

# AdCo CJCC Court Appearance Subcommittee

November 27, 2012  
2 - 4 p.m.

Thornton Municipal Court  
9551 Civic Center Dr, Thornton  
Court Conference Room

## Meeting Minutes

### Meeting Attendees

#### **Members Present**

Sharon Dunlap (Chair), Ben Stough, Carol Barnhardt, Roger Kelley

#### **Others Present**

Beth Daniel, CJCC Planner/Analyst

### Meeting Goals

- ✓ Discuss the purpose of the Court Appearance Subcommittee
- ✓ Discuss local FTA data
- ✓ Discuss the options for Court Date Notification Programs
- ✓ Discuss cost-benefit analyses
- ✓ Discuss the personal thoughts and findings in each jurisdiction with or looking into a CDNP
- ✓ Determine next meeting date, time, and location

### Agenda Items

#### **Call meeting to order and do introductions:**

- ✓ Sharon Dunlap called the meeting to order and all members introduced themselves.

#### **Discuss the purpose of the Court Appearance Subcommittee:**

The purpose of the Court Appearance Subcommittee is to research and discuss local issues regarding defendants who fail to appear for a scheduled hearing and the options for increasing the court appearance rates for these individuals. These findings will then be presented to the Adams County Criminal Justice Coordinating Committee as recommendations.

#### **Discuss local FTA data:**

Beth Daniel presented her initial findings regarding local FTA data, including data from Commerce City, Northglenn, Thornton, and Westminster, as well as information on municipal FTA defendants at the county jail (See [FTAs and Court Date Reminder Programs](#)). It was realized that the data received from Thornton was the number of hearings, not the number of cases as was the case for the other municipalities. The strong need for reporting and calculating FTA definitions was discussed. It was determined that most municipalities should be able to retrieve data monthly on the number of cases and the number of FTAs without much effort. Any jurisdictions that are able to also provide the number of hearings each month in connection with the number of FTAs would be appreciated and could be used as a second calculation. For this subcommittee's purposes of measuring local FTA rates and changes, definitions will be used as follows:

Cases – The number of cases filed with a court in a designated time frame.

FTA – Any hearing in a designated time frame at which a defendant fails to appear, even if the defendant shows up later that week. This includes the issuance of bench warrants, default, judgments, and show cause hearings and may include other types of appearance failures.

### CJCC Purpose

To provide an ongoing forum for leaders from the criminal justice agencies, general governments, and communities in Adams County to discuss and prioritize public safety and criminal justice issues and coordinate resources to address issues in the most evidence-based, cost-effective, and equitable ways possible.

Hearings – The number of hearings scheduled for docket in a designated time frame (there may be multiple hearings for a single case in a designated time frame).

Sharon Dunlap will assist Beth in obtaining FTA data and cost estimates from the remaining Adams County municipalities, including Arvada, Aurora, Bennett, Brighton, and Federal Heights so that further analysis can be done and more complete and thorough findings can be reported. It is the goal of the Subcommittee to obtain monthly case numbers and FTA rates for all of the municipalities, as well as the number of municipal FTA defendants in the county jail, for continued analysis of pre-CDNP and post-CDNP data to measure the programs' successfulness.

Also discussed was the important fact that the success of any court date reminder program relies heavily on the collection and recording of accurate telephone numbers for defendants at all contact stages, especially by deputies and officers at the time a summons and complaint is issued.

#### **Discuss options for court date notification programs:**

The different types of court date notification/reminder programs were presented and discussed (see FTAs and Court Date Reminder Programs). According to nationwide and local research and data, all court date reminder programs were found to decrease FTAs. On average, live caller programs had the highest decreases (46.2%) with automated caller programs coming in second (37.3%) and the lowest decrease seen with written reminders (23.0%).

There are individual benefits to both live caller and automated call programs. Live caller programs allow data to be tracked on who answers the phone (e.g., defendant, relative, friend). It also allows the callers to make note of wrong numbers and provide an added customer service piece. On occasion automated calls are disconnected by the receiver before it is even clear what the call is about. Individuals may be more receptive to live callers and the information they are presenting. On the other hand, automated calling systems are able to make more calls in the same amount of time and can still be viewed as providing the necessary information and a customer service benefit to defendants.

#### **Discuss cost-benefit analyses:**

The costs associated with an FTA are incredibly difficult to estimate. Averages from four of the Adams County municipalities result in an estimate of \$124.90 per FTA. This includes issuing a warrant, a judicial review, making an arrest, and booking a defendant. The county jail cost is \$88.03 per day with an average length of stay of 7.11 days for a defendant arrested on a municipal FTA charge, totally \$625.82 per FTA. However, not all FTAs are warrantable, and even for those that are, not all result in an arrest (some turn themselves in), or booking into the county jail. It is currently unclear if the average decrease in FTA rates realized by courts with a CDNP in place carry over to a similar decrease in the number of municipal FTAs in the county jail. In an effort to research this, it would be beneficial to look at the Thornton municipal FTAs in the county jail between January and October 2009 (prior to implementation of the CDNP) compared to those numbers from January through October 2011. By analyzing these numbers and comparing them to the case and FTA numbers for Thornton as a whole, we should be able to tell if the trend, at least for Thornton, carries over to a reduction in jail bed use for Thornton FTAs. Lt. Roger Kelley is going to see if they have this jail data as far back as 2009 and will forward it to Beth for analysis if they do. If they do, Beth will calculate and compare the FTA rates and share her findings with the Subcommittee.

#### **Share personal jurisdiction CDNP thoughts and/or findings:**

Thornton Municipal Court implemented an automated court date notification program in November, 2009. Prior to the program, Thornton's court appearance rate was approximately 88%. After implementing the program, and with no other changes system-wide,

their court appearance rate increased to 92%-93% and has remained steady. The city paid a start-up cost to install the necessary software and connected the program to their existing utility call system, minimizing the CDNP's overhead costs. The only reoccurring costs are for software updates every several years.

The city of Westminster and the 17<sup>th</sup> Judicial District are both currently drafting automated court date notification programs that will be implemented around mid-year 2013. The details are still being finalized.

**Determine next meeting date, time, and location:**

The subcommittee would like to allow enough time to collect and analyze ongoing FTA data for the county's jurisdictions and, therefore, has set the next subcommittee meeting for Tuesday, February 12, 2013 from 2-4pm at the Thornton Municipal Court.

**Adjourn**

- ✓ Sharon Dunlap adjourned the meeting.

**Tasks**

- Beth Daniel and Sharon Dunlap will attempt to obtain FTA data and cost estimates from the remaining municipalities. Once obtained, Beth will input this data and information with those previously obtained and analyze the data and present her findings to the subcommittee at the next meeting.
- Sharon Dunlap, Carol Barnhardt, and Ben Stough will email Beth monthly (as will hopefully the other municipalities) with current case numbers, FTA numbers, and hearing numbers (if possible). Beth will track this information monthly for initial baseline measures and will continue to track these numbers following any program implementations to measure any changes that may be relevant. She will continuously report her findings to the subcommittee.
- Lt. Roger Kelley will attempt to locate Thornton municipal FTA data for January through October 2009 and forward it to Beth. Beth will then analyze the data and compare pre-CDNP and post-CDNP FTA rates to determine the impact the program has on the county jail. She will report her findings to the subcommittee at the next meeting.

**Next Meeting**

Tuesday, February 12, 2013; 2-4pm; Thornton Municipal Court