

Chapter Two

Criminal Justice System Data

Table of Contents

A. Demographics.....	3
1. Age.....	3
a. Overall.....	3
b. Charge Class.....	4
2. Gender.....	5
3. Race.....	6
4. Residence	7
a. Overall.....	7
b. Driver’s License state.....	8
B. Booking Information.....	9
1. Arresting Agency	9
2. Number of Charges.....	10
3. Prior Arrests.....	11
a. Charge Class	11
b. Priors by Current Charge.....	13
4. Pre-Trial Release	16
a. Overall.....	16
b. Charge Category	17
c. Time	18
d. Bail Amount	19
C. Court Information	20
1. Attorney Type.....	20
2. Charge Class Changes.....	21
a. Charge Class by Processing Point	21
b. Charge Category	23
c. Domestic Violence	26
3. Adjudication and Sentencing	29
a. Type.....	29
b. Sentencing	30
4. Pre-Trial Release Failures	32
a. Failure-to-Appear.....	32
b. Re-Arrest	33
c. Release Type.....	35
5. Process Times.....	36
a. Misdemeanor	36
b. Gross Misdemeanor.....	38
c. Felony.....	40

Chapter Two

Criminal Justice System Data

Introduction

A sample of defendants Booked into the Blue Earth County Jail was identified and tracked through the criminal justice system. The sample included the first 25 misdemeanor bookings and the first 35 gross misdemeanors and 15 felony bookings that are new, fresh, local arrests. They did not include any bench warrants, out of county cases, or probation violations only arrests.

The sample dates were:

- April 9, 2001
- July 27, 2001
- October 18, 2001
- January 3, 2002

The graphic contained in this chapter were produced as a result of the analysis of the data. The demographic information is self-reported by the defendant at the time of booking—it has not been verified. The “n” varies on each graphic depending upon the number of cases for which there was complete data for the variables being analyzed.

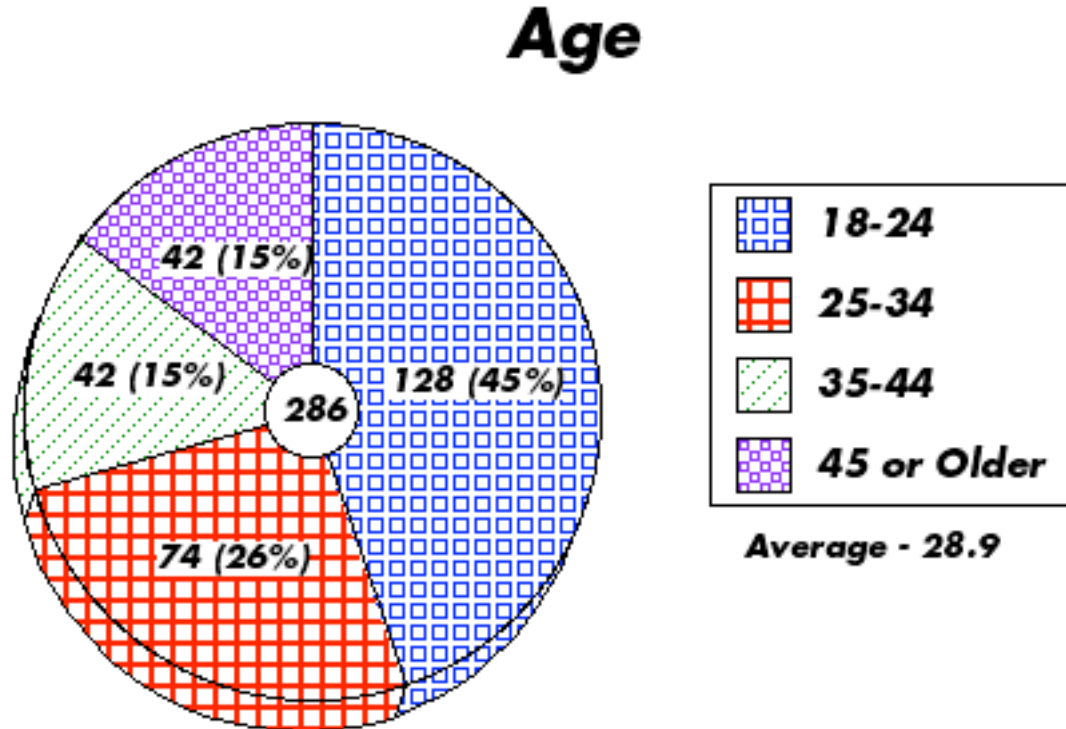
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A. Demographics

1. Age

a. Overall

The first graphic shows the breakdown of the ages of the defendants in the sample.

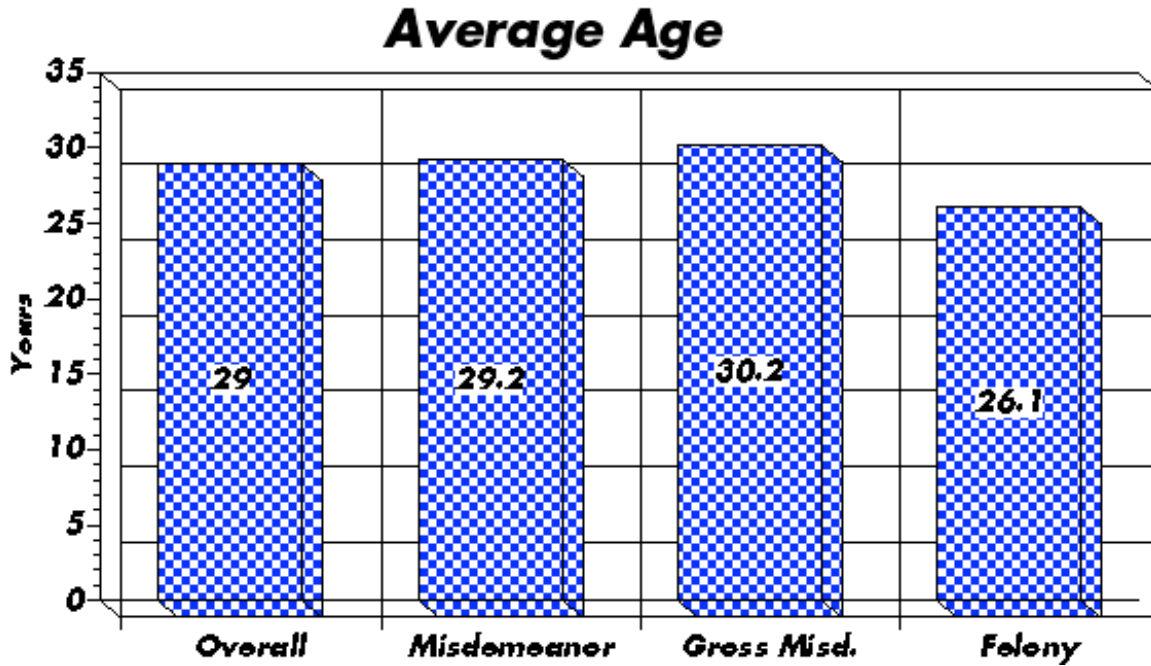


Forty-five percent of the defendants were between the ages of 18 and 24. Twenty-six percent were between the ages of 25 to 34; and 15 percent were between the ages of 35 to 44. The remaining 15 percent were 45 or older. The average age was 28.9 years old.

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b. Charge Class

The next graphic shows the average age by charge class.



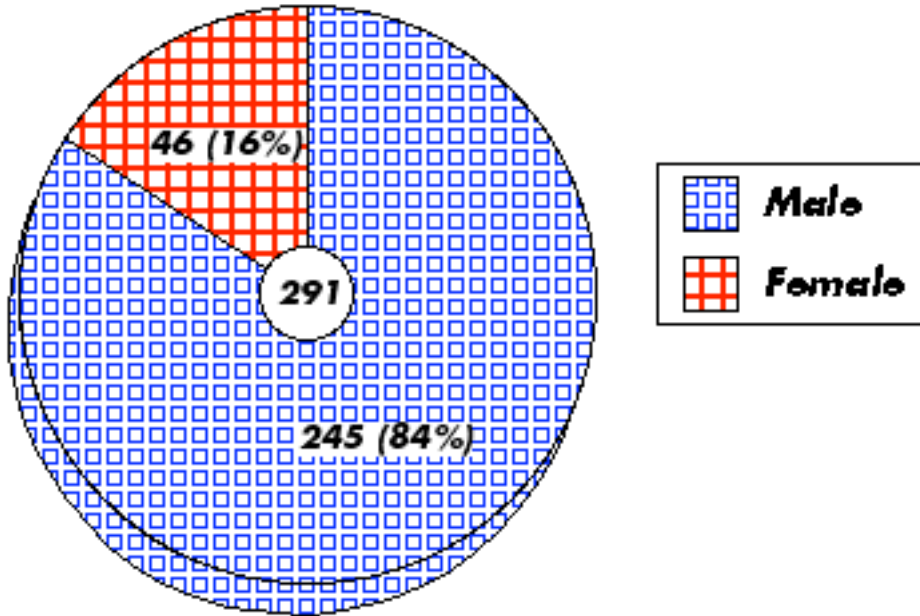
The overall average age was 29 years old. Misdemeanor defendants were an average age of 29.2 years old and gross misdemeanors were an average age of 30.2 years old. Felony defendants were an average age of 26.1 years old.

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2. Gender

The next graphic shows the gender of the defendants in the sample.

Gender

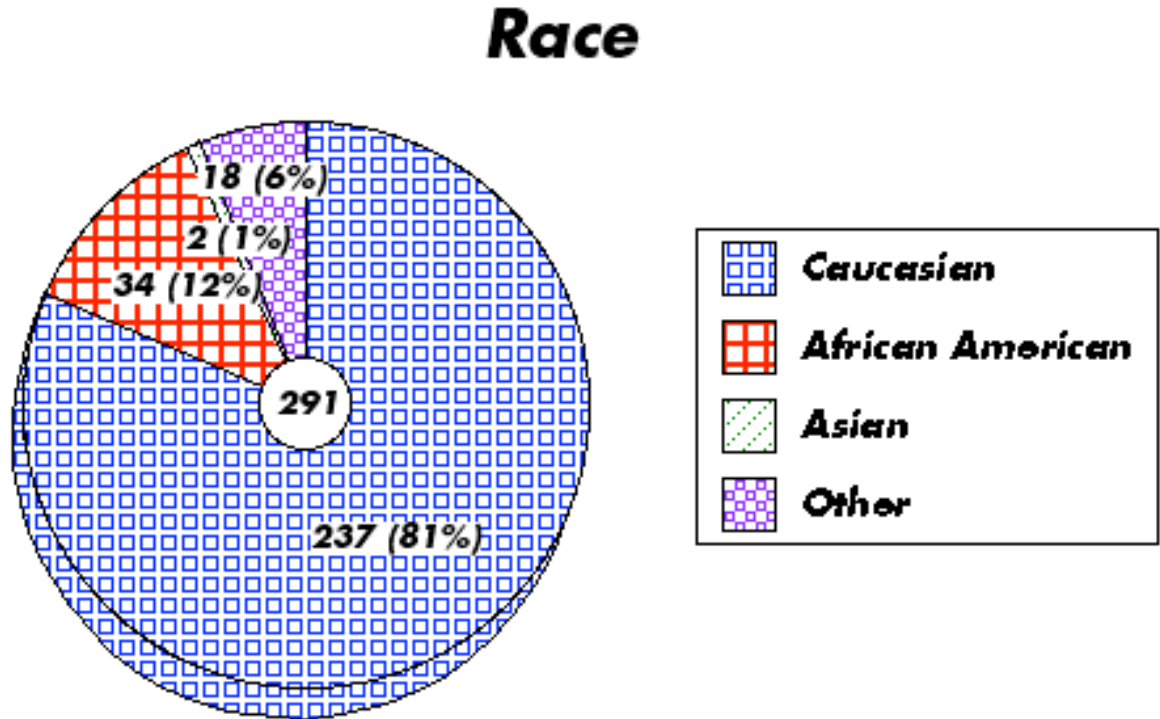


Eighty-four percent of the sample was male.

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3. Race

The next graphic shows the race of the defendants in the sample.



Eighty-one percent of the sample was Caucasian. Twelve percent were African American and 1 percent Asian. The remaining 6 percent were other race.

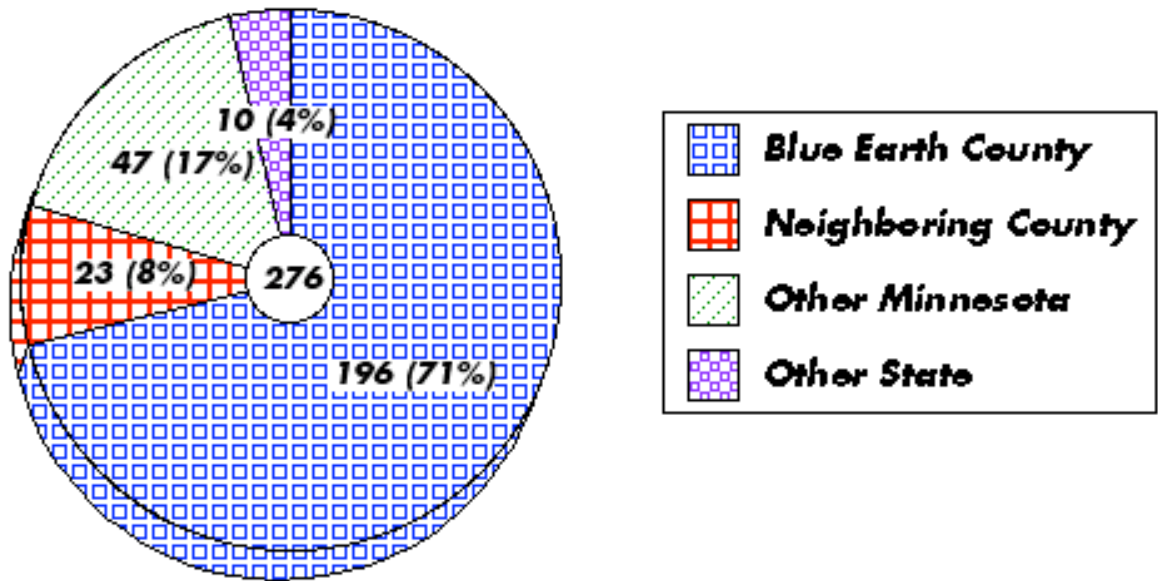
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4. Residence

a. Overall

The next graphic shows the reported residence of the defendants in the sample.

Residence

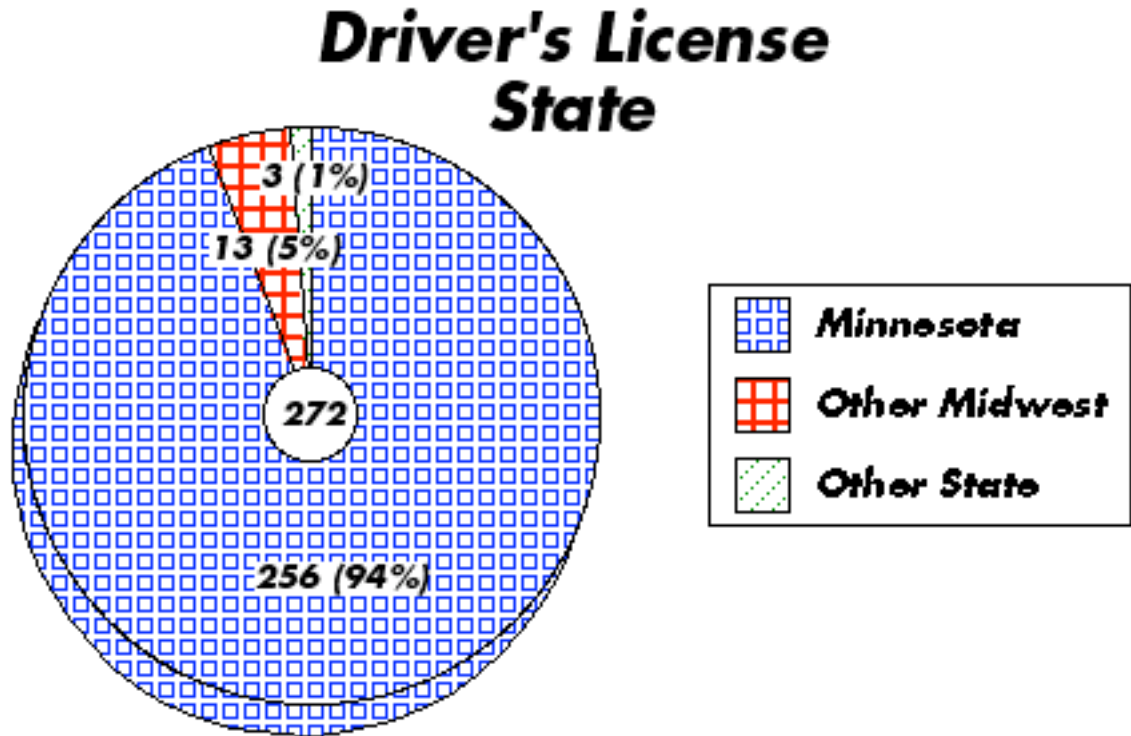


Seventy-one percent of the persons in the sample were residents of Blue Earth County. An additional 8 percent were residents of a neighboring county and 17 percent were from other counties in Minnesota. A remarkably low 4 percent of the defendants in the sample were residents of other states.

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b. Driver's License state

The next graphic shows the state that issued the driver's license of the 272 persons in the sample with a license.



An astounding 94 percent of the sample had a Minnesota Driver's License. Five percent of the licenses were from another Midwest state and 1 percent was from a state not in the Midwest.

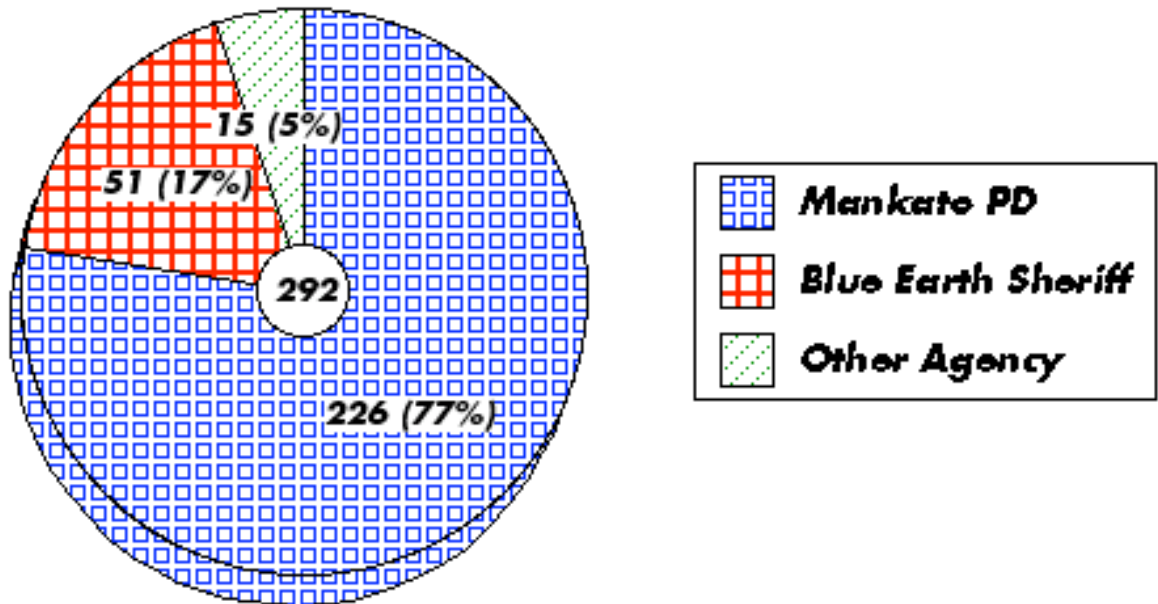
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B. Booking Information

1. Arresting Agency

The next graphic shows the arresting agency for the persons in the sample.

Arresting Agency



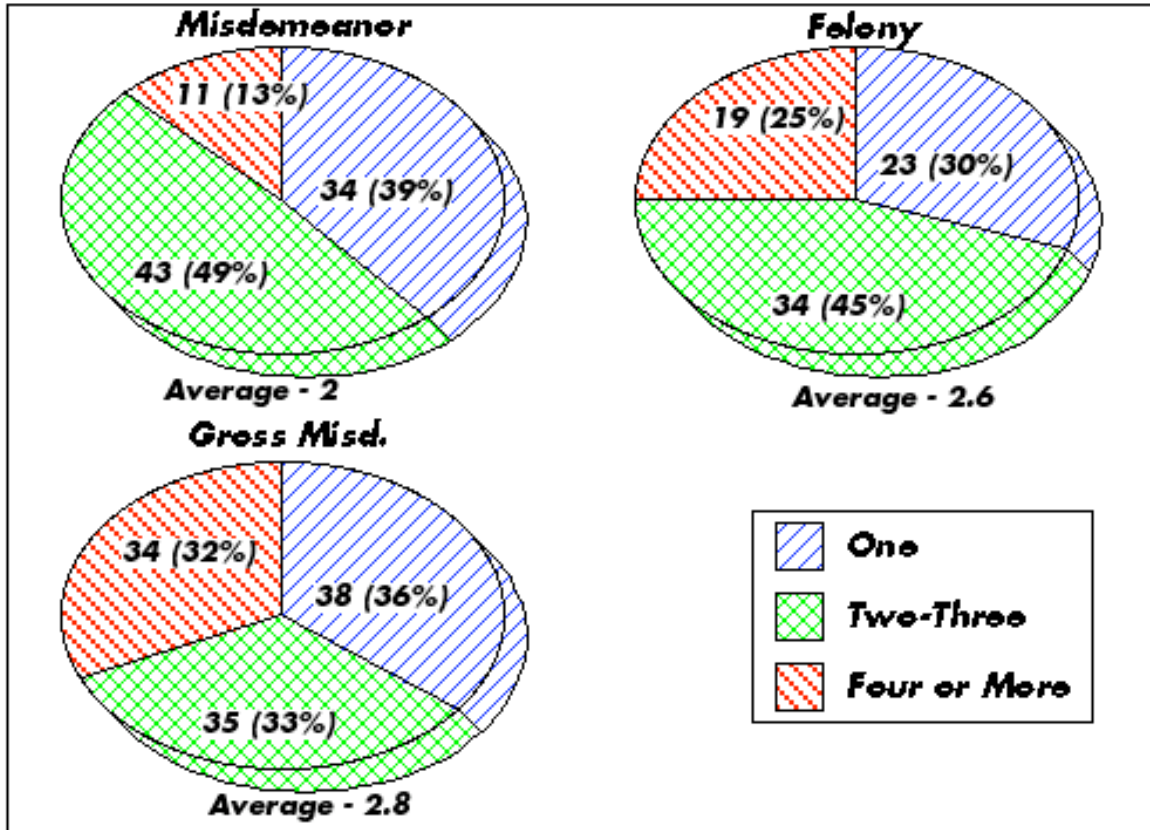
Seventy-seven percent of the defendants in the sample were arrested by the Mankato Police Department. The Blue Earth County Sheriff arrested seventeen percent and the remaining 5 percent were arrested by other agencies.

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2. Number of Charges

The next graphic shows the number of charges at the time of arrest and booking into the jail. This graphic introduces a format used throughout this chapter of displaying the data separately dependent upon the charge class: misdemeanor, gross misdemeanor, or felony.

Number of Charges



The misdemeanants had an average of 2 charges; the gross misdemeanants had an average of 2.8 charges; and the felons had an average of 2.6 charges. Thirty-nine percent of the misdemeanants had one charge, as did 36 percent of the gross misdemeanants, and 30 percent of the felons. Two or three charges were lodged against 49 percent of the misdemeanants; 33 percent of the gross misdemeanants; and 45 percent of the felons. Only 13 percent of the misdemeanants, 32 percent of the gross misdemeanants, and 25 percent of the felons had four or more charges.

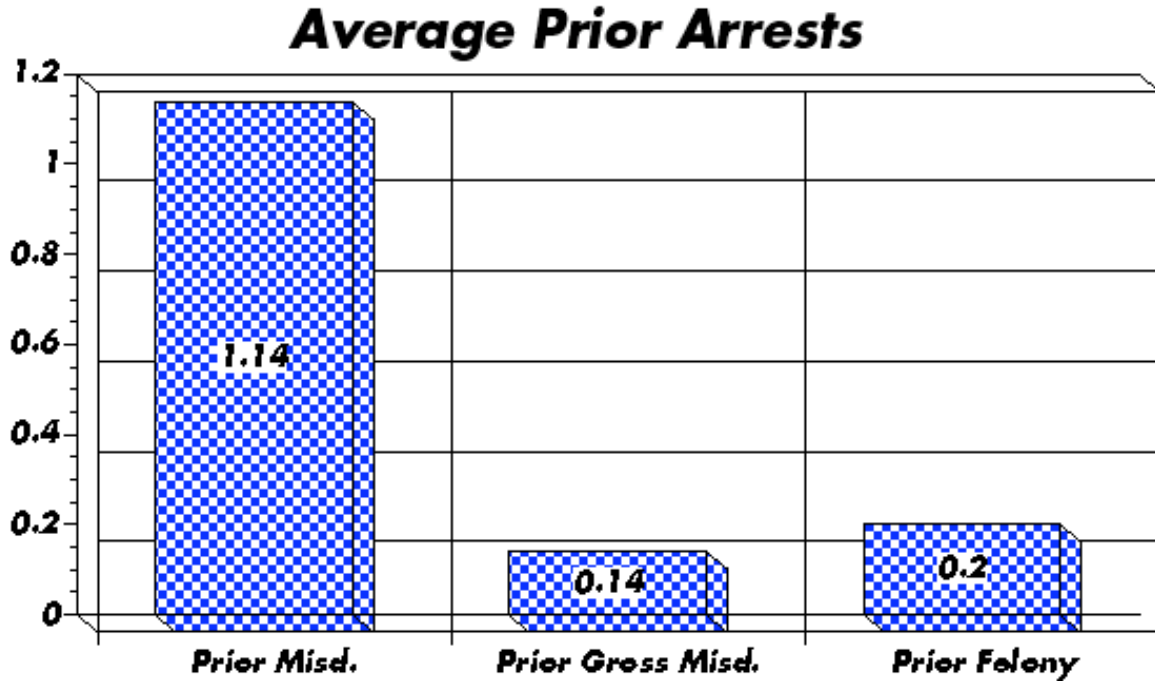
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3. Prior Arrests

a. Charge Class

(1) Overall

The next graphic shows the average number of prior arrests based upon the charge class of the prior arrest.

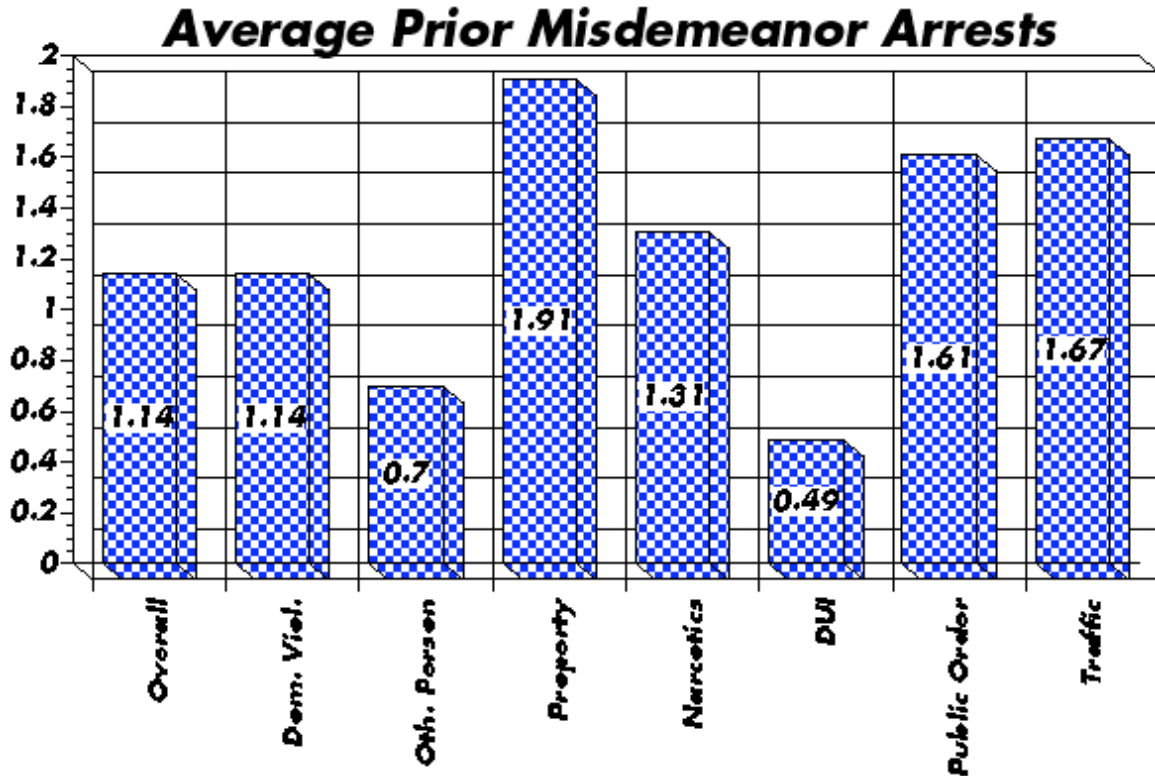


The defendants in the sample had an average 1.14 prior misdemeanor arrests, .14 average prior gross misdemeanor arrests, and an average .2 prior felony arrests.

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(2) Prior Misdemeanor Arrests

The next graphic shows the average number of prior misdemeanor arrests based upon the charge category of the instant offense.



The overall average number of prior misdemeanor arrests was 1.14. Defendants arrested on a domestic violence charge had an average 1.14 prior misdemeanor arrests, other crimes against persons .7 arrests, property offenders 1.91 arrests, narcotic offenders 1.31 arrests, drunk drivers .49 arrests, and public order offenders 1.61 arrests. Traffic offenders had 1.67 prior arrests.

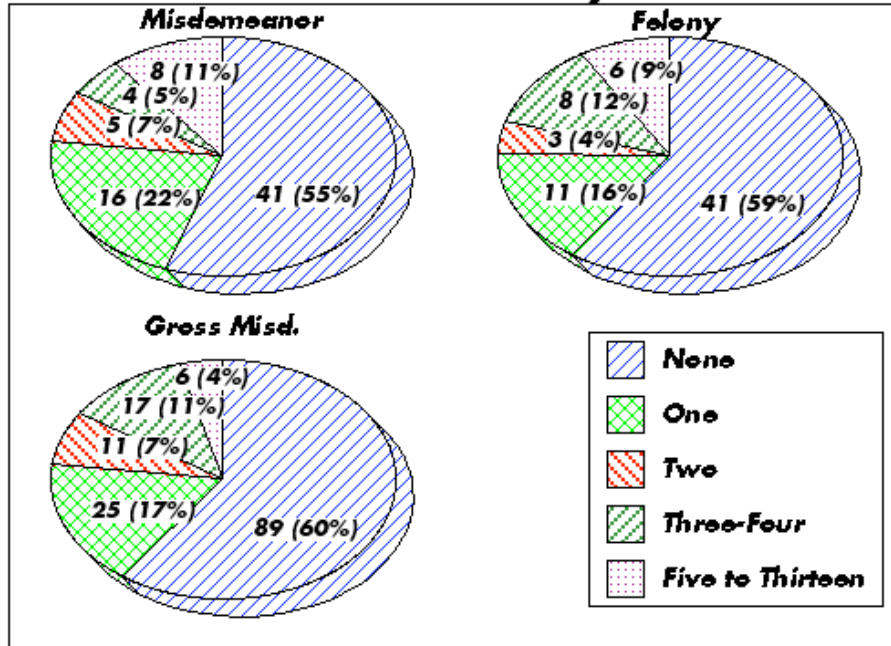
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b. Priors by Current Charge

(1) Misdemeanor

The next graphic shows the prior misdemeanor arrests by the current charge.

Prior Misdemeanor Arrests by Current Charge



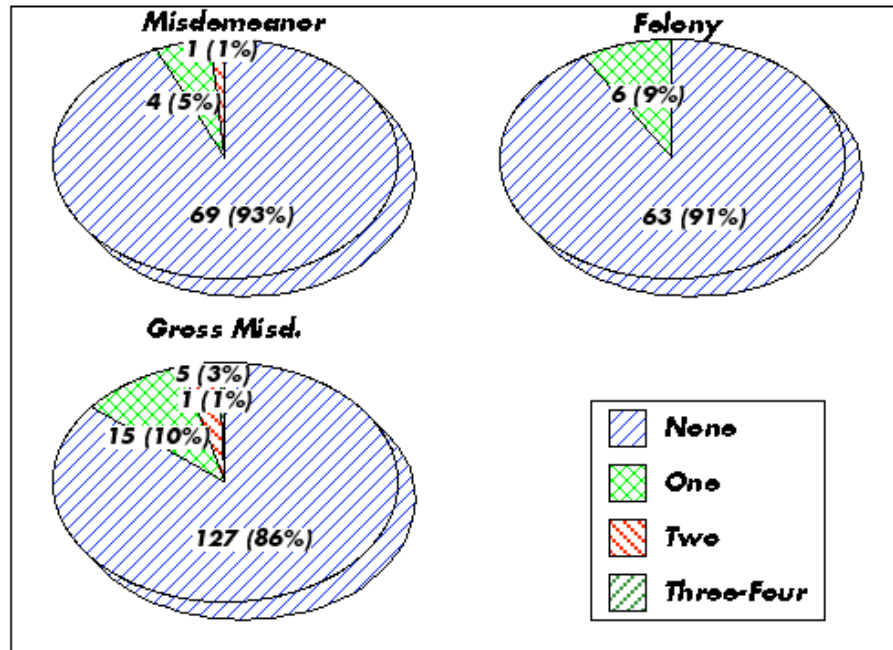
Fifty-five percent of the defendants in the sample arrested on misdemeanor charges had no prior misdemeanor arrests. Sixty percent of the defendants in the sample arrested on gross misdemeanor charges had no prior misdemeanor arrests, as did 59 percent of the felony arrests.

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(2) Gross Misdemeanor

The next graphic shows the prior gross misdemeanor arrests by the current charge.

Prior Gross Misd. Arrests by Current Charge



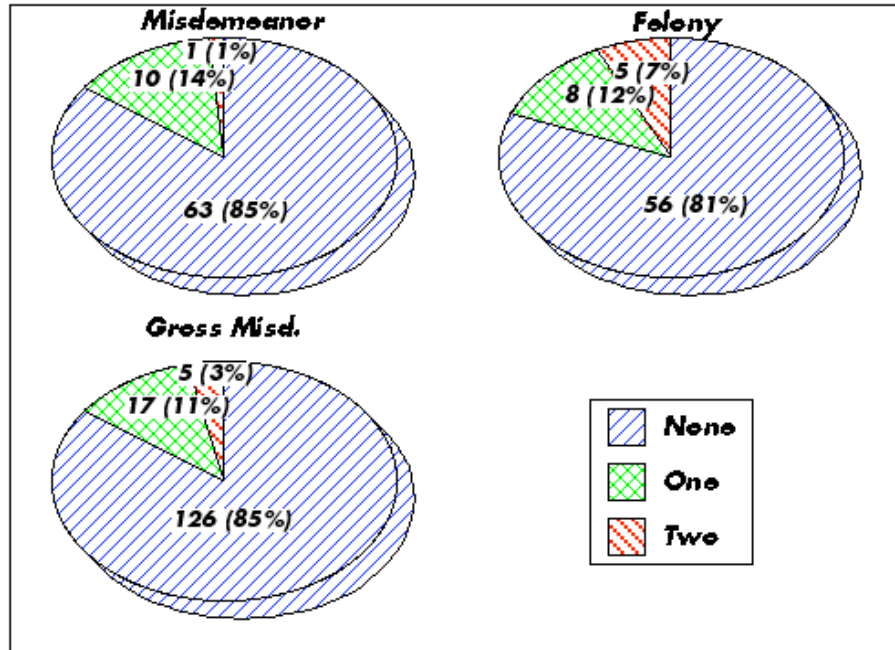
Ninety-three percent of the defendants in the sample arrested on gross misdemeanor charges had no prior misdemeanor arrests. Eighty-six percent of the defendants in the sample arrested gross misdemeanor charges had no prior gross misdemeanor arrests, as did 91 percent of the felony arrests.

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(3) Felony

The next graphic shows the prior felony arrests by the current charge.

Prior Felony Arrests by Current Charge



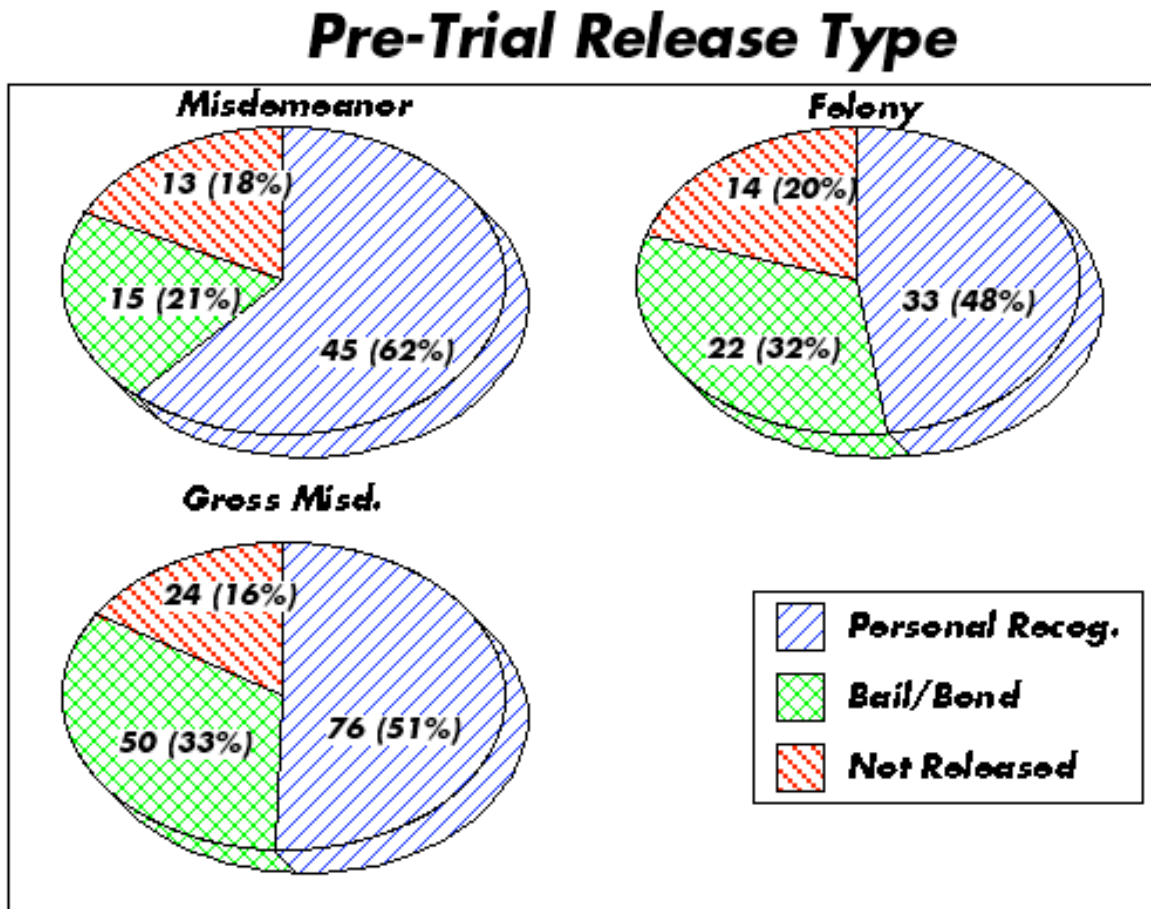
Eighty-five percent of the defendants in the sample arrested on felony charges had no prior misdemeanor arrests. Eighty-five percent of the defendants in the sample arrested on felony charges had no prior gross misdemeanor arrests, as did 81 percent of the felony arrests.

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4. Pre-Trial Release

a. Overall

The first graphic in this section shows the overall type of pre-trial release for the defendants in the sample by the charge class at booking.

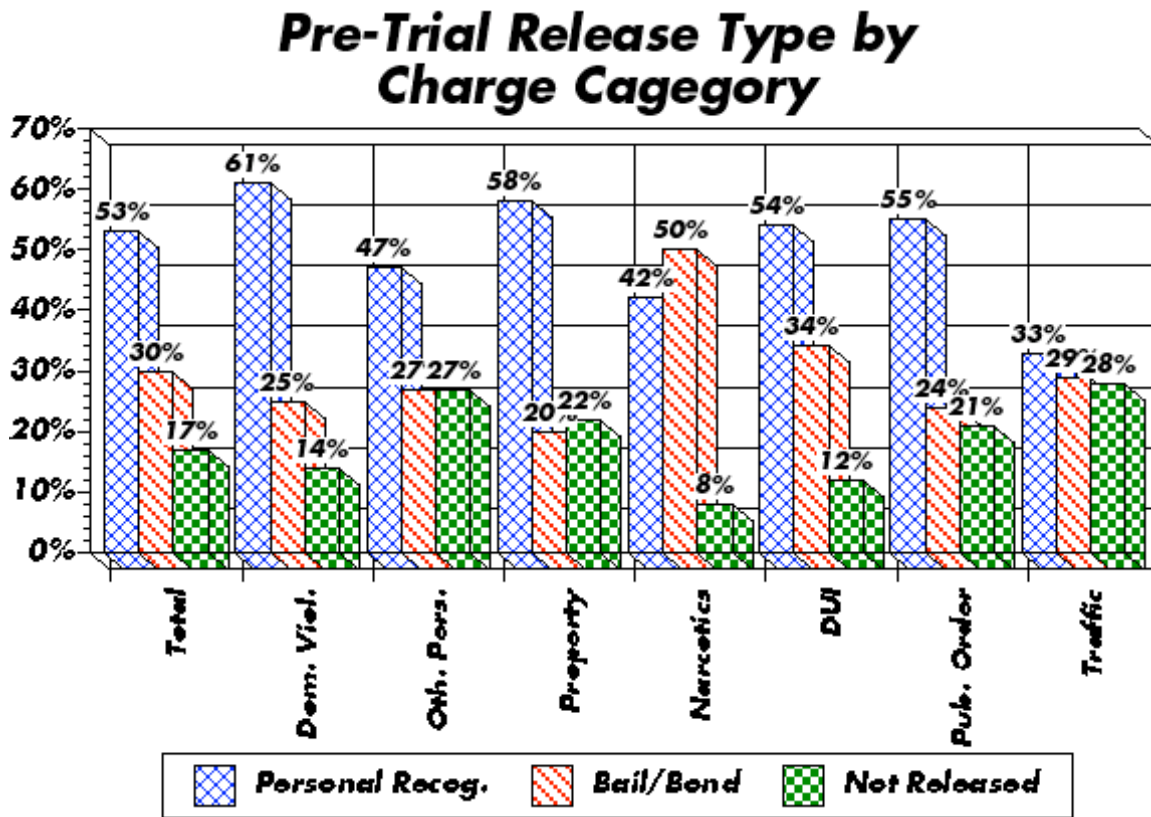


Sixty-two percent of the defendants in the sample arrested on misdemeanor charges were released on personal recognizance, as were 51 percent of the gross misdemeanants, and 48 percent of the felons. Bail or bond was the form of release for 21 percent of the misdemeanants, 33 percent of the gross misdemeanants, and 32 percent of the felons. Eighteen percent of the misdemeanants, 16 percent of the gross misdemeanants, and 20 percent of the felons were not released from jail prior to trial.

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b. Charge Category

The next graphic shows the release type by charge category.



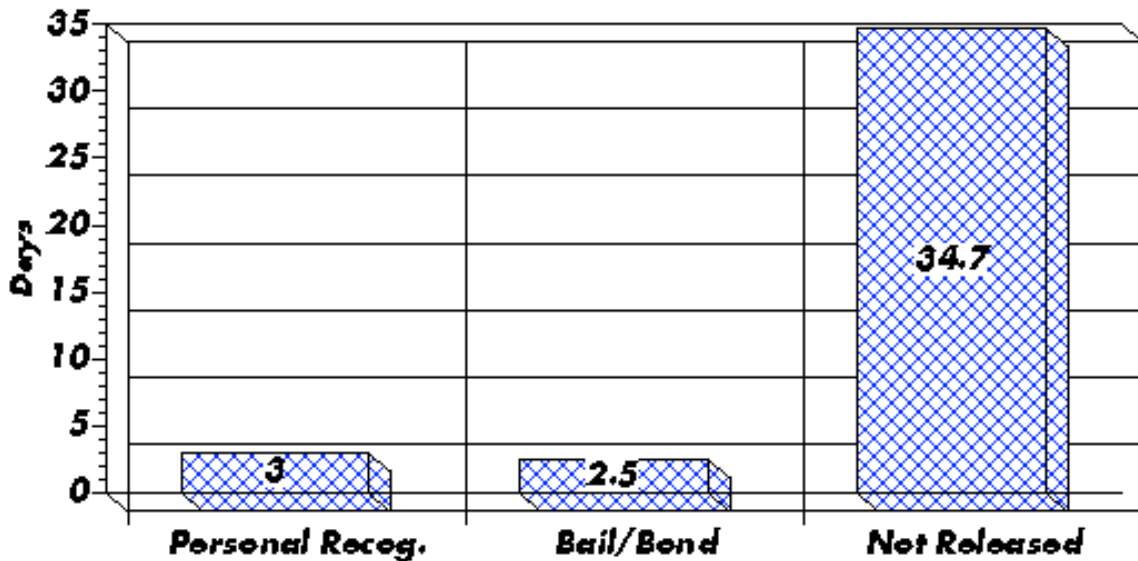
Overall, 53 percent of the defendants in the sample were released on personal recognizance, 30 percent were released on bail or bond, and 17 percent were not released. The chart details the percentages by charge category. The highest percentage of prisoners released on personal recognizance were those defendants charged with domestic violence, the lowest were traffic offenders. The highest group detained were traffic offenders and the lowest narcotic offenders.

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c. Time

The next graphic details the average time for release for prisoners in the sample broken down by the release type.

Booking to Release by Pre-Trial Release Type

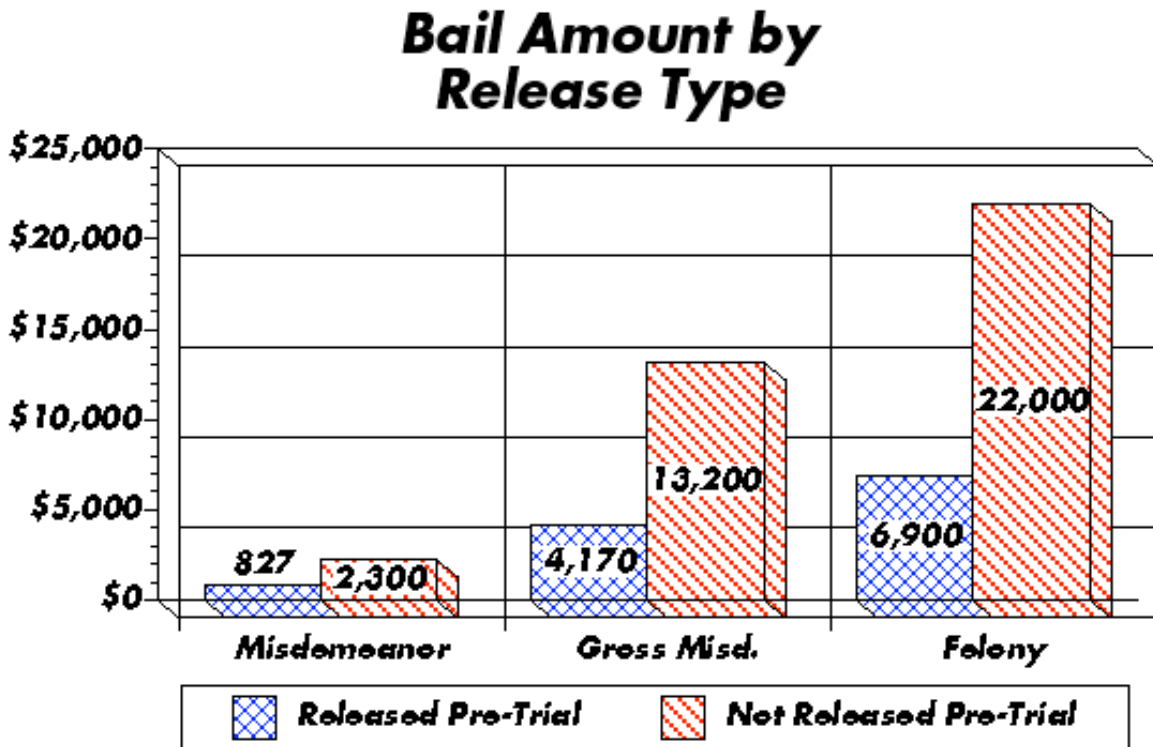


Defendants who were released on personal recognizance stayed in custody an average 3 days. Bail/bond releases took an average 2.5 days while those prisoners detained prior to trial stayed in custody an average 34.7 days.

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d. Bail Amount

The final graphic in this section shows the bail amount by charge class for prisoners based upon whether they were released from jail prior to trial.



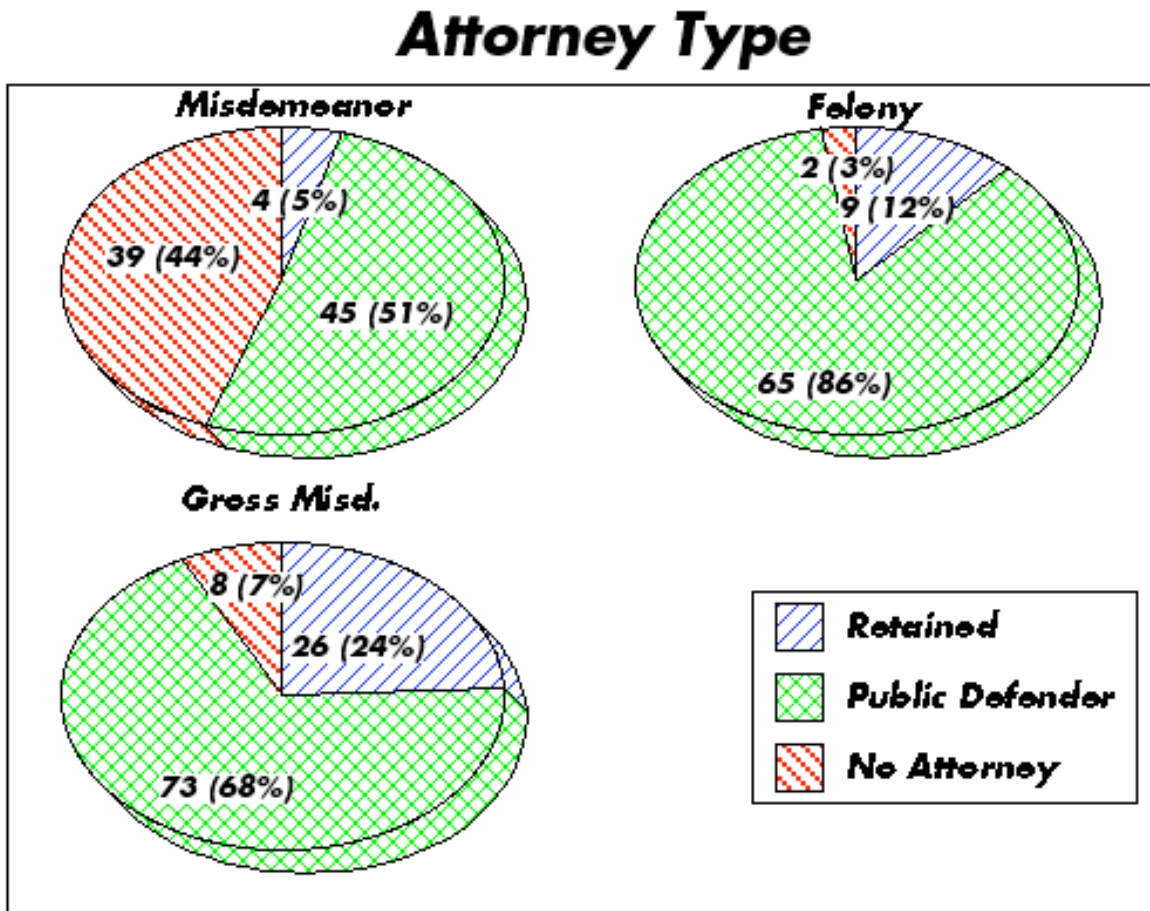
Misdemeanor defendants had bail set at an average \$827 if they were released pre-trial as opposed to \$2,300 if not released. Gross misdemeanor defendants had bail set at an average \$4,170 if they were released pre-trial as opposed to \$13,200 if not released. Felony defendants had bail set at an average \$6,900 if they were released pre-trial as opposed to \$22,000 if not released.

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C. Court Information

1. Attorney Type

The next graphic shows the type of attorney broken down by charge class.



Retained counsel was involved in only 5 percent of the misdemeanants, 24 percent of the gross misdemeanants, and 12 percent of the felons. The public defender was assigned to represent 51 percent of the misdemeanants, 68 percent of the gross misdemeanants and 86 percent of the felons. The remaining defendants did not have counsel.

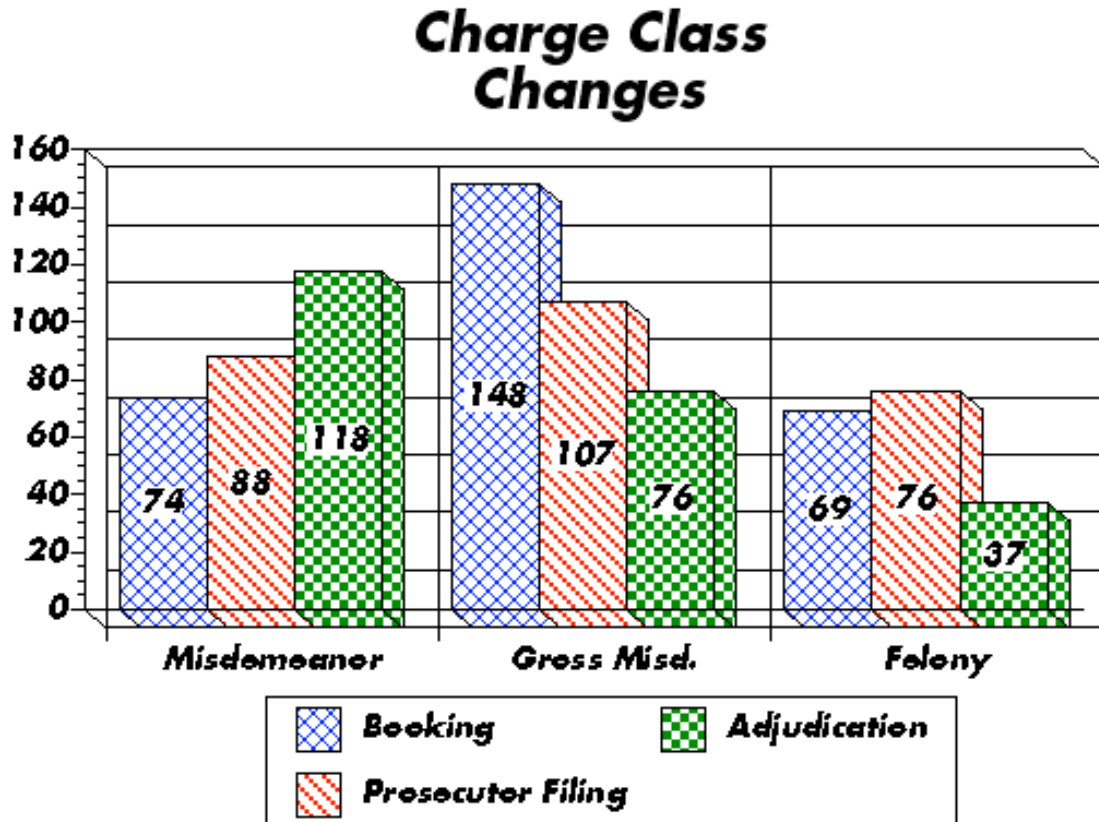
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2. Charge Class Changes

a. Charge Class by Processing Point

(1) Processing Point

The next graphic shows the changes that occurred in the cases from booking to prosecutor filing to adjudication.

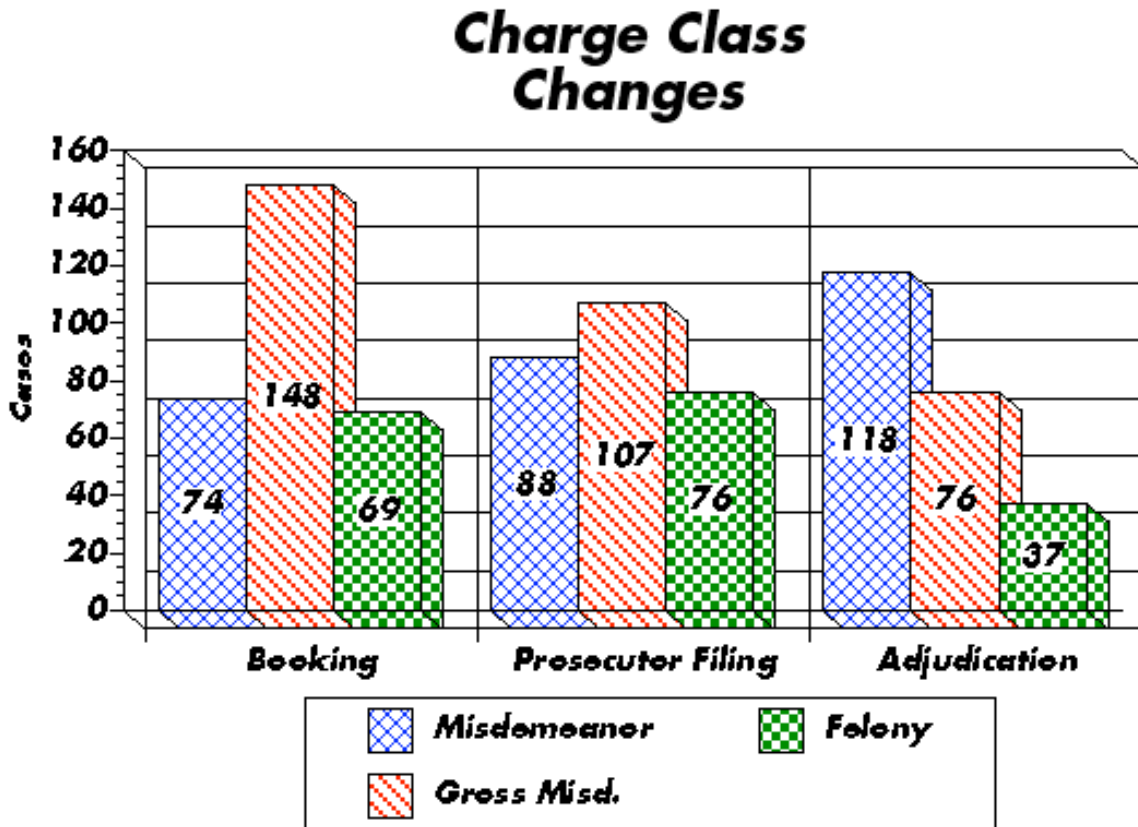


There were 74 misdemeanor charges at booking, 88 at filing and 118 at adjudication. The increases are due to charge reductions from gross misdemeanor and felony charges. The number of gross misdemeanors steadily declined from 148 at booking, 107 at filing, and 76 at adjudication. The felony numbers went from 69 at booking to 76 at filing (some gross misdemeanor arrests were upgraded by the prosecutor) to 37 at adjudication.

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(2) Charge Class

The next graphic contains the same data from the previous graphic but it is displayed by charge class.



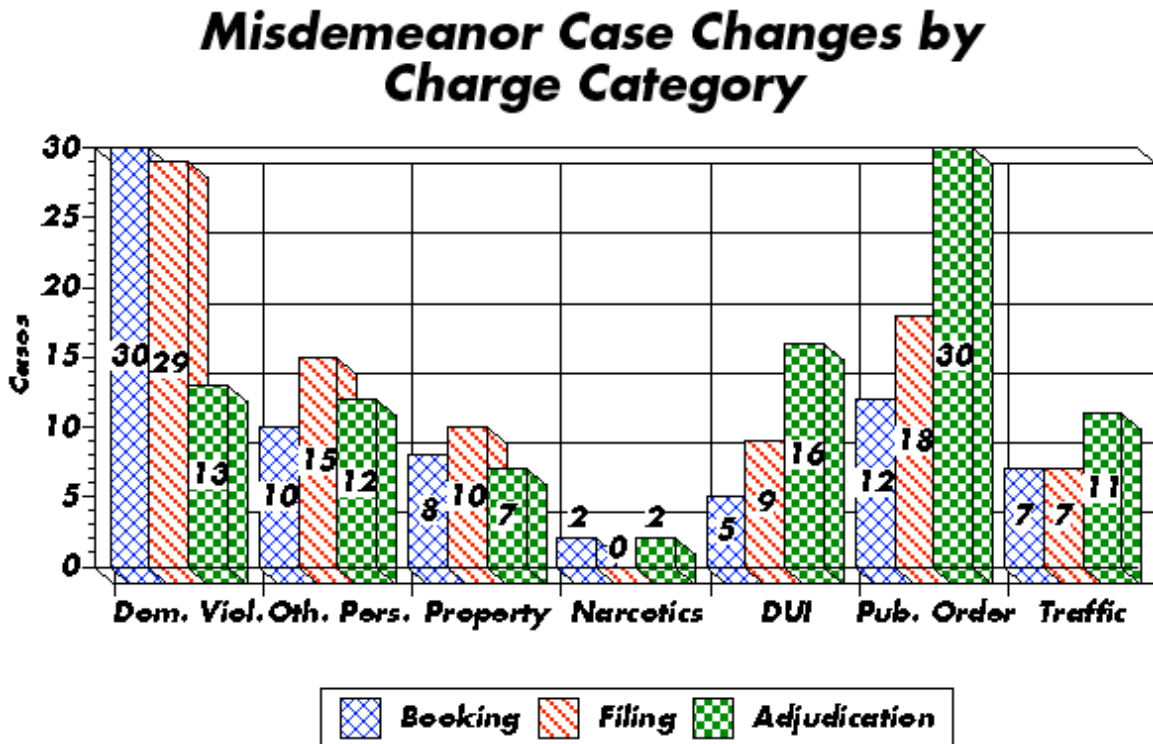
At booking, there were 74 cases where the defendant was charged with a misdemeanor, 148 gross misdemeanor cases, and 69 felony cases. At prosecutor filing, there were 88 misdemeanor cases, 107 gross misdemeanors, and 76 felony cases. At adjudication, there were 118 misdemeanor cases, 76 gross misdemeanor cases, and 37 felonies.

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b. Charge Category

(1) Misdemeanor

The next graphic shows the changes in the number of misdemeanor cases by charge category at each of the processing points: booking, filing, and adjudication.



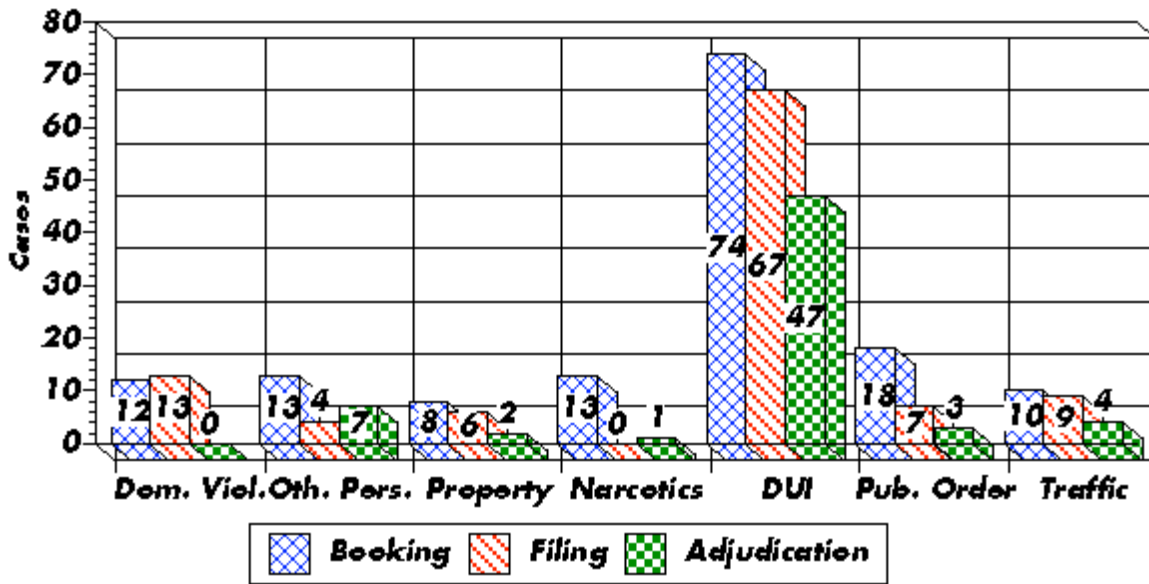
The largest changes occurred on domestic violence cases between filing (29) and adjudication (13). The other category of significant change was for public order offenses that went from 12 at booking to 30 at adjudication. These changes will be examined in more detail later in this section.

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(2) Gross Misdemeanor

The next graphic shows the changes in the number of gross misdemeanor cases by charge category at each of the processing points: booking, filing, and adjudication.

Gross Misd. Case Changes by Charge Category

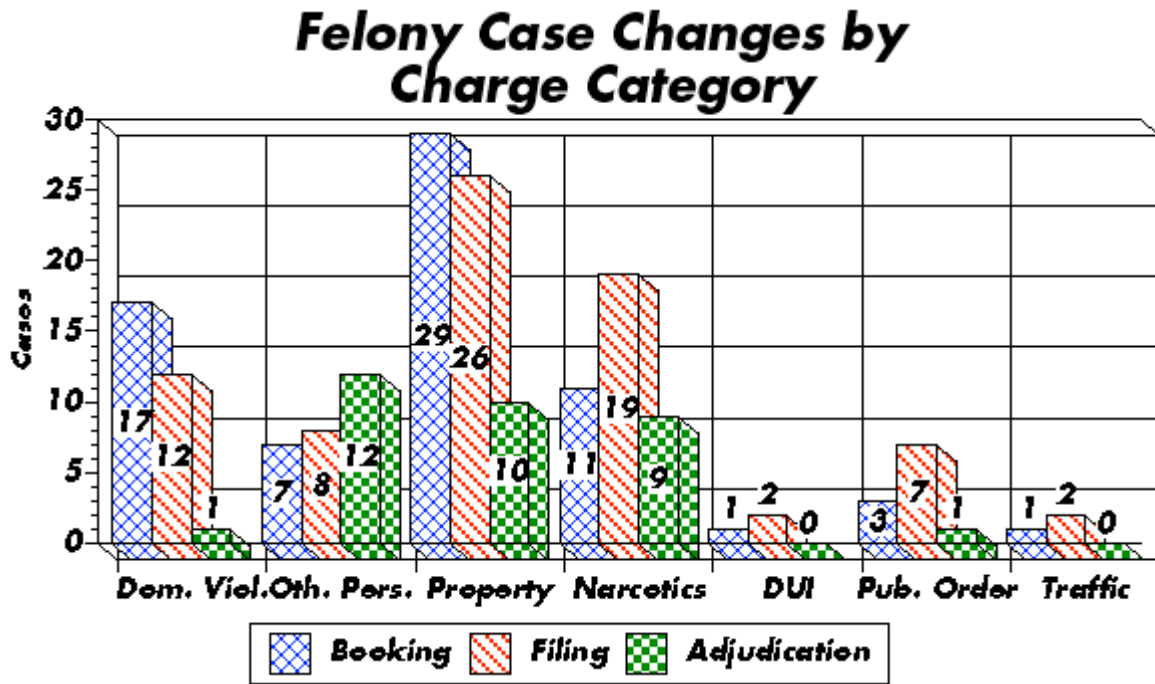


Domestic violence cases went from 13 at filing to none at adjudication. Narcotics cases went from 13 at booking to 1 at adjudication. In terms of numbers, the most significant change in gross misdemeanor cases occurred with the drunk driving cases that went from 74 at booking, 67 at filing, to 47 at adjudication.

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(3) Felony

The next graphic shows the changes in the number of felony cases by charge category at each of the processing points: booking, filing, and adjudication.



Once again, the domestic violence cases led the way with changes in the number of cases at each processing point. There were 17 cases at booking, 12 at filing and only 1 at adjudication. Other crimes against persons increased from 7 at booking to 8 at filing to 12 at adjudication. The property crimes went from 29 at booking to 25 at filing and 10 at adjudication.

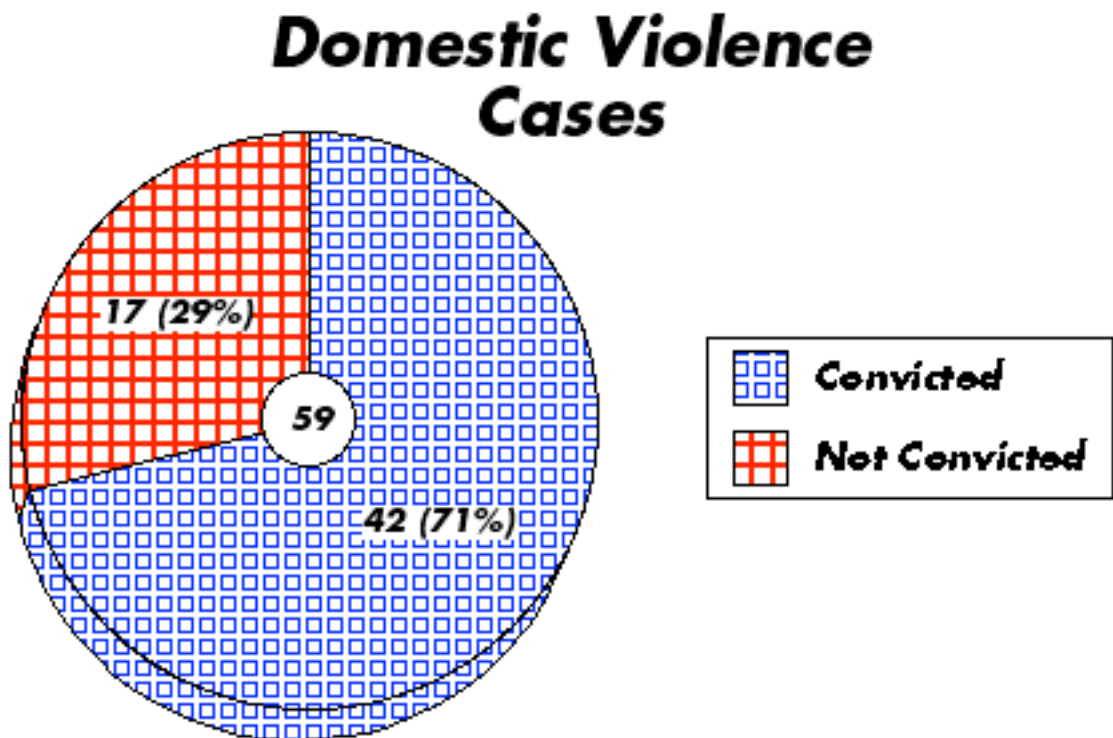
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c. Domestic Violence

The number of changes in domestic violence cases sparked a detailed examination of those cases.

(1) Convictions

The first graphic shows whether the 59 persons arrested on various levels (misdemeanor, gross misdemeanor or felony) of domestic violence offenses were ultimately convicted.



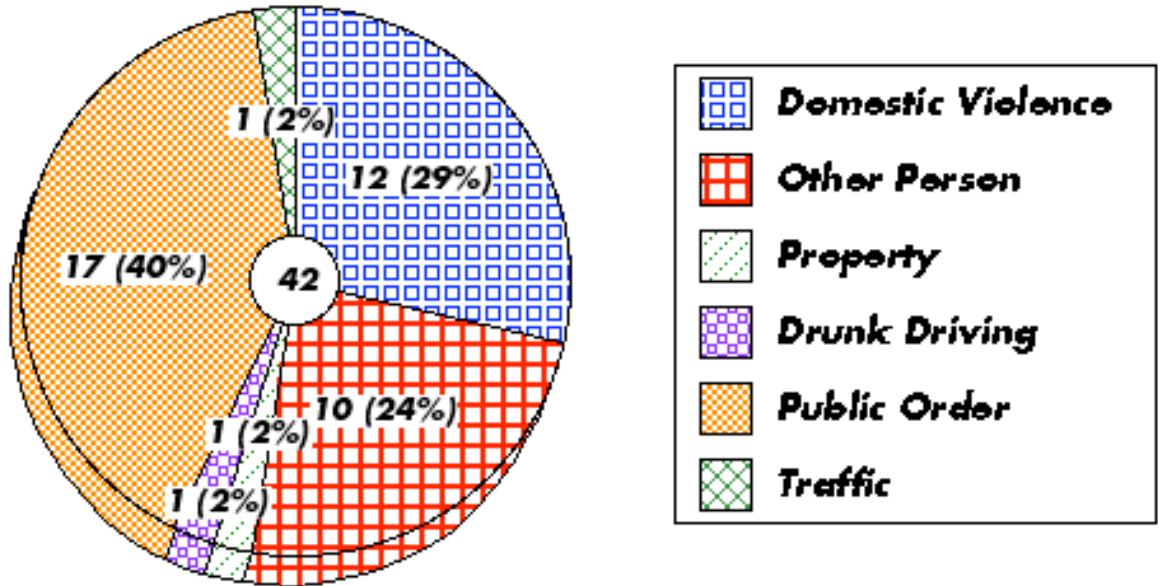
Seventy-one percent of the defendants were convicted.

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(2) Conviction Charge

The next graphic shows the ultimate conviction charge for the 42 defendants who were arrested on domestic violence charges who were ultimately convicted.

Domestic Violence Convictions



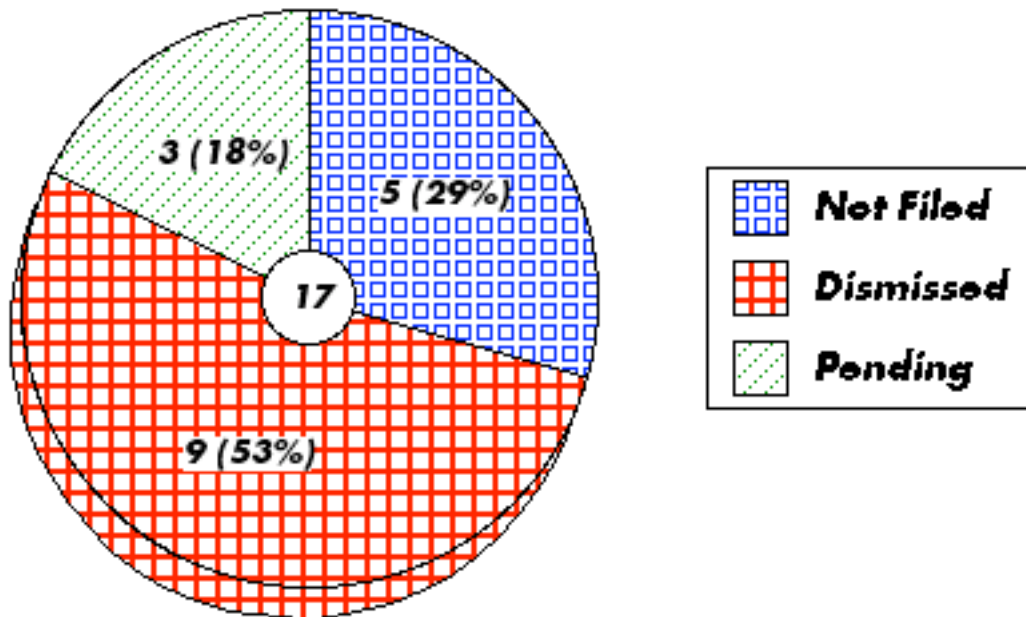
Only 29 percent were convicted of a domestic violence charge. Twenty-four percent were convicted of another crime against person, 2 percent of a property offense, 2 percent of a drunk driving offense and 40 percent of a public order offense. The remaining 2 percent were convicted of a traffic offense.

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(3) No Conviction

The final graphic in this section shows the reason the 17 persons who were arrested on domestic violence offenses were not convicted.

Domestic Violence No Conviction

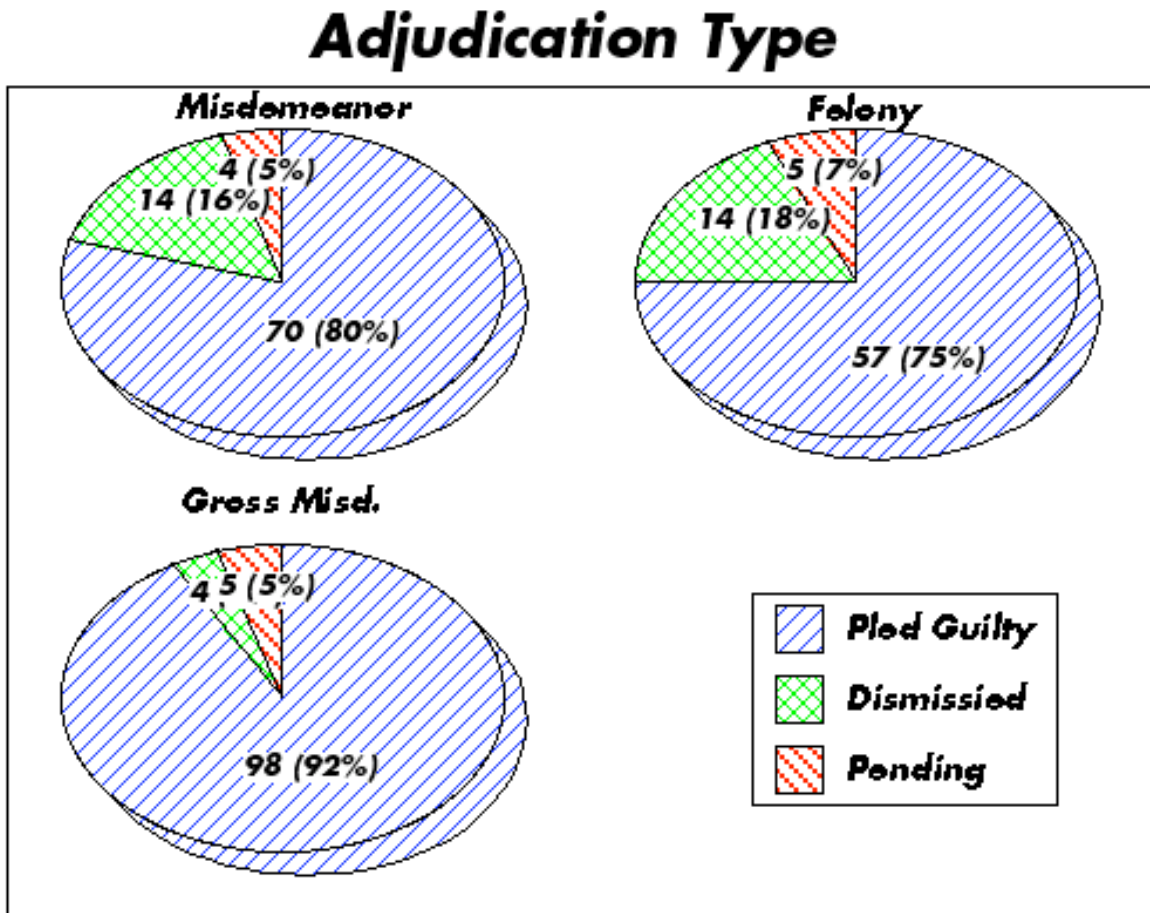


In 29 percent of the cases, the prosecuting attorney elected not to file the case. In 53 percent of the cases, all charges were dismissed and the remaining 18 percent of the cases were still pending.

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3. Adjudication and Sentencing
 - a. Type

The next graphic shows the type of adjudication for each of the charge classes.



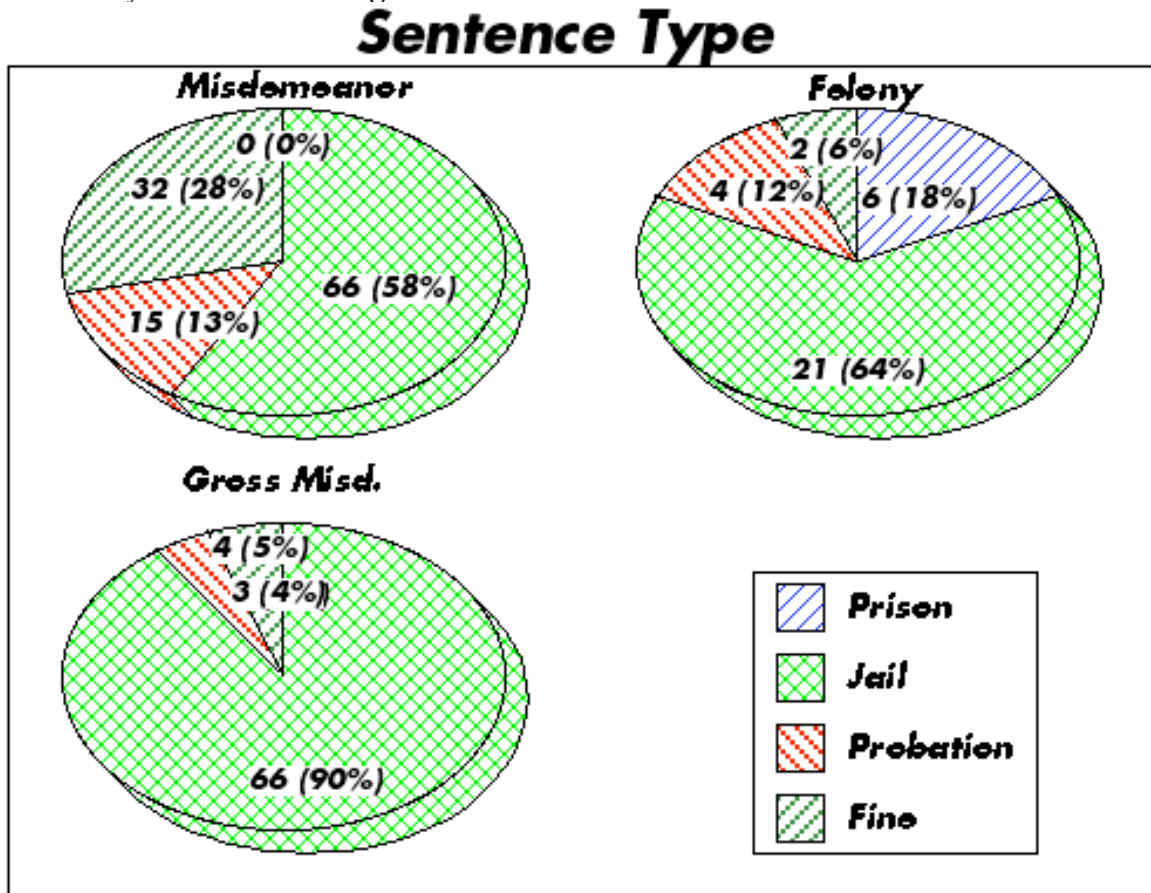
Eight percent of the misdemeanants were convicted, as were 92 percent of the gross misdemeanants, and 75 percent of the felons. All charges were dismissed in 16 percent of the misdemeanor cases, 5 percent of the gross misdemeanor cases, and 18 percent of the felony cases. The remaining cases were pending.

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b. Sentencing

(1) Type

The next graphic shows the sentencing type for those defendants who were convicted. Many of the defendants received more than one sanction; this graphic only displays the most significant, using the hierarchy shown in the legend.

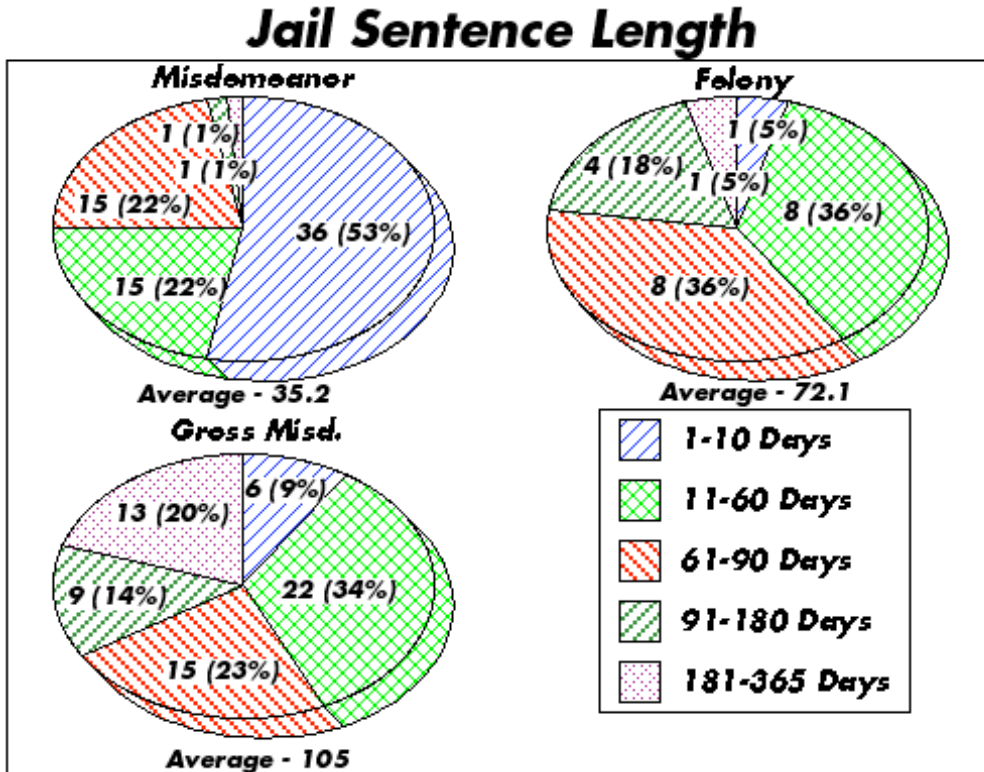


Eighteen percent of the felons were sentenced to prison. Fifty-eight percent of the misdemeanants, 90 percent of the gross misdemeanants and 64 percent of the felons received a jail sentence. Probation without incarceration was ordered in 13 percent of the misdemeanor cases, 4 percent of the gross misdemeanor cases, and 12 percent of the felony cases. A fine was the most significant sentence type in 28 percent of the misdemeanor cases, 5 percent of the gross misdemeanor cases, and 6 percent of the felony cases.

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(2) Jail Sentence Length

The next graphic shows the jail sentence length broken down by charge class.



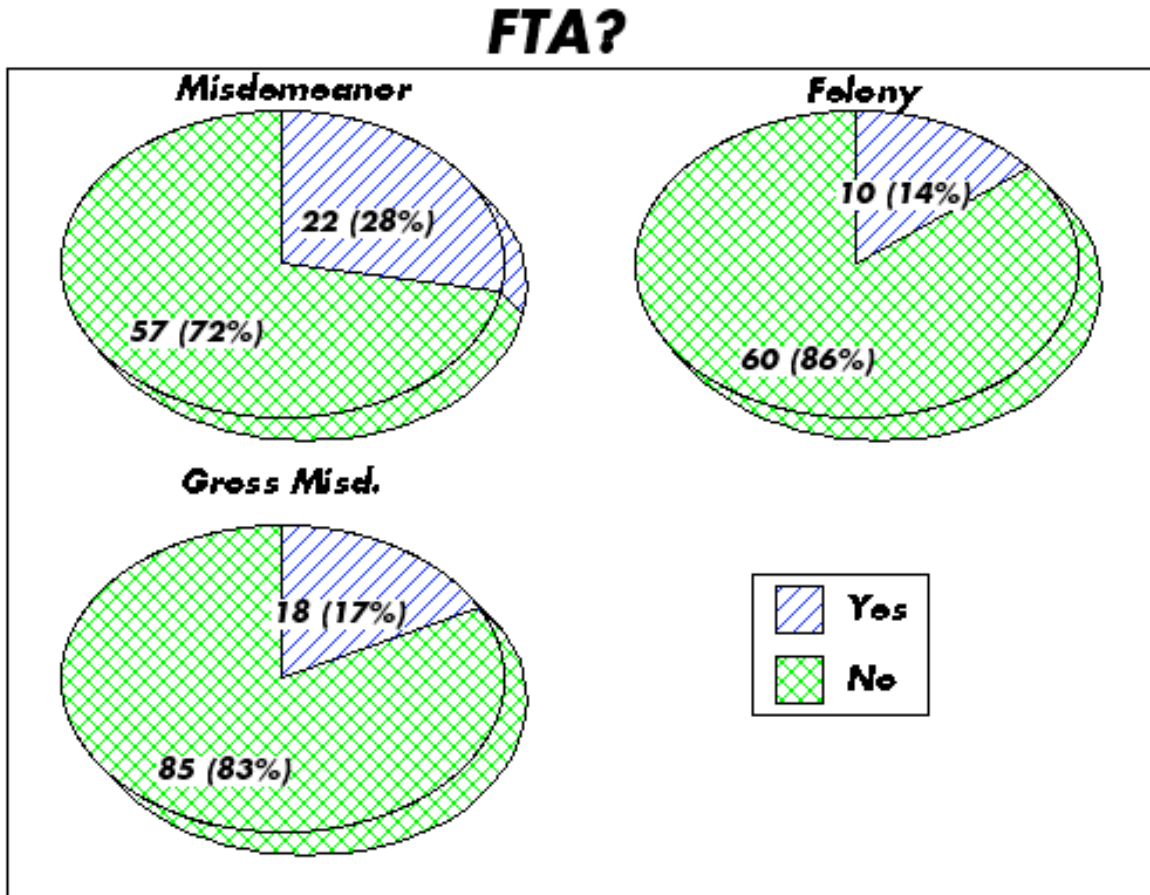
The graphic shows the frequencies as well as the averages. The average misdemeanor jail sentence was 35.2 days; the average gross misdemeanor jail sentence was 105 days; and the average felony jail sentence was 72.1 days.

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4. Pre-Trial Release Failures

a. Failure-to-Appear

The next graphic shows failure-to-appear by charge class. Some of the defendants who failed to appear later re-appeared; others still have bench warrants outstanding.



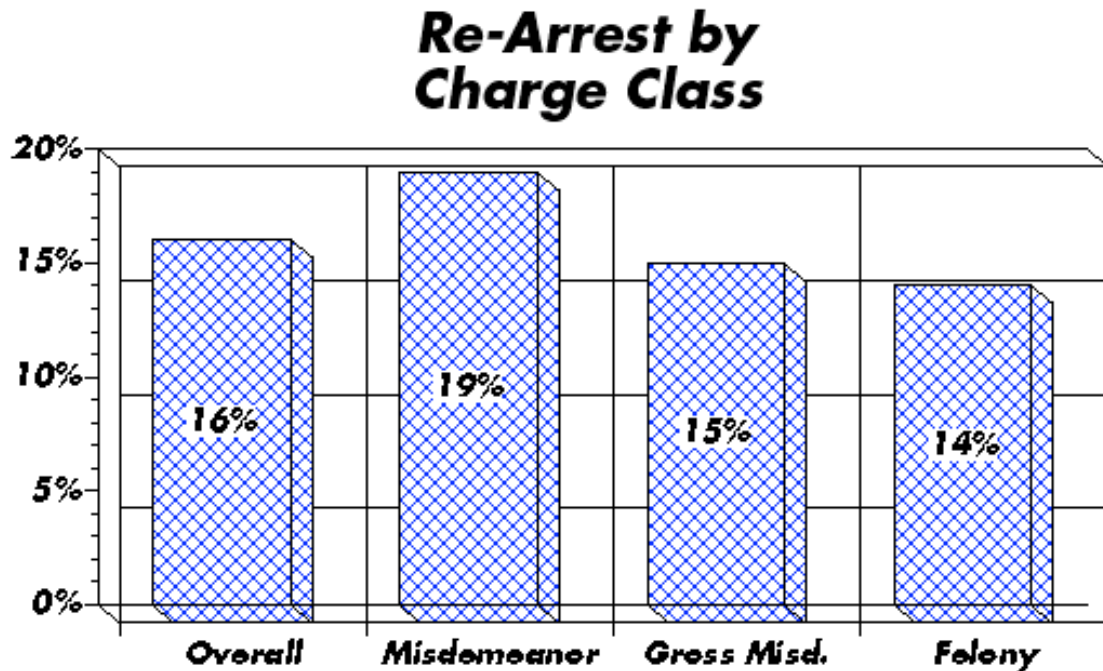
Twenty percent of the defendants in the sample failed to appear at some point in the proceedings. Twenty-eight percent of the misdemeanants and 17 percent of the gross misdemeanants failed to appear. Fourteen percent of the persons with felony charges failed to appear.

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b. Re-Arrest

(1) Overall

The next graphic shows the percentage of defendants who were re-arrested while this charge was still pending. This is not a look at recidivism; rather it simply shows if the defendant was re-arrested before the current offense was adjudicated.

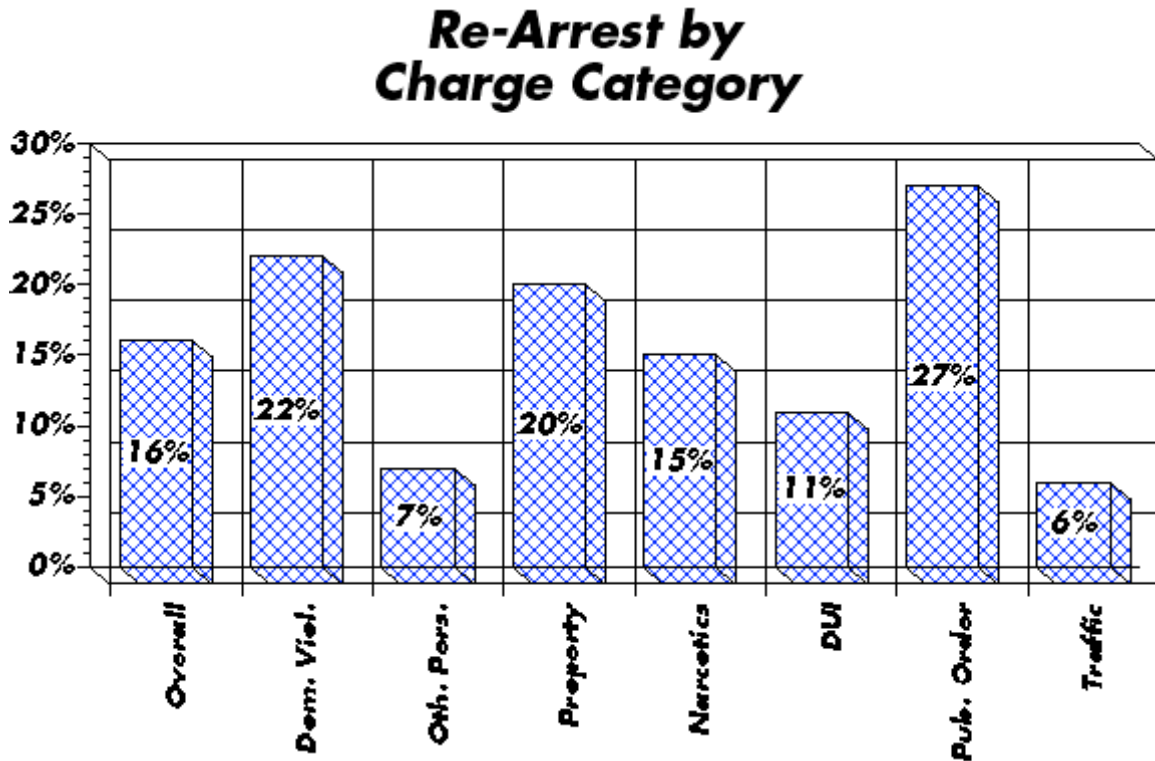


Sixteen percent of the defendants in the sample were re-arrested. Nineteen percent of the misdemeanants and 15 percent of the gross misdemeanants were re-arrested. Fourteen percent of the persons with felony charges were re-arrested.

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(2) Charge Category

The next graphic shows re-arrest by charge category.

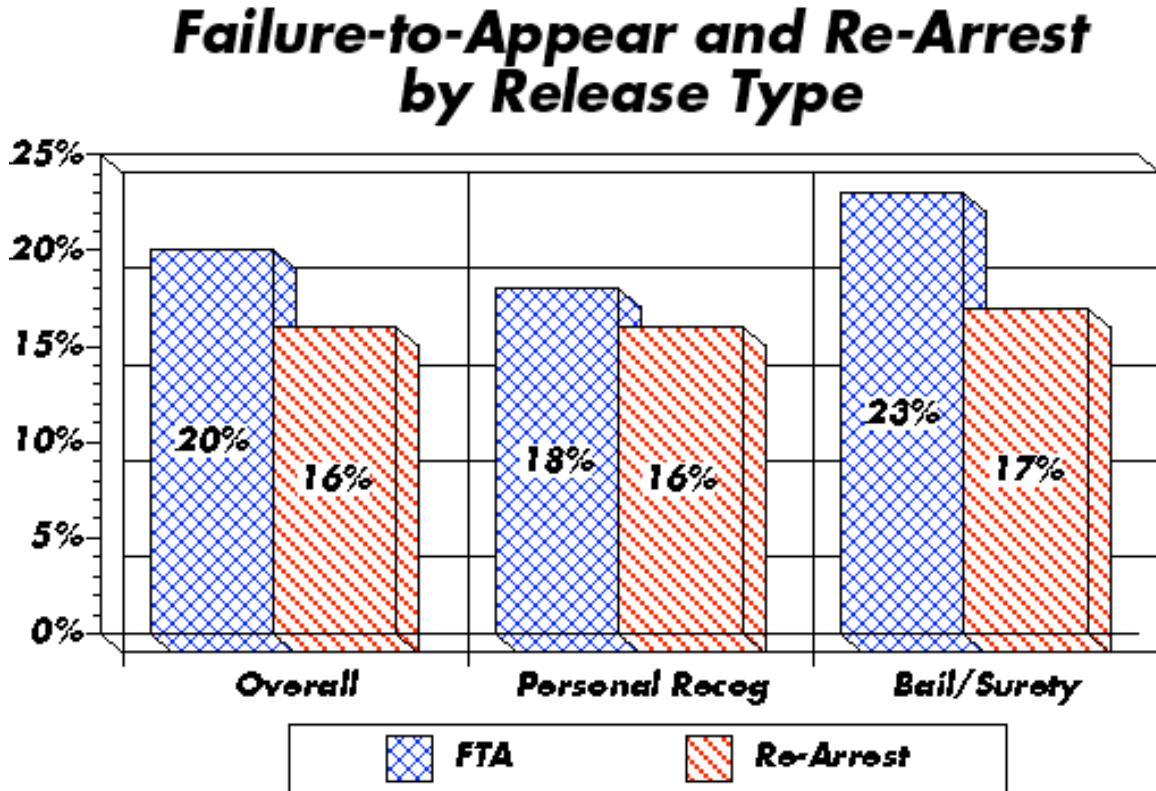


The highest percentage of defendants who were re-arrested were charged with public order offenses. Domestic violence offenders were rearrested in 22 percent of the cases and property offenders in 20 percent of the cases. The charge categories with the fewest number of arrests were traffic (6 percent) and other crimes against persons (7 percent).

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c. Release Type

The final graphic in this section shows the failure to appear and re-arrest rate by the type of release.



Overall, 20 percent of the defendant's failed to appear and 16 percent were re-arrested. Eighteen percent of the persons released on recognizance failed to appear as compared with 23 percent released on bail or surety. Sixteen percent of the defendants released on recognizance were re-arrested as compared with 17 percent released on bail/surety.

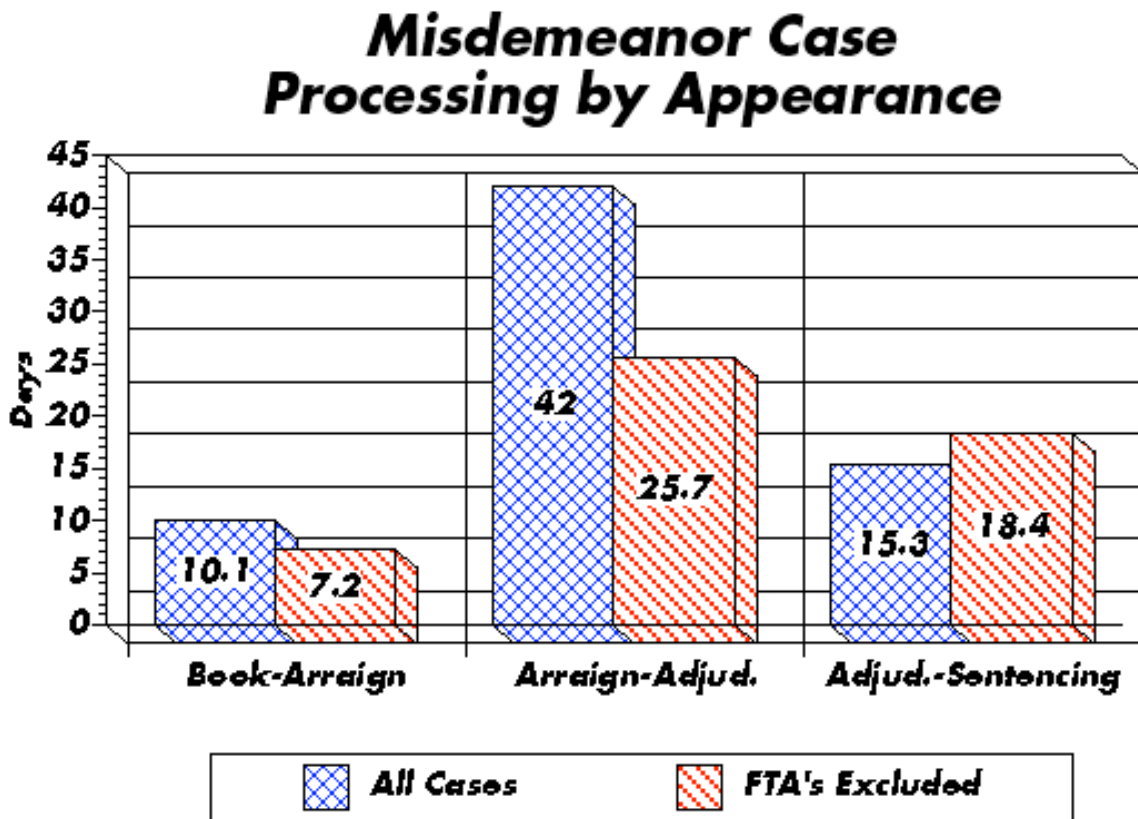
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5. Process Times

a. Misdemeanor

(1) Appearance

The next graphic shows the misdemeanor processing times for all the defendants as compared with the processing times for defendants who did not fail to appear.

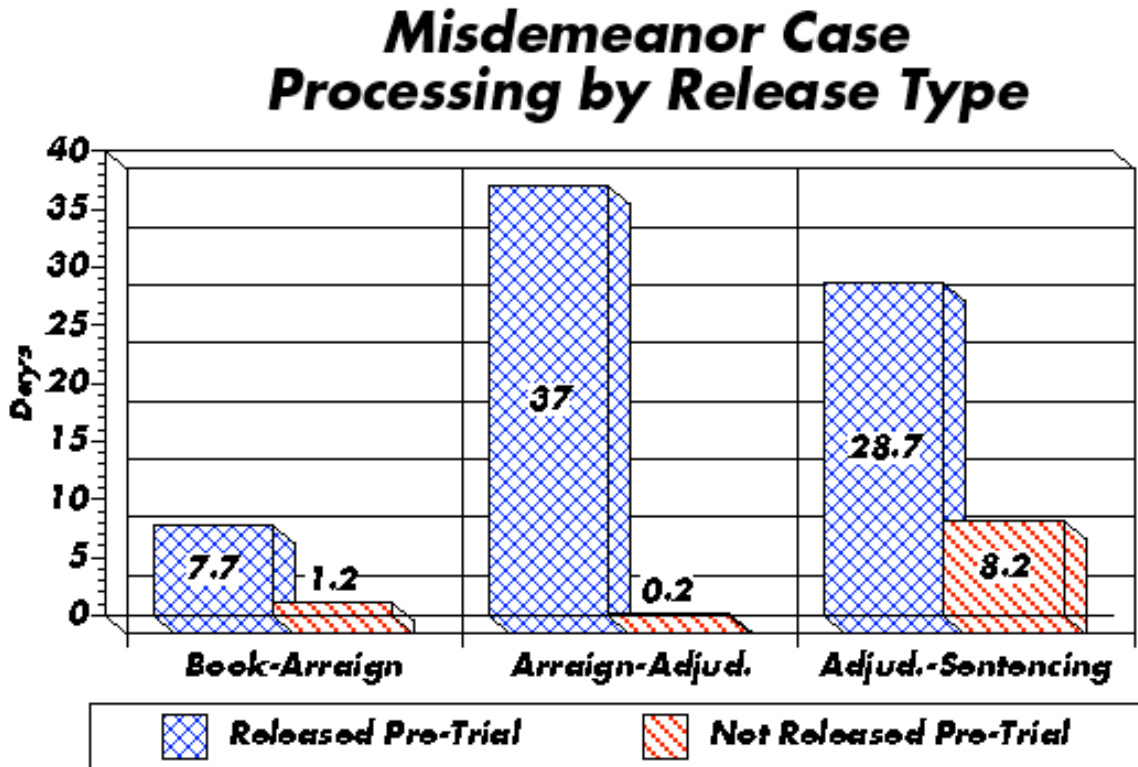


The time from booking to arraignment was 10.1 days for all cases as compared with 7.2 days when the FTA's are excluded. The time from arraignment to adjudication was 42 days for all cases as compared with 25.7 days when the FTA's are excluded. Finally, the time from adjudication to sentencing was 15.3 days for all cases as compared with 18.4 days when the FTA's are excluded.

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(2) Release Type

The next graphic shows the misdemeanor processing times comparing the times for defendants who were released from jail prior to trial as compared with the defendants who remained in custody.



The time from booking to arraignment was 7.7 days for defendants released from jail prior to trial as compared with 1.2 days for those were detained. The time from arraignment to adjudication was 37 days for the defendants released from custody as compared with .2 days for those detained. The time from adjudication to sentencing was 28.7 days for released defendants as compared with 8.2 days for detained defendants.

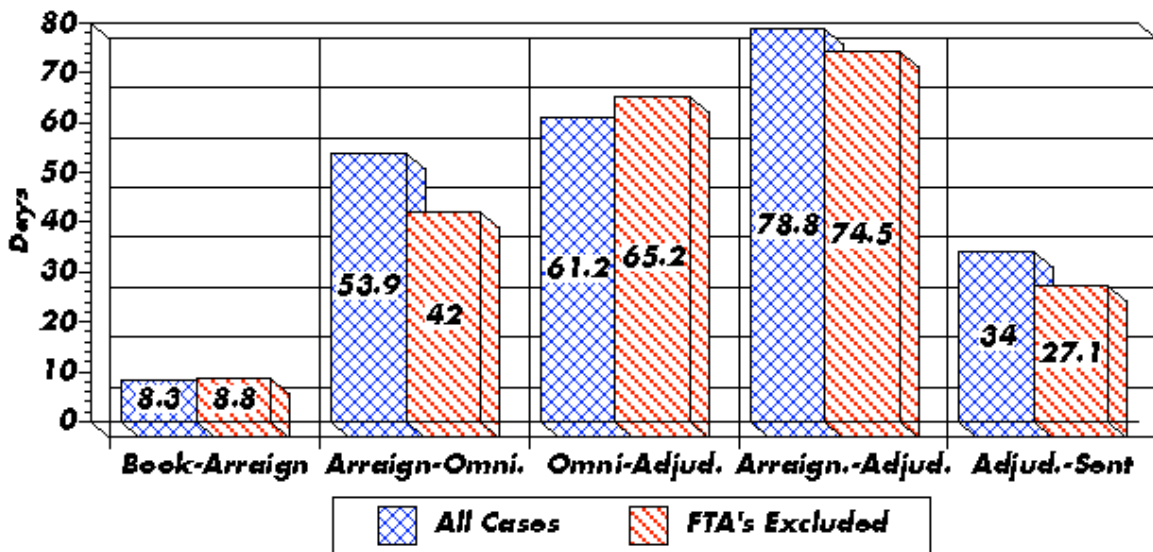
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b. Gross Misdemeanor

(1) Appearance

The next graphic shows the gross misdemeanor processing times for all the defendants as compared with the processing times for defendants who did not fail to appear.

Gross Misd. Case Processing by Appearance

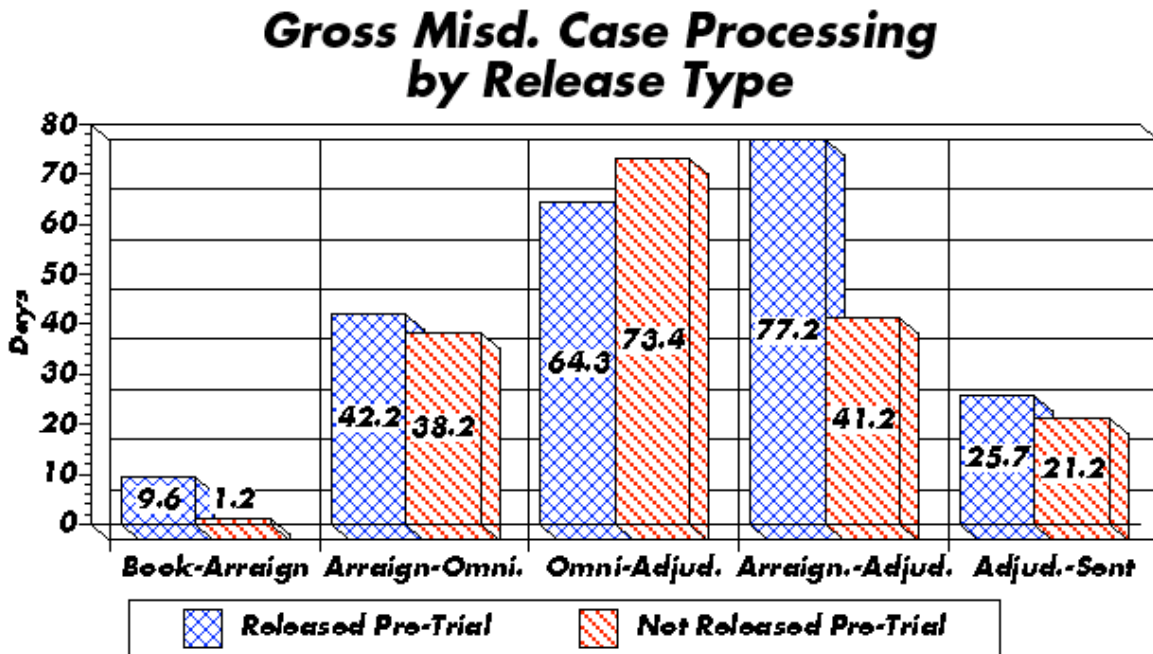


The time from booking to arraignment was 8.3 days for all defendants as compared with 8.8 days when the FTA's are excluded. The time from arraignment to omnibus hearing was 53.9 days for all defendants as compared with 42 days when the FTA's are excluded. The time from omnibus hearing to adjudication was 61.2 days for all defendants as compared with 65.2 days when the FTA's are excluded. The time from arraignment to adjudication was 78.8 days for all defendants as compared with 74.5 days when the FTA's are excluded. Finally, the time from adjudication to sentencing was 34 days as compared with 27.1 days when the FTA's are excluded.

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(2) Release Type

The next graphic shows the gross misdemeanor processing times comparing the times for defendants who were released from jail prior to trial as compared with the defendants who remained in custody.



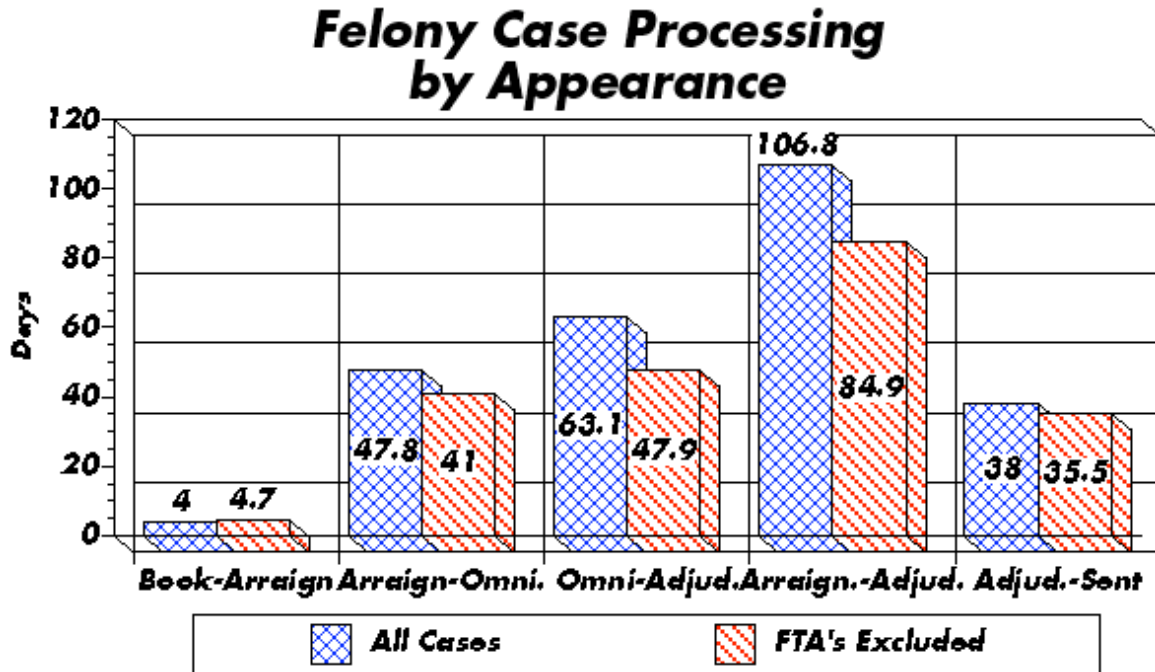
The time from booking to arraignment was 9.6 for defendants released from custody as compared to 1.2 days for defendants detained. The time from arraignment to omnibus hearing was 42.2 days for released defendants as compared with 38.2 days for defendants detained. The time from omnibus hearing to adjudication was 64.3 days for defendants released from jail as compared with 73.4 days for detained defendants. The time from arraignment to adjudication was 77.2 days for defendants released prior to trial as compared with 41.2 days for defendants detained. Finally, the time from adjudication to sentencing was 25.7 days for released defendants as compared with 21.2 days for detained defendants.

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c. Felony

(1) Appearance

The next graphic shows the felony processing times for all the defendants as compared with the processing times for defendants who did not fail to appear.

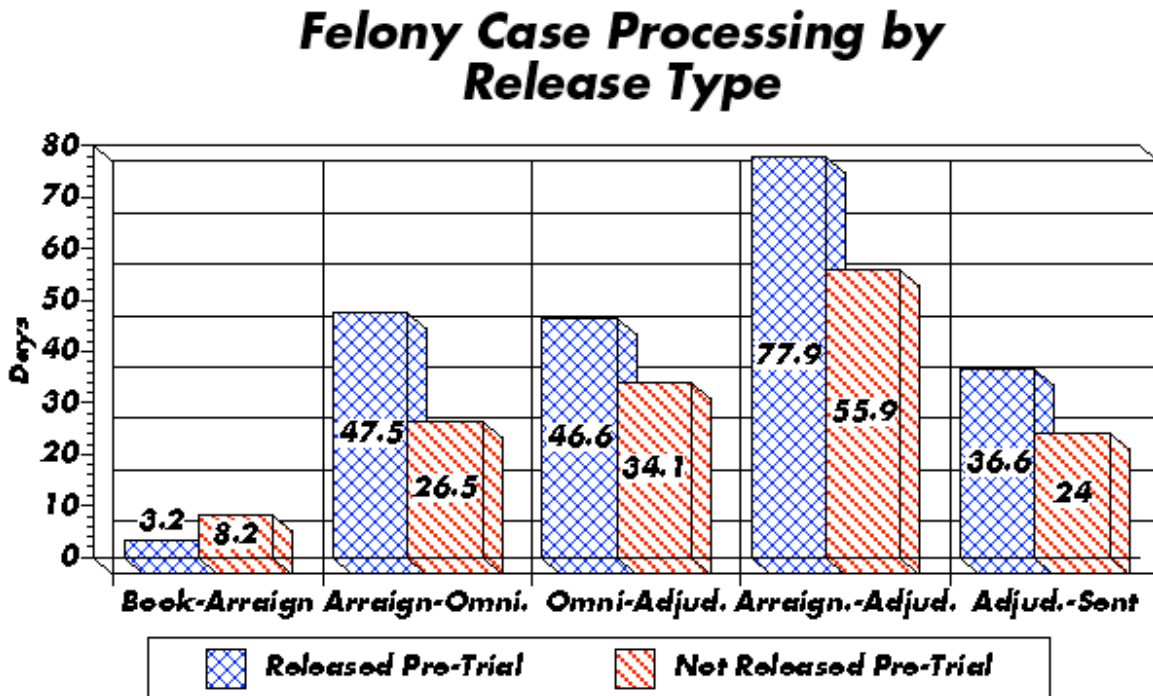


The time from booking to arraignment was 4 days for all defendants as compared with 4.7 days when the FTA's are excluded. The time from arraignment to omnibus hearing was 47.8 days for all defendants as compared with 41 days when the FTA's are excluded. The time from omnibus hearing to adjudication was 63.1 days for all defendants as compared with 47.9 days when the FTA's are excluded. The time from arraignment to adjudication was 106.8 days for all defendants as compared with 84.9 days when the FTA's are excluded. Finally, the time from adjudication to sentencing was 38 days as compared with 35.5 days when the FTA's are excluded.

Blue Earth County Corrections Master Plan

(2) Release Type

The next graphic shows the felony processing times comparing the times for defendants who were released from jail prior to trial as compared with the defendants who remained in custody.



The time from booking to arraignment was 3.2 for defendants released from custody as compared to 8.2 days for defendants detained. The time from arraignment to omnibus hearing was 47.5 days for released defendants as compared with 26.5 days for defendants detained. The time from omnibus hearing to adjudication was 46.6 days for defendants released from jail as compared with 34.1 days for detained defendants. The time from arraignment to adjudication was 77.9 days for defendants released prior to trial as compared with 55.9 days for defendants detained. Finally, the time from adjudication to sentencing was 36.6 days for released defendants as compared with 24 days for detained defendants.