

SJDC Probation Violation Hearings

Monthly Update: February 2017

Report Date: March 8, 2017

Prepared for the Bernalillo County Health and Public Safety Division by the Institute for Social Research

Several initiatives have been implemented that have impacted the case processing time and length of stay (LOS) for probation violators.

Starting March 24, 2014, the scheduling of PV hearings was changed from 30 days from the filing of the motion to revoke probation to 20 days from arrest. This coincides with the large dip in population in April and May of 2014 and faster case processing times.

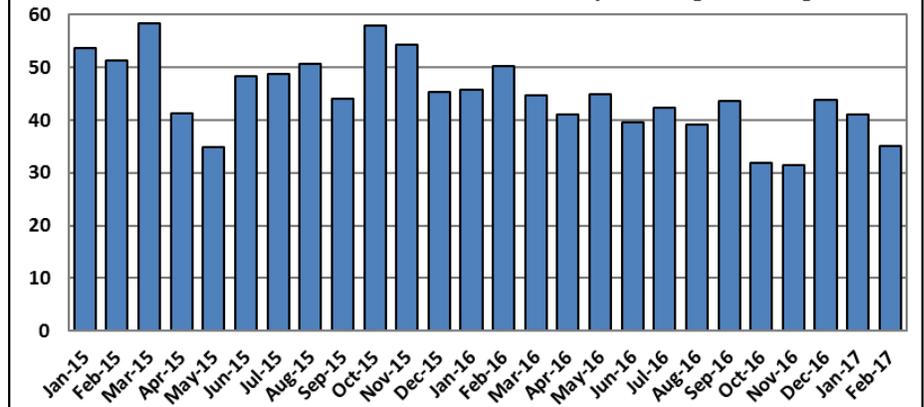
Earlier samples of PV cases came from various sources (DA reopenings, probation, and court) and these showed that the median number of days from arrest to disposition was between 30 and 33 days depending on the sample. In April of 2014, shortly after the implementation of court initiatives, the median time was 21 days.

For a time, the courts were unable to schedule hearings at the 20 day goal due to availability on the calendars. This coincided with some increases in reset and vacated hearings as well as longer case processing times. In February of 2016 additional improvements began being implemented that have had the effect of further reducing the time to the initial PV hearing and case dispositions.

Quick Monthly Figures for February

Bookings with any Felony PV	215
Percent bookings with any Felony PV	11%
Bookings with Felony PV, Highest Charge	125
Percent bookings with Felony PV, Highest	6.4%
Total Monthly PV Hearings ¹	280
Average Daily Hearings	23
Length of Stay (LOS), Felony PV Highest	35 days
Percent of Hearings Reset, Cancelled, Vacated ²	44%
Percent of Hearings Resolved ²	48%

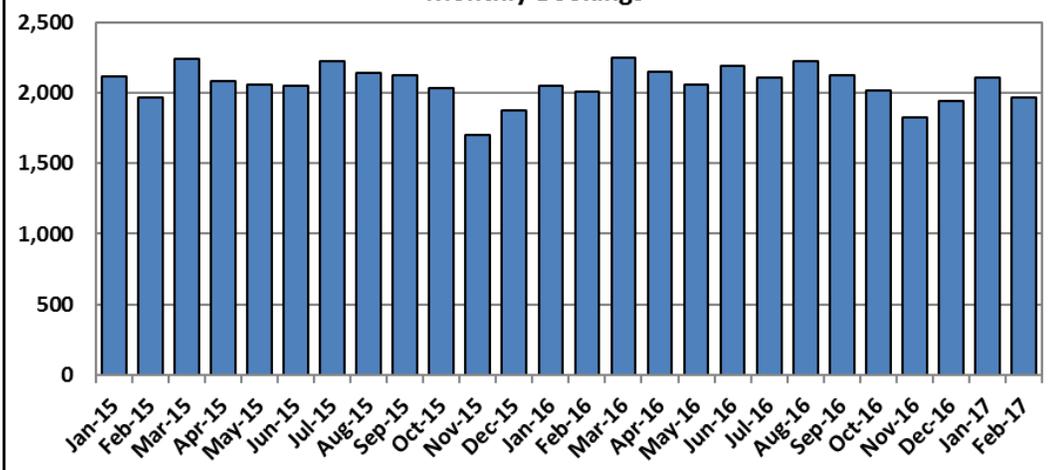
LOS for Inmates Released from MDC with Felony PV as Highest Charge



Note: Length of Stay (LOS) includes individuals who served a sentence.

Bookings

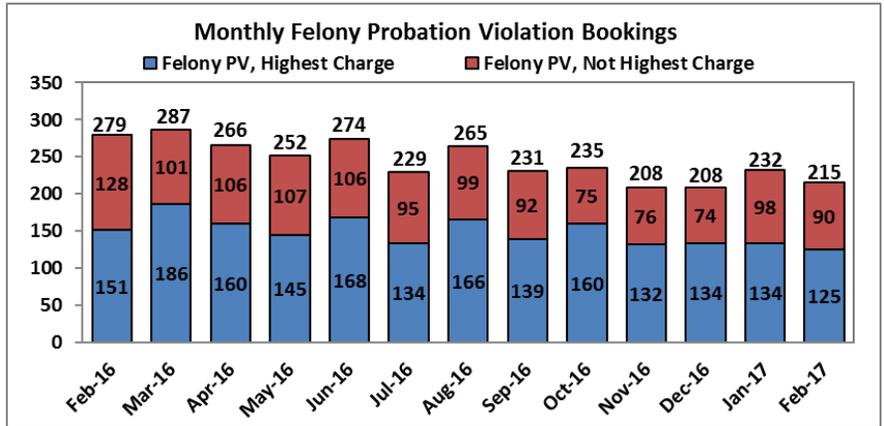
Monthly Bookings



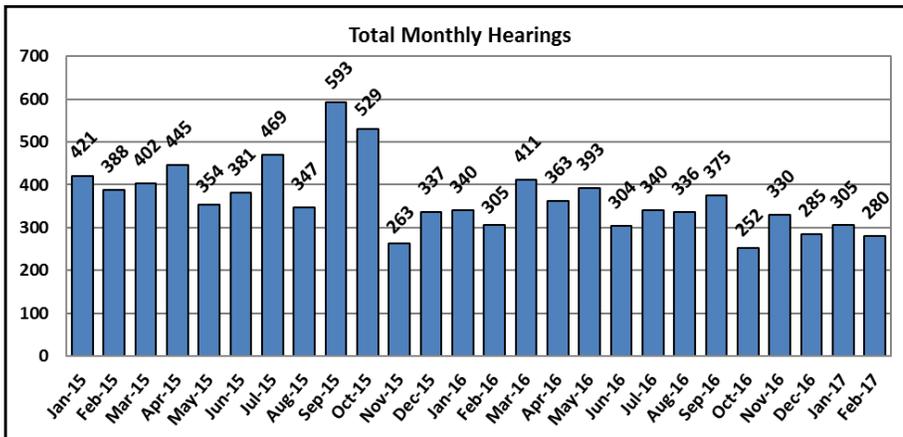
- The number of bookings decreased 6.8% from January of 2017 to February of 2017.
- During the last twelve months there have been an average of approximately 2,079 bookings a month.

Bookings (Cont'd)

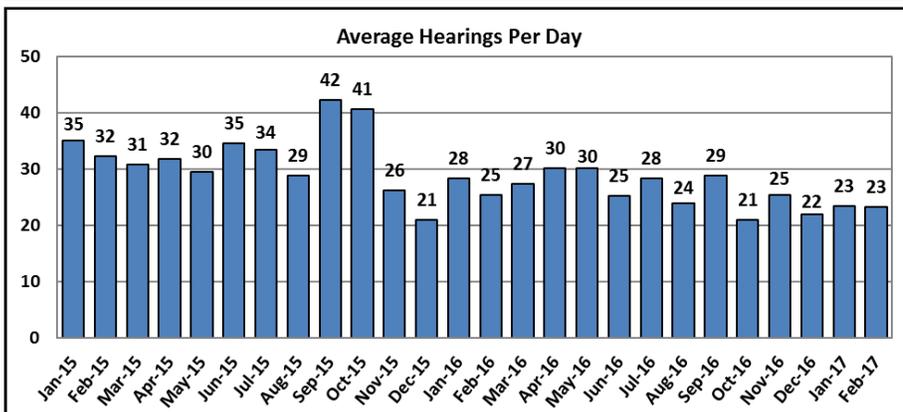
- The average number of bookings with any felony PV has averaged 242 per month over the last year.
- In February of 2016 there were 279 bookings of this type compared to 215 in February of 2017, a decrease of 22.9%.
- Of the 215 felony PV bookings in February of 2017, 125 (58.1%) were bookings for which the felony PV was the highest charge. The remaining 90 (41.9%) of bookings included other new charges or a parole violation in addition to the felony PV.



Number of Probation Violation Hearings Held



- The total hearings per month on the regular PV docket, peaking in September of 2015 at 593.
- In February of 2017 there were 280 regular PV hearings.



- Average PV hearings per day peaked at 42 and 41 in September and October of 2015.
- For February of 2017, the average of 23 hearings per day was 8% lower than the average for February of 2016.

Case Outcomes

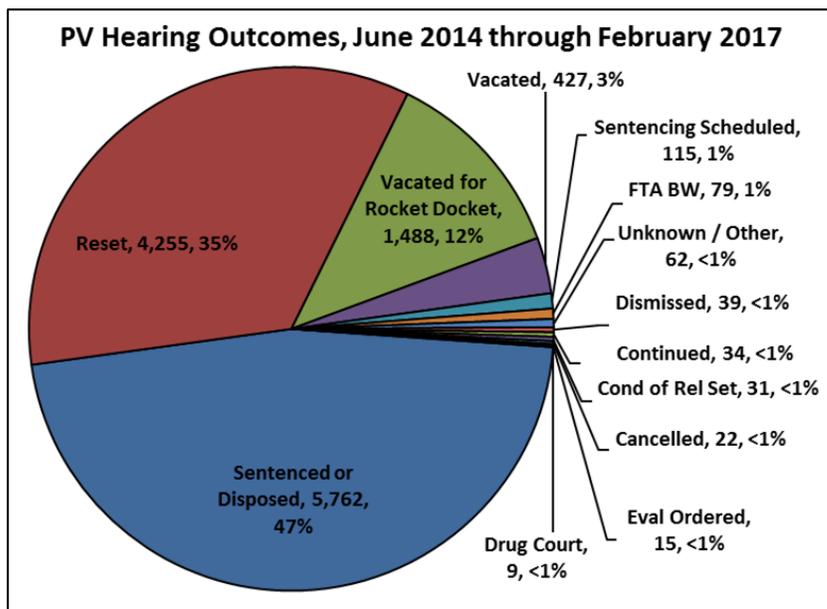
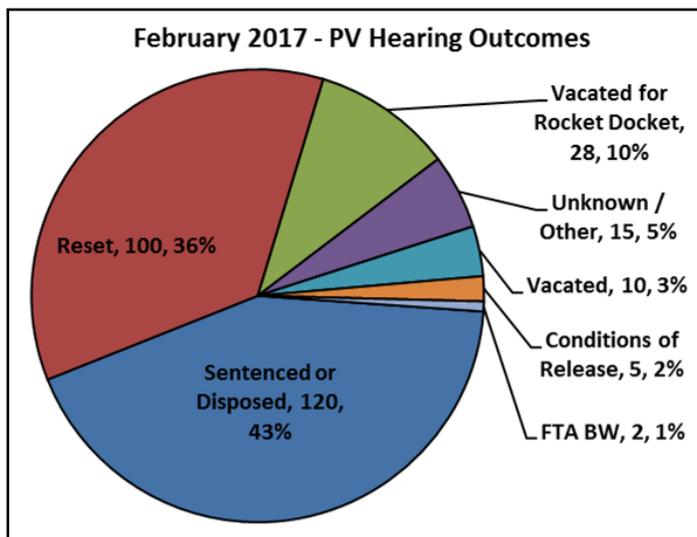
Between June of 2014 and February of 2017 there were approximately 12,338 hearings scheduled (not including status conferences, rocket dockets and afternoon dockets, and sentencing hearings). Cases vacated for the rocket docket are included in monthly hearing counts and total outcome results as they take room on the regular docket. The number of hearings in a month that are vacated for the rocket docket varied a great deal, from as few as 14 to as many as 86.

Monthly Outcomes

- For all hearings during February of 2017 (including those vacated for the rocket docket) approximately 43% of regular PV hearings (120) resulted in a sentence or disposition.
- Approximately 36% of hearings (100) were reset.
- Hearings vacated and moved to the rocket docket accounted for approximately 10% (28) of hearings.

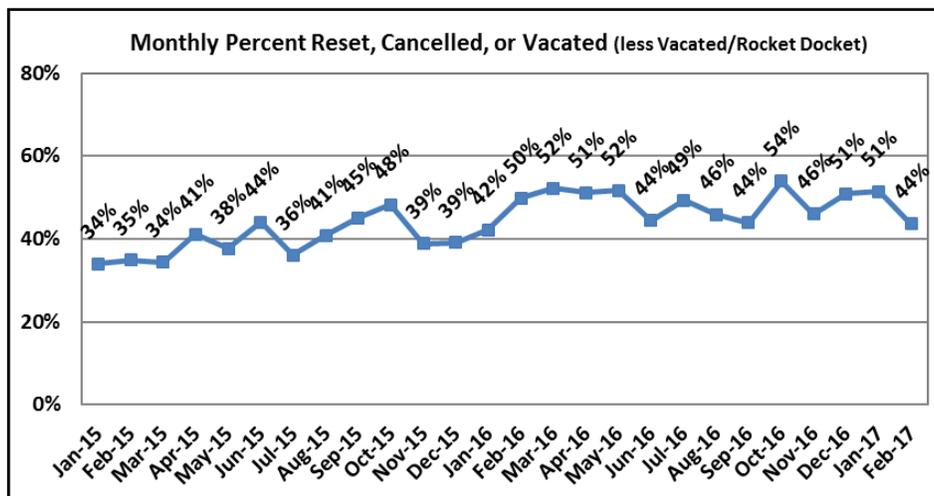
Overall Outcomes

- Since June of 2014, approximately 47% of regular PV hearings (5,762) resulted in a sentence or disposition.
- Approximately 35% of hearings (4,255) were reset.
- Hearings vacated for the rocket docket account for approximately 12% (1,488) hearings.



A portion of hearings every month are scheduled on the PV docket and then vacated and heard as part of the PV rocket docket. To better estimate the outcome of cases that remain on the regular PV dockets, the hearings that were vacated for the rocket docket were removed and the outcomes were estimated. The following figures for resolved, reset, and vacated hearings will not include hearings vacated for the rocket docket. This will allow an improved measurement of the outcomes of hearings that the court has the opportunity to resolve at the scheduled PV hearing.

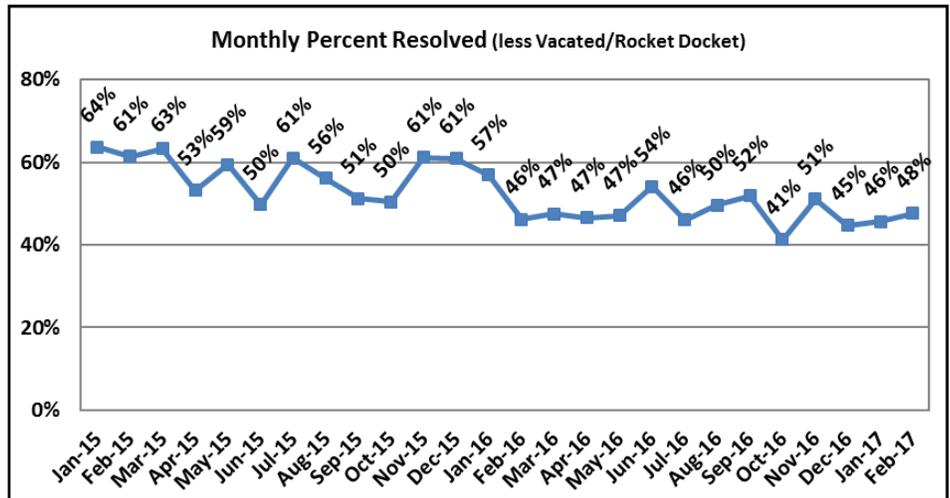
- The percentage of cases reset, cancelled, or vacated was 44% in February of 2017.



Case Outcomes (Cont'd)

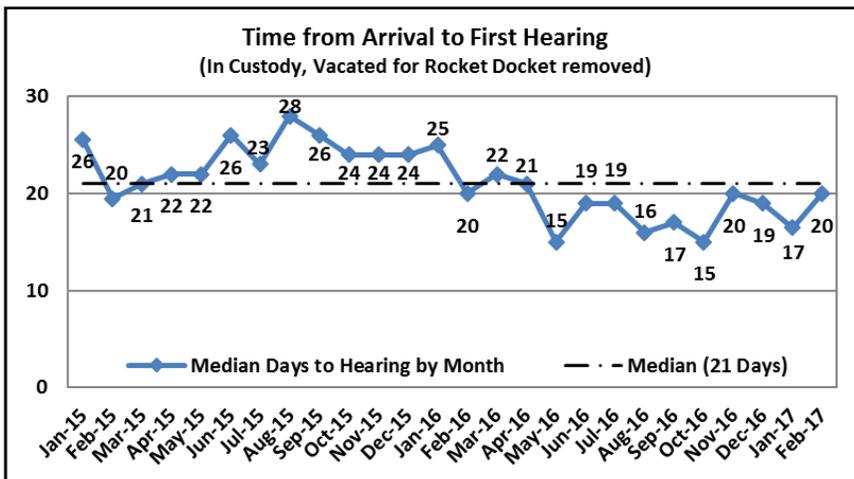
- The percent of hearings resulting in case resolution increased from 46% in January of 2017 to 48% in February of 2017.

The need to hold additional hearings leaves less available room on the docket and reduces the number of resolved cases in a month. Less docket availability can increase time to the initial hearing, time to disposition, and the length of stay.

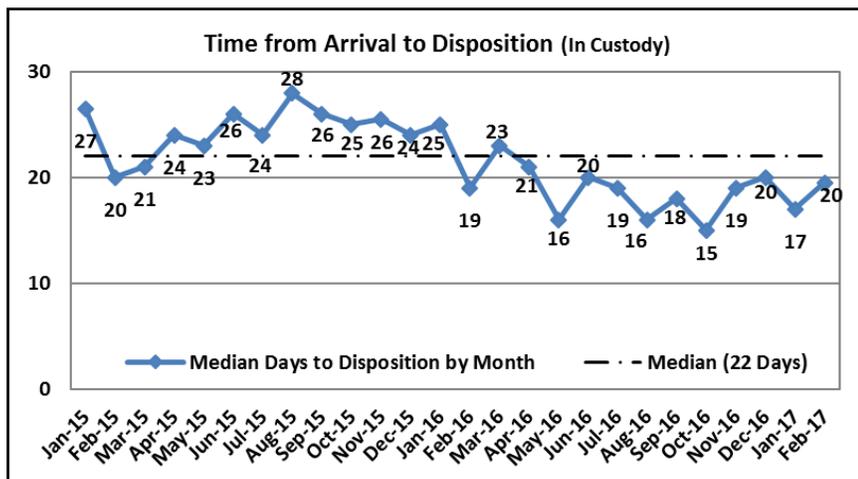


Case Processing Times

Several initiatives that were implemented for PV hearings improved case processing time and the length of stay (LOS), both of which are affected by changes in court scheduling procedures. Unique bookings were identified for both first hearings and dispositions in order to better estimate the time from arrival at MDC to the first hearing for those in custody. A new probation violation typically results in a new booking, though in some instances it could be included as a new arrest on the same booking.



- The overall median time from arrival to initial hearing since June of 2014 was 21 days, meaning that half of the hearings occurred within 21 days of arrival and over half of the initial hearings occurred more than 21 days after arrival.
- By booking, the median² number of days from arrival to the initial hearing for all cases (for those in custody) increased from 17 days in January of 2017 to **20 days** in February of 2017.



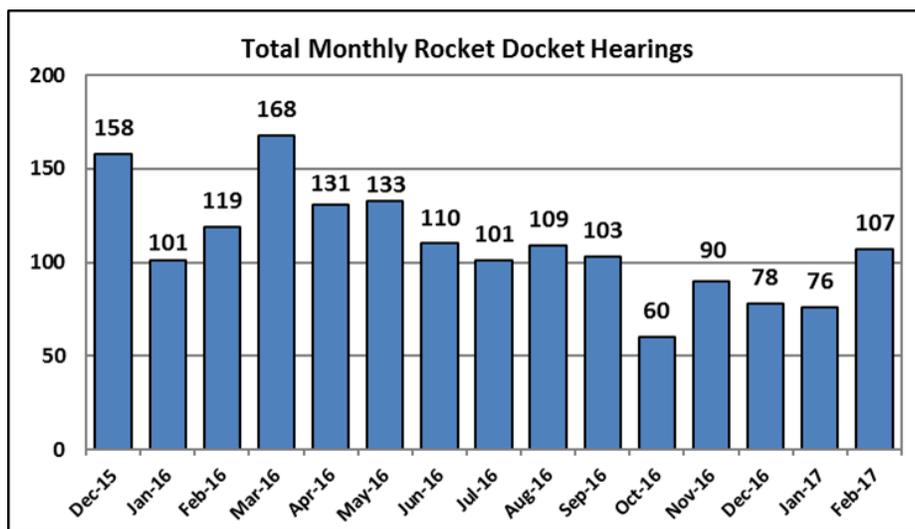
- From June 2014 to February of 2017 the overall median time to disposition was 22 days.
- By booking, the median time from arrival to disposition in February of 2017 was **20 days**.

Overall, the time from arrival to first hearing and from arrival to disposition has been decreasing. It is hoped that further improvement in the PV program will lead to a continued decrease in case processing times and help reduce the length of stay for felony probation violators.

Rocket Docket

Data collection recently began for the rocket docket in addition to the regular PV hearings. Cases scheduled on the Rocket Docket back through December of 2015 were reviewed to determine the number of monthly hearings, hearing outcomes, and the time from arrival to disposition. This preliminary review of the Rocket Docket provides a more complete picture of the handling of probation violation cases.

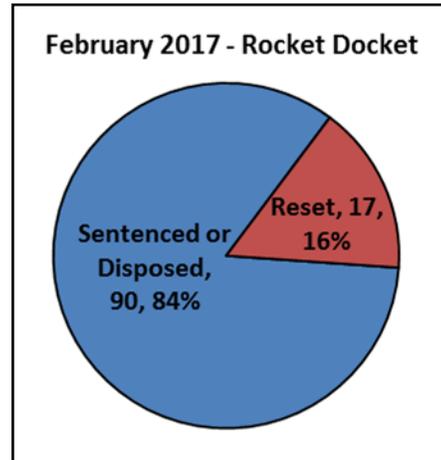
From December of 2015 to February of 2017, the number of Rocket Docket hearings per month ranged from 60 up to 168 per month. There were an average of 110 hearings per month during the reporting period.



Rocket Docket (Cont'd)

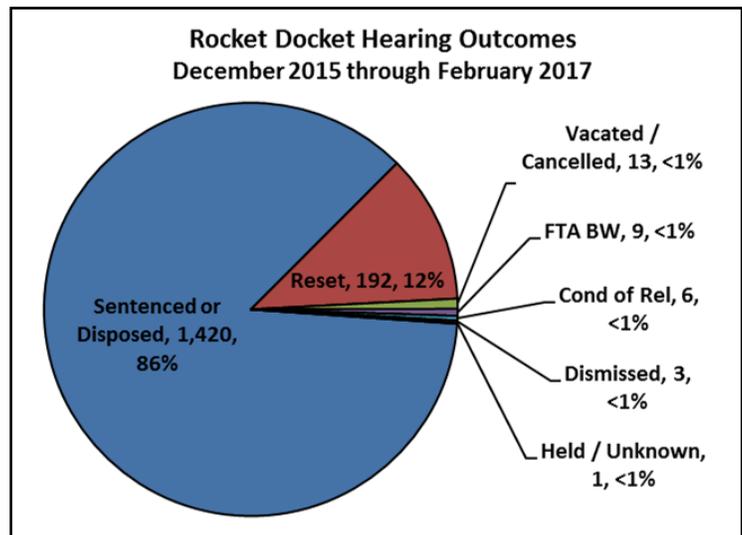
Monthly Outcomes

- There were 107 Rocket Docket hearings in February of 2017.
- At 90 of these hearings (84%), the outcome at the hearing resulted in a sentencing or disposition.
- Resets occurred at 17 (16%) hearings.



Overall Outcomes

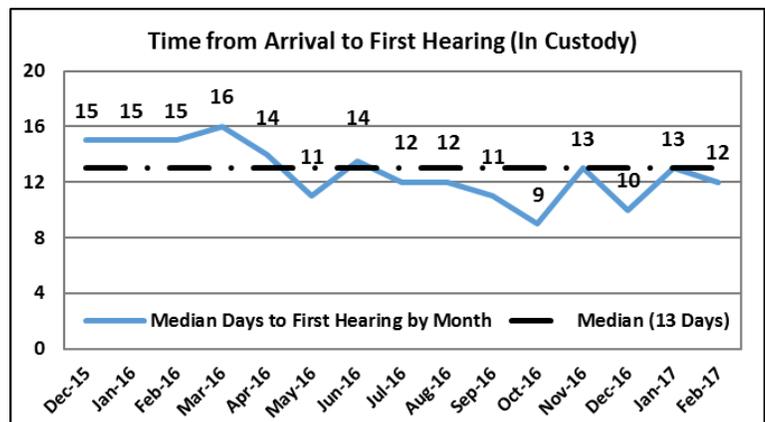
- There were 1,644 Rocket Docket hearings from December of 2015 to February of 2017.
- At 1,420 of these hearings (86%), the outcome at the hearing was a sentencing or disposition.
- An additional 192 hearings (12%) resulted in a reset.
- The remaining hearings resulted in a small number of bench warrants (9), vacated or cancelled hearings (13), dismissals (3), conditions of release (6), or an unclear outcome (1).



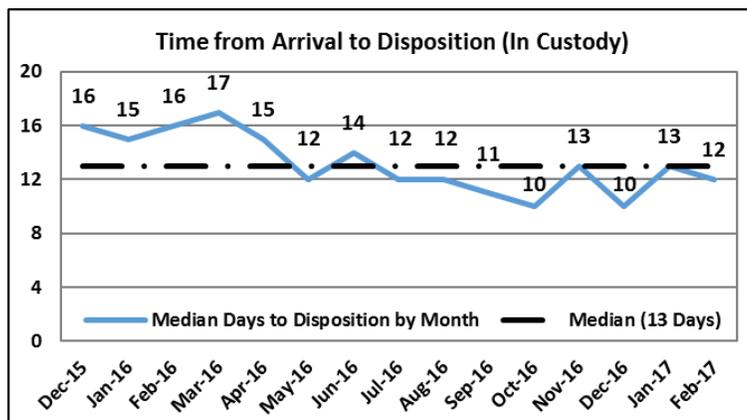
Case Processing Times - Rocket Docket

Similar to how the regular PV hearings were reviewed, unique bookings were identified in order to better estimate the time from arrival at MDC to the disposition for those in custody in custody.

- The overall median time from arrival to initial hearing since December of 2015 was 13 days, meaning that half of the hearings occurred within 13 days of arrival and over half of the initial hearings occurred more than 13 days after arrival. The median time from arrival to first hearing in February of 2017 was 12 days.



- The median time from arrival to the disposition is only slightly higher than the time from the arrival to the first hearing. This is not unexpected given the relatively small percent of Rocket Docket hearings that are reset.
- The median² number of days from arrival to the case disposition (for those in custody) was 13 days from December of 2015 through February of 2017 and was **12 days** in February of 2017.



Data collection for Rocket Docket hearings will continue in upcoming months.

For further information, contact the Bernalillo County Health and Public Safety Division at 505-468-7008.

NOTES

1. Hearings include pro tem hearings scheduled not included (not including status conferences, rocket dockets and afternoon dockets, and sentencings). There were 9 hearings that were scheduled but there was no information on the outcome of the hearings. Due to changes in staff, some of the September hearings may have not have been identified as one of the non-pro tem hearing types. This was confirmed when possible, but a small portion of the increase in hearings may be due to this mislabeling.
2. During the month of June, a day of hearings were reset, although several hearings were still listed as resolved on the original hearing date. This additional date was not included as an additional hearing date for calculating the average hearings.
3. Hearings that are vacated for the rocket docket are excluded from these calculations. This is discussed in more detail on pages 2 and 3.
4. The median value for time from arrival to hearing is used as it avoids skewing of the mean value due to probation violations that occur during incarceration, either in the MDC or on CCP, as well as those for which an individual is not booked into MDC or those transported in for hearings from other facilities.
5. In a few instances, the docket was not available so the court calendar for the day was used in its place.
6. Data from MDC information system was reviewed and processed with some updates to coding to the warrants and probation violations to more accurately identify these types of bookings. The current counts reflect these updated changes. There may be additional individuals with a probation violation that are currently not identified as such.

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