

4/12/16/15 phase I

A STUDY OF CRIME
PART I OFFENSES,
PHASE II
ARREST TO DISPOSITION

NAMPA POLICE DEPARTMENT
January - December, 1975

NCJRS

AUG 14 1978

ACQUISITIONS

Prepared by:

Law Enforcement Planning Commission
Statistical Analysis Center
State of Idaho
April, 1977

GENERAL OVERVIEW

In February, 1977, Phase I of "A Study in Crime" in Nampa, Idaho, was released by the Law Enforcement Planning Commission. Phase I, a CAPER study, analyzed data elements of 1,791 Part I Offenses* to obtain a composite picture of major crimes occurring in the city from January through December of 1975. Phase II, a system rates study, follows offenders arrested in 1975, through the courts to dispositions. Like Phase I, Phase II is also limited to events occurring in 1975, and includes offenders arrested for 1974 offenses and excludes arrests in 1976 for 1975 offenses.

Phase II is presented in three sections: Section I - Adult defendants arrested for murder, rape, robbery, assault, burglary and grand larceny; Section II - Adults arrested for petit larceny; and Section III - Juveniles. Illustrations I and II depict the flow of offenses and offenders (both adults and juveniles) from offenses reported to dispositions; thereafter the three classifications are analyzed separately. Illustration I reflects decision point percentages (based on the number entering each branch); Illustration II reflects input percentages (based on the number of persons arrested).

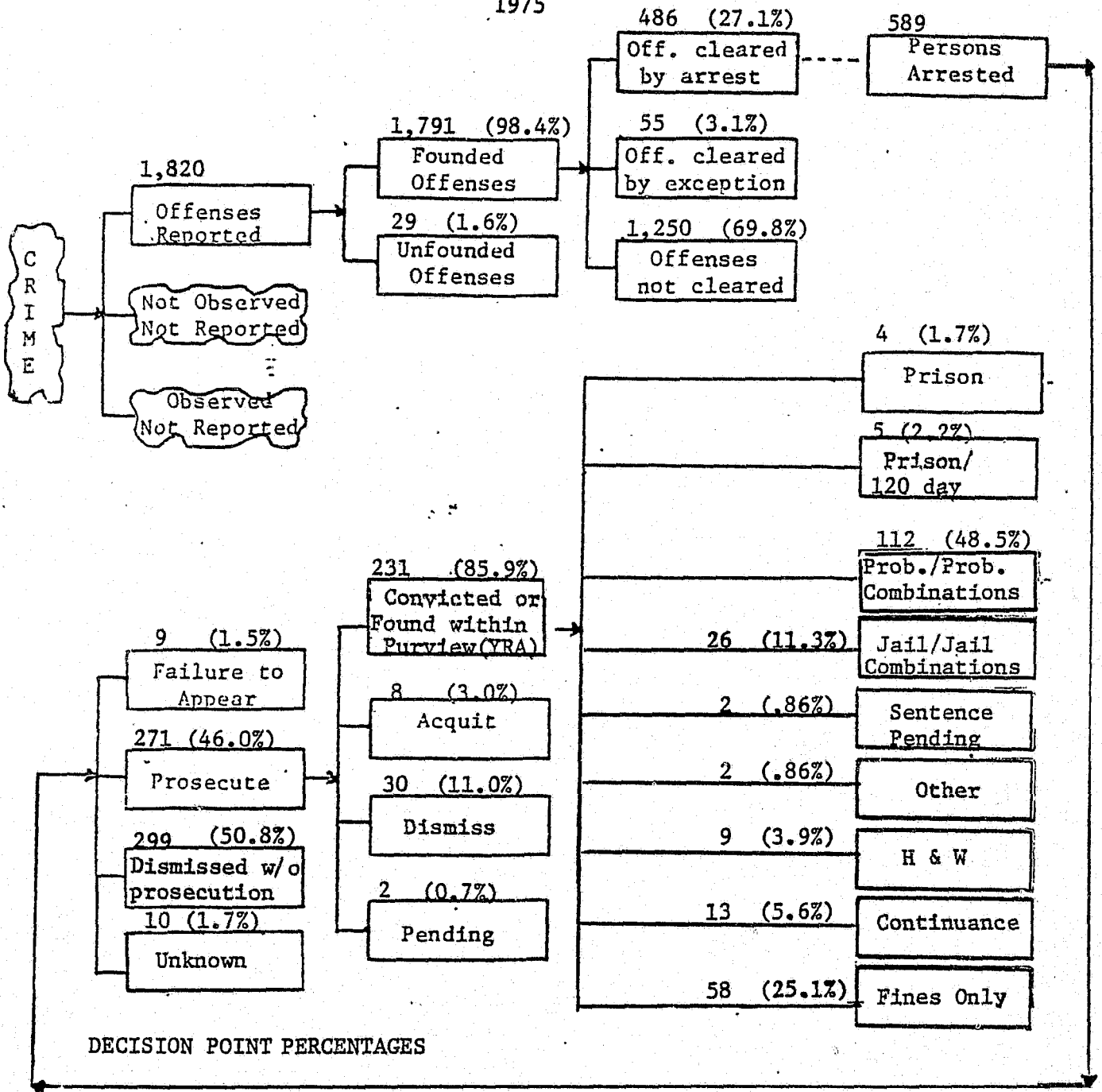
The Law Enforcement Planning Commission expresses appreciation to Mr. James Morfitt, Prosecutor, Canyon County; to Mr. James Koehler, Trial Court Administrator, Third Judicial District; and to Chief Buster L. Baker, Nampa Police Department.

*Murder, Rape, Robbery, Assault, Burglary, and Larcenies (includes motor vehicle theft).

IDAHO CRIMINAL JUSTICE
SYSTEM RATES MODEL

ILLUSTRATION I
NAMPA PART I ARRESTS

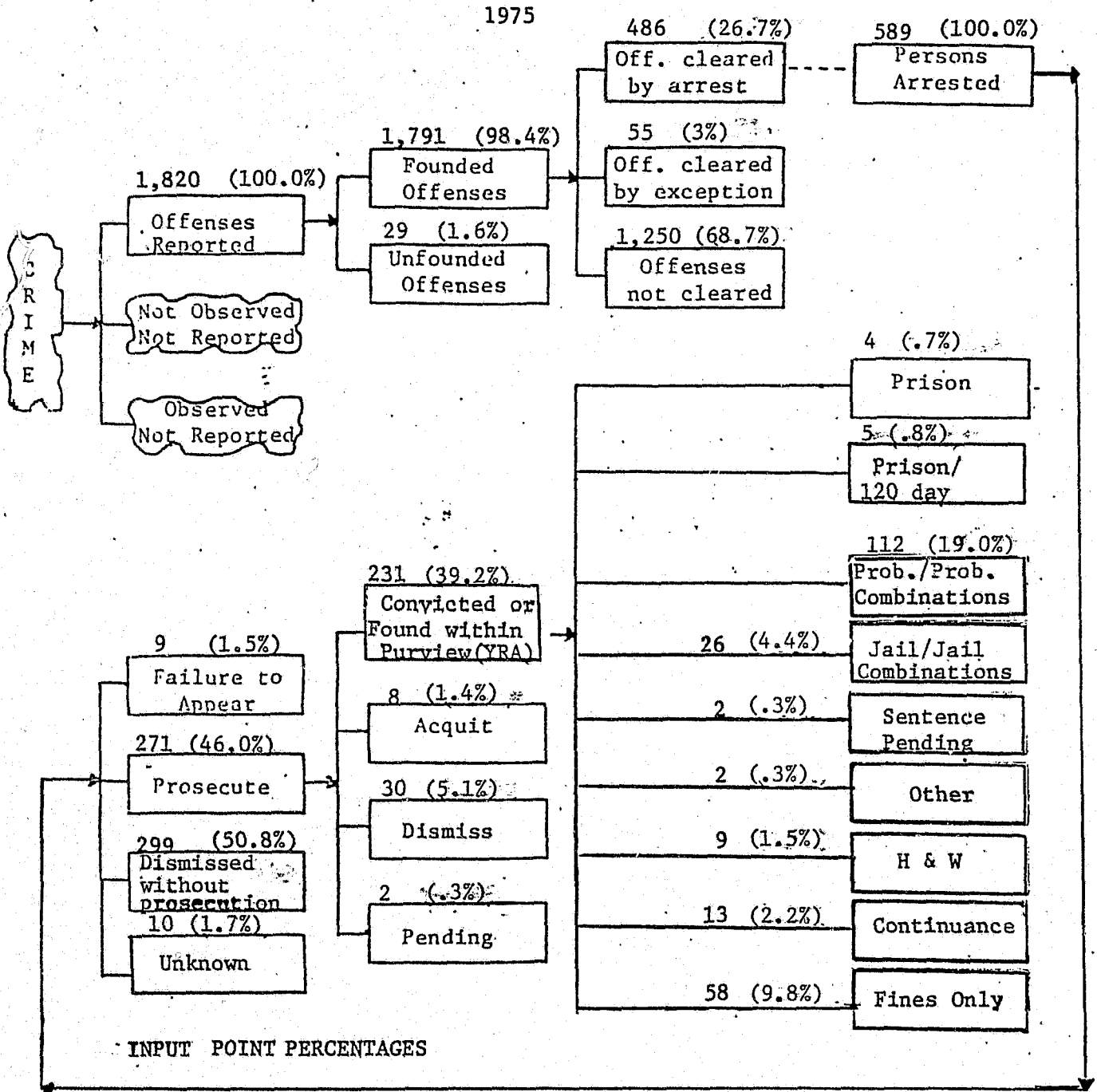
1975



DECISION POINT PERCENTAGES

IDAHO CRIMINAL JUSTICE
SYSTEM RATES MODEL

ILLUSTRATION II
NAMPA PART I ARRESTS



SECTION I
ADULTS

Fifty-one adults were arrested for 53 Part I offenses, excluding petit larcenies by the Nampa City Police Department during 1975. (While petit larceny is considered a Part I offense for the Uniform Crime Reports, this study has analyzed them separately in Section II.) Over 50% of the murder, rape, robbery, aggravated assault, burglary and grand larceny defendants were arrested on burglary charges.

Illustrations I and II depict the numbers and percentages of arrests for the above offenses entering the various branches of the system. In Illustration I percentages are based on the total offenses cleared by arrest. Illustration II shows that of the 53 offenses cleared by arrest, 46 (86.8%) cases were prosecuted and 29 defendants were ultimately convicted. Several defendants had multiple arrests. The nine defendants given prison sentences represent 17.7% of the 51 persons arrested.

ILLUSTRATION I

IDAHO CRIMINAL JUSTICE
SYSTEM RATES MODEL

PART I FELONIES - ADULTS

NAMPA POLICE DEPARTMENT

1975

DECISION POINT PERCENTAGES

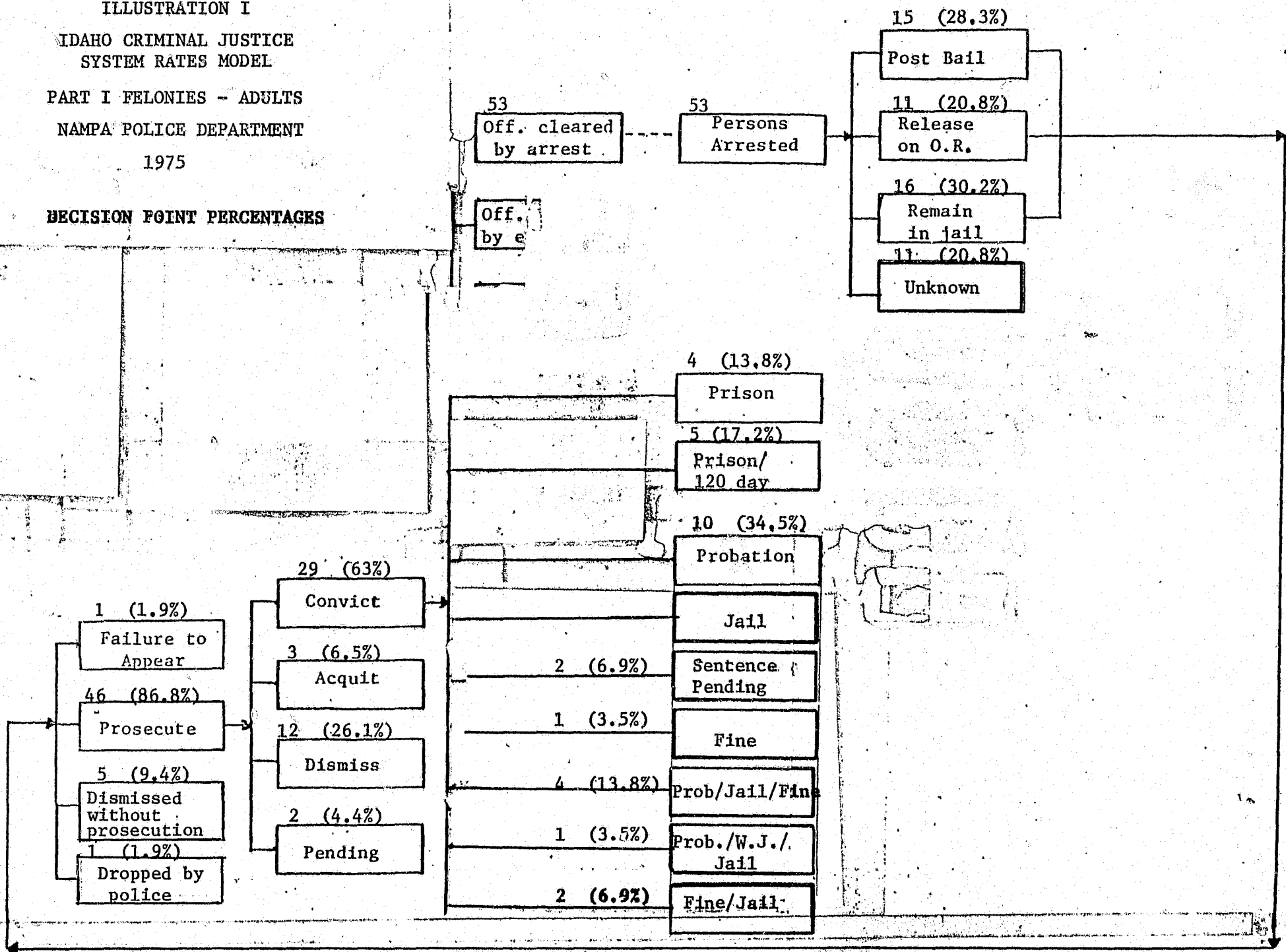


ILLUSTRATION II
 IDAHO CRIMINAL JUSTICE
 SYSTEM RATES MODEL
 PART I FELONIES - ADULTS
 NAMPA POLICE DEPARTMENT
 1975

INPUT PERCENTAGES

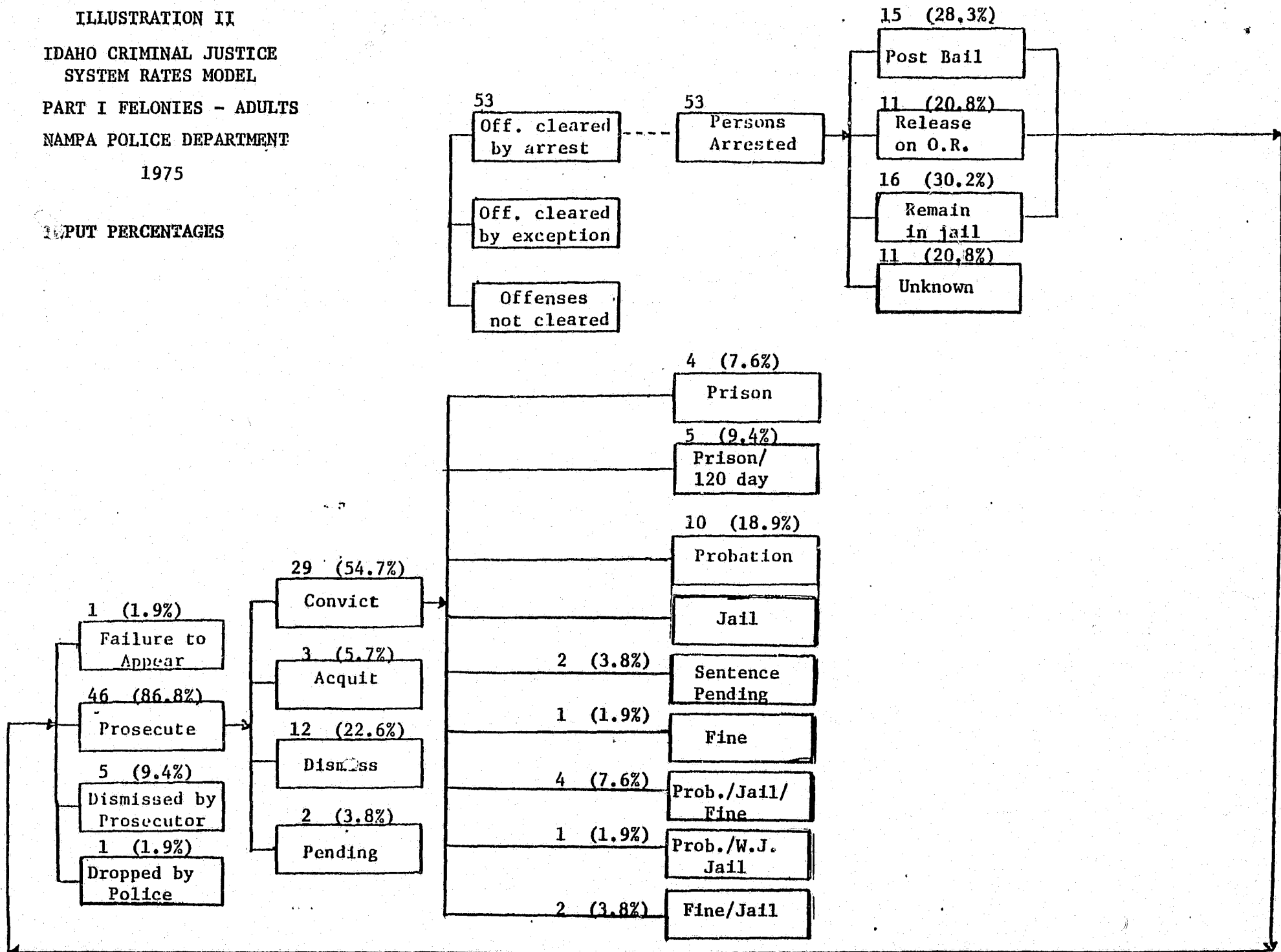


TABLE 1
ARRESTS BY OFFENSE
PART I FELONIES
NAMPA POLICE DEPARTMENT
1975

Offense*	Arrests	Percent of Total
Murder(Invol. Mans)	1	1.9
Rape	1	1.9
Robbery	2	3.8
Assault	12	22.6
Burglary	29	54.7
Larceny**	8	15.1
Total	53	100.0

*Included attempts

**Included 3 motor vehicle thefts

Pre-trial release, analyzed by offense, showed that at least 75% of the defendants apprehended for assaults were either released on bond or on their own recognizance. Of those arrested for burglaries, 47.6% of the known pre-trial placements remained in jail.

Of all those arrested for whom pre-trial placements were known (42), 35.7% were released on bond; 26.2% were released on their own recognizance; and 38.1% remained in jail while their cases were pending.

TABLE 2
COMPARISON OF PRE-TRIAL RELEASE/JAIL
PART I FELONIES
NAMPA POLICE DEPARTMENT
1975

Offense	Released on Bond	Released on Own Recognizance	Remained In Jail	Unknown	Total
	Freq.	Freq.	Freq.	Freq.	Freq.
Murder(Involv.Mans)	1	0	0	0	1
Rape	0	0	1	0	1
Robbery	0	0	1	1	2
Assault	6	3	1	2	12
Burglary	3	8	10	8	29
Larceny	5	—	3	0	8
Total	15	11	16	11	53

Fifty-two cases were presented to the county prosecutor for prosecution. The police dropped charges on one defendant arrested for assault. Of the 49 cases that have reached disposition, 17 (32.7%) were convicted on original charges; 9 (17.3%) were convicted of lesser offenses; and 3 (5.8%) were convicted of other felonies. Three were acquitted by trials. Seventeen of the 52 were dismissed, 13 by the Court and four declined by the prosecutor.

As of March 1, 1977, three cases were still pending. In November, 1975, one burglary charge was reduced to malicious destruction of property in Magistrate Court and is pending; the defendant has not made a plea to the reduced charge. Another burglary case, changed to grand larceny (by the prosecutor) was filed in Magistrate Court in July 1975; since there were no further entries in the docket, the case is regarded as active. In the rape case which is still pending, the defendant entered a not guilty plea in November 1975. On November 3, 1976, the date set for jury trial was vacated and a psychiatric report ordered. In December 1976, the case was reset for jury trial, and in January 1977, a motion for speedy trial hearing was scheduled for February 1977.

TABLE 3
ANALYSIS OF CASES PROSECUTED
PART I FELONIES
NAMPA POLICE DEPARTMENT
1975

Offense	Original Charge		Lesser Charge		Other Felony		Dismissed		Acquitted		Pending		Total	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Murder	1	100.0											1	100.
Rape											1	100.0	1	100.
Robbery	1	50.0	1	50.0									2	100.
Assault	1	9.0	3	27.3	0		5	45.5	2	18.2			11	100.
Burglary	10	35.7	3	10.7	3	10.7	10	35.7	1	3.6	2	3.6	29	100.
Larceny	4	50.0	2	25.0	0		2	25.0					8	100.
Total	17	32.7	9	17.3	3	5.8	17	32.7	3	5.8	3	5.8	52	100.

Twenty-six of the 29 convicted pleaded guilty to original or lesser charges or to other felonies, as depicted in Table 4. Of those who pleaded guilty, 61.5% entered a plea of guilty to the original charge, 34.6% to a lesser charge and 3.9% (one defendant) to another felony.

TABLE 4
GUILTY PLEAS BY OFFENSE
PART I FELONIES
NAMPA POLICE DEPARTMENT
1975

Offense	Guilty of Original Charge		Guilty of Lesser Charge		Guilty of Other Felony		Total	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Murder(Invol.Mans)	1	100.0					1	100
Rape							0	
Robbery	1	50.0	1	50.0			2	100
Assault	1	25.0	3	75.0			4	100
Burglary	9	60.0	3	20.0	1	20.0	13	100
Larceny	4	66.7	2	33.3			6	100
Total	16	61.5	9	34.6	1	3.9	26	100

Three of the defendants in assault cases pleaded guilty to a reduced charge. Reduced to petit larceny was one of the two robbery cases, one burglary case, and two grand larceny cases. Two burglaries were reduced to criminal trespassing. (Refer to Table 5).

TABLE 5
ANALYSIS OF ORIGINAL CHARGE
AND PLEA TO REDUCED CHARGE BY OFFENSE
PART I FELONIES
NAMPA POLICE DEPARTMENT
1975

Number	Original Charge	Number Reduced Pleas	Guilty Plea To Reduced Charge
3	Assault	1	Simple Assault
		1	Mayhem (felony)
		1	Exhibiting Deadly Weapon
1	Robbery	1	Petit Larceny
3	Burglary	2	Criminal Trespassing
		1	Petit Larceny
2	Larceny	2	Petit Larceny
<u>9</u>		<u>9</u>	

Of the adults arrested for offenses analyzed in this section, 35.3% of the cases were dismissed and 5.9% were acquitted. Fifty percent of the assaults were dismissed; 37.4% of the burglaries and 25% of the larcenies were also dismissed. The three acquittals represented approximately 5.7% of the 53 offenders.

TABLE 6
 ANALYSIS OF ACQUITTALS AND DISMISSALS BY OFFENSE
 PART I FELONIES
 NAMPA POLICE DEPARTMENT
 1975

Offense	Dismissed	%	Acquitted	%	Total Offenders Arrested
Murder (Invol. Mans.)					1
Rape					1
Robbery					2
Assault	6*	50.0	2	16.7	12
Burglary	10	37.4	1	3.7	29
Larceny	2	25.0			8
Total	18	35.3	3	5.9	53

*Includes the assault charge dropped by the police.

The 17 cases that were dismissed by the Court or declined by the prosecutor are presented in Table 7 . The assault with a deadly weapon charge was reduced to reckless driving and dismissed in traffic court.

TABLE 7
 REASONS FOR DISMISSAL
 PART I FELONIES
 NAMPA POLICE DEPARTMENT
 1975

Total Number of Dismissals	Offense	Reason	Number	Court
5	Assault w/deadly weapon	Witness no longer interested in testifying.	1	Magistrate
		Good cause appearing	1	Traffic
		Unable to locate victim to testify.	1	District
		Prosecutor felt prosecution was not possible.	2	--
10	Burglary	Lack of sufficient evidence	1	Magistrate
		Not accorded a preliminary statutory time.	1	Magistrate
		State not ready to proceed	4	Magistrate
		Defendant pled to Grand Larceny charge.	1	District
		Failure of State to proceed to trial.	1	District
		Criminally unfounded by the prosecutor.	2	--
2	Larceny	Interests of justice-victim fully compensated.	1	Magistrate
		State did not file information within required 10 days.	1	District

The sentences given in Table 8 were reviewed by types of offense originally charged. In nine instances sentences were imposed for reduced charges (refer to Table 8). Those sentences for reduced charges are noted by asterisks. Approximately 52% of convicted defendants received probation combined with another condition also imposed by the Court. Thirty-one percent (9) were committed to the Idaho Board of Corrections, with the Court retaining jurisdiction for 120 days in five of those nine cases.

Two defendants have not yet received sentences. One defendant is currently in the Idaho State Correctional Institution for another offense; no further entries in the court docket have been made since his December 6, 1976 request for a pre-sentence investigation. The second defendant pleaded guilty to a burglary charge on February 18, 1977, and the sentencing date was set for March 16, 1977.

TABLE 8
SENTENCES
PART I FELONIES
NAMPA POLICE DEPARTMENT
1975

Sentences	Murder	Rape	Robbery	Assault	Burglary	Larceny	Percent
Prison	1		1	1*	1		13.8%
Prison/120 days				1	3	1	17.2%
Probation							
with fine/jail				1*	3**		13.8%
w/withheld judgment					6	2	27.6%
with jail							
with jail-suspended				1*		1*	6.9%
w/withheld judgment/jail					1*		3.5%
Fine						1*	3.5%
Fine, jail			1*			1	6.9%
Pending					2		6.9%
Total	1		2	4	16	6	100.1%

*Indicates number of reduced charges.

Time spans between arrest to sentence, to dismissal, and to trial were calculated for the cases analyzed in this study. Six cases were excluded, four because of missing dates and two which were still pending as of March 1, 1977. As can be seen from the Table, the overall average number of days from arrest to disposition was 115.6.

TABLE 9
TIME FRAMES
- PART I FELONIES -
NAMPA POLICE DEPARTMENT
1975

Average days from arrest to sentence (27)	122.7 days
Average days from arrest to dismissal (13)	100.1 days
Average days from arrest to trial-guilty and acquitted (6)	117.5 days
Overall average days from arrest to disposition (46)	115.6 days

Illustration I-3 is a system rates chart of the burglaries analyzed and Illustration I-4 is a system rates chart of the assaults analyzed. Percentages are input percentages, based on the number of offenses cleared by arrest.

Illustration I-3 shows that of the 27 burglary cases prosecuted, 16 (55.2%) were convicted. Eight cases were dismissed after prosecution was begun. Four were sentenced to prison, with the Court retaining jurisdiction for 120 days in three cases.

In comparison with Illustration I-4, Assaults, more defendants on burglary charges remained in jail than did defendants on assault charges. Forty-one percent of assaults were dismissed as compared to 34.5% of the burglaries.

Of the 12 adult defendants arrested for assaults, four were convicted and one was committed to the Idaho State Correctional Institution. The Court also sentenced a second defendant to prison, but retained jurisdiction for 120 days, and two were given probation.

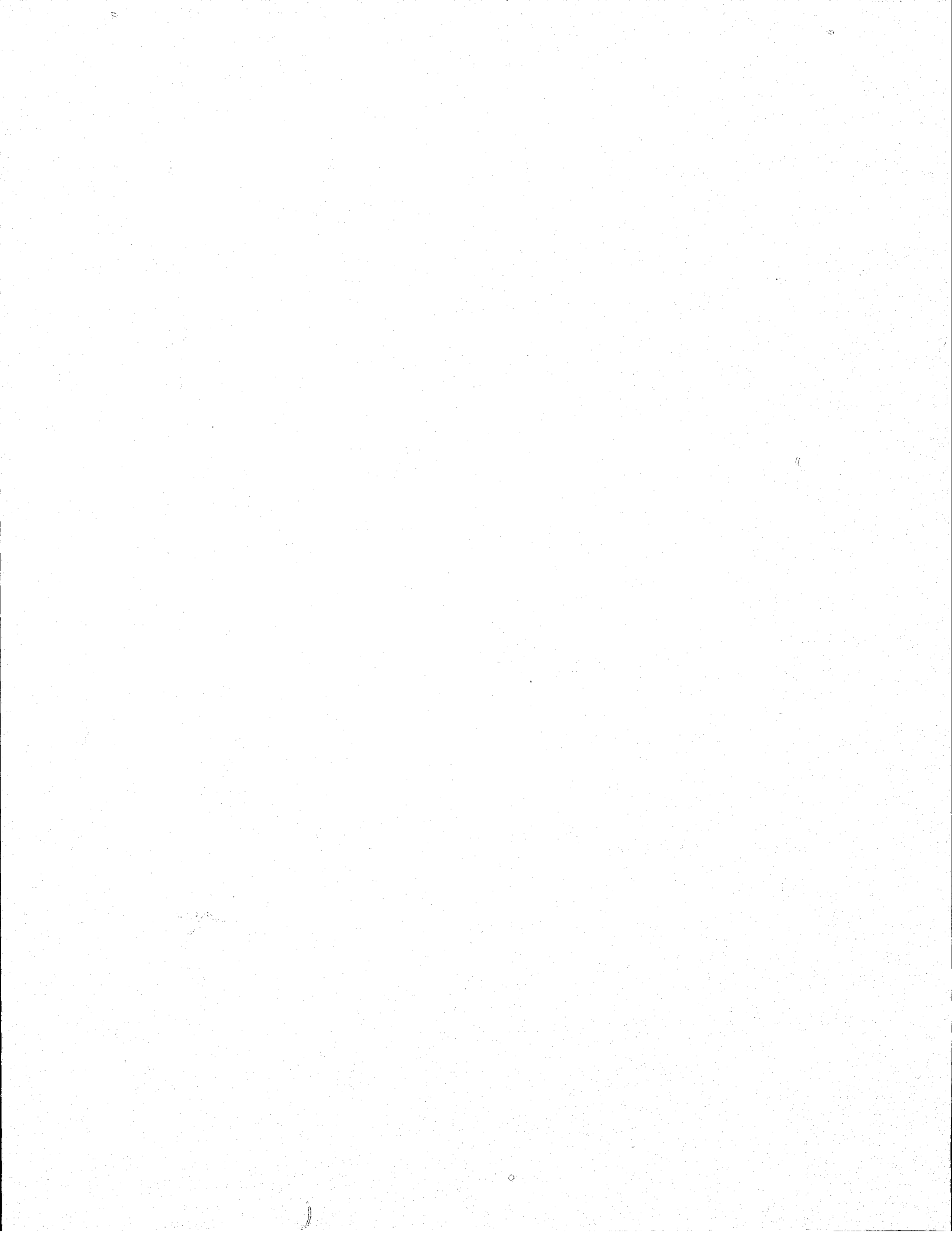


ILLUSTRATION I-3

IDAHO CRIMINAL JUSTICE
SYSTEM RATES MODEL

BURGLARY - ADULTS

NAMPA POLICE DEPARTMENT

1975

DECISION POINT PERCENTAGES

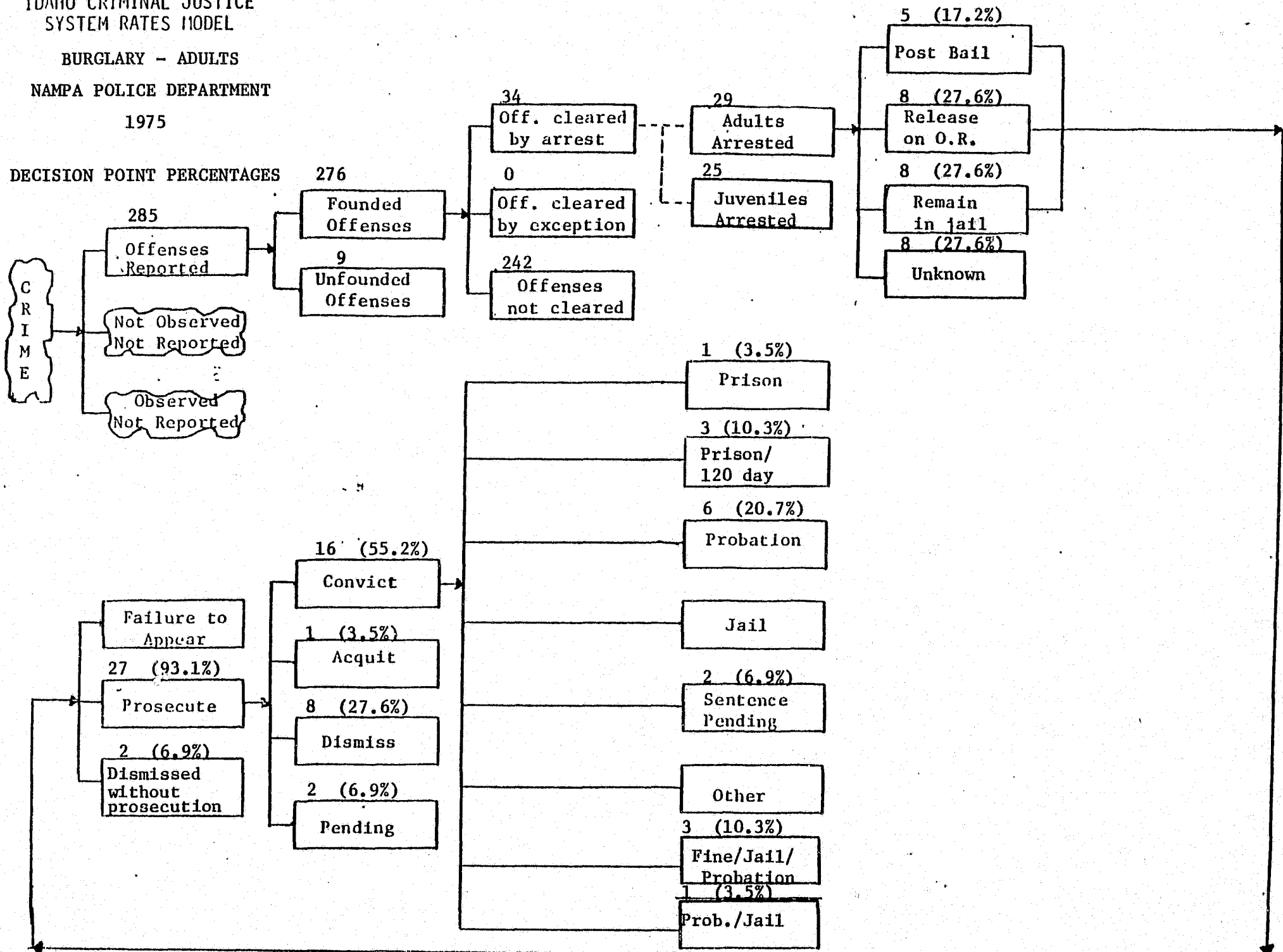
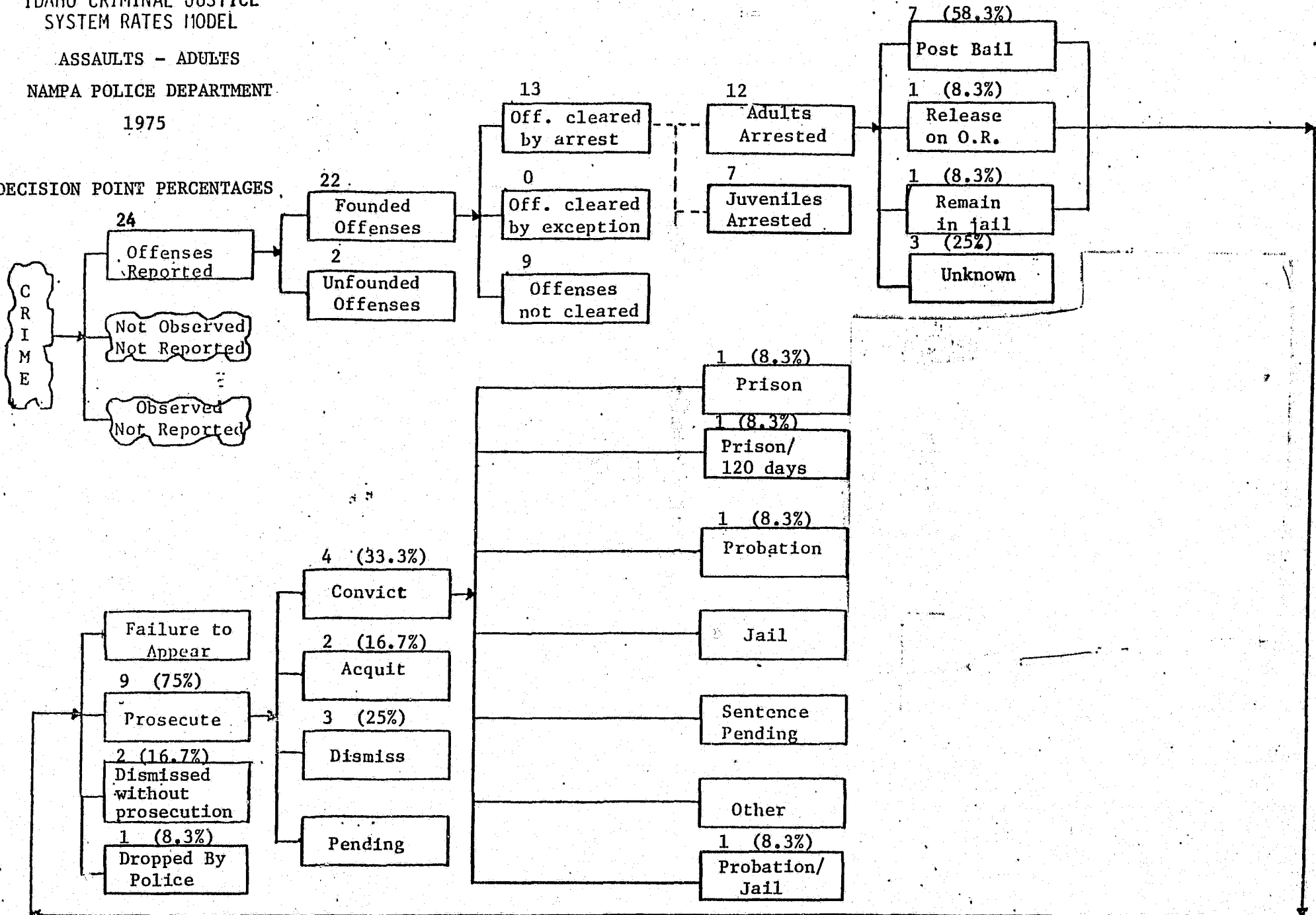
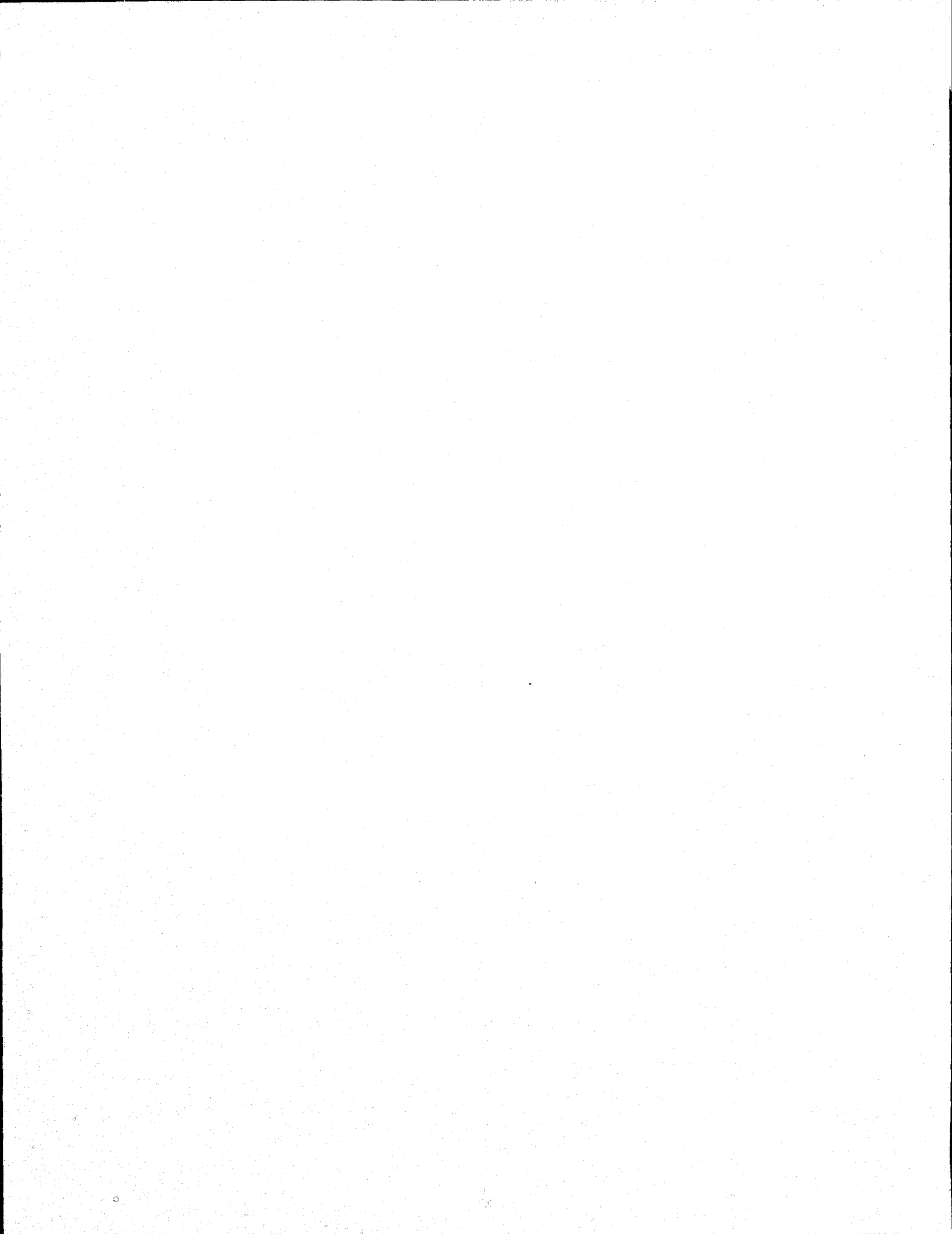


ILLUSTRATION I-4-
IDAHO CRIMINAL JUSTICE
SYSTEM RATES MODEL

ASSAULTS - ADULTS
NAMPA POLICE DEPARTMENT
1975

DECISION POINT PERCENTAGES





SECTION II

PETIT LARCENY - ADULTS

Two hundred and thirteen adults were arrested in the city of Nampa for petit larcenies during 1975. Illustrations II-A and II-B follow the offenders through the system from arrest to final disposition and sentence. The charts present percentages based upon input and decision point computations (refer to Section I, Illustrations I-A and I-B). Of the 213 arrested, 163 were convicted.

In 203 cases, 130 (64%) defendants were issued a complaint and summons and were handled in traffic court and 73 (36%) were arrested on criminal complaints. Approximately 2.3% (10) of the 312 cases analyzed had either incomplete information on court dockets or individual files or were not located in Magistrate files.

In eight cases the defendant failed to appear to make a plea. Sixteen cases were dismissed upon a motion of either the city or county prosecutor. The remaining 179 cases (84%) were prosecuted and resulted in 163 convictions. Four (2%) of the defendants were acquitted, while 12 were dismissed. For those charges dismissed, the defendant pleaded as follows: not guilty--7; guilty--1; unknown--4.

Sentences of the 163 defendants convicted were grouped into ten categories; fines, probation and/or jail time were used in combination or independently as sentence alternatives. As shown in the following Illustration, fines, by themselves, represented a majority (35.6%) of those sentenced, followed by the sentence combinations of probation and fine (22.2%) and probation and fine with jail time suspended (22.7%).

In six of the ten sentence categories (refer to Illustration II-A) fines (includes fines and/or costs) were imposed. Table 10 shows the amount of fines and/or costs collected by the Magistrate Court as a result of convictions for petit larcenies. The average fine and cost imposed was \$74.09 with the minimum amount at \$7.50 (court costs), while \$107.50 was the largest amount imposed by the Court. In the report A Study of Crime, Part I Offenses, Nampa City Police Department, page 45, larceny-related offenses accounted for a reported net dollar loss of \$111,861.00.

IDAHO CRIMINAL JUSTICE
SYSTEM RATES MODEL

ILLUSTRATION II-A
PETIT LARCENY ARRESTS - ADULTS
NAMPA POLICE DEPARTMENT
1975

Input Percentages

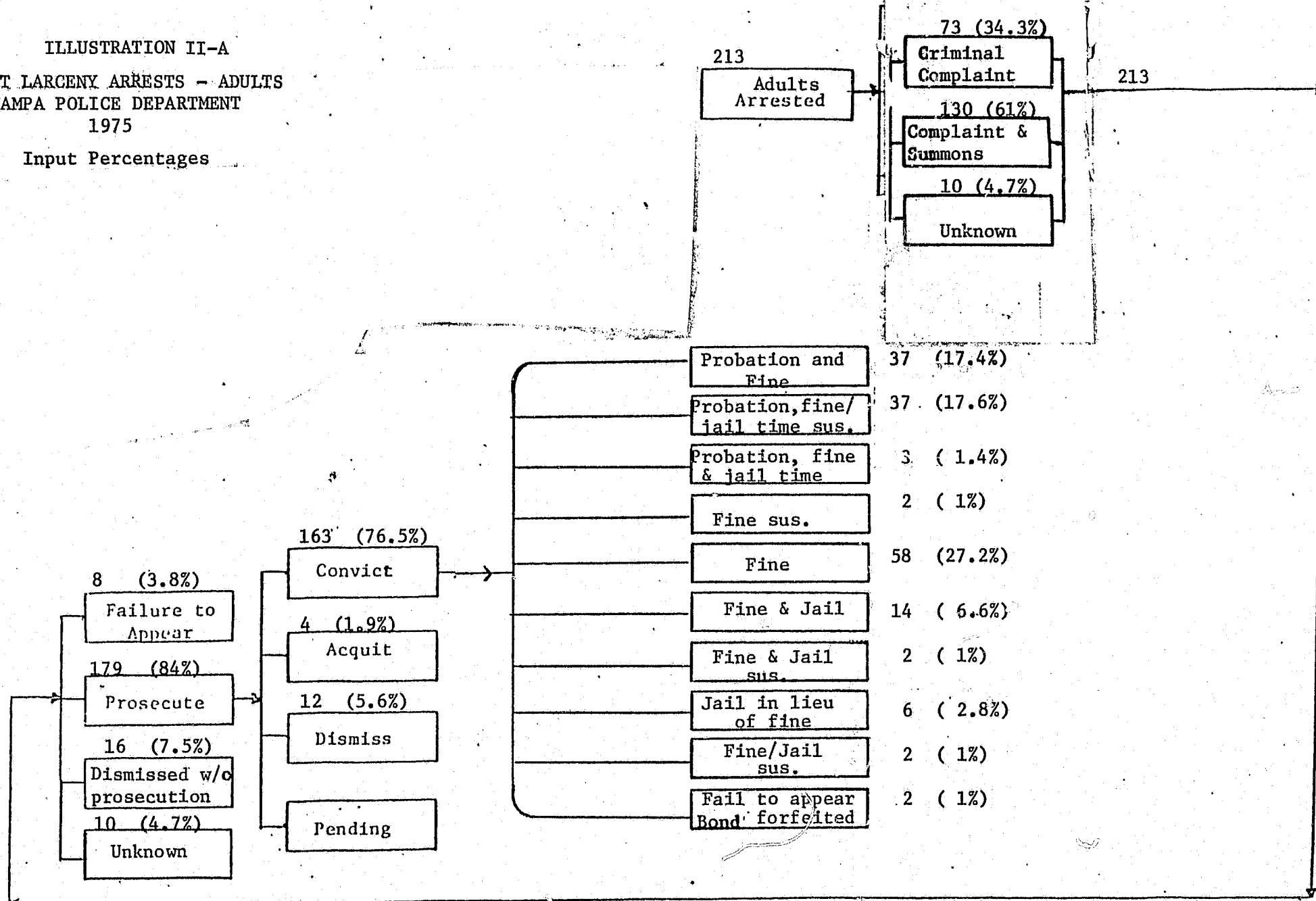


ILLUSTRATION
 IDAHO CRIMINAL JUSTICE
 SYSTEM RATES MODEL

ILLUSTRATION II-B

ETIT LARCENY ARRESTS - ADULTS
 NAMPA POLICE DEPARTMENT
 1975

Decision Point Percentages

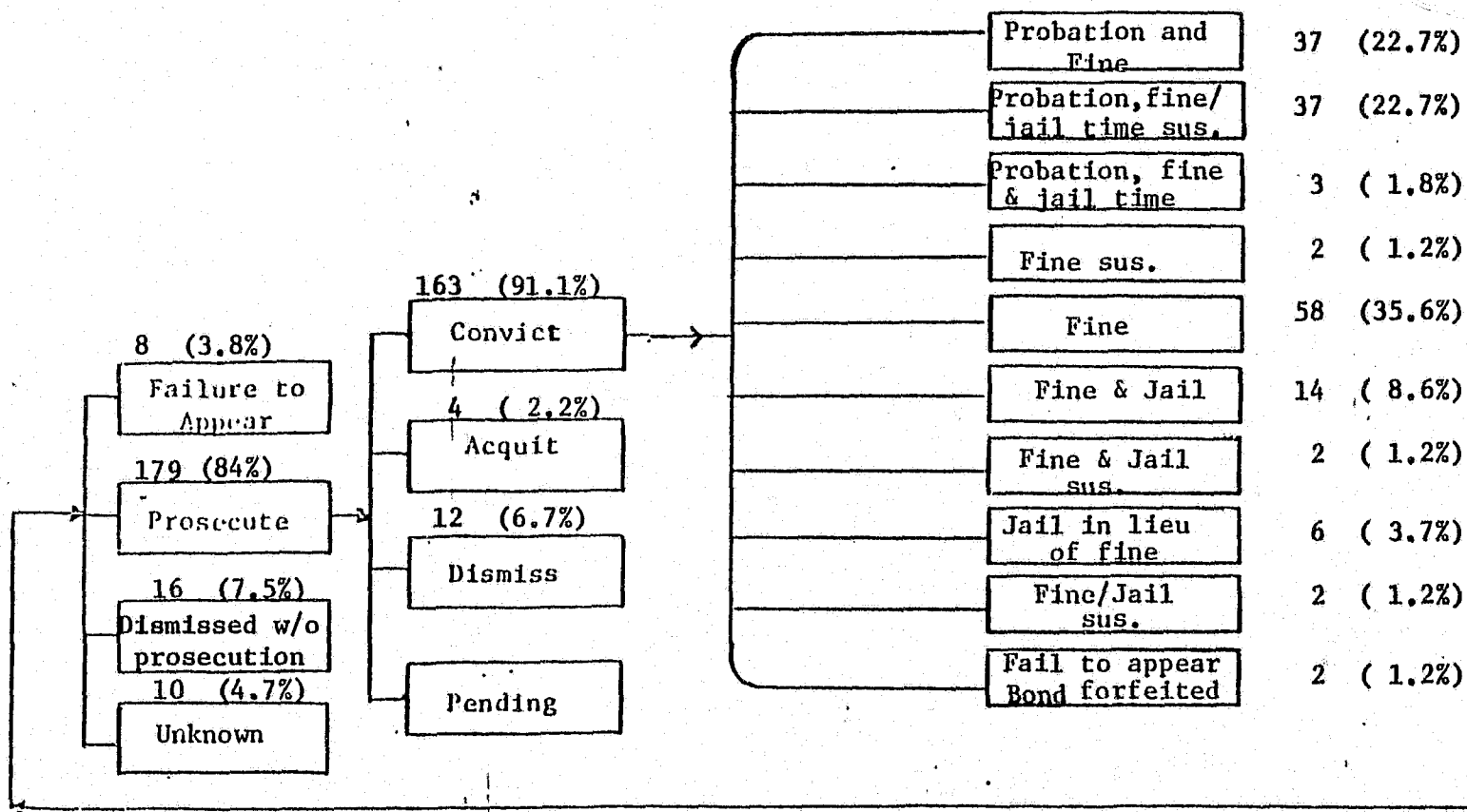
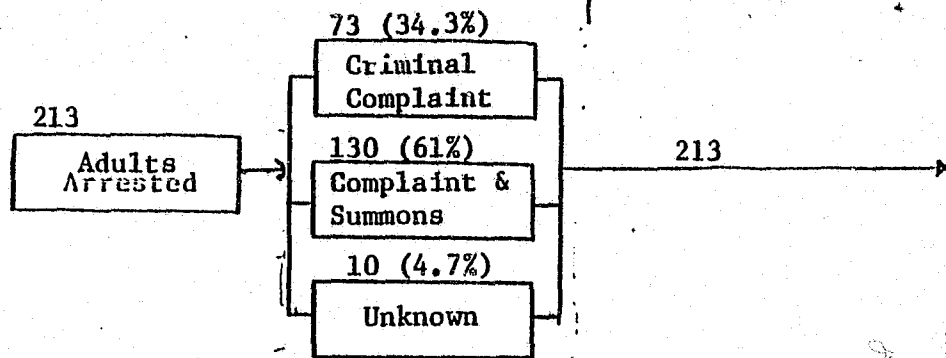


TABLE 10
 COURT IMPOSED FINES AND/OR COSTS BY TOTAL,
 AVERAGE, MINIMUM AND MAXIMUM AMOUNT
 PETIT LARCENIES - ADULTS
 NAMPA POLICE DEPARTMENT
 1975

	Amount
Total Fines	\$11,557.50
Average Fine	74.09
Minimum*	7.50
Maximum	107.50

*Does not include suspended fine and costs.

Known presentence investigations were conducted on 58 (35.6%) of the 163 convicted defendants prior to sentence being imposed.

Table 11 illustrates the average number of days from arrest to plea for defendants convicted, dismissed or acquitted. The time frames were similar for all three categories. In four of the 12 cases dismissed, information was not available to calculate average time frames. One of the 12 cases biased the average and was not representative of the remaining known time frames. This case, which ultimately led to a dismissal, totaled 333 days from arrest to plea. Therefore, the average number of days from arrest to plea for cases dismissed was based on seven (58%) of the dismissals.

TABLE 11
 AVERAGE NUMBER OF DAYS FROM ARREST TO PLEA
 BY DISPOSITION
 PETIT LARCENIES - ADULTS
 NAMPA POLICE DEPARTMENT
 1975

Average # of Days	Arrest to Plea for Cases resulting in:	# of Cases
5.6	Convictions	163
5.4	Dismissals	7
7	Acquittals	4

Table 12 depicts the time frames from arrest to disposition of the cases. For cases resulting in a conviction, the average length of time from arrest to disposition was 12.4 days, for cases dismissed, 386 days, while average time frames for cases resulting in acquittal was 49 days.

TABLE 12
 AVERAGE NUMBER OF DAYS FROM ARREST TO DISPOSITION
 BY DISPOSITIONAL OUTCOME
 PETIT LARCENIES - ADULTS
 NAMPA POLICE DEPARTMENT
 1975

Average # of Days	Arrest to Disposition for Cases resulting in:	# of Cases
12.3	Convictions	163
355.8	Dismissals	12
49	Acquittals	4

One hundred sixty-three (91.1%) of the 179 cases prosecuted were ultimately convicted. The information in Table 13 shows the pleas for the 163 cases. Eighty-six percent pleaded guilty, 10% pleaded not guilty, and 3% changed their plea from not guilty to guilty.

As Table 12 depicts, the average number of days from arrest to final disposition for the 12 cases dismissed (after prosecution was initiated) was 355.8 days.

This time frame is longer than for those convicted (12.3 days) or acquitted (49 days). Table 15, page 22, illustrates by individual case the number of days from arrest to disposition (dismissal) and reason, if known, for dismissal.

TABLE 13
 PETIT LARCENY PLEA BY FREQUENCY
 ADULTS
 NAMPA POLICE DEPARTMENT
 1975

Plea	Frequency	Percent
Guilty	141	86.5%
Not Guilty	16	9.8%
Changed plea from not guilty to guilty	5	3.1%
Unknown	1	0.6%
Total	163	100.0%

Of the 179 cases prosecuted, five (2.8%) differed from the original petit larceny charge. Table 14, page 21, lists those offenses and the ultimate disposition.

TABLE 14
 CHARGES AMENDED FROM PETIT LARCENY
 BY TYPE OF DISPOSITION
 ADULTS
 NAMPA POLICE DEPARTMENT
 1975

<u>Charge Amended to:</u>	<u>Type of Disposition</u>
Drunk in public	Acquitted
Obtaining money under false pretenses	Convicted
Obtaining money under false pretenses	Convicted
Obtaining money under false pretenses	Convicted
Driving while license suspended	Convicted

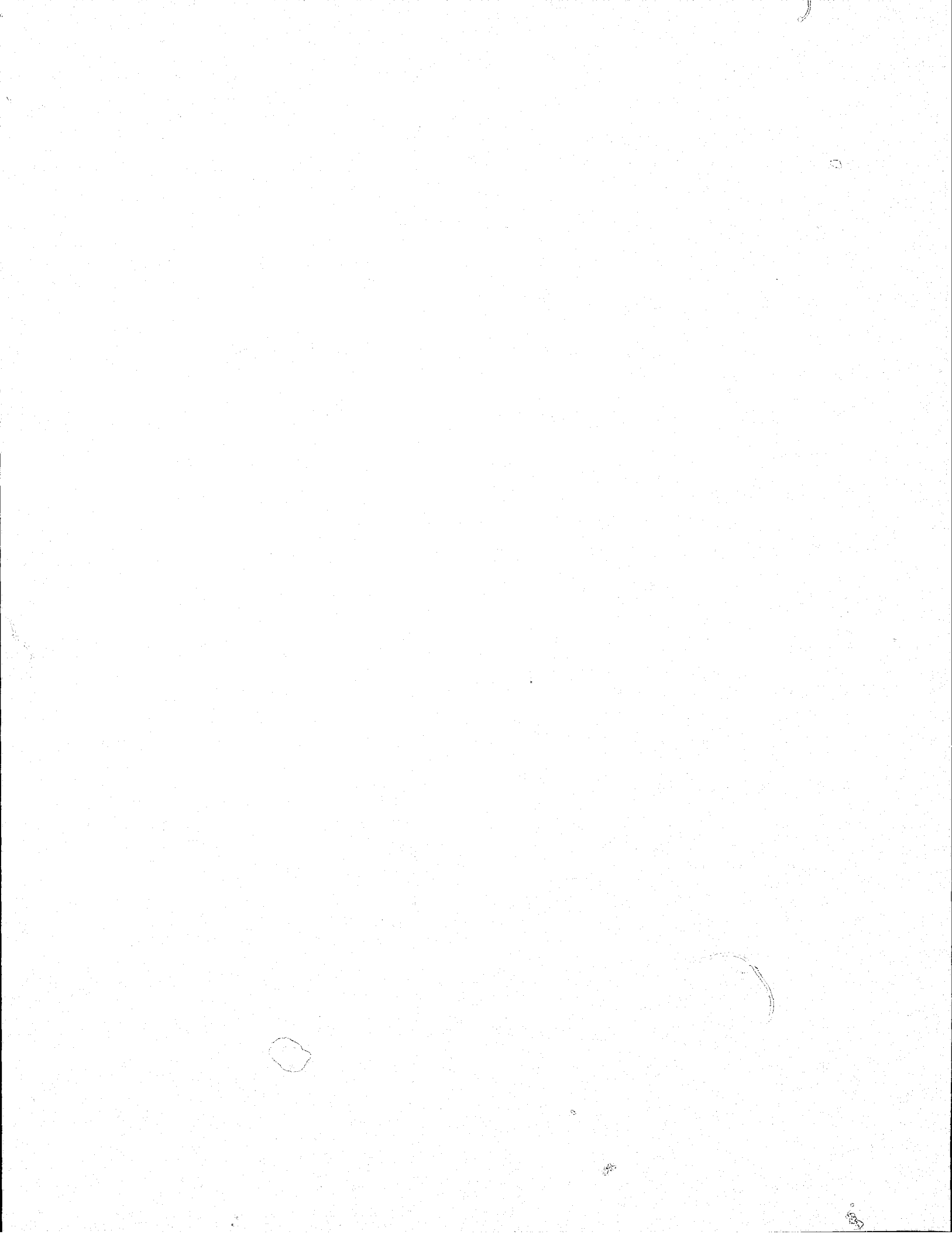


TABLE 15
 REASONS FOR PETIT LARCENY DISMISSALS - ADULTS
 NAMPA POLICE DEPARTMENT
 1975

Number of Dismissals	Days from Arrest to Dismissal	Reason for Dismissal
1	452	Failed to appear for trial (was in Ada County jail on subsequent charge) - Court dismissed, good cause appearing.
2	495	Defendant, during arraignment, stated he was represented by Boise attorney; prior to trial Boise attorney stated he had not been retained; case ultimately dismissed.
	495	Co-defendant in case number 2.
1	221	City Attorney moved to dismiss upon recommendation of Police -- Judge so granted, good cause appearing.
1	34	State not ready to proceed.
1	251	Dismissed by Judge - good cause appearing.
1	15	Complainant not present.
1	34	Death of defendant.
1	567	Defendant failed to appear after trial had been reset six times. Ultimately dismissed -- good cause appearing.
1	397	Good cause appearing.
1	743	Not available from case file.
1	566	Not available from case file.

SECTION III

JUVENILES

During 1975, the Nampa City Police Department arrested 338 juveniles for Part I Offenses*. As shown in Table 16, the largest percent of arrests was for petit larcenies, specifically shoplifting, (82.8%); however, petit larcenies resulted in the lowest percent of offenses petitioned. Of the total 338 arrests 49 (14.5%) were petitioned into court; the 85.5% not petitioned indicates high diversion by police.

Illustrations III-A and III-B depict the flow of petitioned juveniles through the juvenile justice system. The two charts reflect input percentages and decision point percentages, as explained in Section I. Forty-two of the 49 juveniles petitioned were found within the purview of the Youth Rehabilitation Act (YRA); seven of the 42 were placed with Health and Welfare. By combining sentences involving continuances, the cases of 13 juveniles were continued by the Court for a specific period of time, usually six months or a year. If the juvenile had no further contact with law enforcement agencies during this time, the case was dismissed. Twenty juveniles were placed on probation or probation in combination with other conditions.

TABLE 16
JUVENILES ARRESTED AND PETITIONED
NAMPA POLICE DEPARTMENT
1975

Offense	Arrests	% of Part. I Arrests	Petitioned	% Petitioned
Murder	0		0	
Rape	0		0	
Robbery	0		0	
Assault	6	1.8	2	33.3
Burglary	25	7.4	11	44.0
Grand Larceny	12	3.6	8	66.7
Petit Larceny	280	82.8	22	7.9
Motor Vehicle Theft	15	4.4	6	40.0
Total	338	100.0	49	14.5

*Murder, Rape, Robbery, Burglary, Larceny, and Auto Theft.



ILLUSTRATION III-A
 NAMPA POLICE DEPARTMENT
 1975 Juvenile
 Decision Point Percentages

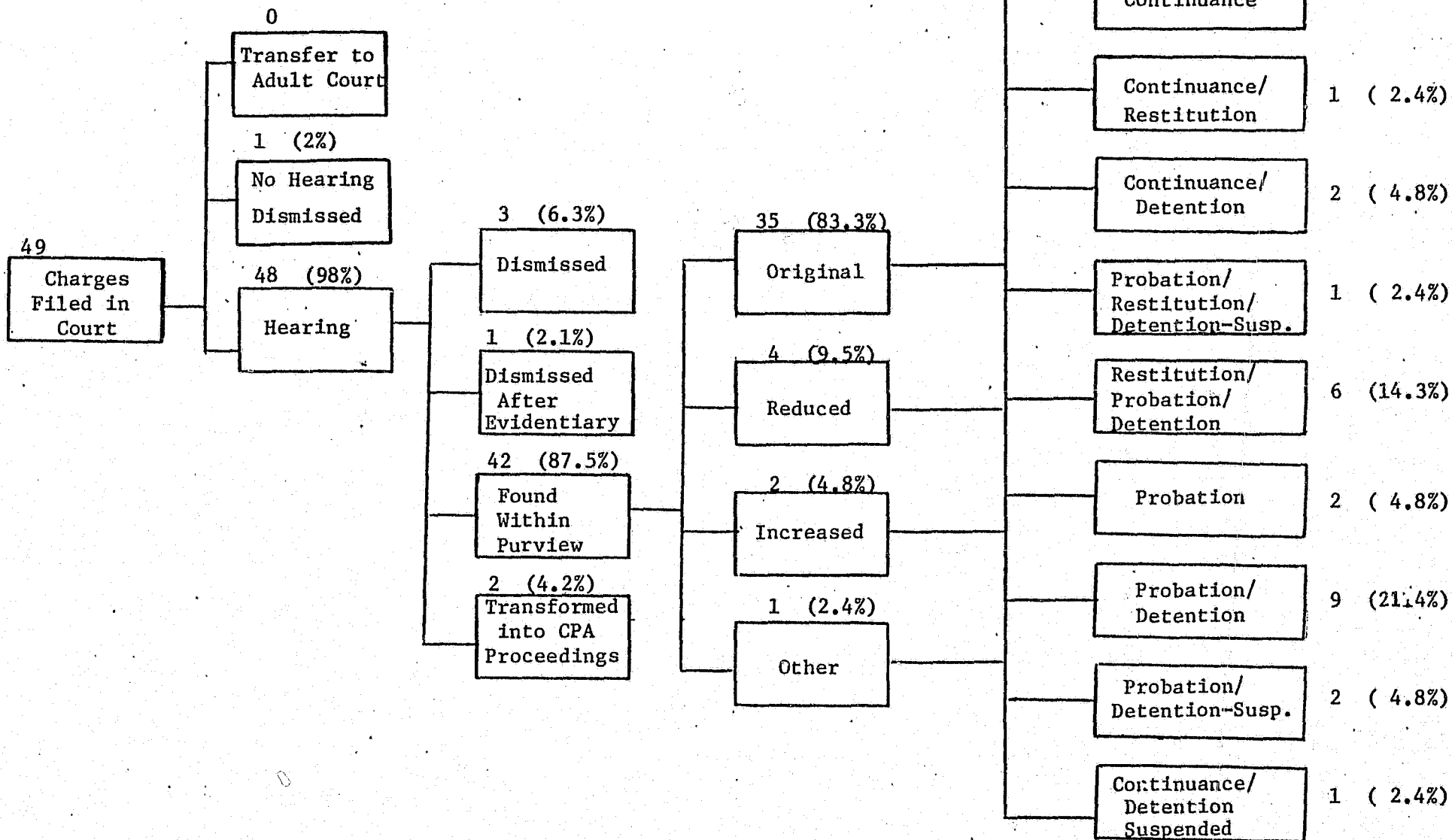
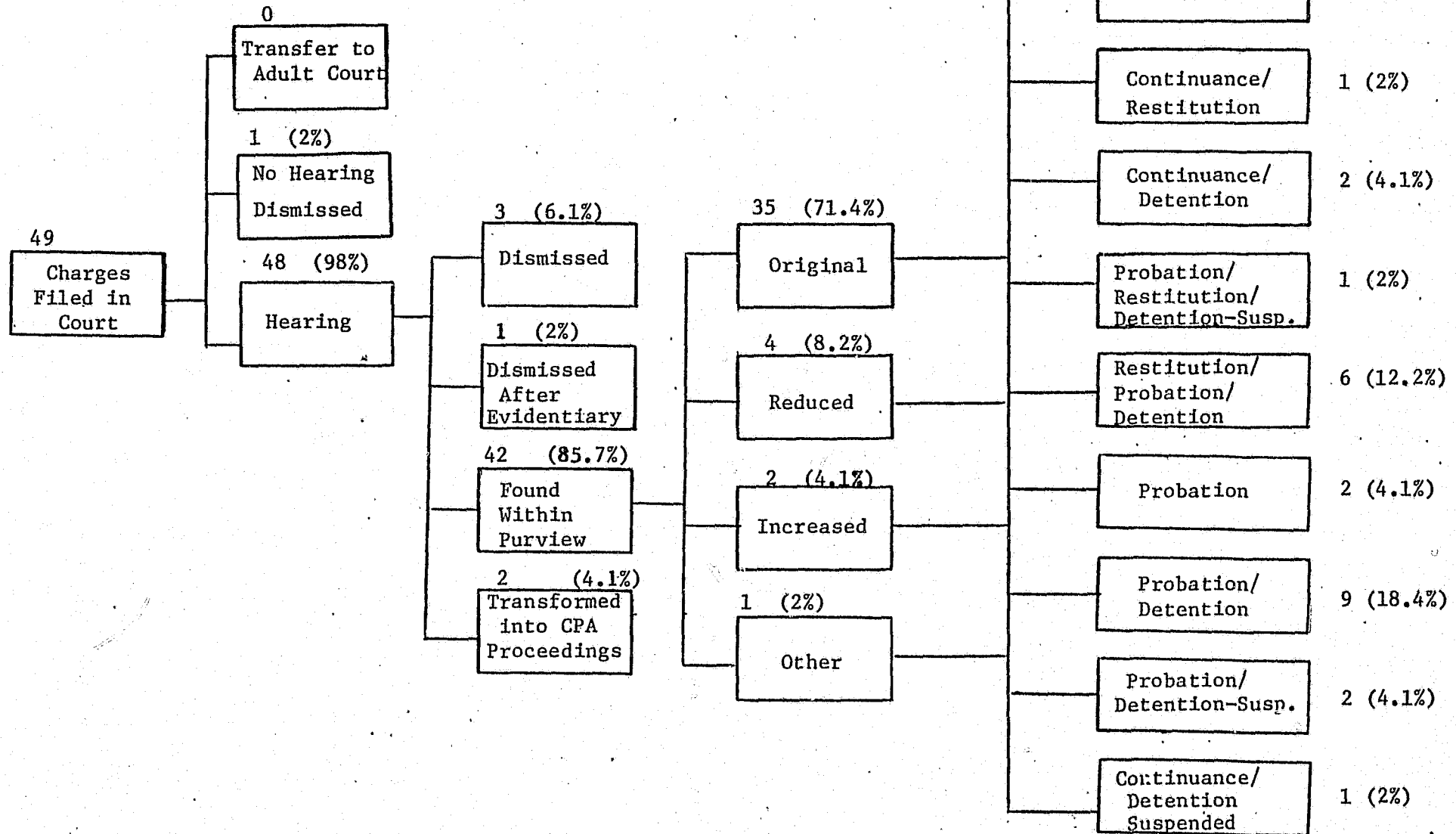


ILLUSTRATION III-B
 NAMPA POLICE DEPARTMENT
 1975 Juvenile
 INPUT PERCENTAGES



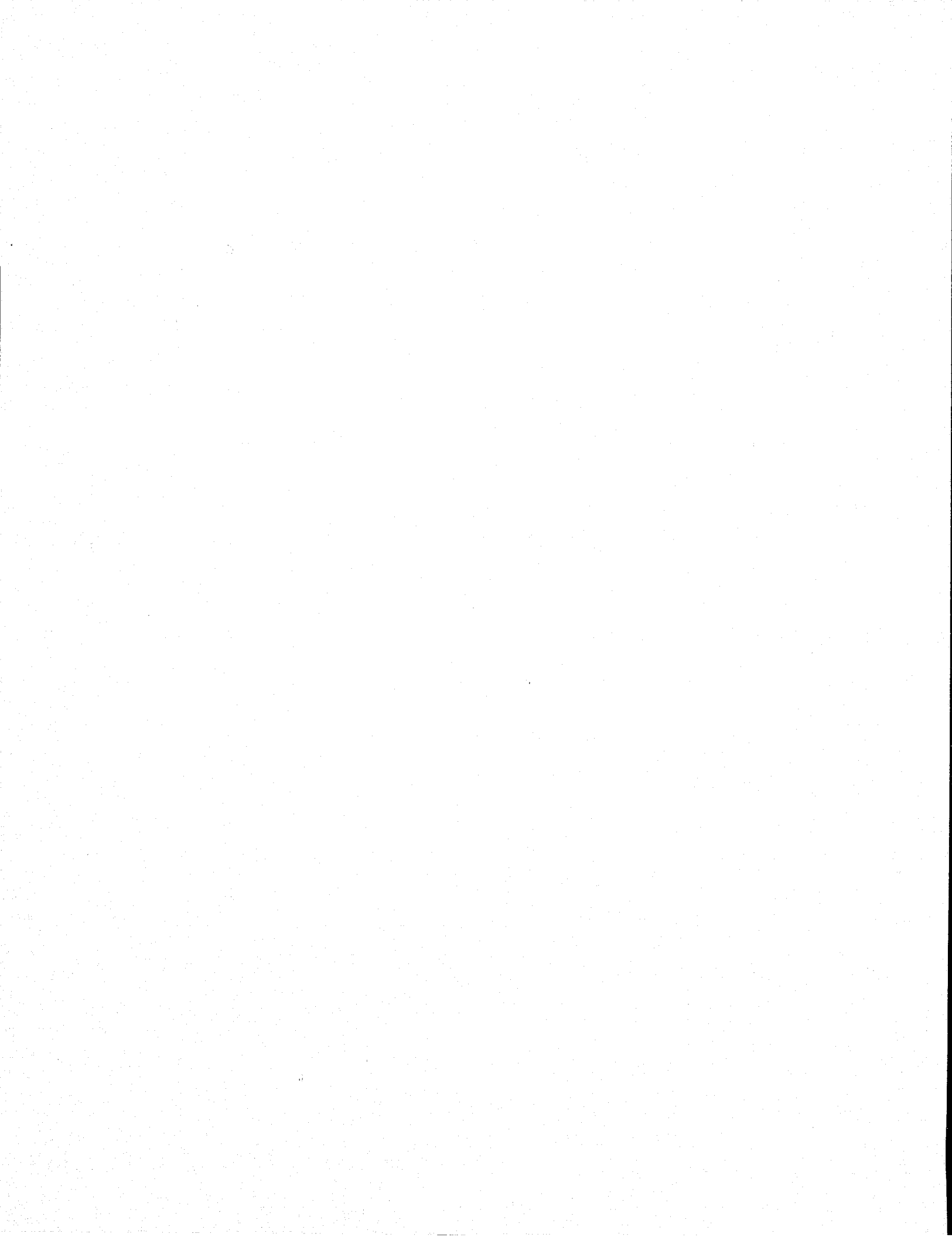


Table 17 gives the age and sex of the juveniles petitioned into Court. Forty-six (93.9%) were males and three (6.1%) were females. The three females were petitioned on charges of motor vehicle theft (2) and petit larceny (1). The ratio of males to females arrested was 60% males (203 arrested) to 40% females (135 arrested).

TABLE 17
AGE AND SEX OF JUVENILES PETITIONED
NAMPA POLICE DEPARTMENT
1975

Age	Males	Females
10	2	
11	4	1
12	2	
13	8	
14	6	1
15	3	
16	11	1
17	9	
Unknown	1	
Total	46	3

Six juveniles entered pleas of not guilty. The dispositions of these six pleas are presented in Table 18. Two evidentiaries were held; the Court found one juvenile within the purview of the YRA and granted one dismissal, as the State did not have sufficient grounds to support the case.

TABLE 18
NOT GUILTY PLEAS
NAMPA POLICE DEPARTMENT
1975

Offense	Number of Pleas	Disposition
Burglary	1	Dismissed after evidentiary
Grand Larceny	2	Dismissed without an evidentiary
	(1)	Found within purview of YRA; placed with Health & Welfare
Petit Larceny	3	Transformed into CPA proceedings.
	(1)	Continued one year - no evidentiary held.
	(1)	Dismissed without an evidentiary; juvenile entered court.

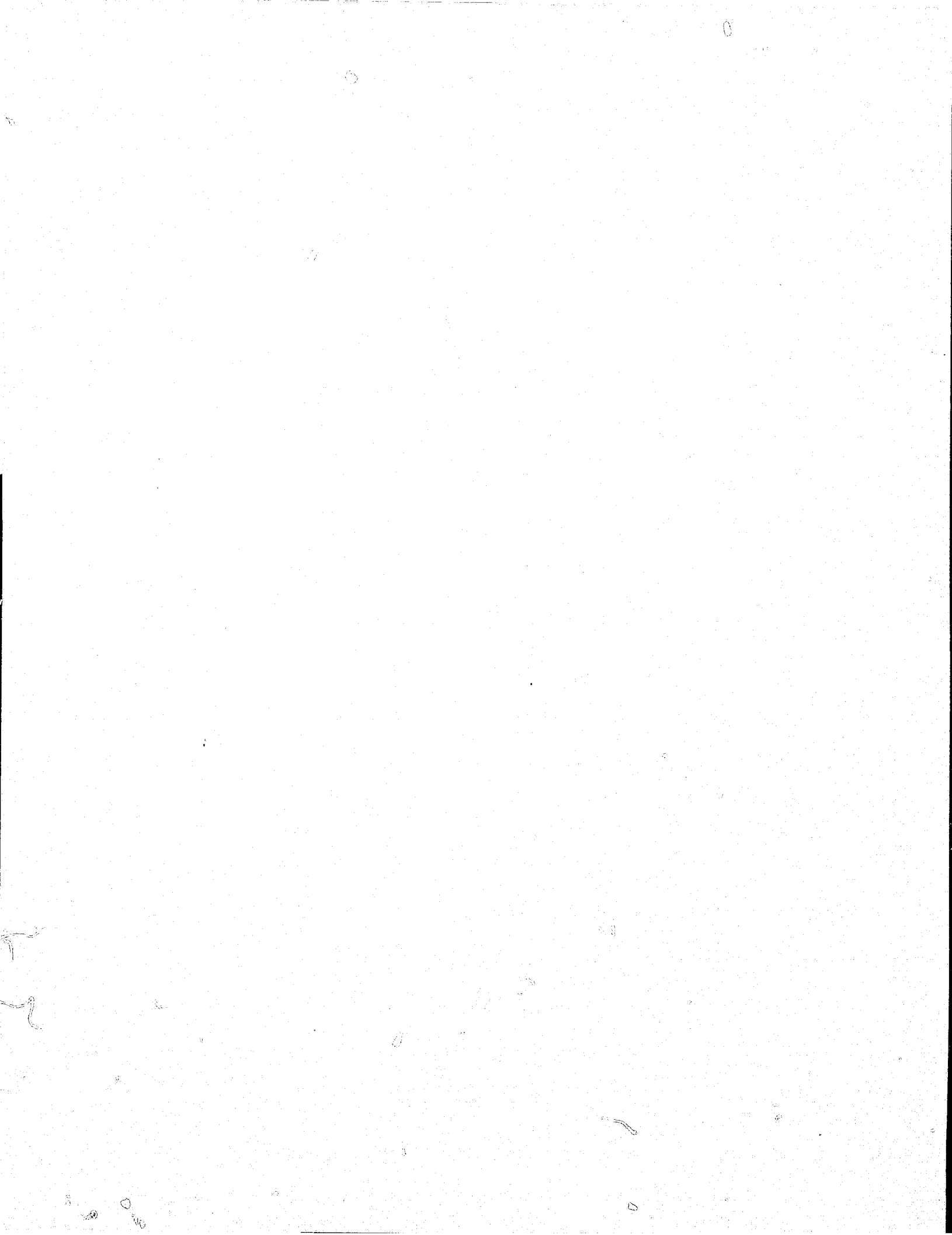
Upon initial contact with the police, ten juveniles were placed in detention. Eleven juveniles were either held in detention after detention hearings or ordered detained by the Court during the proceedings.

Available information concerning subsequent and prior offenses obtained from case files revealed that 27 of the 49 (55.1%) petitioned were known to have had prior contact with law enforcement agencies. Of the known subsequent offenders, 13 (26.5%) juveniles have had further contact with law enforcement since the 1975 offense for which they were petitioned.

Current educational status was also gathered from case files. Information on 16 juveniles was not available, but of the 33 analyzed, 28 (84.9%) reported problems at school, e.g., trancies, poor grades, expulsions, and/or drop-outs. Only five case files (15.1%) indicated no problems with attendance or grades.

Time spans were computed for the average days from arrest to petition, from petition to disposition, and from arrest to disposition, as follows:

Average days from arrest to petition	6.8 days (49)
Average days from petition to disposition	47 days (49)
Average days from arrest to disposition	53.8 days (49)



END