Atlanta

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Special Prosecution Grant— Final Evaluation Report*, April 1975

I. Introduction

The primary goals of the special prosecution grant are to reduce the time required for processing cases in Fulton County Superior Court and to increase the conviction rate for impact crimes. Identified impact crimes are burglary, aggravated assault, murder, rape, and robbery. The aims are to be achieved through the hiring of four additional assistant attorneys. This additional manpower is supposed to have a measurable impact on the above goals within twelve months after its inception. For purposes of evaluation baseline data were derived as follows:

Average Court Processing Time - 88 days
Conviction Rate 79.4%

The above major goals will be realized if the following occur as a result of this project:

1) Reduce the court processing time for impact defendants in the Fulton County Superior Court from an average of 88 days to an average of 78 days within 12 months from project implementation. Court processing is defined as the time from the date bound over to the Grand Jury to the date of disposition in the Superior Court.

2) Increase the conviction rate for impact defendants from 79.4% to 83.4%. Conviction is defined as guilty verdict by jury for an impact crime or a plea of guilty by the defendant to the impact crime charged in the indictment.

II. Methodolgy

The analyses performed in this report are slightly different from those previously reported because additional data are available. During January and February 1975 all cases previously reported as "Open" were re-examined. Some

*This report includes all data available at this time.

of these had since been "Closed" and thus were added to the statistics previously reported. Others of these cases remain open. Tables I and II present the same types of data previously reported but updated for later findings.

It appears that cases open for more than about 180 days are those over which the district attorney's office has little or no control - bond forfeitures, for example. Therefore, two additional analyses are added to this report: one shows the precentage of cases closed as a function of time. The other analysis presents findings relative to cases still open in early 1975 - some open for more than 16 months.

III. Results

Table I presents the monthly disposition of impact defendants for the period of September, 1973 through November, 1974. This project was not fully operational until January 1974, but earlier data are included for comparison. The conviction rate for the period January-November 1974 was 78%. This compares to a base line conviction rate of 79.4%. In order to measure the trend in the conviction rate a linear regression was also run on these data. The regression equation which best fits these data is:

$$y = 77.2 + .25x,$$

where y is the conviction rate and x is the number of months since project inception. The small positive slope of .25 indicates that the conviction rate has increased since the project began, but the result is not significant.

Table II presents the court processing time for the same period. The average court processing time for the period January-November 1974 was 78 days. However as indicated previously this figure tends to be misleading because it includes cases over which the district attorney's office has little or no control. Table III shows the distribution of cases by length of court processing time. From September, 1973, through November, 1974, 85% of all cases which were

TABLE I. DISPOSITION OF IMPACT CASES FOR THE GIVEN PERIOD

	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Total
Guilty-Trial	20	24	7	13	34	10	15	24	10	15	17	15	13	24	9	
Plea	104	133	122	154	139	94	80	158	141	96	134	126	157	201	122	
Sub Total	124	157	129	167	173	104	195	182	151	111	151	141	170	225	131	2311
Not Guilty Trial	7	7	3	6	6	6	6	8	13	4	4	2	5	5	4	
Dead Docket	53	32	36	31	36	24	47	20	43	17	30	18	45	48	26	
Nol Pros	3	11	12	15	2	6	13	6	4	-	5	5	5	11	2	
Transfer	1	3	-	-	-	-	-	1	-	-	-	-	-	-	-	
Sub Total	64	53	51	52	44	36	66	35	60	23	39	25	55	64	32	699
Grand Total	188	210	180	219	217	140	261	217	211	134	190	166	225	289	163	3010
Conviction Rate	66%	75%	72%	76%	80%	74%	75%	84%	72%	83%	79%	85%	76%	78%	80%	77%

TABLE II. COURT PROCESSING TIME

Month	Number of Defendants	Total Court Processing Time (Days)	Average Court Processing Time (Days)
September 1973	147	12,660	86
October	146	12,011	82
November	123	10,249	83
December	106	8,830	83
January 1974	129	10,997	85
February	213	17,580	83
March	183	14,953	82
April	188	15,520	83
May	150	9,343	62
June	150	12,247	82
July	195	14,412	74
August	168	13,810	82
September	161	10,404	64
October	160	10,650	67
November	133	8,630	65
TOTAL	2,352	182,296	78

DEFENDANTS P[illegible]SSED

	Total	Under 90 Days		90-135 Days		136-180 Days		> 180 Days			
		Number	%	Number	%	Number	%	Number	%	Total Days	% of Total Court Processing Time
eptember 1973	147	131	89	2	1	4	3	10	7	2620	21
ctober	146	132	90	3	2	1	1	10	7	2431	20
ovember	123	102	83	9	7	4	3	8	7	2033	20
ecember	106	94	89	4	4	3	3	5	5	1140	13
anuary 1974	129	102	79	9	7	3	2	15	12	3623	33
ebruary	213	191	89	6	3	2	1	14	7	4122	23
arch	183	155	85	3	2	10	5	15	8	3986	27
pril	188	134	72	25	13	14	7	15	8	3364	22
ay	150	137	91	6	4	7	5	–	–	–	–
une	150	121	81	12	8	9	6	8	5	1810	15
uly	195	170	87	13	7	10	5	2	1	402	3
ugust	168	142	85	7	4	14	8	5	3	998	10
eptember	161	148	92	9	6	4	2	–		–	–
ctober	160	149	93	8	5	3	2	–		–	–
lovember	133	118	89	14	11	1	1	–		–	–
OTAL	2352	2026	85	130	6	90	4	107	5	26519	15

closed were closed in less than 90 days. (This does not include cases still open in January and February 1975 but the district attorneys office probably has no control over these open cases. See Appendix A for further data.).

Cases open for longer than 180 days accounted for only 5% of all cases but represented 15% of total reported court processing time. Thus the reported average court processing time is a "pessimistic" estimate of accomplishment on this project. Had these cases been eliminated (because of their not being under the district attorney's control) average court processing time would have dropped to 69 days - a substantial improvement.

As mentioned previously all cases open greater than 90 days were examined in January and February 1975. For those closed cases, the results are reported in the tables. However, some cases were still open at this time - some 16 months after indictment. A tabulation of the status of these cases is given in Appendix A for the months September, 1973, through November, 1974. As can be seen from the data the majority of the cases remain open because of bond forfeiture or because the defendant was not arrested. In the aggregate the data are not too meaningful except to point out the DA's lack of control over some parameters required in this evaluation.

IV. Summary and Conclusions

After 11 months some conclusions can be drawn concerning the effectiveness of the project.*

The goal of reducing court processing time has been met - and exceeded if allowance is made for those cases not under control of the district attorney. However, the goal of increasing the conviction rate is not being met. A linear regression on the monthly conviction rates shows a slight positive slope but this is not significant.

*Only 11 months data have been supplied as of the writing of this report.

APPENDIX A:

Disposition of Cases Open at the End of 90 Days

(All Data as of January/February 1975)

1973 September: 35 Defendents / 28 Indictments

12 Guilty

3 Not guilty

9 Pleas

6 Trials

15 Open

8 Bond forfeiture

1 Not arrested

0 Psych. exams

2 Dead dockets

1 Mistrial

1 Delayed sentence

5 Further notice (open cases)

2 Reindictments

1973 October: 27 Defendents / 22 Indictments

10 Guilty

2 Not guilty

9 Plea

3 Trial

8 Open

7 Bond forfeiture

2 Not arrested

1 Psych. Exam

4 Dead dockets

2 Mistrial

0 Delayed sentence

2 Further notice (open cases)

1 Reindictment

1973 November: 36 Defendents / 32 cases

22 Guilty

2 Not guilty

14 Pleas

10 Trials

8 Open

3 Bond forfeiture

1 Not arrested

0 Psych. exams

5 Dead docket

0 Mistrial

0 Delayed sentence

4 Further notice (open cases)

3 Renindictments

1973 December: 31 Defendents / 23 cases

11 Guilty

1 Not guilty

9 Pleas

3 Trials

12 Open

4 Bond forfeiture

3 Not arrested

1 Psych. exams

4 Dead dockets

1 Mistrial

0 Delayed sentence

4 Further notice (open cases)

1 Reindictment

1 Appeal

1974 January: 48 Defendents / 32 cases

28 Guilty

7 Not guilty

26 Pleas

9 Trials

5 Open

6 Bond forfeiture

2 Not arrested

2 Psych. exams

11 Dead dockets 1 Nol Prosse

1 Mistrial

1 Delayed sentence

2 Further notice (open cases)

1 Reindictment

1 Appeal

1974 February: 50 Defendents / 37 cases

27 Guilty

1 Not guilty

24 Pleas

4 Trials

11 Open

7 Bond forfeiture

3 Not arrested

3 Psych. Exams

7 Dead dockets 2 Nol Prosse

0 Mistrial

1 Delayed sentence

5 Further notice (open cases)

1 Reindictment

1974 March: 60 Defendents / 42 cases

31 Guilty

0 Not guilty

28 Plea

3 Trials

22 Open

13 Bond forfeiture 3 defendents released no bond

4 Not arrested

2 Psych. exams

7 Dead dockets

0 Mistrial

0 Delayed sentence

7 Further notice (open cases)

1 Reindictment

2 Appeals

1974 April: 106 Defendents / 66 Cases

47 Guilty

4 Not guilty

34 Plea

17 Trials

38 Open

9 Bond forfeiture

4 Not arrested 1 turned loose

2 Psych. exam

18 Dead dockets 4 Nol Prosse

1 Mistrial

1 Delayed sentence

16 Further notice (open cases)

3 Reindictment

0 Appeals

1974 May: 48 Defendents / 37 Cases

19 Guilty

0 Not guilty

17 Pleas

2 Trials

19 Open

8 Bond forfeiture

7 Not arrested

3 Psych. exams

6 Dead dockets 3 orders of dismissal

0 Mistrial

0 Delayed sentence

6 Further notice (open cases)

1 Reindictment

0 Appeals

1974 June: 70 Defendents / 53 cases

35 Guilty

7 Not guilty

28 Pleas

14 Trials

25 Open

8 Bond forfeiture

8 Not arrested

3 Psych. exams

4 Dead dockets

1 Mistrial

1 Delayed sentence

11 Further notice (open cases)

5 Reindictment

0 Appeals

1974 July: 81 Defendents / 58 cases

37 Guilty

1 Not guilty

29 Pleas

9 Trials

32 Open

8 Bond forfeiture

4 Not arrested

6 Psych. exams

5 Dead dockets 2 Nol Prosse

0 Mistrial

0 Delayed sentence

20 Further notice (open cases)

2 Reindictment

0 Appeals

1 Defendent extradited to face murder trial in New York

1974 August: 49 Defendents / 38 cases

17 Guilty

1 Not guilty

13 Pleas

5 Trial

17 Open

8 Bond forfeitures

1 Not arrested

0 Psych. exams

15 Dead dockets

0 Mistrial

0 Delayed sentence

11 Further notice (open cases)

2 Reindictment

0 Appeals

1974 September: 45 Defendents / 32 cases

18 Guilty

0 Not guilty

14 Pleas

4 Trials

22 Open

9 Bond forfeiture

3 Not arrested 1 escape

0 Psych. exams

3 Dead dockets

0 Mistrial

1 Delayed sentence

11 Further Notice (open cases)

2 Reindictment

0 Appeals

1974 October: 51 Defendents / 37 Cases

18 Guilty

1 Not guilty

15 Pleas

4 Trials

25 Open

6 Bond forfeiture

5 Not arrested 1 escape

1 Psych. exam

7 Dead dockets

0 Mistrial

1 Delayed Sentence

10 Further notice (open cases)

3 Reindictment

0 Appeals

1974 November: 87 Defendents / 63 cases

30 Guilty

2 Not guilty

25 Pleas

6 Trials

53 Open

11 Bond forfeiture

0 Not arrested

4 Psych. exams

4 Dead dockets

2 Mistrial

0 Delayed sentence

40 Further notice (open cases).

3 Reindictment

1 Appeal

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Conviction Rate	66%	75%	72%	76%	80%	74%	75%	84%	72%	83%	79%	85%	76%	78%	80%	77%

TABLE III. DISTRIBUTION OF COURT PROCESSING TIMES

DEFENDANTS PROCESSED

	Total	Under 90 Days		90-135 Days		136-180 Days		> 180 Days			
		Number	%	Number	%	Number	%	Number	%	Total Days	% of Court Processing Tim
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April	188	134	72	25	13	14	7	15	8	3364	22
May	150	137	91	6	4	7	5	–	–	–	–
June	150	121	81	12	8	9	6	8	5	1810	15
July	195	170	87	13	7	10	5	2	1	402	3
August	168	142	85	7	4	14	8	5	3	998	10
September	161	148	92	9	6	4	2	–		–	–
October	160	149	93	8	5	3	2	–		–	–
November	133	118	89	14	11	1	1	–		–	–
TOTAL	2352	2026	85	130	6	90	4	107	5	26519	15

END