Analysis of the Processing of State Felony and Misdemeanor Charges in Jefferson Parish: Arrest Through the Billing Decision

A Research Report by the Metropolitan Crime Commission

November 2003
New Orleans, Louisiana

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A Message from the Board Chairman

This report completed by the Research Division of the Metropolitan Crime Commission provides comprehensive data on a little studied but critically important phase of the Jefferson Parish criminal justice system: the pretrial process. The focus of the research is on the processing of arrest reports by the Jefferson Parish Sheriff's Office and the subsequent screening of the reports by the Jefferson Parish District Attorney's Office.

It is the goal of this study to promote improvements in the processing of felony and misdemeanor cases that will lead to better use of taxpayers' dollars, increased accountability, and enhanced cooperation among criminal justice agencies in Jefferson Parish.

The MCC's staff and board members welcome any comments and observations you may have regarding the findings and recommendations presented in the report You can contact us via the Internet at www.metrocrimeno.org.

Martin R. de Laureal, Chairman

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A Metropolitan Crime Commission Report

Analysis of the Processing of State Felony and Misdemeanor Charges in Jefferson Parish: Arrest Through the Billing Decision

I. INTRODUCTION

Purpose and Scope of the Report

This report addresses the initial steps in the criminal justice process: arrest and the billing decision. The Jefferson Parish Sheriff's Office (JPSO), and other law enforcement agencies, make arrests, write reports, and submit these arrest reports to the Jefferson Parish District Attorney's Office (DA's Office) for consideration for prosecution. It is then the role of the DA's Office to screen police arrests and to decide whether to formally charge, or bill, those individuals arrested with a crime.

The pretrial phase is a critical part of the criminal justice process. For if on the front-end of the system law enforcement agencies don't do good basic police work - make good arrests, write good reports, and complete them in a timely manner; and, if the DA's office doesn't screen these reports properly and expeditiously, the end result is a lengthy time frame between arrest and the final disposition of criminal cases. "Justice delayed is justice denied" is a basic tenant of our justice system. Citizens and victims of crime want equitable and speedy justice. But if criminal cases drag on, the memories of victims and witnesses fade, they become more difficult to locate, and in some cases become less willing to testify after the immediacy of the criminal event diminishes.

It is the goal of this research to promote improvements in the processing of felony and misdemeanor cases in Jefferson Parish by:

- Providing public officials, criminal justice leaders, and citizens with objective information about the performance of the JPSO and the DA's Office in the pretrial process.
- Promoting greater accountability in the pretrial process by documenting the performance of the JPSO and DA's Office.
- Increasing public awareness about the importance of the pretrial process

To assess the performance of the JPSO and the DA's Office in the arrest and billing decision process, Metropolitan Crime Commission (MCC) research:

- Documented the formal and informal policies and procedures adopted by the JPSO and DA's Office that are intended to guide the arrest/screening process.
- Determined time periods between critical events in the arrest to screening process
- Documented and analyzing the outcomes of this process
- Offers recommendations to improve the current process

To place the performance of the case screening process in Jefferson Parish in perspective, to the extent possible, the key time frames and outcomes for the Jefferson Parish criminal justice system are compared with outcomes in New Orleans and in other jurisdictions. It is important to point out that the current Chief of Police and District Attorney in New Orleans were not in those positions at the time the New Orleans performance data contained in this report were generated.

This study is divided into four main sections: Introduction, The Process, System Performance, and Conclusions and Recommendations

Methodology

MCC staff drew a random sample of 936 criminal cases filed in the Twenty Fourth Judicial District Court (JDC) between June 1, 1999 and May 31, 2000, and tracked these defendants from the time of their arrest through the final disposition of their cases. The sample was obtained from the Criminal Data Information System (CDIMS), which maintains automated data on 24th Judicial District Court's civil and criminal cases. It is operated by the 24th Judicial District Clerk of Court's Office, and represents almost 10 percent of all arrests on state felony and misdemeanor arrests made during that period. The sample includes arrests made by the JPSO as well as other municipal and state law enforcement agencies that operate in Jefferson Parish.

Extensive data were collected on each defendant. These data were obtained from CDIMS and from the Jefferson Parish District Attorney's Office. Information was also obtained through interviews with individuals who work in the Jefferson Parish justice system. The data collected were compiled in a database for analysis using SPSS software. Although the research presented in this report is based on a sample of the total population of defendants, the results discussed are statistically significant at the 95 percent level. That is, we are 95 percent confident that the characteristics of those in the study sample, for example the methods by which defendants are released following arrest, represent the characteristics of the entire population.

II. THE PROCESS: ARREST AND SCREENING OF ADULT DEFENDANTS

The focus of this report is on the roles of arresting officers, who prepare arrest reports prior to presenting them to the DA's Office for consideration, and the staff of the DA's Screening Division who decide to accept or reject the charges made at the time of arrest. An important difference exists between the level of evidence required for arrest and officially charging an individual with a crime. Arrest requires only "probable cause", a lower level of proof than "proof beyond a reasonable doubt", the legal standard for convicting a defendant for a criminal offense.

As shown in **Exhibit 1,** law enforcement agencies other than the JPSO made 30 percent of the state arrests in Jefferson Parish during the study period. The "other" category includes police departments in Harahan, Westwego, Causeway, Grand Isle, the East Bank Levee District, Wildlife and Fisheries, and Probation and Parole.

Exhibit 1:
Arresting Law Enforcement Agencies in Jefferson Parish

Arresting Agency	% Total Arrests
JPSO	70%
Kenner Police	16%
Gretna Police	7%
State Police	2%
Other	5%
Total	**100%**

Source: MCC research

The unofficial midpoint in the arrest to billing process is the ADA screeners' "receipting" of the cases presented by the JPSO. Issuing a "receipt" for a case means the ADA deems the police

report to be in order and is acceptable for formal review to determine if sufficient proof exists for prosecution.

Arrest to Receipting: Preparing Cases for DA's Office Review

Jefferson Parish is divided into four police districts, two each on the East Bank and West Bank. Following the completion of offense reports by the arresting officers they are submitted to a district supervisor who reviews the reports for completeness and accuracy. If reports need further work, usually to further demonstrate probable cause for the arrest, they are given to the two "follow up" officers assigned to each district. Approved reports are sent to the JPSO records room where they are copied, compiled, and then manually transmitted by JPSO personnel to the DA's Office for screening, and to the court. JPSO policy calls for offense reports to be submitted to the supervisor within five days of the arrest. The electronic or "paperless" transfer of arrest reports via computer has been on the JPSO drawing board for sometime but has not as yet been implemented.

Following their arrest on state charges, defendants are booked at either the East or West Bank booking station depending on the location of their arrest and are held there for up to 24 hours. The West Bank booking station is located in the main jail facility. Many of those individuals arrested for class 4 offenses (misdemeanors) make bonds that are established by bond schedule shortly following the booking process and are released directly from the booking stations. Those held in the East Bank facility and who do not make bond are transported twice daily to the jail where they will appear before a criminal commissioner or magistrate for bond setting.

In instances in which no arrest is made, for example a burglary in which the suspect is unknown, the offense report is sent to the JPSO investigation division. In these cases, a supplemental report is later provided to the DA's Office by the investigation division if an arrest made.

Exhibit 2 below shows the types of charges that were made against individuals in the study sample at the time of arrest. These totals include the three most serious charges made against defendants in the sample. For comparison purposes, the same data are also provided for New Orleans.

Exhibit 2:
Charges at Time of Arrest

Charges	Jefferson Parish		New Orleans	
	Frequency	% Total	Frequency	% Total
Homicide	14	1%	32	1%
Rape/Sex Offence	28	2%	45	2%
Robbery	34	2%	92	4%
Battery/Assault	178	10%	228	9%
Burglary	113	6%	98	4%
Drug Distribution	367	21%	966	9%
Drug Possession	280	16%	244	37%
Theft	392	22%	472	18%
Other	364	21%	401	16%
Total	**1,770**	***100%**	**2,578***	**100%**

Source: MCC research
*Total do not equal 100% due to rounding

And as is shown in **Exhibit 2**, overall the profiles of the types of state charges made at the time of arrest in New Orleans and Jefferson Parishes are very similar, as violent offenses and serious property crimes made up 21 percent of all charges in Jefferson and 20 percent of all charges in Orleans Parish. The major exception is drug offenses. Drug charges in New Orleans (46%) make up a significantly higher percentage of total charges than do drug charges in Jefferson (37%). Further, drug distribution charges in Jefferson make up 21 percent of all arrest charges and only 9 percent of arrests in New Orleans. It should be noted, however, that the frequency of reported major offenses in Orleans Parish in 2000 (34,001) far exceeded those reported in Jefferson Parish in 2000 (22,246).

Receipting of Arrest Reports by the DA's Screening Division

The DA's screening division is staffed by five screening attorneys that includes the Chief of Screening. One full time civilian investigator and support staff are also assigned to the screening division. The screening division is divided into five specialized units:

- homicide
- rape
- narcotics
- burglary
- forgery

The screening division is responsible for screening between 10,000 and 12,000 cases per year, or approximately 2,000 cases per ADA. In New Orleans, during the data collection period, sixteen ADA's handled a workload of 15,000 to 17,000 cases, or approximately 1,000 cases per ADA.

A list of the arrests made in Jefferson Parish each day is produced by the JPSO and is accessed daily on-line by the DA's Office. When the offense reports written by arresting officers are received by the DA's Office, they are matched with the arrests shown on the arrest register. After 10 days, the DA's Office screening division identifies those cases shown on the arrest registers that do not have a corresponding offense report. These reports are considered "delinquent" and screening personnel contact the arresting officers in an effort to obtain the reports.

Criminal history information or "rap sheets" are used by ADA's to support their screening decisions and are an important part of the screening process. In Jefferson Parish, criminal history information is stored in the Automated Records Management System (ARMS) operated by the JPSO, while New Orleans' criminal history data is maintained in the NOPD's MOTION system. Because ARMS utilizes a modern operating system and the MOTION system was created in the 1970's, these two systems cannot share files and integrate information. As a result, ADA's in Jefferson and in New Orleans (and law enforcement agencies as well) must access two entirely separate databases in order to compile a local criminal history on defendants. This is a significant inefficiency that lengthens the screening process and hampers law enforcement personnel as well. As recently reported by the local news media, the city of New Orleans proposes to upgrade and integrate existing criminal justice information systems operated by the NOPD, the Criminal Sheriff's Office, and the DA's Office.

The offense reports along with criminal history information from ARMS and MOTION are then distributed for review among the five screening divisions: homicide, rape, narcotics, burglary, and forgeries. If ADA's in the screening division have questions or concerns about a particular case, the arresting officer is generally contacted by telephone for additional information. If the screening division refuses charges, arresting officers are provided with a reference code

indicating the reason for the refusal. The most frequent reason for refusal according to screening division personnel is lack of cooperation from victims and witnesses. As already noted, the memories of victims and witnesses may fade, they move and can become more difficult to locate, and in some cases may become less willing to testify. In prior research, the MCC found that problems with victims and witnesses were also the primary reason for refusing charges in New Orleans.

Family and domestic violence cases are screened by a special vertical prosecution unit within the DA's Office staffed with five ADA's. It is noteworthy that the screening division, which is responsible for screening all other charges referred to the DA's Office, has a compliment of only five ADA's. Under the vertical prosecution approach, however, the ADA's not only make the screening decisions, they prosecute the cases assigned to them as well.

The process of receipting arrest reports in Jefferson Parish appears to be relatively uncomplicated and efficient that is enhanced by an apparently good working relationship between the JPSO and the DA's Office.

DA's Office Screening Division: Making the Screening Decision

The policy of the DA's Office regarding time frames within which billing decisions are to be made tracks the time limits provided for under Article 701 of Louisiana's Code of Criminal Procedure. Article 701 states that charges in felony cases must be filed within 60 days of arrest if the defendant is held in custody, and within 45 days in misdemeanor cases if continued in custody.

When charges against defendants are refused, those cases are closed, and if the defendants are held in custody, they are released. As data presented in the next section of this report will show for cases in our study period, the average number of days from the date of receipt of an offense report by the DA's Office until the final screening decision was 22 days.

Exhibit 3 below shows the frequency and percentage of the three most serious charges, by types of charge, made at the time of arrest that were later accepted for prosecution by the DA's Office. The overall percentage of the charges made at the time of arrest that were accepted for prosecution in Jefferson (48%) was significantly higher than the overall acceptance rate in New Orleans (34%) during the same time period Over the period of the study, Jefferson evidenced a 64 percent acceptance rate for homicides compared with a 22 percent acceptance rate in New Orleans. The overall acceptance rate for crimes of violence in Jefferson was 46 percent compared to a 33 percent acceptance rate in New Orleans.

Overall, 65 percent (see Exhibit 8) of the first most serious charges made at the time of arrest were accepted for prosecution, as were 26 percent of the second and third most serious charges. This steep drop in acceptance rates for less serious charges reflects the higher priority placed by the DA's Office on prosecuting the most serious charges. It may also suggest that arresting officers include additional less serious charges that lack sufficient evidence for formal charging.

Exhibit 3:
Charges at Time of Arrest and
Charges Accepted for Prosecution

Charges	At Arrest		Accepted		%
	Freq.	% Total	Freq.	% Total	Accepted
Homicide	14	<1%	9	1%	64%
Rape/Sex Offence	28	2%	21	2%	84%
Robbery	34	2%	26	3%	76%
Battery/Assault	178	10%	61	7%	34%
Burglary	113	6%	70	8%	63%
Drug Distribution	367	21%	136	16%	37%
Drug Possession	280	16%	224	26%	80%
Theft	392	22%	207	24%	53%
Other	364	21%	99	12%	27%
Total	**1770**	**100%**	**853**	**100%**	**48%**

Source: MCC research

III. System Performance

Processing Time

The overall average elapsed time from the date of arrest to the billing decision date for state charges in Jefferson Parish during the one-year study period was 44 days. Broken down, the average time period from arrest to receipt was 22 days, and from receipting of the case to the bill date was also 22 days.

Exhibit 4 provides information from a national study of case processing times in other jurisdictions. The study, *Examining the Work of State Courts,* completed by the National Center for State Courts and the American Prosecutors Research Institute (1998), examined nine state court systems and divided case processing time into three distinct periods – arrest to indictment, indictment to disposition, and disposition to sentencing. The average time from arrest to bill date for the faster courts was 11 days and for the moderate courts 25 days. The average case processing time of 60 days for state charges in New Orleans, which was determined by prior MCC research, is also included for comparison purposes.

Exhibit 4:
Time From Arrest to Billing in Selected Jurisdictions

Jurisdiction	Avg. # of Days Arrest to Billing
Seattle	5
Grand Rapids	13
Tucson	15
Cincinnati	17
Omaha	18
Jefferson Parish	44
Oakland	52
New Orleans	*60*
Austin	90
Hackensack	159
Birmingham	164

Sources: *Examining the Work of State Courts* (NCSC/APRI); *MCC research*

While the time required to move cases from arrest to a billing decision in Jefferson Parish was substantially faster than several other jurisdictions, the jurisdictions classified as "fast" and "moderate" in the national study achieved significantly shorter processing times than did Jefferson Parish. That five jurisdictions had processing times of under 20 days suggests that considerable improvement in the movement of cases is possible in Jefferson Parish.

Following is a closer examination of the overall case processing time broken down into the arrest to receipt and the receipt to bill date components.

Arrest to Receipt

As noted, Jefferson Parish is divided into four districts for policing purposes. **Exhibit 5** shows the average number of days that elapsed in each of these districts between the date of arrest and the date of receipting by the DA's Office. Also included are processing times for two major divisions within the JPSO that operate in all districts, and for the Kenner and Gretna police departments and the state police. It is important to note that only the *first most serious charge* made at the time of arrest was used in calculating the percentage of charges accepted shown in **Exhibit 5.**

Exhibit 5:
Case Processing Time and Acceptance Rate
By Arresting Unit

Arresting Division/Agency	Days From Arrest to Receipt	% Charges Accepted
JPSO –1st District	27	64%
JPSO –2nd District	15	63%
JPSO –3rd District	22	56%
JPSO – 4th District	19	75%
Kenner Police	18	66%
Gretna Police	23	51%
State Police	34	50%
JPSO –Narcotics Unit	20	81%
JPSO- Street Crimes Unit	19	74%
Total	**22**	**66%**

Source: MCC research

As shown in **Exhibit 5**, the case processing times achieved by the JPSO districts and special units, and other law enforcement agencies as well, show a great deal of consistency.

Exhibit 6 below shows the average number of days from date of arrest to receipt date for each type of offense for Jefferson Parish. For comparison purposes, these data are also provided for New Orleans. Offenses that involve victims and the analysis of forensic evidence, for example homicide, sex offenses, robbery and burglary, typically take longer to move from arrest to receipt than other types of offenses. These types of cases are often referred to the Investigation Division for follow up which extends the time between the arrests and receipting of the cases. There are exceptions, however, that are the result of other factors, for example the existence of witnesses to an offense and their willingness to testify.

Exhibit 6:
Average Number of Days
From Arrest to Receipt By Charge

Charge	Arrest to Receipt Jefferson Parish	Arrest to Receipt New Orleans
Homicide	35	46
Rape/Sex	40	52
Robbery	35	45
Assault	24	37
Drugs	19	28
Burglary	23	48
Theft	21	49
Other	28	29
Weighted Average	**22**	**41**

Receipt to Bill Date

The average number of days from receipting the case to the billing decision date in Jefferson Parish is 22 days. It should be noted, however, that 70 percent of the final screening decisions were made within a ten-day period and only 13 percent extended to 30 days or more. These latter cases were likely those cases that involved an extensive investigation and forensic analysis prior to reaching a screening decision.

Exhibit 7 provides the number of days from receipt to bill date for the first most serious charge against defendants in the sample. Crimes involving victims and the collection and analysis of forensic evidence typically take longer to screen than do other types of crimes.

Exhibit 7:
Average Number of Days From
Receipt to Bill Date for First Most Serious Charge

Charge	Receipt to Bill Date Jefferson Parish	Receipt to Bill Date New Orleans
Homicide	20	13
Rape/Sex	74	20
Robbery	15	16
Assault	47	30
Drugs	7	17
Burglary	18	22
Theft	42	20
Other	57	15
Weighted Average	**22 Days**	**19 Days**

Source: MCC research

Not surprisingly, the rape/sex offenses category took far longer to screen than any other offense category. The reluctance of many victims to testify in rape cases and the examination of forensic evidence contribute to a lengthy screening period. However, the small number of rape/sex charges in the Jefferson sample, combined with the skewing effect of cases that take particularly long to resolve, trend to inflate the average receipt to bill date period. Assault offenses also involved a relatively long screening period. These types of cases are frequently complicated by the existence of a personal relationship between the victim and perpetrator.

The Jefferson DA's Office took an average of 42 days to reach a screening decision in theft cases. It is important to note, however, that a billing decision in 69 percent of all theft cases was reached within five days from the date of receipt, while only 16 percent of theft cases required more than 90 days for resolution. According to DA's Office personnel, these lengthy time frames, several over 300 days, were often the result of cases that required extensive investigation in order to reach a billing decision.

Cases involving the distribution or possession of drugs required an average of only seven days to reach a screening decision, the shortest screening period for any offense in Jefferson and Orleans Parishes. Because drug cases in most instances do not involve either victims or witnesses, they can be moved through the system relatively quickly. Accounting for the very short average screening period is the field testing of illegal drugs by the JPSO immediately following arrest and the DA's Office's policy of screening drug cases prior to the completion of final confirmation tests by the JPSO drug lab. Because they made up 37 percent of all charges screened by the Jefferson DA's Office, drug cases greatly reduced the overall average receipt to billing decision period.

The Filtering Effect of the Pretrial Process

As can be seen in **Exhibit 8,** the filtering effect of the screening process sharply reduces the number of individuals in the system and the charges made against them at the time of arrest. The study tracked the three most serious charges made against each defendant at the time of arrest.

With regard to charges, the 936 individuals in the sample were charged at the time of arrest with a total of 1,770 charges or an average of 1.9 charges per defendant. As noted, sixty-five percent (608) of the first most serious charges (936) were accepted by the DA's Office while 28 percent (230) of the second and third most serious charges (836) made by arresting officers were accepted for prosecution.

At least one of these state charges was accepted by the DA's Office against 65 percent of the individuals arrested, and in the final analysis, 51 percent of those persons arrested in Jefferson Parish were convicted of at least one state offense. Excluding those defendants at large, cases still pending, cases diverted from prosecution and cases referred to a lower court, the percentage of individuals convicted of a state charge increases to 61 percent. The significantly higher rate of conviction in Jefferson was largely attributable to the higher overall charge acceptance rate in Jefferson (48%) compared to that of New Orleans (34%).

Exhibit 8:
The Sieve Effect of the Screening Process:
Reduction in Defendants and Related Charges from Arrest to Conviction

	Arrested	Billed	Convicted
Individuals	936	608	476
	(100%)	**(65%)**	**(51%)**
Charges	1,770	853	540
	(100%)	**(48%)**	**(31%)**

Source: MCC research

Finally, as shown **in Exhibit 9**, 78 percent of those individuals *formally charged by the DA's Office with a state crime* were ultimately convicted of an offense.

Exhibit 9:
Conviction Rate:
Individuals Billed and Convicted By DA for State Offense

Billed by DA	Convicted	Conviction Rate
608	476	78%

Source: MCC Research

As shown in **Exhibit 10** below, the screening process also alters the *types* of charges for which individuals are eventually prosecuted and convicted. The charge data presented represent the most serious charge made against the individuals in the sample at the time of arrest, and demonstrates the survival rate of the different types of charges at the billing stage and at conviction. The conviction rate for each type of charge, that is the percentage of charges accepted for prosecution that resulted in a conviction, is shown in the last column of **Exhibit 10**.

Exhibit 10:
Most Serious Charge at Arrest, Billing, Conviction
And Final Conviction Rate

Charge	At Arrest		At Billing		At Conviction		Conviction
	Charge	% Total	Charge	% Total	Charge	% Total	Rate
Homicide	12	1%	9	1%	4	1%	44%
Rape/Sex	20	2%	14	2%	11	2%	79%
Robbery	32	3%	23	4%	21	4%	91%
Battery/Assault	136	14%	30	5%	26	5%	87%
Burglary	68	7%	47	8%	36	8%	77%
Theft	231	25%	162	27%	126	26%	78%
Drug Poss.	116	13%	202	33%	161	34%	80%
Drug Dist.	247	26%	81	13%	61	13%	75%
Other	74	8%	40	7%	30	6%	75%
Total	**936**	**100%**	**608**	**100%**	**476**	**100%**	**78%**
	100%		*65%*		*78%*		

Source: MCC research

Drug possession offenses made up 13 percent of all arrest charges but more than doubled as a percentage of all convictions (34%), while drug distribution offenses decreased from 26 percent of all charges at arrest to just 13 percent of total convictions. Accounting for these changes was the fact that most drug distribution charges made at the time of arrest by the JPSO were later reduced to possession charges as a result of the DA's screening process. See **Exhibit 11** below.

Robbery offenses increased from three percent of all arrest charges to 4 percent of all convictions due to both the high acceptance rate (76) and the high conviction rate (91%). Theft charges increased from 25 percent of all arrests to 26 percent of convictions as a result of a high acceptance rate (53%), while the "other" category of offenses decreased from 8 percent of offenses at arrest to 6 percent of total convictions due to a low acceptance rate (27%).

Exhibit 11 below provides conviction data by offense category that contrasts the types of offenses for which individuals are convicted in Jefferson with the aggregate conviction profile of

3,100 jurisdictions across the country. The conviction profile in Jefferson Parish shows a reasonable approximation of the national conviction. In order to make valid comparisons with these national data, which include only felony convictions, it is important to note that misdemeanor convictions were excluded from the Jefferson and New Orleans data when computing offense category percentages. Most misdemeanor charges were for drug possession.

Exhibit 11:
Offense Type as Percent of Total Convictions

Offense Type	Jefferson	New Orleans	% Convictions Other Jurisdictions
Violent	14%	10%	18%
Property	41%	21%	31%
Drugs	38%	56%	34%
Possession	*22%*	*45%*	*13%*
Distribution	*16%*	*11%*	*21%*
Other	6%	12%	18%
Total	**100%**	**100%***	**100%***

Source: MCC research

Fifty-five percent (55%) of the individuals convicted of a state offense in Jefferson Parish received a suspended sentence with or without probation, and 45 percent were sentenced to prison or jail. Overall, 23 percent of the arrests tracked in the study led to a prison or jail sentence.

IV. Conclusion and Recommendations

Conclusions

Summarized below are the central findings of this study:

(1) MCC researchers found that the JPSO and DA's Office have a cooperative working relationship, and the result is a relatively efficient pretrial process that generates high charge acceptance and conviction rates, particularly in comparison with New Orleans.

(2) The four JPSO patrol districts and special enforcement units, as well as other law enforcement agencies in the parish, demonstrated good overall consistency and efficiency in moving arrest reports from the time of arrest to receipting of the cases by the DA's Office. JPSO district processing times ranged from 15 to 27 days. Processing times for the Kenner (18 days) and Gretna (23 days) police departments were consistent with those of the JPSO. As a result, the overall average time to move arrest reports from the time of arrest to receipting of the report by the DA's Office was 22 days.

(3) The screening division does an excellent job with a relatively small staff of screeners. Only five ADA's are assigned to the screening division, which screens between 10,000 and 12,000 cases per year, or approximately 2,000 cases per ADA. During the study period in New Orleans, sixteen ADA's handled a workload of 15,000 to 17,000 cases, or approximately 1,000 cases per ADA. Yet, even with twice the work load, the average time between receipting of a report and the billing decision in Jefferson of 22 days only slightly exceeded the 19 day average in New Orleans.

(4) When compared with some other jurisdictions around the country, however, it is evident that the 44 day time period required to process arrest reports from the date of arrest to the billing date in Jefferson Parish can be improved upon. As noted, according to a national study, the average time from arrest to a billing decision in "fast" jurisdictions was 11 days, and 25 days in "moderate" courts. The need for improvement is particularly evident when the processing time for drug cases is removed from the calculation. Excluding drug cases, which made up 37% of arrests and roughly 50% of the cases screened and which take an overall average of seven days to screen, the average screening time increases from 44 days to 63 days for all other state offenses.

(5) Reducing the amount of time that it takes to process arrest reports and reach a billing decision can result in even higher charge acceptance and conviction rates in Jefferson Parish by addressing the leading reasons for charge refusal – problems with victims and witnesses of crime. Overtime, victims' and witnesses' memories fade, they change addresses becoming more difficult to contact, and after the sense of immediacy generated by the crime incident has subsided they may be less willing to testify.

(6) The electronic transmittal of arrest reports by the JPSO to the DA's Office, accompanied by the corresponding "rap sheets" for the suspect(s) in each report, would add a great deal of efficiency to the current process and significantly reduce the overall time required to reach a screening decision.

(7) The adoption of a more abbreviated period of time as a standard for reaching a screening decision, and monitoring adherence to it, could lead to a reduction in the overall elapsed time between receipting of an arrest report and making the final billing decisions. The adoption by the DA's Office of the lengthy time frames stated in Article 701 (of the Louisiana Constitution) as the time standard may contribute to an extended screening period. As noted, Article 701 states that charges in felony cases must be filed within 60 days of arrest if the defendant is held in custody, and within 45 days in misdemeanor cases if continued in custody.

(8) Given the workload, however, increasing the number of ADA's assigned to the screening division will likely be necessary if a more substantive reduction in the screening period is required.

Recommendations

The MCC offers the following recommendations to the JPSO and the Jefferson Parish District Attorney's Office:

(1) "Fast track" implementation of a" paperless" computerized system for transmitting arrest reports to the DA's Office. In addition, and in conjunction with the electronic transmittal of the arrest reports, provide the DA's Office with the "rap sheets" from the ARMS and MOTION criminal history databases that are needed to support the screening decision. The swift provision of comprehensive information could expedite the screening process significantly.

(2) The DA's Office should formally adopt a revised case screening policy that greatly reduces the lengthy Article 701-based time period that currently allows up to sixty days to reach a billing decision. Because a majority of billing decisions are now made in ten days or less, adopting a policy which calls for reaching a billing decision within15-day period from the date of the receipting of an arrest report would provide realistic guidance for the screening process.

(3) As noted in the report, only a code number indicating the reason for refusing charges is provided by the DA's Office to JPSO and other law enforcement agencies. The DA's Office should provide more detail to arresting officers regarding the specific reasons that charges are refused. A fuller explanation for refusal might serve to enhance the charge acceptance and conviction rates by improving the quality of arrest reports.

(4) The number of ADA's assigned to the screening division should be increased in order to reduce the amount of time required to reach a final billing decision, particularly in non-drug cases. The addition of two or three ADA's could potentially reduce the overall receipt to billing decision from 22 days to 13 to 14 days.