

**Summary of Minneapolis Livability Calendar:
Fourth Quarter 2004 (October 1 – December 31)**

Background

The Minneapolis Livability Calendar (also known as Community Court) handles crimes that affect the livability of communities. For example, crimes like prostitution, disorderly conduct, and public drunkenness affect the quality of life for residents of Minneapolis communities, and the Fourth Judicial District Court's original Community Court calendar was created in 1999 to address those issues.

Beginning in August 2004, the original Community Court calendar was restructured and renamed the Livability calendar, and cases began to be heard at the Public Safety Facility (i.e., Hennepin County jail). Upon the move, cases for both in-custody defendants and out-of-custody defendants were able to be heard on the same calendar, alleviating the problem of in-custody defendants booked and released without bail and not showing up for court appearances. At the Public Safety Facility these cases can be heard right away. Also upon the move, the majority of traffic cases were removed from this calendar so that the judge can spend more time on the misdemeanor cases that require the most attention. For example, the calendar has taken initiatives to more effectively deal with chronic offenders with mental illness, developmental delay, and traumatic brain injury, all three of which are often coupled with chemical dependency issues.

Case Types

During the last quarter of 2004, there were 2,164 cases that had at least one hearing on the livability calendar. Most of the cases heard on the calendars are common misdemeanors (88%). Gross misdemeanors account for 11% of the cases, and 2% of the cases are petty misdemeanors. Nearly all (96%) of the cases are criminal, with 4% traffic and less than 1% parking (see Table 1).

The primary case types are as follows: a third of the cases (33%) are conduct cases, 22% are community violations, 14% are sex crimes (i.e., primarily prostitution), 12% are theft cases, and 10% are drug and alcohol related cases.

Table 1: Types of Cases Heard on Livability Calendar, 4th Quarter 2004¹

Case Type	Gross Misdemeanor	Common Misdemeanor	Petty Misdemeanor	Total
<i>Conduct</i>	45	672	0	717
<i>Community Violations</i>	1	467	6	474
<i>Drugs/Alcohol</i>	3	192	14	209
<i>Sex Crimes</i>	121	185	0	306
<i>Theft</i>	31	226	0	257
<i>Other</i>	33	154	14	201
TOTAL	234	1,896	34	2,164

¹ Because these cases represent 1,727 people, there are many cases that have tagged along with the livability crime (e.g., parking cases, dwi's, etc.). These are grouped together in the "other" category in Table 1.

How Cases Began

Nearly half of the disposed cases (49%) began as tab charges. Another 35% began as citations, and 16% began as complaints (see Table 2).

Table 2: How Cases Began, for Cases Disposed in the Last Quarter of 2004

Complaint	225	15.8%
Tab Charge	693	48.7%
Citation	503	35.4%
Other	1	0.1%
Total	1,422	100.0%

Disposition Data

Table 3 shows the 2,164 cases with events during the last quarter of 2004, 1,422 (66%) were disposed by the end of the year.² Of cases seen at least once on the livability calendar, 48% resulted in convictions. All but two of the convictions came via guilty pleas, rather than court or jury trials. Forty-four percent of cases seen on the livability calendar were eventually dismissed (see Table 3).

Table 3: Overall Dispositions

Disposition	Frequency	Percent
<i>Found Guilty</i>	2	0.1%
<i>Pled Guilty</i>	681	47.9%
<i>Continue for Dismissal</i>	99	7.0%
<i>DeNovo (diversion)</i>	1	0.1%
<i>Dismissed</i>	623	43.8%
<i>Adjudication Withheld</i>	16	1.1%
TOTAL	1,422	100.0%

² There were 24 cases handled on the calendar that had been disposed prior to the 4th quarter of 2004. These cases appeared on the livability calendar for post-disposition reasons, such as issues related to revocation.

Types of Dispositions

The conviction rate for the livability calendar varies greatly by offense degree, as Table 4 displays. The gross misdemeanor cases are convicted at a rate of 80% compared to 45% of the common misdemeanors and 38% of the few petty misdemeanors.

Table 4: Dispositions by Degree, for Cases Disposed in the Last Quarter of 2004

	Gross Misdemeanor	Common Misdemeanor	Petty Misdemeanor	TOTAL
<i>Found Guilty</i>	0 0%	2 0.2%	0 0%	2 0.1%
<i>Pled Guilty</i>	91 79.8%	581 45.2%	9 37.5%	681 47.9%
<i>Continue for Dismissal</i>	0 0%	98 7.6%	1 4.2%	99 7.0%
<i>DeNovo</i>	1 0.9%	0 0%	0 0%	1 0.1%
<i>Dismissal</i>	8 7.0%	601 46.8%	14 58.3%	623 43.8%
<i>Adjudication Withheld</i>	14 12.3%	2 0.2%	0 0%	16 1.1%
TOTAL	114 100%	1,284 100%	24 100%	1,422 100%

Timing Indicators

On average, cases that were seen on the livability calendar and disposed during the last quarter of 2004 took approximately 54 days from the date of offense to the first appearance, and approximately 17 days from the first appearance to the final disposition (see Table 5). Over half (52%) were disposed at first appearance. These cases are generally resolved in about two appearances.

Table 5: Timing Indicators by Degree, for Cases Disposed in the Last Quarter of 2004

	Gross Misdemeanors (114 cases)	Common Misdemeanors (1,284 cases)	Petty Misdemeanors (24 cases)	TOTAL (1,422 cases)
Average Length of Time from Offense to First Appearance (in days)	47 days	51 days	227 days ³	54 days
Average Length of Time from First Appearance to Disposition (in days)	21 days	15 days	14 days	16 days
Average Number of Appearances in Court	2.4 hearings	1.9 hearings	1.9 hearings	1.9 hearings

³ There were a few cases of old tag along petty misdemeanor cases that drive this average up. For example, if a defendant had an outstanding petty citation from 2001, and picked up several new livability offenses in 2004, the outstanding 2001 petty that had never been dealt with was added to the livability calendar along with the new offenses.

Failure to Appear

Of the total number of cases handled (2,164) on the livability calendar during the last quarter of 2004, 508 (24%) had at least one bench warrant issued for failure to appear while on that particular calendar. The number of bench warrants is shown in Table 6.

Table 6: Bench Warrants, All Cases Handled on Calendar

Total Number of Bench Warrants (by case)	Frequency	Percentage
Zero	1,656	76.5%
One	479	22.1%
Two	28	1.3%
Three	1	.01%
TOTAL	2,164	100%

Looking at only the disposed cases, 307 out of the 1,545 cases (20%) had at least one failure to appear. The breakdown by the way the case was charged is shown in Table 7.

Table 7: Number of Bench Warrants by How Case Was Charged, Disposed Cases Only

Number of Bench Warrants (by case)					Total
	Complaint	Tab Charge	Citation	Other	
Zero	206	589	432	1	1,228
	91.6%	85.0%	85.9%	100%	86.4%
One	16	102	68	0	186
	7.1%	14.7%	13.5%	0%	13.1%
More than one	3	2	3	0	8
	1.3%	0.3%	0.6%	0%	0.5%
TOTAL	225	693	503	1	1,422
	100%	100%	100%	100%	100%

Person Level Analysis

Because defendants are often seen in livability court on multiple cases at the same time, there are often less people than cases represented. There are 1,727 people related to the 2,164 cases in the last quarter of 2004. In an analysis of the defendants for whom we have complete demographic data, we found that 68% of livability calendar defendants are people of color, and 32% are white. Seventy-six percent of defendants are male, and 24% are female. The average age of livability calendar defendants was 32 years old, with the oldest being 78 and the youngest being 18.

Conclusions

Fourth Judicial District Court administration is still evaluating the new livability calendar and taking steps to improve processing of these types of cases.