecutor's Office

Municipality of Anchorage, Department of Health & Human Services

National Law Enforcement & Corrections Technology Center - Alaska (NLECTC-AK)

University of Alaska Justice Center, Statistical Analysis Center

Bail Conditions Repository – Phase 2 (Fairbanks Pilot)

September 2010 - June 2012

Responsible Agency: Alaska Court System

Problem

No one can readily determine if a person is subject to bail conditions of release because there is no statewide, electronic repository of bail orders.

Purpose

Demonstrate the feasibility of making bail orders electronically accessible to law enforcement and the public.

Expected Outcomes/Performance Measures

1. Electronic bail orders are created in the courtroom without unreasonably delaying proceedings.
2. All active Fairbanks bail orders (date forward) are in the electronically accessible repository.
3. Expired/inactive bail orders are never erroneously shown in the repository as "active".
4. The bail repository is developed, managed and supported with existing court system resources.

Scope

Phase 1: Bail order "smart" form developed as a proof of concept; in use in Fairbanks since 8/10.

Phase 2: Refine form, create repository (for Fairbanks orders) with on line access

Phase 3+: Expand to all courts.

Accomplished To Date

- ✓ Issued RFP, awarded contract to 4Point (Dec 2010)
- ✓ Gathered requirements from judges, clerks, administrative staff and other agencies (Feb 2011)
- ✓ Set up court IT infrastructure (software, hardware, training) (Mar 2011)
- ✓ Wrote business requirements and system specifications (May 2011)
- ✓ Delivered new bail form and repository for testing (Nov 2011)

Expected within the next 3 months:

- _ Complete testing – outside of courtroom
- _ Train trial court staff
- _ Go live - in courtrooms
- _ Build/test interface with APSIN
- _ Build/test web page for public

Expected within the next 6 months:

- _ Complete live-court acceptance testing
- _ Implement APSIN interface to make repository available to law enforcement
- _ Make repository available to public on court system's web page

What is Needed from Other Agencies?

1. DPS: Implement interface between the bail repository and APSIN.

Related Projects (🌟 = critical to the success of this project)

1. APSIN ID (MAJIC): APSIN ID for all defendants in court criminal case records (in progress) 🌟
2. APSIN Redesign (DPS): Migrate from legacy/mainframe to modern platform (in progress) 🌟
3. DV Bail Conditions Database (Muni of Anchorage): Manually flag bail conditions in APSIN

MAJIC Data Standards Relevant to the Project

1. APSIN ID Number - for law enforcement queries of the repository
2. Uniform Offense Citation Table (UOCT) - for offense codes/descriptions on the form
3. Arrest Tracking and Charge Tracking Numbers - for charge information on the form
4. U.S. Dept. of Justice National Information Exchange Model (NIEM) for systems interface

For More Info: Diane Schenker, Alaska Court System, dschenker@courts.state.ak.us, 264-8211

