

**ACCESS TO JUSTICE FOR DISPLACED DEFENDANTS**

Institute for Court Management

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## Acknowledgements

Salem Municipal Court staff serve an essential role in the justice process through their dedication and commitment to due process and the integrity of records. Their devotion to this system of justice on a daily basis is often overlooked.

It is a paradox of our judicial system that the misdemeanor or lower courts are given the most work but the fewest resources. Yet, it is here that most people charged with crimes first encounter the justice of our criminal justice system, experience its due process, and form their attitudes about its fairness. (McCrea & Gottfredson, 1974, p. vii)

Even with few resources, court staff endeavor to provide accessible and meaningful due process.

In addition to my gratitude to wonderful court staff, I would like to thank the Honorable Jane Aiken, Municipal Court Judge and Tony Mounts, Administrative Services Director, for their encouragement and the opportunity to participate in the Court Executive Development Program. Judge Aiken's tireless enthusiasm and support throughout this research project has fueled us to continue to look for improvements in court process. I would also like to thank the many members of the Salem community and surrounding areas that assisted with surveys and feedback which offered valuable information regarding quality of life offenders.

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*Keywords:* problem-solving court, differentiated case management, quality of life

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## **Abstract**

The Salem Municipal Court is interested in reducing costs to meet budgetary constraints that also improve outcomes in misdemeanor cases. While the court has made improvements over time to reduce long lines and wait time in court, exhaustive changes are needed in the area of caseflow to better utilize attorney, court staff, and judicial time. Early and continuous management of court cases will also produce better outcomes for litigants.

The purpose of this research project is to identify tools to improve the management and outcomes of misdemeanor cases and to specifically look at issues surrounding the volume of quality of life cases to improve access to the court for these displaced defendants. A review of existing research and input from stakeholders identified the need to consider the use of differentiated case management (DCM) to triage cases and consideration of problem-solving court techniques to specifically address the large volume of quality of life cases.

Approximately 48% of misdemeanors filed with the court are classified as quality of life crimes, with significant recidivism for offenders. The survey findings suggest significant interest among justice partners in favor of a court advocacy program for the quality of life offenders. A court advocacy program would help offenders connect with local social services. The remaining 52% of misdemeanors are primarily traffic crimes. The court would also benefit from the assistance of a criminal caseflow committee providing a forum for justice system partners to offer feedback and input on proposed changes to the court's management of cases.

Quality of life offenders, and their cases, have common characteristics and demographics. The use of case management tools, connection to social services, and a forum for continuous improvement efforts will result in reduced time to disposition, costs reductions, and better outcomes. These changes will require a collaborative culture shift among court professionals.

## **Introduction**

The City of Salem Municipal Court is a limited jurisdiction court located in Salem, Oregon. The court's focus is to provide fair and accessible justice services that protect the rights of individuals, preserve a safe and livable local community, and inspire public confidence. One elected judge and six part-time pro tempore judges appointed by City Council cover two court dockets Monday through Friday. The court adjudicates offenses occurring within the City limits of Salem; approximately 20,000 traffic and Salem Revised Code violations, and approximately 2,000 misdemeanor offenses from Salem Revised Code and Oregon Revised Statutes. The City of Salem has 156,690 (2009) residents within City limits and 383,100 (2008, MSA) (Salem, 2012) in the metro population in and around Salem. The court, serving an average of 6,700 residents each month, ranks among the busiest municipal courts in the State of Oregon. The court has ten court clerks and one collections specialist available to handle all case filings, dispositions, and compliance. In addition to standard in-court and back office duties, court staff responds to approximately 7,000 inquiries each month regarding pending or adjudicated cases. Like courts around the nation, funding is limited and the court is short the staffing levels needed for the volume and complexity of case filings.

Approximately 48% of the misdemeanors filed with the Salem Municipal Court involve quality of life crimes in the following five categories: trespass (SRC 95.55), vagrancy (SRC 95.56), urinating or defecating in public (SRC 95.125), consumption, sale of alcohol in certain places (SRC 90.02), and unlawful use of alcoholic beverages in parks (SRC 94.195). Quality of life crimes are sometimes referred to as livability crimes. Many of these crimes involve people who may have mental health or addiction issues and may be homeless. Repeat offenders are

routine. The elevated failure to appear rate combined with the complexity of social issues and the volume of cases for these individuals creates a significant amount of workload for the court.

Courts across the country are facing budget shortages that no longer allow them to continue business as usual. Dramatic budget shortfalls require re-engineering processes to improve efficiency while also improving outcomes. Courts are challenged with the tension of improving outcomes through creative problem-solving, while at the same time dealing with reduced budgets and staffing levels. Problem-solving justice is meant not only to address criminal behavior but strives to deter future criminal behavior. The handling of misdemeanor cases at Salem Municipal Court is no different from other courts in this regard. The rate of criminal filings, although declining, continues to outpace the rate of available resources. The lack of staffing resources at the court and prosecution offices often results in disparate treatment of criminal cases. Over time, the docket evolved with some scheduling improvements to reduce long wait lines and dedicated dockets for crimes and traffic violations. However, within those dockets individual cases follow the same traditional case processing flow and relatively similar sentencing structures regardless of the case type or individual need.

Approximately 10% of the quality of life offenders have six or more pending cases at the court. The rate of recidivism is high in this offender group. The current sanctions include jail, probation, community service, and mandatory assessments. Jail is the most immediate sanction; however, offenders are often not held their entire jail sentence due to budget constraints and over-population at the County jail. Probation is typically 24 or 36 months and conditions of probation may include a requirement to actively seek and maintain employment and housing. The court does not have adequate resources to actively monitor compliance with terms of probation; to assist with managing compliance the court may schedule a follow-up court

appearance to determine compliance. When community service is included in the sentence, defendants are typically given several weeks or months to perform their service.

The local jail relies on the Marion County Correctional Facility (MCCF) Population Management Plan to determine the number of beds available to house inmates. The MCCF Population Management Plan is approved by the County Commissioners. This plan helps the Sheriff manage the jail population within budgetary constraints. When the jail is over-populated, offenders are evaluated based on public safety risk; the lowest risk offenders in the population are released. Many of those released are offenders of the quality of life crimes listed above. Since April of 2011, MCCF has limited the number of misdemeanors cited under city code which they will lodge. Only one of the five quality of life crimes is held in jail pending a court appearance or for a sentence, unless the defendant is released due to overcrowding at the jail.

Offenders in quality of life case types often miss court appearances. Each missed court appearance requires a warrant to be prepared by the clerk, signed by the judge, and distributed to the police. Once the individual is picked up on the warrant, each outstanding case file is reviewed and prepared for court, an appearance sometimes occurs while the person is in custody, typically a new court date is provided for future court appearances, and every case file is updated with the court actions and new hearing date. Defendants who appear while in-custody are often released by the jail immediately following their court appearance. This cycle repeats for each missed court appearance, on each of the defendant's pending cases. Due to this cycle, cases tend to age several months or years.

Given the volume of quality of life offenders, the associated workload and limited court resources, and the complex needs of these individuals who habitually recommit these crimes, the court needs to find a balanced solution that utilizes resources in the most cost effective and

efficient manner that also improves outcomes. The focus of this research paper is to assess the need for reutilization of resources, identify possible process changes, and look at best practices in structuring sanctions for the most effective outcomes. This research will identify the population of offenders who fail to appear when cited for one of the five quality of life offenses. The data and research will be used to aid in understanding factors impeding persons from appearing at hearings, engage community justice agencies and human service providers to find a range of solutions to identified problems, and facilitate better management of Court workload and socially productive outcomes for offenders. The Salem area government entities, human service agencies, and justice partners are supportive of creating ways for the court to connect offenders with the needed services.

### **Literature Review**

Over the past eighty years, a variety of studies have addressed the important role of the municipal courts in deterring crime. In 1922, the Cleveland Foundation Survey of Administration and Criminal Justice concluded that, “as a deterrent of crime, the municipal court is more important than any other of our institutions with the possible exception of the police force”. (McCrea & Gottfredson, 1974, p. 1) About ten years later, the National Commission on Law Observance and Enforcement concluded that “the lower courts were the most important in the criminal justice system and yet were the most neglected”. (McCrea & Gottfredson, 1974, p. 1) Later studies by the President’s Commission (McCrea & Gottfredson, 1974, p. 1) and others came to similar conclusions about the role of municipal courts in criminal justice. Municipal courts are in the best position to have an impact on the lives of most criminal offenders, yet typically they are the most poorly equipped to do so. (McCrea & Gottfredson, 1974, p. 15)

High rates of failure to appear combined with a high rate of re-offending amplify the need for staffing and judicial resources. The long case processing timelines create significant delay in the timing of the offense and any rehabilitation efforts. T. McCrea and D. Gottfredson (1974) state in their *Guide to Improved Handling of Misdemeanant Offenders* that, “[t]he misdemeanor offender is a product of a community, and unless he can be reinstated in the community as a self-sufficient, productive member, efforts at so-called rehabilitation will have failed” (p. 20). Research on quality of life misdemeanor crimes focus primarily on problem-solving approaches such as community courts, or use of case management tools (e.g. differentiated case management). Both of the problem-solving approaches are relevant when determining the most effective path for cases which will improve accessibility to justice and create a plan for re-entry as a productive member of the community.

### *Community Courts*

Several communities have cried out for a problem-solving approach to crime in their neighborhoods due to the increase of quality of life crimes at their doorsteps. “Community courts are neighborhood-focused courts that attempt to harness the power of the justice system to address local problems.” (Karafin, 2008, p. 1) Community courts are generally founded on the “broken window” theory of crime control and prevention. (Cleary, 1999, p. 4) Over time, as crimes are ignored or go unpunished, crime increases to a point where the livability in neighborhoods and business communities decline significantly.

Community court is one problem-solving approach to the quality of life crimes which impact local neighborhoods and business communities.

One of the key components of community court is the focus on identifying and solving the causes of offending behavior. At the center of this effort is the concept of

collaboration – court staff, judges, social service providers, and community representatives working together to tailor the response of the court to the offender’s needs. (Henry & Kralstein, 2011, p. 14)

The characteristics of a community court often include the following five key elements:

- A Tailored Approach to Justice
- Creative Partnerships
- Informed Decision Making
- Accountability
- A Focus on Results

(Berman & Feinblatt, 2005, p. 5)

Although research in the area of re-offending is limited to a handful of community courts, the general community perception is positive towards the solution, accountability, and outcomes of this approach. Advocates of community court “argue that combining help with punishment, collaborating with the community, and streamlining court processing and procedures are the most significant factors that define community courts relative to traditional courts.” (Karafin, 2008, p. v)

Both community service and social services are used as part of the sanctioning process in place of jail and time served sentences in 84% of the community courts studied (Henry & Kralstein, 2011, p. 9). Escalated sanctions are most appropriate for those who have difficulty with compliance.

Many community courts seek to diversify the range of sentencing options at the judge’s disposal and to apply a form of individualized justice that tailors each response to the litigant’s specific situation and needs. This enables the justice system to respond to all

criminal behavior, even low-level quality of life crime, and to act on the fact that it has an impact on community safety and has consequences. It can also link offenders to individually-tailored community-based services (e.g. job training, treatment, safety planning, mental health counseling) to help reduce recidivism, thereby improving community safety. In practice, community courts tend to foster the increased use of community and social service sentences. (Henry & Kralstein, 2011, p. 9)

Diverse sentence options like community and social service in lieu of traditional jail time help reduce recidivism and improve community safety.

Although community courts focus mostly on improved outcomes many still seek to meet or exceed traditional court expectations for efficient case processing. (Henry & Kralstein, 2011, p. 15) The data available regarding compliance with alternative sentences, such as community service, is comparable to compliance in traditional sentencing of other case types where community service is required. D. Karafin's results from a global survey of community courts finds that, "helping defendants with underlying problems and reducing crime and re-offending are the most common goals or objectives of community courts. However, the survey results suggest a gap between some stated goals or objectives and actual indicators and outcomes tracked by community courts." (Karafin, 2008, p. vi) One thing to keep in mind is the quality of life crimes now sanctioned with many community courts were likely getting no sanction prior to the implementation of a community court model and a 70% compliance rate for the imposed court sanction appears to be enough to make a difference in the livability of neighborhoods where community courts exist. "Community courts are increasingly diverse in their scope, the types of problems they address, mandates utilized, services offered, communities served, and nature and extent of their collaborations with other justice system and community-based

organizations.” (Karafin, 2008, p. 24) The more tailored the sentence is to the individual needs and circumstances the more effective the outcome. Community court is tailored as much to the community as it is to the individual.

### *Differentiated Case Management*

The differentiated case management (DCM) system incorporates effective caseflow techniques in assessing the complexity or commonality of cases. “Differentiated case management (DCM) is a technique courts can use to tailor the case management process to the requirements of individual cases.” (U.S. Department of Justice, 1993, p. 1) The traditional method of case processing is modeled more closely to the first-in, first-out (FIFO) approach. Those cases that have few legal issues and require fewer court appearances may be identified as cases that can follow an expedited track. Offenders with multiple cases, mental health, or addiction issues may follow a more complex path requiring more judicial oversight. Courts can customize the criteria for a DCM track by identifying factors that determine complexity, required level of judicial intervention, staffing resources required, sentencing structures, or other factors meaningful to the court.

Effective caseflow techniques incorporate an array of concepts that are proven to reduce case processing time, maintain equitable treatment of all litigants, enhance the quality of litigation, and improve public confidence in the court. The techniques incorporate methods to control the progress of cases through a predictable managed process, on a short schedule, with the expectation that events are meaningful and occur as scheduled. Implementing caseflow techniques may require changes to court rules and policies related to the timing of filing and requests to reset a court appearance. These concepts coupled with DCM enhance the predictable flow of cases and improve the visibility of expectations for litigants and their attorneys.

Courts using DCM often report cost savings, reduced case processing time frames, reduced backlog, and improved use of judicial time as well as attorney time. The premise of DCM is to increase productive time spent on cases and reduce time spent on unproductive matters. Improved certainty of court schedules, increased participant satisfaction, and statistical information are also reported as benefits of the DCM tool. (Henderson, Munsterman, & Tobin, 1990, p. 5)

The DCM approach requires cooperation of justice system partners and recognition that they are working towards the same systematic goals. “There is natural tension between courts and prosecutors over calendar control, a factor which is common, but heightened by criminal DCM.” (Henderson, Munsterman, & Tobin, 1990, p. 28) While perspective of priorities and handling may differ between the court and attorneys, agreement on the differentiation of case handling is critical to produce the desired outcomes. The quality of case processing and outcomes improves by tailoring work flow to similar case groupings. The essence of a DCM program is a case management system that reflects the individual management and supervision needs of the cases filed, but does not blindly apply the same procedures, events, and time frames to all cases. DCM is often implemented as a solution to increased case processing times and resource deficiencies due to increased caseloads. This approach requires forward thinking and willingness to change past practices for all justice system partners and court staff.

Implementing DCM requires analyzing caseloads and highlighting patterns. The DCM method facilitates the court in categorizing the misdemeanor docket and if necessary the quality of life crimes by relevant criteria such as the types of offenses, number of recurrences, or the needs of the defendant. Once the characteristics are identified for each track, an assessment tool facilitates the assignment of each person or case to the appropriate track. The court can then

create a predictable series of events for cases with common characteristics and create progressive evidence-based sentencing guidelines to assist with improved outcomes. This approach can incorporate many of the applicable theories of a problem-solving court to the appropriate category of quality of life crimes.

Communities around the nation are recognizing that quality of life crimes are public safety problems “rooted in neighborhood conditions and, thus, often require local solutions”. (Cleary, 1999, p. 1) Studies on misdemeanor crimes generally show that progressive sanctions for repeat offenders and immediacy of sanctions are important in reducing recidivism and reconnecting people to the community. This is especially true with individuals that commit quality of life crimes who are often in need of services and yet disconnected from society. “DCM is a management approach, a commitment to apply resources to sort out disposable cases as early as possible and to manage the remaining cases to disposition within set time frames along whatever specialized paths seem appropriate.” (Henderson, Munsterman, & Tobin, 1990, p. 53) The research on problem-solving concepts and the results of those programs combined with the case management concepts of DCM help create the framework to identify available solutions that improve access to justice for displaced defendants.

### **Methods**

Different types of cases require different amounts of time and attention from judges and court staff. This study attempts to isolate five misdemeanor crimes, labeled as quality of life crimes. The information gained from the research in this area needs to be considered in concert with the remaining case types within the court docket. Treating all cases as if they require the same level of attention produces an imbalanced use of resources and unnecessary delay.

This project is the culmination of research on existing practices and programs around the nation, informal feedback, surveys, and analysis of statistical information from the case management system. Informal feedback came from peers with expertise in statistical analysis and research, judges, local area social service providers, and justice system stakeholders. While at the National Center for State Courts, experts in the area of community courts and caseflow were consulted. The literature review provided valuable research performed on similar problems in other communities and possible solutions.

A number of communities around the world have looked at similar issues related to quality of life crime. Many of them perform community-wide surveys as well as surveys to offenders. Although time constraints prevented a community-wide survey regarding views or community solutions to quality of life crimes, justice system stakeholders, social service providers, and individuals at risk of committing quality of life crimes supplied valuable input. The engagement of justice system stakeholders, social service providers, and at-risk offenders is a key component to understanding factors that impede persons from appearing at hearings. These elements are important to help evaluate the need for reutilization of resources, identify possible process changes, and look at best practices in structuring sanctions for the most effective outcomes.

This research refers frequently to three specific groups targeted for survey feedback. The group identified as “social service providers” includes local area services such as local missions, faith-based organizations providing services and food, re-entry programs, veteran advocates, County mental health providers, and addiction services. The ‘justice system stakeholders’ population includes local police, sheriff, defense and prosecution attorneys, jail staff, and judges. Three surveys were designed, to capture feedback on failure to appear issues and on services

needed to assist displaced defendants. The surveys were administered to the social service providers, justice system stakeholders, and the target population of those at risk of committing quality of life crimes. Additionally, court staff recorded time for relevant events involved in processing cases to determine the amount of time spent on the events and possible savings due to improved attendance for court appearances.

### *Surveys*

In May of 2011 the elected judge, Hon. Jane Aiken, advertised a community meeting directed at local area social service providers to determine the level of interest in connecting with the court to find a solution for offenders facing quality of life situations. Attendance at the meeting was higher than anticipated and more than fifty providers (both private and government) of a variety of services attended the meeting. The providers expressed a high level of interest in this project and commitment to helping administer surveys and finding an array of solutions to connect offenders with necessary services. During the course of this project, on access to justice, the court has continued meeting regularly with the providers and emailed updates on the project. The providers were instrumental in providing feedback, testing, and administering surveys for the project.

Each population of stakeholders has a different perspective and contribution to the system. For this reason, separate surveys were designed to capture the different points of view. Three surveys (Appendix A, B, and C) were administered to gather information from the populations of interest. The justice system stakeholders and service provider surveys are similar in nature, but also have questions unique to each group. Both surveys were administered via surveymonkey.com and distributed via email. The justice system stakeholder survey was distributed to defense attorneys on the court appointed attorney list, pro tem judges, contacts in

the Salem Police Department, the County sheriff, jail commander, and others in similar roles.

The second survey to social service providers was sent via email to providers who attended the community forum for service providers in May 2011. These two surveys have a number of predetermined answer sets as well as some open-ended questions.

The third survey was administered in person via paper. This survey was designed to capture feedback from persons at risk of committing a quality of life crime and specifically asks if they have ever been cited for one of the five qualifying crimes. These surveys were administered in person through court staff, defense attorneys, and social service providers. This survey included five questions and some demographic data. Each question included a predetermined set of answers there were no open-ended questions in this survey.

Each of the surveys was pre-tested with groups of five to ten individuals from each population (i.e. local mission, service providers, and attorneys) to test the understanding of the survey and the method in which data would be collected. Minor adjustments were made based on the survey test. The format of inputting data was also adjusted to segregate data more thoroughly for comparison purposes.

The final surveys were administered to all groups in September 2011. Survey populations and response rates are displayed in Table 1 below.

<b>Survey Group</b>	<b>Population Size</b>	<b>Respondents</b>	<b>Response Rate</b>
Displaced defendants	Unknown	160	N/A
Service providers	49	16	33%
Justice system stakeholders	26	13	50%

The survey data was compiled and responses compared across groups. Data compiled for the displaced defendant population was analyzed as a whole and contrasted with data from individuals reporting receipt of a quality of life citation. The preliminary outcome of the survey

results was shared with justice system stakeholders and local area service providers. The group determined the questions and responses, and the data displayed relevant and reasonable results; no follow-up survey would be necessary.

### *Court Data Analysis*

Data from the court's case management system regarding filings and pending cases for quality of life crimes was used to analyze volume and workload. The following reports were used to compile a list of pending and filed cases: Open Citations Report, Cases by Date and Status Report, and the Dispositions by Date Report. The date parameters for the reports were July 1, 2010 through June 30, 2011, reflecting the City's fiscal year. This combination of data allowed us to report on cases filed and pending during this timeframe, eliminating duplicate records. Pivot tables were used to look at the data by defendant, by charge, and by case. This also allowed for a comparison of the five quality of life offenses against the entire data set of pending and filed cases for all misdemeanor charges.

Court staff recorded minutes to perform specific court clerk duties related to misdemeanor cases. Processing time was recorded, through observation, for the following activities: intake, file preparation, arraignment, plea hearing, in-custody transports, and warrants. While this is not an all inclusive list of court clerk duties, it provides enough information for us to estimate staff savings through an increased rate of appearance. Time was not recorded for tasks related to jury management, defense attorney billing, records requests, processing of mail and motions, or in-court time tasks. These minutes are used to calculate estimated staff savings that may be reutilized to implement new processes and solutions. Table 6 in the appendices reflects the time for each of the relevant steps.

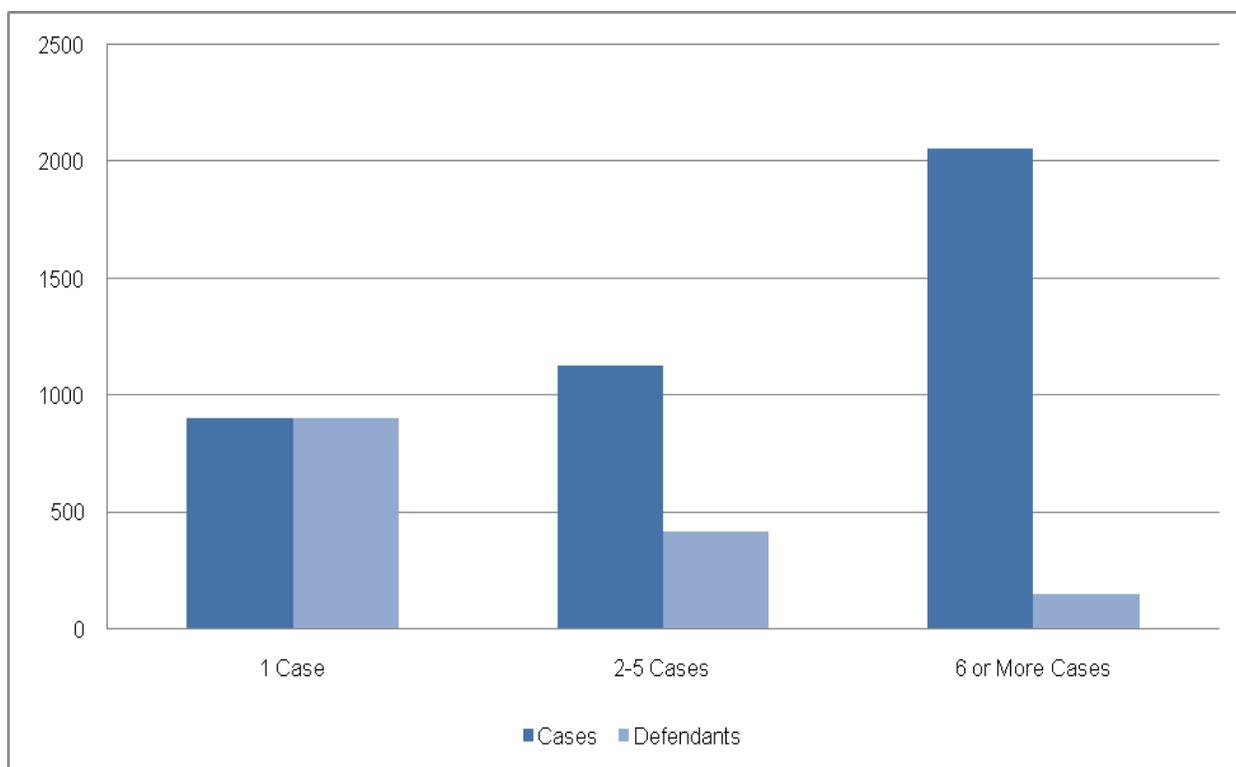
## Findings

Approximately 48% of the misdemeanors filed with the Salem Municipal Court involve quality of life crimes in the following five categories: trespass (SRC 95.55), vagrancy (SRC 95.56), urinating or defecating in public (SRC 95.125), consumption, sale of alcohol in certain places (SRC 90.02), and unlawful use of alcoholic beverages in parks (SRC 94.195). This is a significant proportion of filings. The breakdown of filings and pending cases for FY 2010-11, by charge within the quality of life group is shown in Table 2 below.

<b>Charge</b>	<b>FY 10-11 Filings</b>	<b>Pending Cases</b>	<b>Total Cases</b>	<b>Percentage Of Total</b>
Trespass (SRC 95.55)	530	1822	2352	55%
Vagrancy (SRC 95.56)	158	635	793	18%
Urinating or defecating in public (SRC 95.125)	33	129	162	4%
Consumption, sale of alcohol in certain places (SRC 90.02)	112	577	689	16%
Unlawful use of alcoholic beverages in parks (SRC 94.195)	62	243	305	7%
<b>Total</b>	<b>895</b>	<b>3406</b>	<b>4301</b>	

The significant portions of trespass citations may reflect citing policies, (perhaps based on charging policies) and possibly reflect perceptions or practice regarding the ability to sanction and hold defendants in jail.

Approximately 1,476 defendants are responsible for the 4,301 pending quality of life cases. Figure 1 below shows visually the proportion of cases to defendants. About 10% of the quality of life offenders have 6 or more pending cases at the court. These 148 offenders represent 2,060 or almost 48% of the pending quality of life cases. It is obvious from this visual display that a significant number of cases belong to a smaller percentage of defendants showing high recidivism among this group.



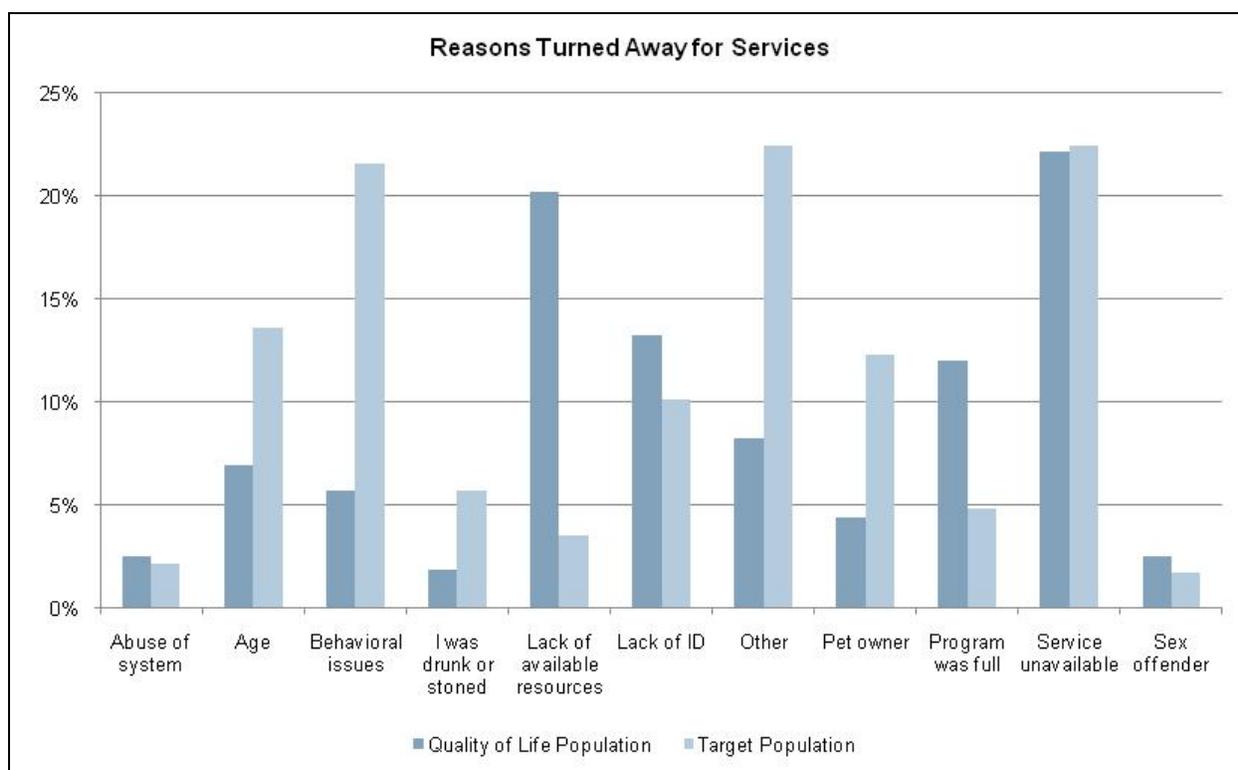
**Figure 1. Volume of quality of life cases as compared to volume of quality of life offenders.**

Establishing criteria for escalated sanctions or use of an assessment tool requires a deeper analysis of the relationship between defendants and cases. Table 3 below displays a more detailed breakdown of this relationship. Table 3 shows almost one fourth of quality of life defendants are responsible for two thirds of the pending and filed cases.

Percentage of Defendants	Percentage of Pending Cases	Number of Defendants	Number of Cases	Number of Outstanding Offenses
6%	37%	89	1,521	10 or more
8%	44%	118	1,783	8 or more
10%	50%	148	2,060	6 or more
13%	54%	192	2,195	5 or more
17%	59%	251	2,435	4 or more
23%	66%	339	2,699	3 or more

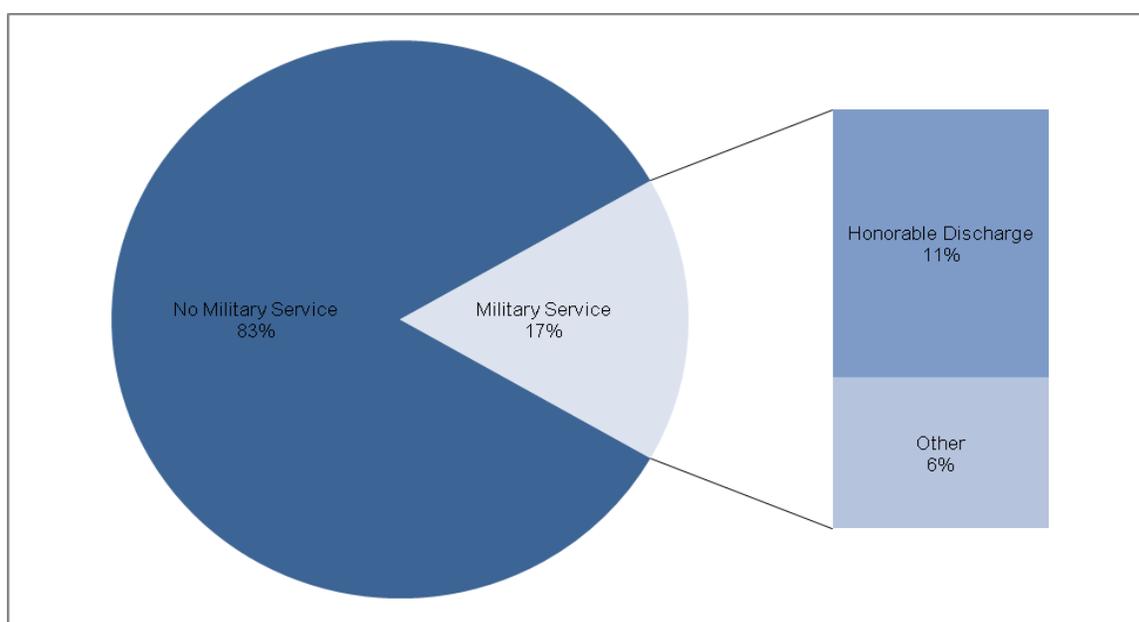
### *Displaced Defendant Survey*

The survey data gathered from displaced defendants included some demographic information regarding gender, ethnicity, and age. This demographic information is available in the Appendix. The survey results reflected in Figure 12 report 78% of the respondents who received a quality of life citation were male. Figure 10 shows almost half of the respondents to the displaced defendants survey reported their age in the 40 and 54 year age group. Figure 2 below shows a number of the displaced defendants survey respondents reported being turned away for services due to the unavailability of services. Shelter resources for single adult males in the Salem area are limited to primarily two mission organizations. Survey results indicate the available space at these shelter resources may not be adequate for the demographics represented by survey respondents.



**Figure 2. Displaced defendants survey; reasons offenders were turned away for services**

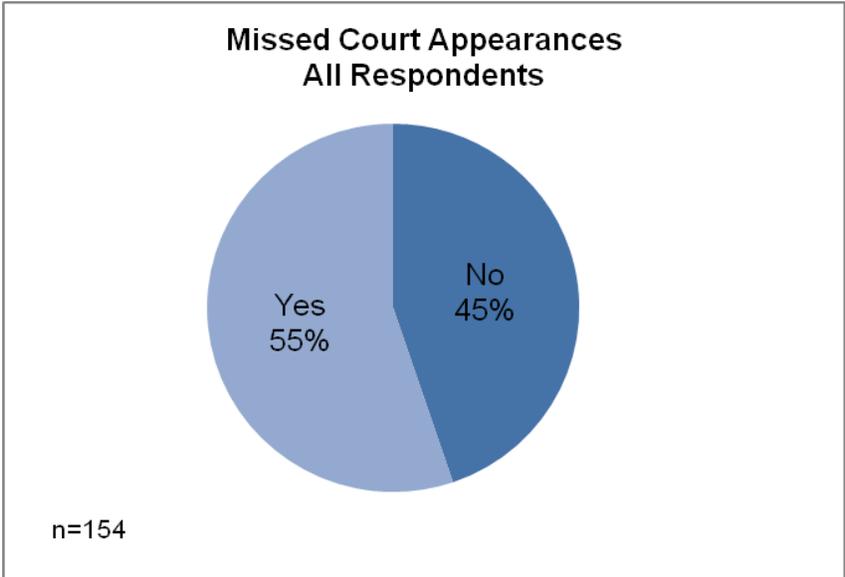
Survey respondents were also asked about their previous military service and discharge status. The court's objective was to identify the relative volume of offenders who may qualify for programs offering veteran assistance. Figure 3 below represents the survey results for all respondents. These results show few respondents with previous military experience. The results from those reporting receipt of a citation for one of the qualifying quality of life crimes is not significantly different from the total population of those at risk. About 10% of the respondents may qualify for some sort of veteran's assistance.



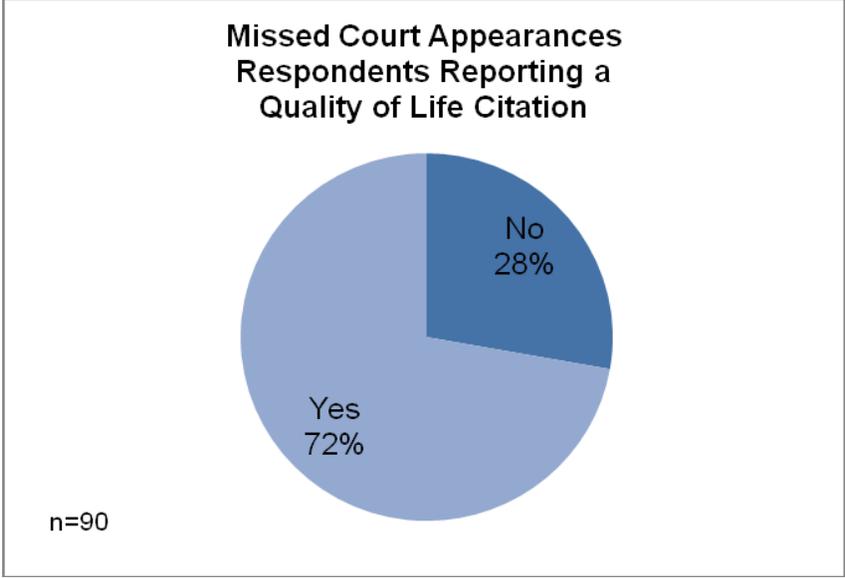
**Figure 3. Respondents reporting military service**

The reported FTA rate of the surveyed individuals who received a quality of life citation is greater than the FTA rate for total surveyed individuals. See Figures 4 and 5. Figure 4 shows that about 55% of the total population of respondents reported missing court dates. This response is consistent with the data from the court's case management system which shows about a 56% FTA rate on quality of crimes in FY2011. Figure 5 shows approximately 72% of those who reported receipt of a quality of life citation also reported missing a court date. The self-reported failure to appear (FTA) rate among alleged quality of life offenders versus the entire population

shows the FTA rate is 17% higher for quality of life cases than other case types. This rate combined with the volume of cases in this category represents a significant problem in resolving cases and a large cyclical workload for court staff. The warrant process not only involves an excessive amount of court resources, but also involves police officer and jail resources.



**Figure 4. All respondents reporting missed court appearances**

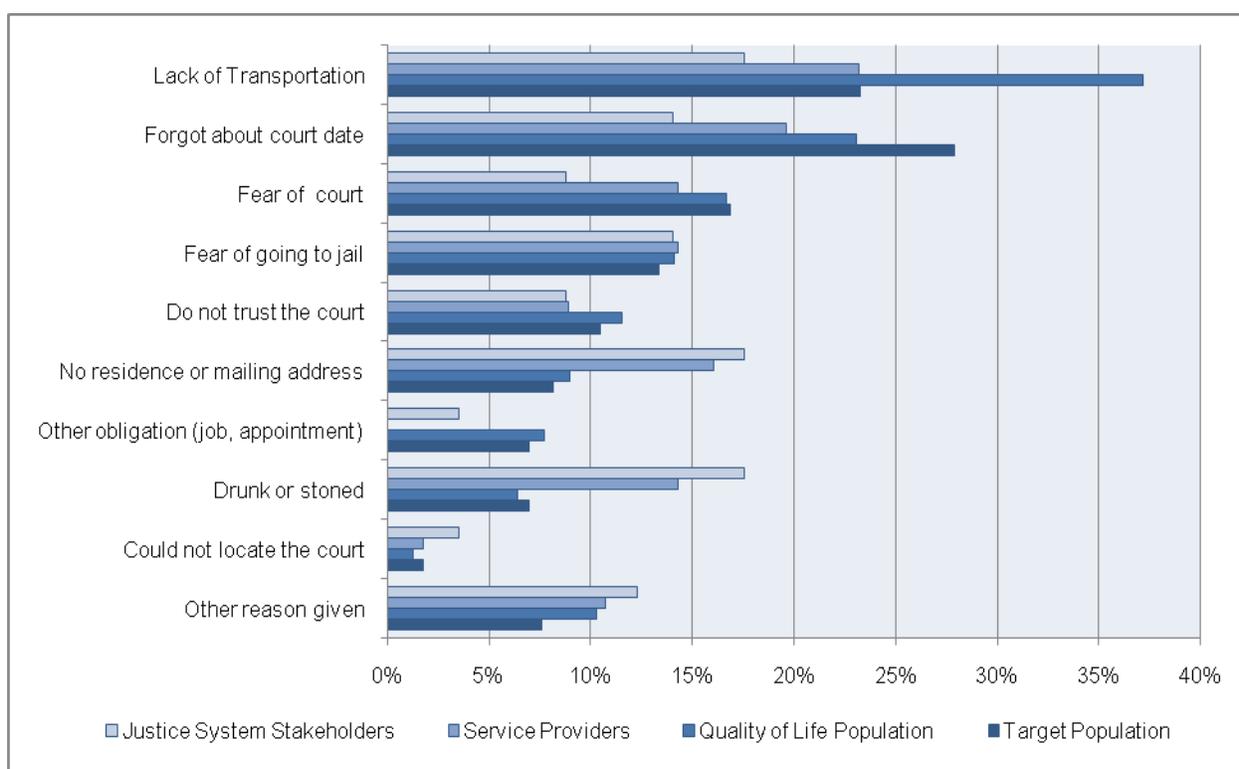


**Figure 5. Quality of life respondents reporting missed court appearances**

Respondents to the displaced defendants survey were asked to rate, on a scale of 1 to 5, their confidence in regards to fair treatment by the court. A rating of 1 represents no confidence, a rating of 5 represents a very confident rating. The average score for the Salem Municipal Court was 2.49. About one third of the respondents reported little or no confidence in fair treatment by the court with scores of 2 or less.

### *Justice System Partners and Social Service Provider Survey*

All three surveys asked respondents why defendants failed to appear for a court appearance. The responses shown in Figure 6 reflect the different perspectives among the three survey groups.

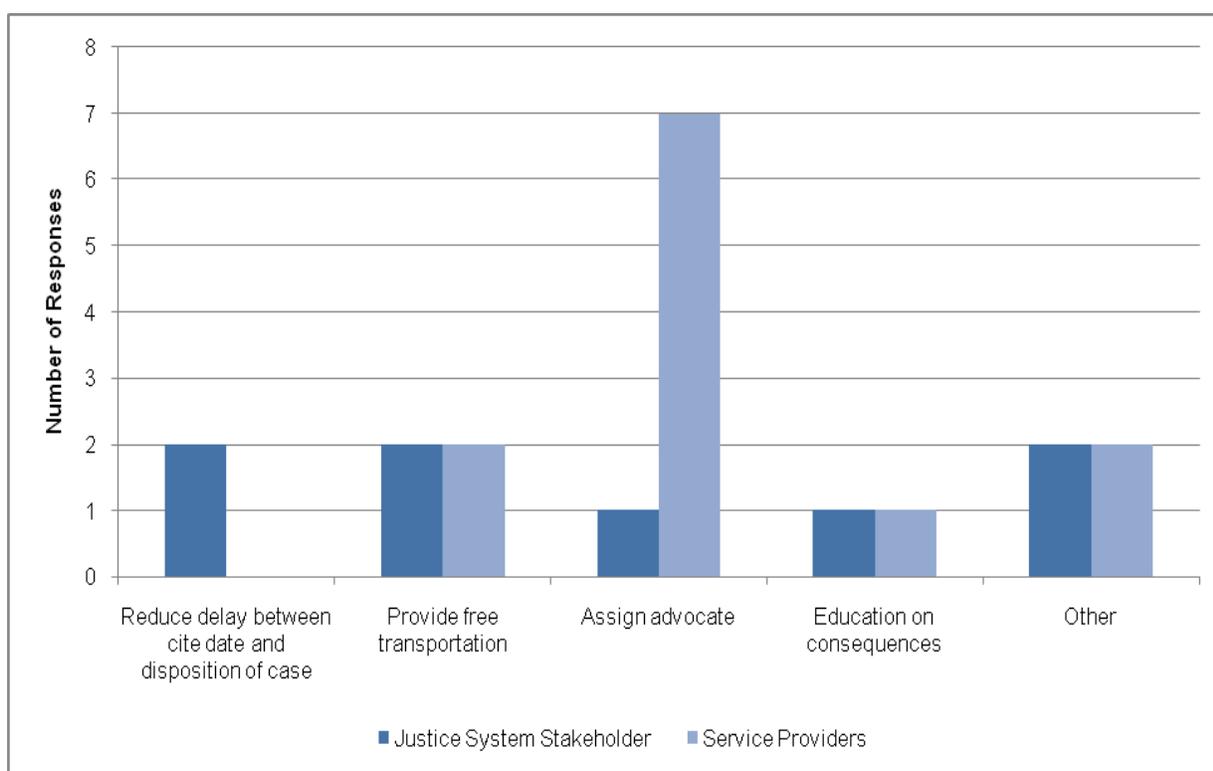


**Figure 6. Survey respondents reasons given for failure to appear**

Those who responded to the displaced defendant’s survey reported “forgot about court date” and “lack of transportation” as the top reasons for not appearing in court. Within that group, those reporting receipt of a quality of life citation reported “lack of transportation” the largest obstacle

to appearing in court. Service providers also reported “lack of transportation” and “forgot about court date” as the top two reasons for failure to appear. Justice system stakeholders, however, reported “no residence or mailing address” and “drunk or stoned” as the most common reason defendants do not appear in court.

The justice system stakeholders and service providers were also asked what recommendations they would have for possible solutions to the failure to appear problem. Figure 7 reflects a number of common responses; however, the two groups agreed assigning a court advocate to assist the defendant in tracking court appearances and help them with connection to services would have the most impact on improving appearances in court.



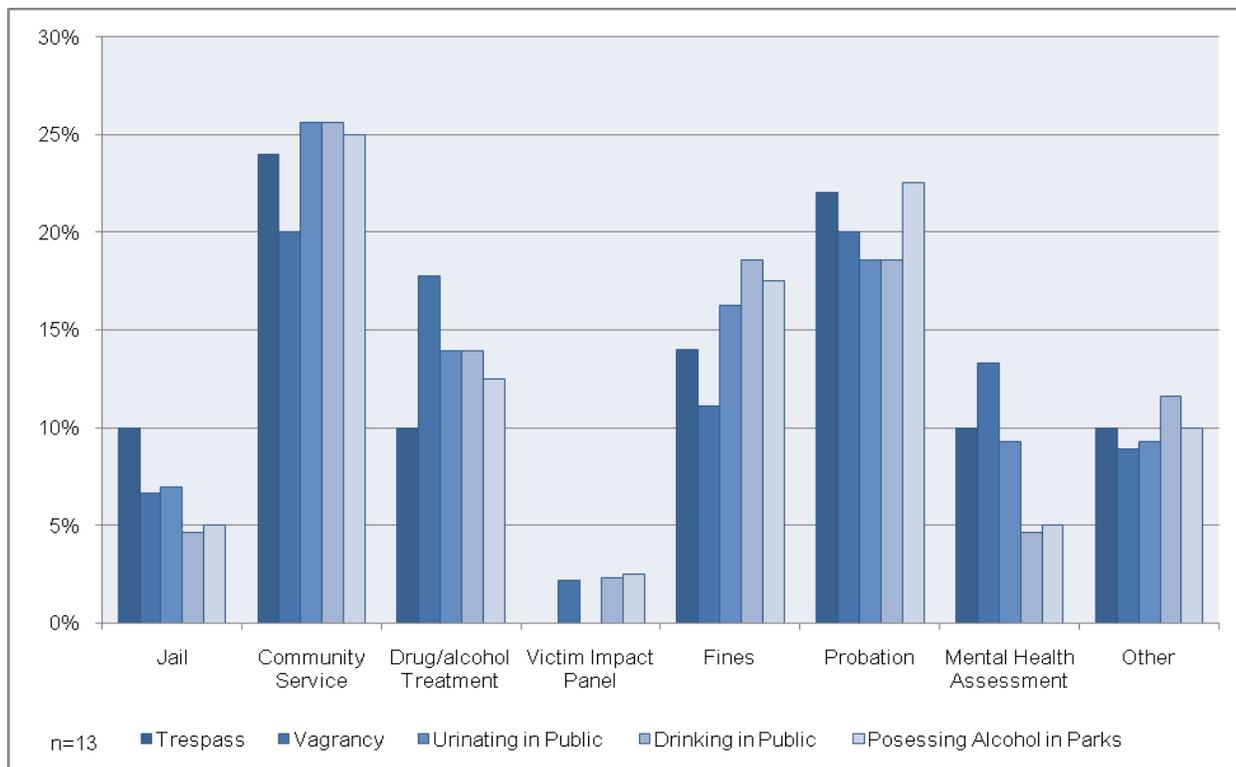
**Figure 7. Respondents possible solutions for failure to appear**

Both justice system stakeholders and service providers were asked if they felt something could be done to help displaced individuals appear in court as ordered. Service providers responded at 94% with a resounding “yes” while justice system stakeholders are not so united in

their response. About 69% of the justice system stakeholders responded affirmatively to this question. Three of the largest barriers this group cited as obstacles to improving outcomes for displaced individuals are lack of money, not enough options for police and court, and the offender's unwillingness/resistance to change.

Justice system stakeholders and service providers were asked to rate their confidence in the justice systems handling of quality of life case types. The service provider's rating was slightly higher at 3, on a scale of 1 to 5, than the justice system stakeholders with an average of 2.6.

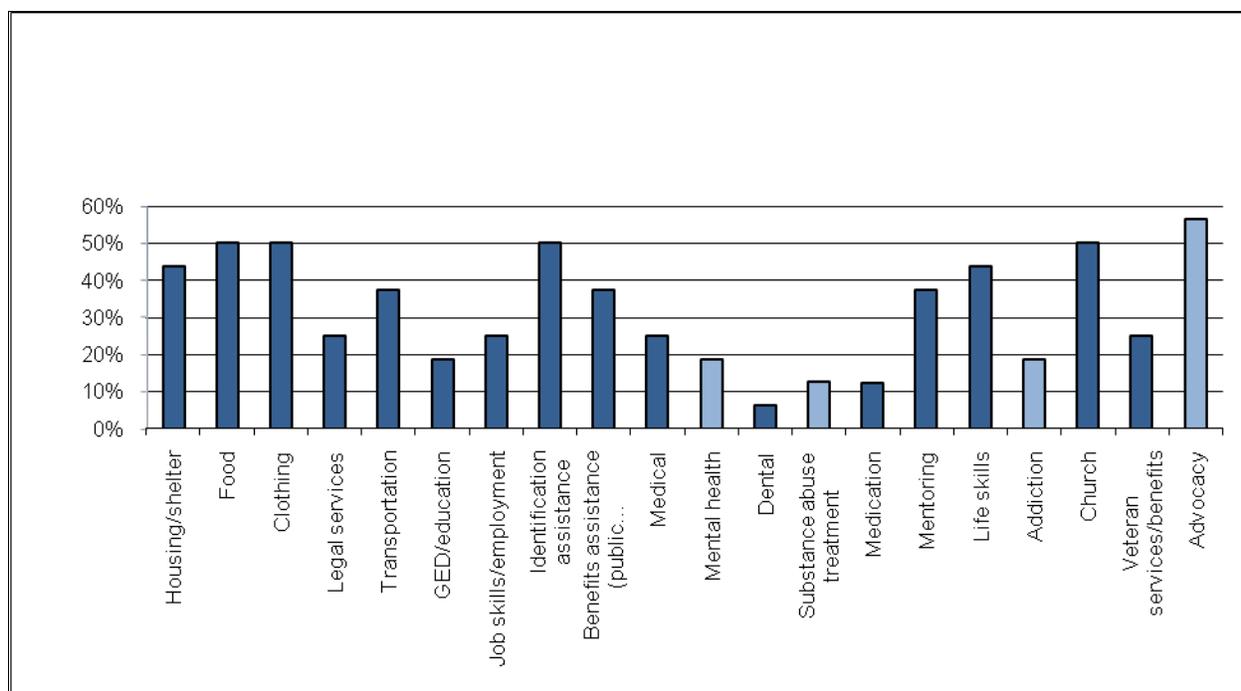
Justice system stakeholders were asked what they felt were the appropriate sanction for each of the five quality of life crimes. The responses are reflected in Figure 8 below.



**Figure 8. Recommended sanctions from justice system stakeholders**

The most common sanctions recommended by this group are community service, probation, and fines; followed by drug/alcohol treatment. These recommendations are significantly different than the sanctions imposed currently on quality of life crimes. Drug and alcohol treatment and mental health assessment are prevalent recommendations for vagrancy, but fewer respondents recommended these sanctions for other quality of life crimes, including alcohol related crimes. The responses in the “Other” category were primarily comments indicating the level of sanction should reflect the circumstances and background of the offender.

Service providers were asked what types of services they offer to assist displaced defendants. A defined list was provided, but a provider could choose more than one type of service. Responses are reflected in Figure 9. As a follow-up the survey asked both service providers and justice system stakeholders about services provided and which services they thought would be most effective in reducing the volume of cases or repeat offenders.



**Figure 9. Programs and services offered**

The light colored bars in Figure 9 show advocacy, mental health, addiction, and substance abuse treatment as services these groups stated as most useful in reducing recidivism among these offenders. Advocacy is one of the largest available resources and the most effective according to social service provider survey respondents. Dental services appear to be the least available services available. On page 56 of the Appendix, Figure 13, displaced defendants reported dental services are among the most needed services.

Service providers were asked how the court could coordinate with existing programs and service agencies to connect individuals who need these services to the appropriate agency.

Responses included:

- Database or resource guide
- Reminders for upcoming court appearances or reduce time between court appearances
- Regular meetings to coordinate efforts
- Administer an assessment at court
- Community court, mental health court, drug court model
- Create a volunteer advocate program

#### *Court data*

Much of the caseload data gathered for this project is mentioned above in comparison to the survey data. Court staff also recorded the time of relevant events involved in processing cases, to determine the amount of time spent on the events and possible savings due to improved attendance for court appearances. The recorded processing time proves the additional time required by court staff for defendants who fail to appear at arraignment is between 20 and 30 minutes per case depending on the custody status of the defendant. Each plea hearing where the

defendant fails to appear requires approximately 10 minutes of additional court resources. These minutes apply to each case for each defendant, for each instance of failure to appear. The minutes in Table 4 below reflect the sum of the extra activities that occur in cases when a defendant fails to appear.

<b>Table 4 <i>Failure to appear staff minutes</i></b>		<b>Staff Minutes</b>
Fail to appear arraignment:	in custody	31.01
	out of custody	21.03
Fail to appear at a hearing		9.71

Part of the additional time spent by court staff on FTA cases includes processing warrants. The court issued 2,282 warrants for failure to appear in FY 2010-11, for defendants who committed quality of life crimes in addition to standard warrants issued for other (non-quality of life) misdemeanors. Table 5 below shows approximately 40% of the warrants issued for the five quality of life crimes in FY 2010-11 were for missed arraignments. This does not represent the entire number of warrants issued or the FTE needed for all failure to appear occurrences in the entire misdemeanor docket just those related to quality of life crimes. A limited list of minutes for court staff tasks is included on page 58 in Table 6 of the Appendix. Using the data from these two tables, we determine the equivalent of .41 FTE was required in FY 2010-11 to generate warrants for quality of life offenders last year.

<b>Table 5 <i>Quality of life warrants issued in FY 2010-11</i></b>		
FTA arraignments	913	40%
FTA plea hearing	1,369	60%
Total	2,282	

The complexity of issues involved in many of these quality of life cases requires multiple court appearances in the current processing timeline. Some frequent problems distinct to the quality of life cases include failure to contact attorney and court-ordered mental health

evaluations. Each case for a defendant requires preparation by a clerk for court. Furthermore, actions to update the court record, set a new hearing, and prepare the case file for the court appearance requires approximately 10 minutes of staff time for each case. One defendant with six cases can take an hour to update and prepare for a new court appearance. The court's management system reports approximately 17,000 hearings set in 2011. The system also reports almost 3,500 incidents (20% of hearings) where the register of action reflects a court appearance was reset. Over 580 hours (or almost .3 FTE) were spent in 2011 updating cases, preparing new hearing notices, and preparing the court file for a continued court hearing.

The court currently has about 1,200 pending misdemeanor cases. About 73% of those cases are over 1 year old from the filing date. The Oregon Standards for Timely Disposition on misdemeanor cases requires, "90 percent of all misdemeanors, infractions and other non-felony cases should be adjudicated or otherwise concluded within 90 days from the date of arraignment, 98 percent within 180 days, and 100 percent within one year, except for exceptional cases in which continuing review should occur." (Conference, 1990) Approximately 60% of the Municipal Court cases are more than three years old from the filing date. The Salem Municipal Court is not meeting the Oregon Standards for Timely Disposition standards.

### **Conclusions and Recommendations**

The data from the case management system, the experiences of other communities, and the survey data in this study provided a meaningful basis to determine the need for increased access to justice for displaced defendants.

**Conclusion 1: The court has a considerable proportion of quality of life crime in the criminal docket, with a high rate of recidivism. These cases are good candidates for a problem-solving approach to court appearances and sanctions.**

The court should consider a problem-solving approach for the significant quantity of quality of life crimes. The research on court problem-solving concepts and the results of those programs combined with the case management concepts of DCM will help create the framework to identify available solutions that will improve access for quality of life offenders, reduce workload of these case types, and connect people with necessary services in the community to improve outcomes. Community courts around the world report survey findings that conclude, “combining help with punishment, collaborating with the community, and streamlining court processing and procedures are the most significant factors that define community courts relative to traditional courts.” (Karafin, 2008, p. 24) This combined approach results in an optimal solution to better outcomes, reduced costs, and reduced recidivism.

**Recommendation 1.1: Work with local service providers and justice system stakeholders to connect defendants with needed services.**

The survey data from local justice system stakeholders and service providers indicated significant support for a court advocacy program. The court should work with these interested parties to create a pool of volunteers who could be assigned to a defendant to assist with connecting the offender with needed services and perhaps transportation to court appearances.

Additionally, the stakeholders and providers surveyed believe mental health, addiction, and substance abuse treatment are important services to assisting quality of life offenders. A connection to services and increased accountability is a large part of the success of problem-solving courts.

One of the key components of community court is the focus on identifying and solving the causes of offending behavior. At the center of this effort is the concept of collaboration – court staff, judges, social service providers, and community

representatives working together to tailor the response of the court to the offender's needs. (Henry & Kralstein, 2011, p. 14)

**Recommendation 1.2: Consider progressive sentencing guidelines.**

Progressive sanctions for repeat offenders are important in deterring misdemeanor crimes and reducing recidivism. A small number of quality of life offenders at the Salem Municipal Court represent the largest volume of quality of life cases, reflecting significant recidivism for this population of offenders. The recommended sanctions of community service, probation and fines, from local justice system stakeholders are significantly different from current practice. The average daily bed rate at the Marion County Correctional Facility is about \$107 and the average stay for the overall population is seven days. The population includes a wide range of offenses for Circuit Court, Justice Court, and Municipal Court. When considering escalated sanctions the court should consult with local justice system stakeholders and create a research-based approach to sentencing that customize sanctions based on evidence-based best practices, public safety risk and repeat of same or similar offense.

Community courts seek to achieve a variety of goals, such as reduced crime, increased engagement between citizens and the courts, improved perceptions of neighborhood safety, greater accountability for low-level "quality of life" offenders, speedier and more meaningful case resolutions, and cost savings. In advancing these goals, community courts generally make greater use of community-based sanctions than traditional courts.

(Henry & Kralstein, 2011, p. 1)

Community service and social services are commonly and more successfully used as sanctions in place of jail in a problem-solving court. Utilizing these sanctions where appropriate would likely

result in systemic savings or make room for other offenders who can not currently be incarcerated due to the lack of available beds at the jail.

**Conclusion 2: The current use of the traditional case processing flow with relatively similar procedures and sentencing structures is ineffective in handling the diverse case types and needs within the Municipal Court misdemeanor docket.**

Determination of the appropriate level of court and attorney attention will move each individual case to disposition in a just and efficient manner. Research tells us the “internal clock” for remembering court appearances and sentence requirements for those experiencing quality of life issues is short; a few days, or hours, as short as tomorrow. Reducing the time between arrests and serving the court sentence will reduce recidivism. The current flow of cases requires several court appearances and the time between each appearance can be weeks or months and even longer before the final disposition of a case. The long case processing timelines create a need for a higher number of court appearances that increases the need for staff and costs for attorneys.

**Recommendation 2.1: The court should utilize differentiated case management (DCM) to remove some constraints in the court’s misdemeanor docket and create efficiencies in the flow of cases.**

The DCM system incorporates effective caseflow techniques in assessing the complexity or commonality of cases. DCM uses methods to control the progress of cases through a predictable managed process. Three or more caseflow tracks could be designed to identify 1) cases that need minimal court oversight allowing an expedited process, 2) cases that have contested issues but could proceed through the standard process, and 3) cases that are in need of extensive judicial oversight. Offenders with multiple cases, mental health, or addiction issues may need to follow a more complex path. Creation of these tracks and corresponding timelines

should facilitate reduced times for disposition for many case types; allowing more judicial time for cases in need of additional judicial involvement.

Effective caseflow management promotes:

1. Access to justice for everyone in need of court services
2. Due process and equal protection of rights
3. The appearance of doing justice
4. The fair and impartial treatment of all litigants
5. Timely disposition of each case
6. Cost-effective court operations
7. Acceptance by the local bar, community, and consumers that the justice system is fair, timely and impartial

**Recommendation 2.2: Develop an assessment tool to triage incoming cases and assign to a pre-defined caseflow track.**

The assessment tool should identify which services the offender may need in conjunction with the most appropriate track to resolve the individual cases. The tool should measure the complexity of the case, the individuals circumstances, and factor some risk of reoffending.

Alternatively the court may want to consider the type of offense, number of recurrences, or the the needs of the defendant. The tool could be customized to the criteria of needs and resources identified by the court. The court could likely partner with a local college to use unpaid interns to develop the assessment tool. Similar tools exist at other courts and may be modified for use at the Municipal Court or the court could hire a consultant through the National Center for State Courts to develop such a tool.

**Recommendation 2.3: Develop a court continuance policy.**

A court continuance policy will provide avenues for continuance if justified but minimize the unnecessary resetting of cases. The goal of a continuance policy is to reduce unnecessary continuances and ensure meaningful court appearances. Many courts around the United States have policies where continuances are granted for good cause and are treated as the exceptions to the process rather than the normal way of handling court appearances. A continuance policy sets expectations with attorneys regarding the content and preparation for hearings.

The court scheduled slightly more than 17,000 hearings in 2011 and reset almost 20% of these hearings. The current FTE needed to prepare these cases for a hearing is about 1.4 FTE, the court has 1 FTE dedicated to file preparation and supplements with additional staff as needed for heavy docket days. If the number of hearings were to reduce by 20%, through a continuance policy, this would relieve the court of .4 FTE workload associated with these hearings. Re-engineering court processes with effective caseload techniques would likely improve the outcomes at each hearing, reduce the number of hearings in some case types, and result in cost savings through reduced workload.

**Conclusion 3: The court has no recurring justice system forum to discuss and propose solutions for improvements to the early and continuous management of court cases.**

When considering dramatic changes to the court docket or caseload the court should work with justice system stakeholders to understand the impact on all those using and providing services at the court. The court needs to find a balanced solution which best utilizes existing resources. New deadlines or processing requirements such as pre-arraignment discovery or additional upfront screening of criminal cases may require additional prosecution resources. Funding may not be available for all solutions. Improvements to the flow of processing cases

needs to exercise court control while also balancing resources available at the jail, prosecutor's office, and defense attorneys.

**Recommendation 3.1: The court should convene a small group of community and justice system stakeholders to provide feedback regarding systemic changes and the outcomes.**

A criminal caseflow committee involving representatives from court stakeholders provides a forum for continuous communication to improve processes and outcomes. The group should consider more effective ways to manage plea negotiations and should continuously improve the criminal caseflow process. The group identified should be forward thinking and display a willingness to change current practices. Both the DCM and the problem-solving court solutions require cooperation of justice system partners and recognition that all are working towards the same systemic goals.

**Conclusion 4: There is a significantly high rate of failure to appear for quality of life offenders.**

Missed court appearances require a series of actions which result in significant costs for the court, police, and attorneys. Reducing the volume of failure to appear will have a significant impact on court workload, need for jail resources, attorney costs and resources, and police resources for transports and arrests on outstanding warrants.

**Recommendation 4.1: Reduce the time between court appearances.**

The displaced defendants survey reported "lack of transportation" and "forgot about court date" as reasons for their failure to appear at court. Currently the time between court appearances is a significant contributing factor for failure to appear offenders in this category. The combined solutions of DCM concepts and problem-solving courts will help reduce this time and improve attendance to court. The latter response is likely due to the length of time between court

appearances and the offenders inability to keep important court work organized and recall important meeting dates with attorneys and scheduled court dates.

**Recommendation 4.2: Investigate ways to improve access to the court and court-appointed defense attorneys.**

As mentioned above, “lack of transportation” was reported as one of the reasons for failure to appear at court among those at risk of quality of life crime. Relocating the court to a location closer to where these displaced defendants frequent would reduce court workload and improve the timing of resolving cases. It is likely not necessary to completely relocate the entire court and staff but possibly relocate specific court dockets or days of the week to an alternate location to allow quality of life offenders a more convenient location and better access to court services.

Informal feedback from service providers indicates contact with court-appointed defense attorneys can be difficult due to the location of attorney offices. The court should investigate further to determine if the current pool of defense attorneys is sufficient to meet the needed flexibility for these quality of life cases. These defendants may need attorneys with offices that are easy to access at scheduled and unscheduled times. Many quality of life defendants are not accessible by phone and communication may increase with more convenient office locations.

A number of other creative solutions may be available to improve access to the court and defense attorneys. The court should solicit ideas and investigate the feasibility of each solution.

**Recommendation 4.3: Post court docket at area shelters and on the City’s website.**

The court should consider making the court docket more readily available at locations where quality of life offenders gather. Posting the docket at convenient public locations and on

the City's website may serve as a reminder to offenders of pending court appearances and improve the appearance rate.

**Conclusion 5: The City of Salem does not have enough shelter capacity for the volume of adult homeless males.**

Figure 2 above shows a significant number of respondents reporting that services were unavailable when needed. Social service providers acknowledge a large number of homeless individuals will "camp" outside, even during cold weather. However, the shelters quickly reach capacity when wet weather occurs.

**Recommendation 5.1: The City should consider work with local non-profits and service providers to determine the need and funding sources available for additional shelter and transitional housing capacity for single adult males.**

A search of the area 211 program provided by United Way shows a number of resources available for homeless youth and families in the Salem area, but little to no resources for single adult homeless. Survey findings also report more than 75% of the respondents were adult male between 40 and 50 years of age. Social service providers and justice system stakeholders believe there are several reasons for the older than average population of homeless. Many of this population have been laid off from the timber and manufacturing industries over the last decade. Also, the Oregon State Penitentiary and the Oregon State Hospital (where the mentally ill are housed) are located in the City of Salem, making Salem the release point for many residents from these facilities. Homeless youth tend to migrate to Portland, Oregon where there are more robust programs and funding directed at youth. Couch surfing is also more common among homeless youth. Additional shelter capacity would likely result in fewer quality of life offenses and provide an alternate solution to vagrancy.

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**Appendix A**

**Quality of Life Survey – Service Providers**

**City of Salem  
Municipal Court  
Quality of Life Survey – Service Providers**

Date: \_\_\_\_\_ Name of Organization: \_\_\_\_\_

Your Name: \_\_\_\_\_

\*Quality of Life crimes in Salem, Oregon include the following misdemeanor crimes: trespass, vagrancy, urinating in public, drinking in public, and possessing alcohol in parks.

1. What constraints prevent those who commit quality of life crimes from appearing in court as scheduled? Check all that apply:

- |  |   |
|--|---|
| <input type="checkbox"/> Lack of transportation              | <input type="checkbox"/> Could not locate the court |
| <input type="checkbox"/> Forgot about court date             | <input type="checkbox"/> Fear of going to jail      |
| <input type="checkbox"/> Fear of court                       | <input type="checkbox"/> Do not trust the court     |
| <input type="checkbox"/> Other obligation (job, appointment) | <input type="checkbox"/> I was drunk or stoned      |
| <input type="checkbox"/> No residence or mailing address     | <input type="checkbox"/> Health issues              |
| <input type="checkbox"/> Other _____                         |   |

2. Is there a solution or something that can be done to help them appear in court as cited/ordered?  Yes  No

If yes, what do you suggest?

3. In your opinion, how do you think the current criminal justice system is handling these types of cases?

Needs Improvement                      1            2            3            4            5                                      Excellent

4. If you answered a 3 in the previous question, what would be the biggest improvement that the criminal justice system could make to raise your answer?

5. Do you think there are common factors among the individuals who are charged with these crimes?  Yes  No

If yes, what are those common factors?

6. Do you think these quality of life crimes should be treated differently than other crimes?

Yes  No

If yes, how so?

7. What program(s) does your organization offer in Salem that might assist these individuals with reconnecting in society (please check all that apply)?

Service	Existing Service
Housing/Shelter	
Food	
Clothing	
Legal Services	
Transportation	
GED/Education	
Job Skills/Employment	
Identification Assistance	
Benefits Assistance (public assistance, SSI, food stamps, social security, etc.)	
Medical	
Mental Health	
Dental	
Substance Abuse Treatment	
Medication	
Mentoring	
Life Skills	
Addiction	
Church	
Veteran services/benefits	
Advocacy	
Other (please specify):	

8. What type of services do you think would be most effective in reducing the volume of cases/repeat offenders?
9. How can the court coordinate with programs and services agencies to connect individuals who need these services to the appropriate agency?
10. What additional programs/services are needed in the Salem area to assist this target population?

May we contact you?  Yes  No

Phone#: \_\_\_\_\_ Email: \_\_\_\_\_

## **Appendix B**

### **Quality of Life Survey – Stakeholder Survey**

**City of Salem  
Municipal Court  
Quality of Life Survey – Stakeholder Survey**

Date: \_\_\_\_\_

Type of Stakeholder:    Defense Attorney            Prosecutor            Pro Tem Judge  
    Police    Sheriff/Jail            Other \_\_\_\_\_

\*Quality of Life crimes in our jurisdiction include the following misdemeanor crimes: trespass, vagrancy, urinating in public, drinking in public, and possessing alcohol in parks.

1. The sanction for trespass misdemeanor crimes should include (check all that apply):

- |   |   |
|---|---|
| <input type="checkbox"/> Jail                     | <input type="checkbox"/> Fines                        |
| <input type="checkbox"/> Community service        | <input type="checkbox"/> Probation                    |
| <input type="checkbox"/> Drug/alcohol assessments | <input type="checkbox"/> Mental Health assessments    |
| <input type="checkbox"/> Victim impact panel      | <input type="checkbox"/> Other (please specify) _____ |

2. The sanction for vagrancy misdemeanor crimes should include (check all that apply):

- |   |   |
|---|---|
| <input type="checkbox"/> Jail                     | <input type="checkbox"/> Fines                        |
| <input type="checkbox"/> Community service        | <input type="checkbox"/> Probation                    |
| <input type="checkbox"/> Drug/alcohol assessments | <input type="checkbox"/> Mental Health assessments    |
| <input type="checkbox"/> Victim impact panel      | <input type="checkbox"/> Other (please specify) _____ |

3. The sanction for urinating in public misdemeanor crime should include (check all that apply):

- |   |   |
|---|---|
| <input type="checkbox"/> Jail                     | <input type="checkbox"/> Fines                        |
| <input type="checkbox"/> Community service        | <input type="checkbox"/> Probation                    |
| <input type="checkbox"/> Drug/alcohol assessments | <input type="checkbox"/> Mental Health assessments    |
| <input type="checkbox"/> Victim impact panel      | <input type="checkbox"/> Other (please specify) _____ |

4. The sanction for drinking in public misdemeanor crime should include (check all that apply):

- |  |                                    |
|--|------------------------------------|
| <input type="checkbox"/> Jail              | <input type="checkbox"/> Fines     |
| <input type="checkbox"/> Community service | <input type="checkbox"/> Probation |

- Drug/alcohol assessments       Mental Health assessments  
 Victim impact panel       Other (please specify) \_\_\_\_\_

5. The sanction for possessing alcohol in parks misdemeanor crime should include (check all that apply):

- Jail       Fines  
 Community service       Probation  
 Drug/alcohol assessments       Mental Health assessments  
 Victim impact panel       Other (please specify) \_\_\_\_\_

6. What constraints prevent those who commit quality of life crimes from appearing in court as scheduled? Check all that apply:

- Lack of transportation       Could not locate the court  
 Forgot about court date       Fear of going to jail  
 Fear of court       Do not trust the court  
 Other obligation (job, appointment)       I was drunk or stoned  
 No residence or mailing address       Health issues  
 Other \_\_\_\_\_

7. Is there a solution or something that can be done to help them appear in court as cited/ordered?       Yes       No

If yes, what do you suggest?

8. In your opinion how would you think the current criminal justice systems handling of these types of cases?

Needs Improvement      1      2      3      4      5      Excellent

9. Do you think there are common factors among the individuals who are charged with these crimes?       Yes       No

If yes, what are those common factors?

10. Why do people commit these offenses?

- Lack of understanding/ignorance of the law  
 No alternative place for activity

- Mental illness that interferes with the person's ability to conform with the law
- Inspired by drugs or alcohol
- Other \_\_\_\_\_

11. What services are needed to resolve the volume of these types of crime (check all that apply)?

<b>Service</b>	
Housing/Shelter	
Food	
Clothing	
Legal Services	
Transportation	
GED/Education	
Job Skills/Employment	
Identification Assistance	
Benefits Assistance (public assistance, SSI, food stamps, social security, etc.)	
Medical	
Mental Health	
Dental	
Substance Abuse Treatment	
Medication	
Mentoring	
Life Skills	
Addiction	
Church	
Veteran services/benefits	
Advocacy	
Other (please specify):	

12. What type of services do you think would be most effective in reducing the volume of cases/repeat offenders?

13. What barriers impact your ability to improve outcomes for these individuals?

## **Appendix C**

### **Quality of Life Survey – At Risk Population**



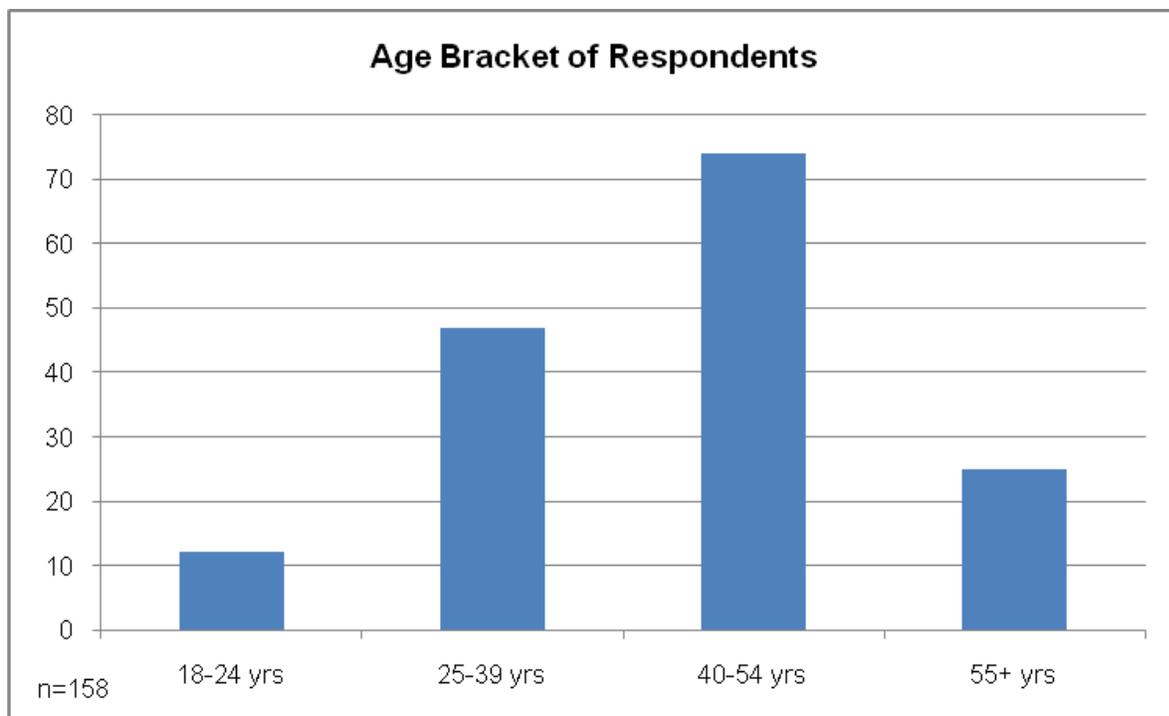
Please check all that apply:

Service	Currently Use	Needed Service
Housing/Shelter		
Food		
Clothing		
Legal Services		
Transportation		
GED/Education		
Job Skills/Employment		
Identification Assistance		
Benefits Assistance (public assistance, SSI, food stamps, social security, etc.)		
Medical		
Mental Health		
Dental		
Substance Abuse Treatment		
Medication		
Mentoring		
Life Skills		
Addiction		
Church		
Veteran services/benefits		
Advocacy		
Other (please specify):		

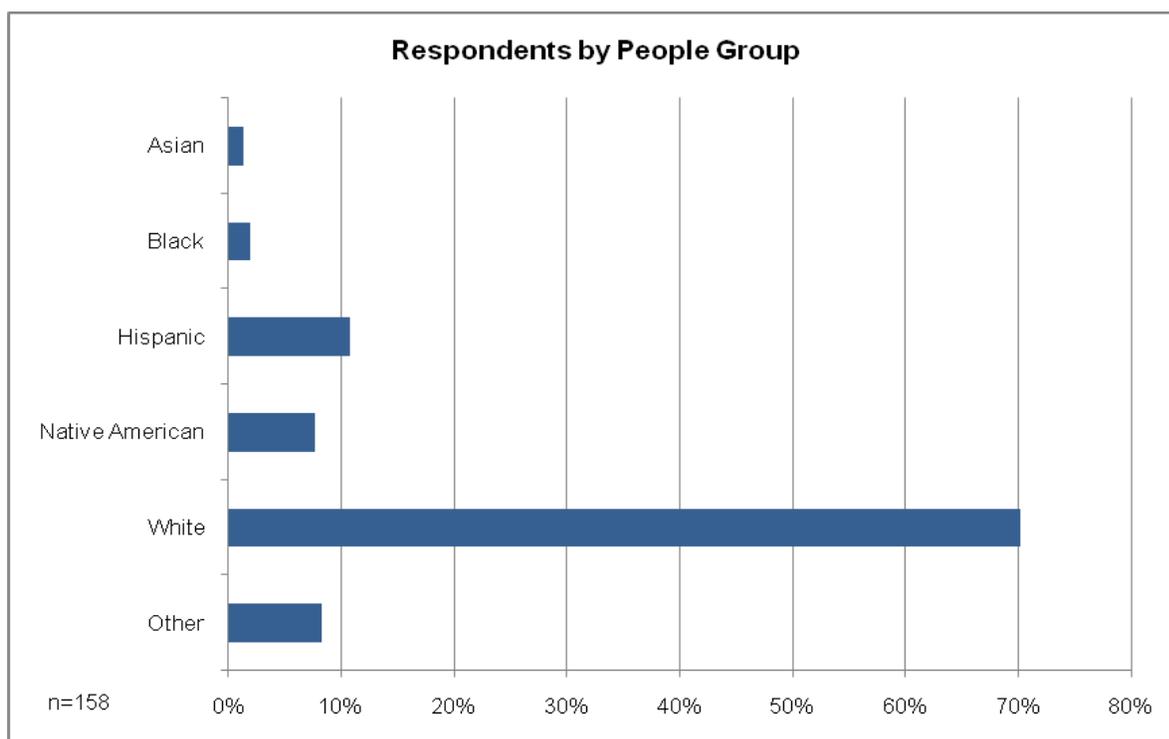
5. Have you ever been turned down for one of the above services?  Yes  No  
If so, why?

- |   |  |
|---|--|
| <input type="checkbox"/> Lack of identification                       | <input type="checkbox"/> Behavioral issues |
| <input type="checkbox"/> Lack of available resources                  | <input type="checkbox"/> Sex offender      |
| <input type="checkbox"/> Service unavailable due to funding           | <input type="checkbox"/> Abuse of system   |
| <input type="checkbox"/> Program was full                             | <input type="checkbox"/> Pet(s)            |
| <input type="checkbox"/> I was drunk or stoned when I tried to get in | <input type="checkbox"/> Age               |
| <input type="checkbox"/> Other _____                                  |  |

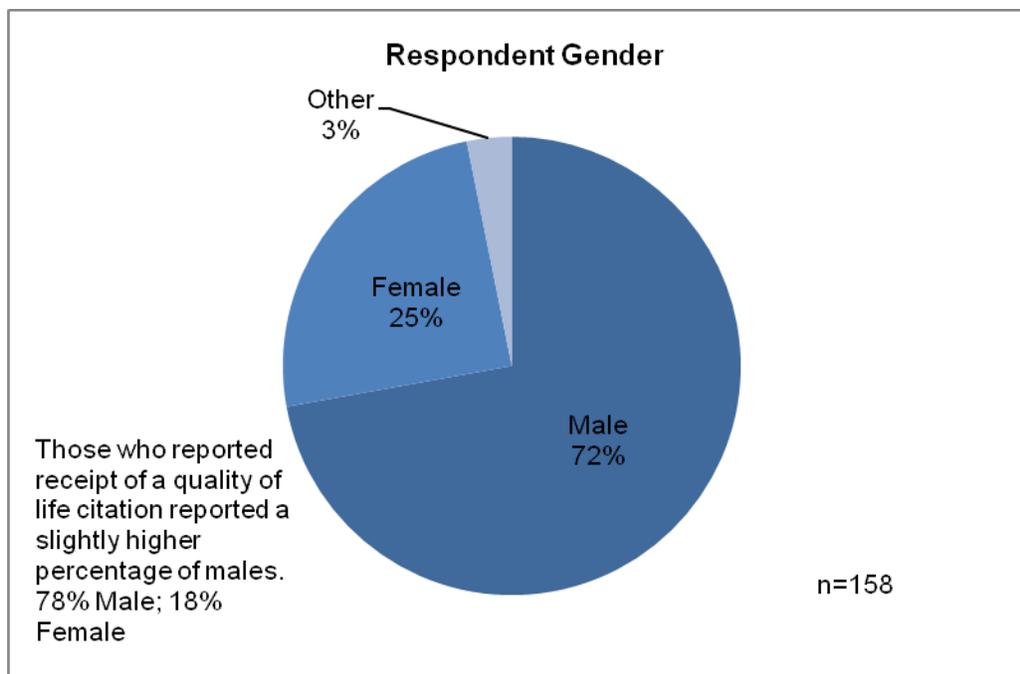
## **Demographic Figures**



**Figure 10. Age of respondents**



**Figure 11. Respondents by people group**



**Figure 12. Gender of respondents**

**Services Needed**



**Figure 13. Services needed; reported by survey respondents**

## **Criminal Case Processing Times**

<b>Table 6 Criminal Case Processing Times</b>			
<b>Process</b>	<b>Sub-Process</b>	<b>Staff / Judge</b>	<b>Staff Minutes</b>
<b>Intake</b>	Date Stamp	Staff	0.3
	Scan & Index	Staff	2.5
<b>Filing</b>	Data Entry	Staff	3.3
	File Prep	Staff	1.7
<b>Arraignment</b>	Check-In / List	Staff	2
	Warrant Check	Staff	0.93
	Transport arraignment		11.11
	In-court arraignment	Staff / Judge	9.14
	Update FullCourt	Staff	0.96
	Hearing Notice	Staff	0.99
	Update File	Staff	0.46
	Filing Cabinet	Staff	0.28
<b>Transports</b>	Check Jail Roster	Staff	5
	Transport Order Prep	Staff	2.5
<b>Bench Warrant</b>	Warrant Prep - ODP	Staff	1.96
	Warrant Prep - Manual	Staff	2.47
	Warrant Signing	Staff / Judge	0.67
	Warrant Issued Process	Staff	1.85
	Warrant Served Process	Staff	2.32
<b>Not Included:</b> Pulling Files Jury Management Attorney Billing Records Request Mail Motions No in-court duties or time related to hearings			