

ADA COUNTY SYSTEM RATES STUDY

ROBBERY

1975

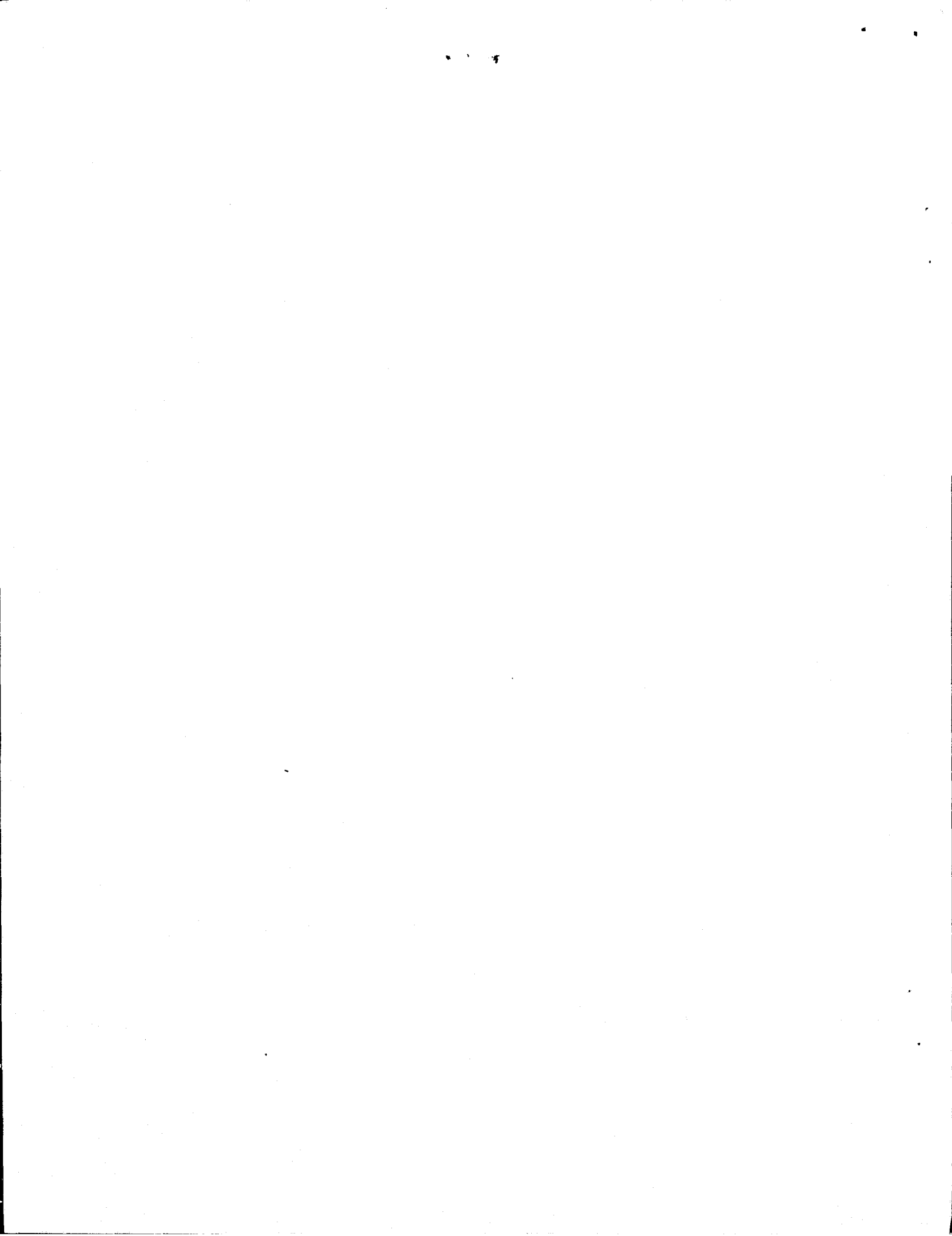
NCJRS

AUG 14 1978

ACQUISITIONS

Law Enforcement Planning Commission
Statistical Analysis Center
August 31, 1977

25105



ADA COUNTY ROBBERY

In May and June of 1977, the Statistical Analysis Center (SAC) of the Idaho Law Enforcement Planning Commission initiated a study of robbery arrests in six Idaho counties, one of which was Ada County. The Statistical Analysis Center expresses appreciation to the following persons and agencies for their efforts and cooperation in this research: Lt. Wright of the Ada County Sheriff's Office; Hazel Hampton of the District Court Clerk's Office; Judge Warren Gilmore, Trial Court Administrator; Judge Gerald Schroeder of the District Court; Ralph Newberg of the Idaho State Correctional Institution; David Leroy, Ada County Prosecutor; and Russell Reneaux of the Prosecutor's Major Crime Unit.

There were 29 adult arrests for robbery in Ada County in 1975, according to the results of a manual review of the Ada County Sheriff's Office arrest dockets. Ada County robbery arrests represent 23% of Statewide reported adult robbery arrests in 1975, or 34.9% of all arrests from the SAC Six-Area Robbery Study.

Perusal of magistrate and district court dockets and files revealed that 17 (58.6%) of these adults were prosecuted and 15 (51.7%) convicted of robbery or a lesser charge.

Illustration I describes these individuals as they proceeded through the Criminal Justice System and denotes the percentage of those arrested who reached each state of legal proceedings. Illustration II is similar, but percentage figures refer to the ratio of defendants within a particular branch of the system.

Each of these branches will be discussed individually.

Arrests

Four of the 29 adults arrested (13.8%) were females, while the remaining 25 (86.2%) were males. The prosecutor declined to file charges for two (6.9%), both males, leaving 27 cases (93.1%) to be considered for prosecution.

Pre-Trial Release

Table 1 explores the custody status assigned to the 27 cases considered for prosecution. The official records of one case did not reveal custody status, but records showed that in 46.2% of all known cases the defendant was released on bond or own recognizance. None failed to appear. The remainder, or 53.8%, were remanded to jail in lieu of bond.

The majority of male defendants (60.9%) were remanded; the majority of female defendants (75%) were released on their own recognizance and their cases were later dismissed.

The State moved for dismissal of 10 cases in addition to the two not filed.

ILLUSTRATION I
 ADA COUNTY SYSTEM RATES STUDY
 ROBBERY
 1975

INPUT PERCENTAGES

29
 Robbery Arrests

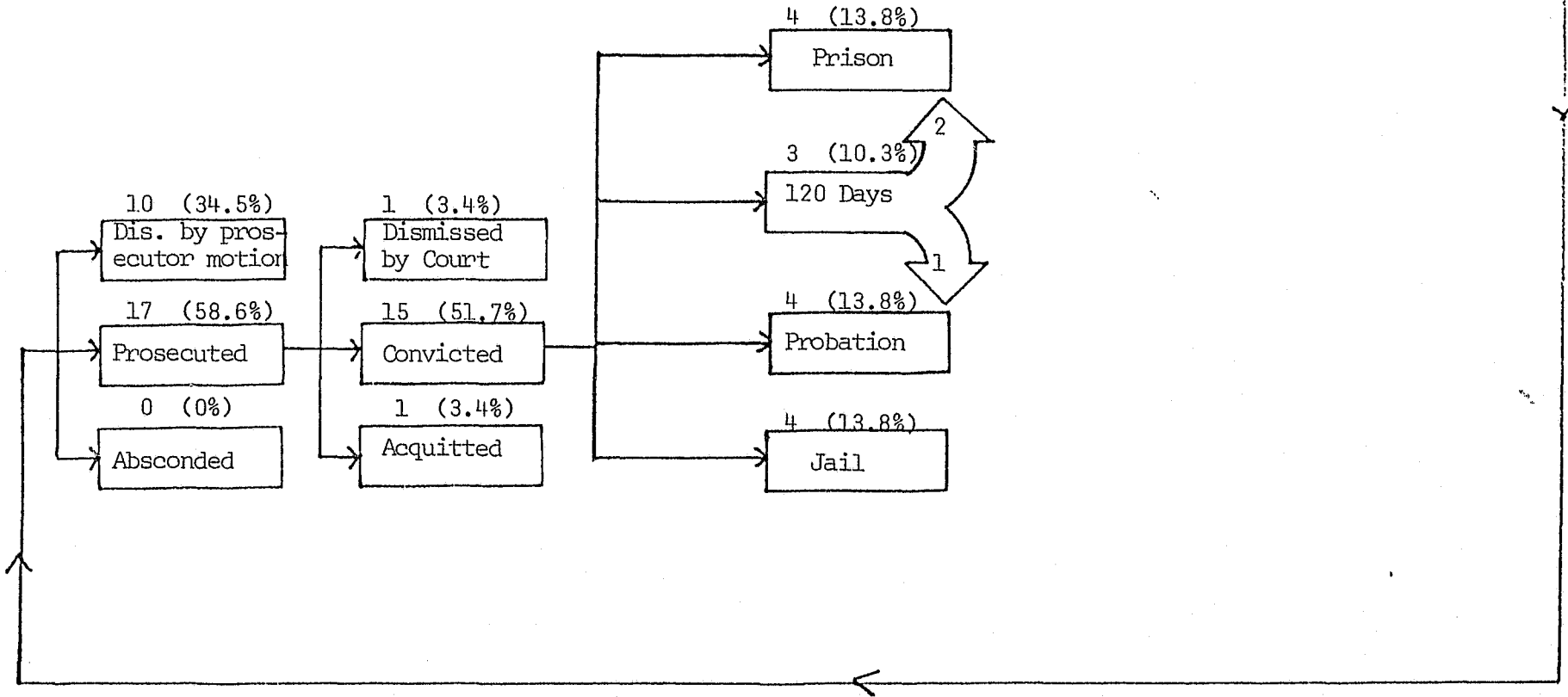
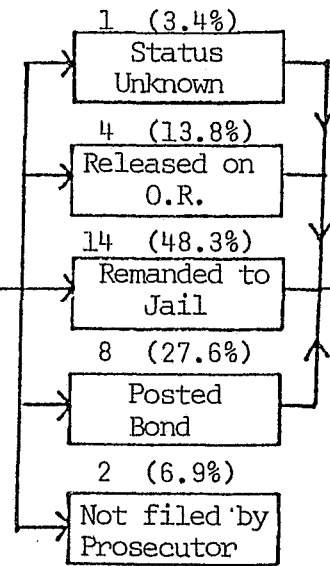


ILLUSTRATION II
 ADA COUNTY SYSTEM RATES STUDY
 ROBBERY
 1975
 DECISION POINT PERCENTAGES

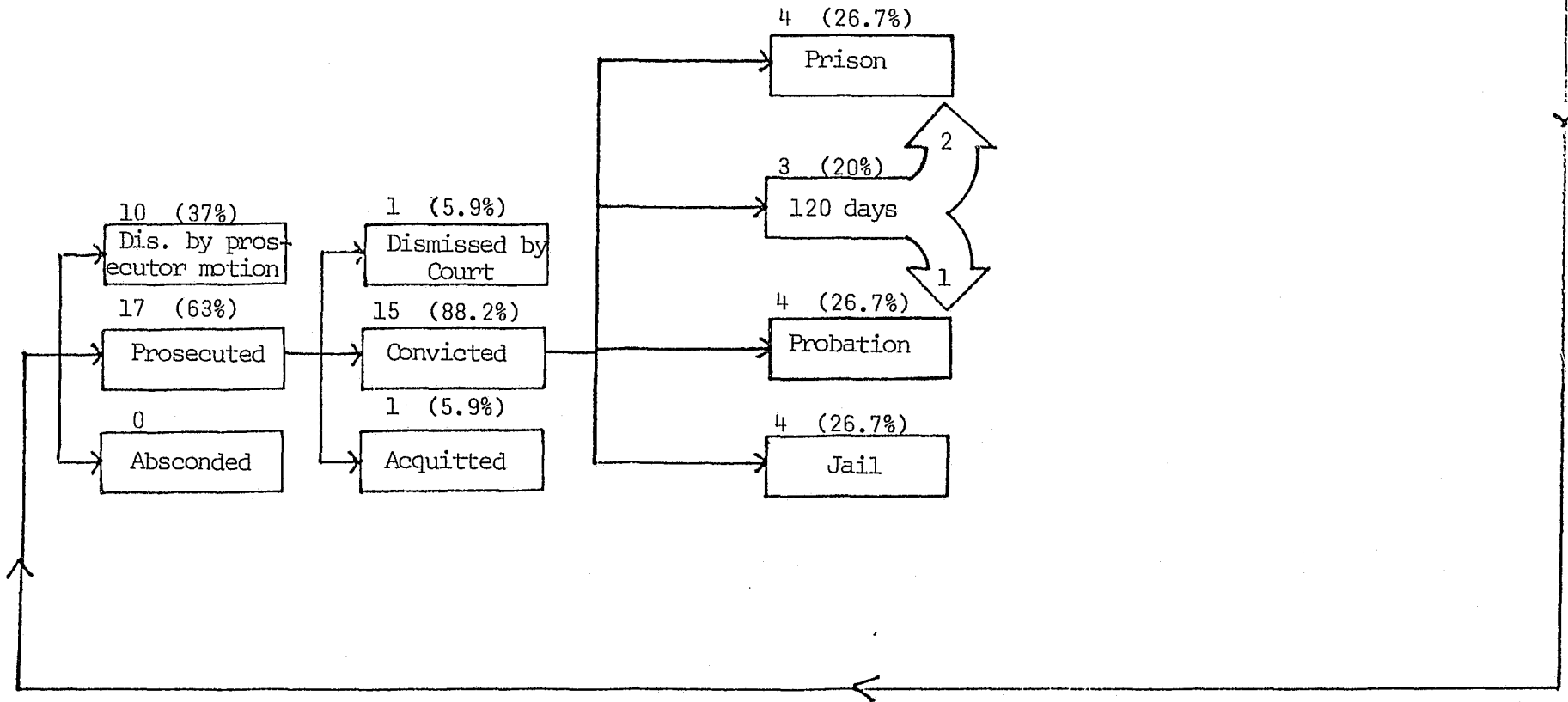
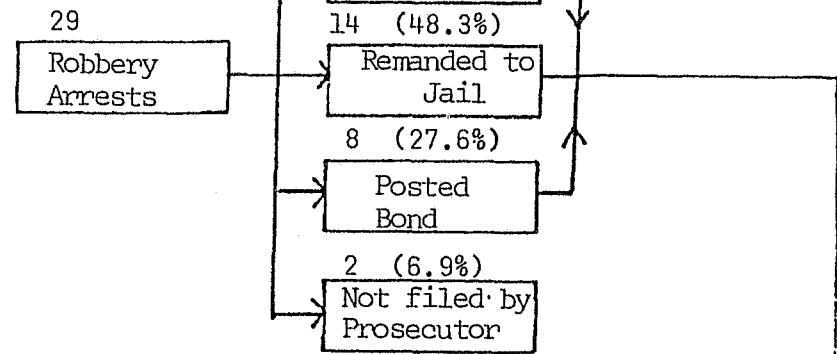


TABLE 1
PRE-TRIAL RELEASE
ADA COUNTY ROBBERY STUDY
1975

	ROR		Posted Bond		Remanded to Jail		Unknown		Total	
	#	%	#	%	#	%	#	%	#	%
Males	1	4.3	7	30.4	14	60.9	1	4.3	23	100
Females	3	75.0	1	25.0	0	0	0	0	4	100
Total	4	14.8	8	29.6	14	51.9	1	3.7	27	100

Legal Counsel

At time of disposition 59.3% of all robbery defendants were represented by an appointed public defender, as shown in Table 2. One defendant dismissed private counsel to request appointment of a public defender, and one dismissed the public defender to retain private counsel at his own expense.

TABLE 2
LEGAL COUNSEL
ADA COUNTY ROBBERY STUDY
1975

Order of Frequency	Legal Counsel	Frequency	Percent
1	Public defender appointed	16	59.3
2	Retained private counsel	6	22.2
3	Self or no legal counsel	5	18.5
	Total	27	100.0

Prosecution

Table 3, on the following page, describes the results of prosecution and indicates that 22.2% of robbery cases prosecuted were disposed of at the magistrate level. The remaining 77.8% were bound over to District Court. In all, 17 persons -- 58.6% of those arrested -- were prosecuted for robbery.

TABLE 3
ANALYSIS OF CASES PROSECUTED
ADA COUNTY ROBBERY STUDY

Results of Prosecution	Magistrate Court	District Court	Total
Dismissed by court	0	1	1
Dismissed on motion by prosecutor	4	6	10
Acquitted by jury	0	1	1
Convicted by jury - robbery	N/A	2	2
Convicted by jury - lesser crime	N/A	0	0
Pled guilty to robbery	N/A	6	6
Pled guilty to lesser crime	2	5	7
Total	6 (22.2%)	21 (77.8%)	27 (100%)

Convictions

The State convicted 88.2% of the 17 individuals prosecuted for robbery. Most (86.7%) of the convictions resulted from guilty pleas by the defendant: 46.7% pled guilty to a lesser offense and 40% to the original charge of robbery. The remaining 13.3% were convicted of robbery by a jury.

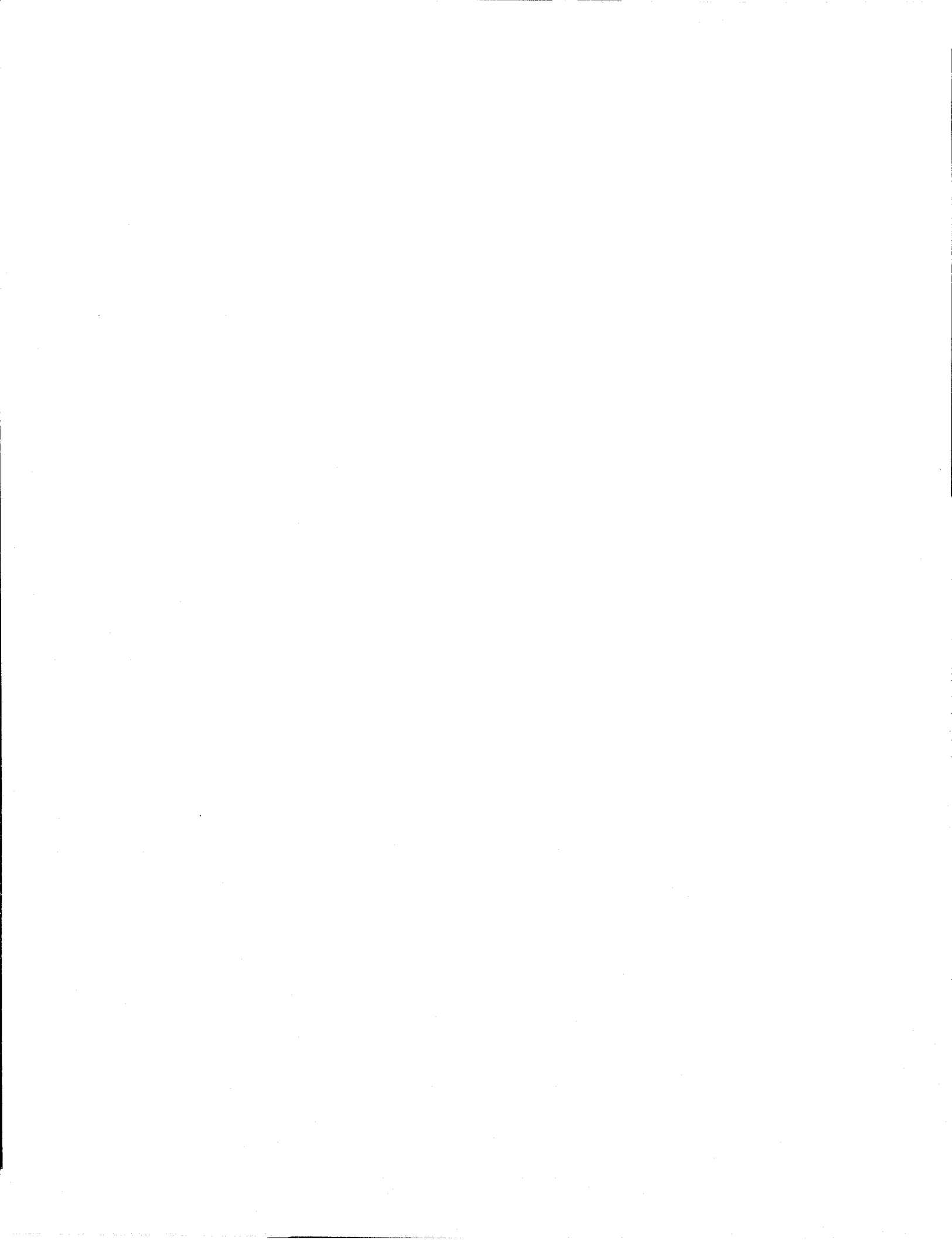
Convictions and dismissals are detailed by sex in Table 4. From information in Table 4 and page one (Arrests), it can be concluded that females accounted for 13.8% of the robbery arrests in Ada County, 6.7% of the convictions and 27.3% of the dismissals. Males accounted for 86.2% of the arrests, 93.3% of the convictions and 72.7% of the dismissals.

It is interesting to note that in a similar study of burglary arrests, percentages of females remained fairly consistent at about 5% throughout every stage of the Criminal Justice System, whereas in robbery arrests, percentages of females are higher for dismissals and lower for convictions.

From Table 4 it can be concluded that 55.5% of the 27 filings resulted in convictions, 3.7% in acquittals, and 40.7% in dismissals.

TABLE 4
 CONVICTIONS AND DISPOSITIONS BY SEX
 ADA COUNTY ROBBERY STUDY
 1975

Sex	MAGISTRATE COURT				DISTRICT COURT									
	Dismissed		Convicted of Lesser Crime		Dismissed		Acquitted		Convicted of Lesser Crime		Convicted of Robbery		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Males	1	4.3	2	8.7	7	30.4	1	4.3	4	7.4	8	34.8	23	100.0
Females	3	75.0	0	0.0	0	0.0	0	0.0	1	25.0	0	0.0	4	100.0
Total	4	14.8	2	7.4	7	25.9	1	3.7	5	18.5	8	29.6	27	100.0



Dismissals

Ten cases were dismissed upon motion of the prosecution and one dismissal was granted by the Court in deference to another court's jurisdiction. Table 5 examines the grounds for dismissals in detail. The largest category was Insufficient Evidence. These eight cases represent 72.7% of all robbery dismissals, thereby releasing 27.6% of those arrested from prosecution. In six of those cases, the State felt the evidence did not support a charge of robbery against the defendant; in two cases the State felt it could not successfully proceed following suppression of the defendant's confession.

The remaining three dismissals did not release the defendant from the Criminal Justice System, but resulted in the dismissal of robbery charges on the grounds that the defendant was being otherwise prosecuted. These "economic dismissals" comprised 27.3% of all dismissals, or 10.3% of all arrests.

When all 11 dismissals are considered together with two cases the State declined to file, a total of 13 cases out of 29 were eventually not prosecuted. Thus 44.8% of all adult robbery arrests in Ada County were not prosecuted and 55.2% of all arrests did conclude in either conviction or acquittal of the defendant.

TABLE 5
DISMISSALS AND CASES NOT PROSECUTED
ADA COUNTY ROBBERY STUDY
1975

Dismissals: 11

Order of Frequency	Reason	Frequency
1	Insufficient Evidence	
	a. Insufficient evidence - 6	8
	b. Suppression of confession - 2	
2	Economic Dismissals by Prosecutor	
	a. For plea of guilty to another charge - 2	2
3	Economic Dismissal by Court	
	a. Defer jurisdiction - 1	1
Charges Not Filed: 2		
4	Charges Not Filed	
	a. Reasons unknown - 2	2
Total cases not prosecuted		13

Sentencing

Table 6, below, details sentencing alternatives chosen in robbery cases. Eight persons (53.3% of those convicted) were convicted of the original robbery charge, five (33.3%) of some other felony, and two (13.3%) of a misdemeanor. Of four persons granted probation, only one was convicted of robbery, but all had been convicted of felonies. Of three persons granted probation with some jail time, two had been convicted of felonies (one robbery, one grand larceny) and one of a misdemeanor (battery). The "Jail Only" sentence was for a misdemeanor conviction.

None of the four individuals sentenced to prison had left that facility as of June 1, 1977. In three cases wherein the court retained jurisdiction for 120 days, two individuals were released at the end of 120 days and one was detained to serve a prison term. He is also still an inmate. For percentage figures for sentencing, refer to Illustrations I and II, pages 2 and 3.

TABLE 6
ANALYSIS OF CONVICTIONS AND SENTENCES IMPOSED
ADA COUNTY ROBBERY STUDY
1975

Convictions	Number of Cases Involved	Males	Females	Imposed by Magistrate Judge	Imposed by District Judge
PROBATION = 4					
Robbery (F)	1	1	0		4
Burglary (F)	2	2	0		
Accessory to a Felony (F)	1	0	1		
PROBATION AND JAIL = 3					
Robbery (F)	1	1	0		1
Grand Larceny (F)	1	1	0		1
Battery (M)	1	1	0	1	
JAIL ONLY = 1					
Attempted Petit Larceny (M)	1	1	0	1	
120 DAYS = 3					
Robbery (F)	1	1	0		1
Robbery (F)	1	1	0		1
Accessory to a Felony (F)	1	1	0		1
PRISON = 4					
Robbery (F)	4	4	0		4
Total	15	14	1	2	13

(F) = Felony
(M) = Misdemeanor

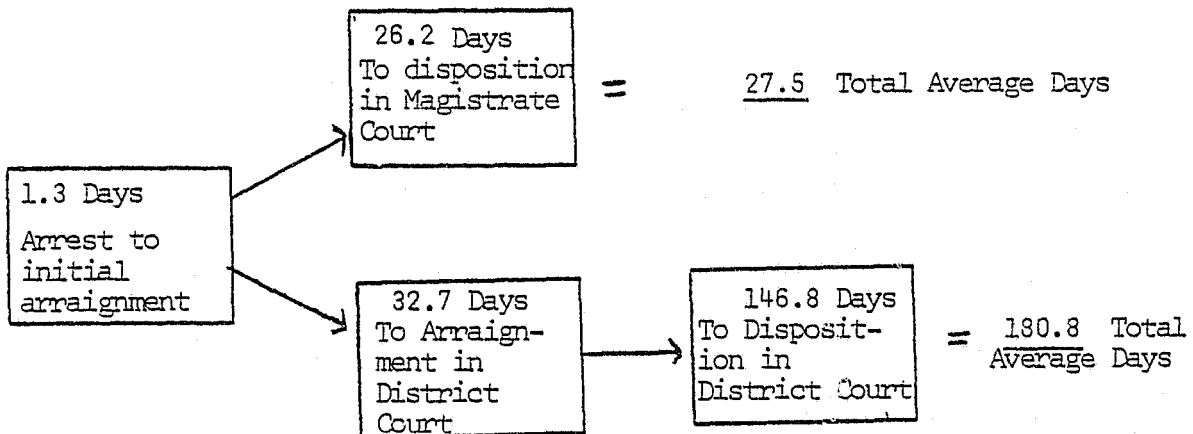
Time Frames

On the average, it required 146.7 days to move from arrest to disposition in 1975 robbery cases. Dismissals required approximately half as long as convictions; acquittals took just over twice as long as convictions. Table 7 and Chart A detail these time frames.

TABLE 7
 TIME FRAMES: ARREST TO DISPOSITION
 ADA COUNTY SYSTEMS RATE STUDY
 ROBBERY
 1975

Process	Average Days, Arrest to Initial Arraignment	Average Days, Initial Arraignment To Arraignment In District Court	Last Arraignment to Disposition	Mag. Court	Dist. Court	Total Average Days For Process
Conviction	1	33.6	17.5	172.9	183.9	
Dismissal	1.7	30.9	30.5	94.5	92.5	
Acquittal	1	23	N/A	355	379	

CHART A
 OVERALL TIME FRAMES: ARREST TO DISPOSITION
 ADA COUNTY SYSTEMS RATE STUDY
 ROBBERY
 1975



Time frames were found to vary somewhat depending on which judge drew a case, and these variations are explored in Table 8. Note that the number of cases is small, which may tend to distort apparent differences.

TABLE 8
 TIME FRAMES: ARRAIGNMENT TO DISPOSITION
 BY JUDGE
 BASED ON 1975 ROBBERY CASES

District Court Judges:

<u>Judge A</u>	Total Average Days 7	
	Average time to dismissal by prosecuting attorney	7 (1 case)
<u>Judge B</u>	Total Average Days 112.29	
	Average time to sentencing	112.29 (7 cases)
<u>Judge C</u>	Total Average Days 165.29	
	Average time to dismissal by prosecution attorney	78 (4 cases)
	Average time to sentencing	247 (2 cases)
	Average time to acquittals	<u>355 (1 case)</u>
	Total	7 cases
<u>Judge D</u>	Total Average Days 188.75	
	Average time to dismissal by prosecuting attorney	171 (2 cases)
	Average time to sentencing	<u>206.5 (2 cases)</u>
	Total	4 cases
<u>Judge E</u>	Total Average Days 186.5	
	Average time to sentencing	186.5 (2 cases)



END