

CASELOAD HIGHLIGHTS

Volume 2 • Number 1

EXAMINING THE WORK OF THE STATE COURTS

National Criminal Justice Measures Affecting State Courts

Criminal Cases in Perspective, 1992-1994 (in millions)

	1992	1993	1994	Percent Change
Traffic	59.1	55.6	52.1	-11.8%
Civil	15.3	14.4	14.3	-6.5%
Criminal	13.2	13.0	13.5	2.3%
Domestic	4.4	4.5	4.7	6.8%
Juvenile	1.6	1.8	1.9	18.8%
Total	93.6	89.3	86.5	-7.6%

The state courts are the primary institution for resolving disputes in the U.S., with more than 86.5 million cases filed in 1994. Total filings have fallen since 1993 as more states move the responsibility for less serious traffic cases to executive branch agencies. A critical challenge facing the courts today is to find more effective ways to respond to the rapid growth in juvenile and domestic relations caseloads, while keeping up with the millions of civil and criminal cases filed each year. Continued growth in criminal cases is of particular concern because courts are often required by constitution, statute, and court rule to give these cases priority.

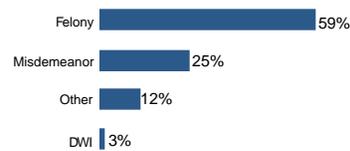
The criminal courts are the center of a loosely organized collection of agencies charged with protecting the public, enforcing the law, determining guilt or inno-

cence, and housing convicted offenders. Felony filings, which typically involve violent, property, or drug crimes punishable by incarceration for a year or more, dominate criminal dockets in general jurisdiction trial courts. Compared to other criminal cases, felony offenses take the longest to process and often require multiple court appearances, more frequent and longer trials, and more complex disposition and sentencing hearings. The rate of felony filings per 100,000 adults increased 53 percent from 1984 to 1994, largely as a result of increased arrests and prosecution of drug offenders.

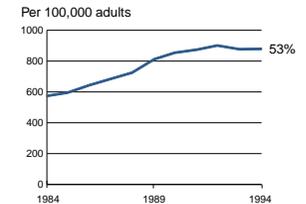
Concern with victim harm, the loss of offender liberties, and taxpayer cost ensures public interest in criminal sentencing. The adjacent chart shows the population-adjusted trend in

Criminal Cases in General Jurisdiction Courts

Criminal Case Composition, 1994



Felony Filings in 32 States¹

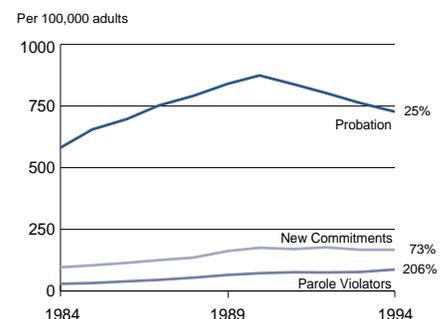


adults admitted to probation, new court commitments to prison, and prison commitments for parole violators. Probation admissions, the most common sanction, increased 50 percent from 1984 to 1990 before falling 17 percent through 1994. Roughly 54 percent of these probation admissions follow a felony conviction. After increasing 81 percent from 1984 to 1990, the rate of new prison commitments for adults has remained relatively stable. Commitments to prison for parole

violations have shown a dramatic increase of over 200 percent from 1984 to 1994. These aggregate numbers mask the different patterns of growth experienced by individual states,

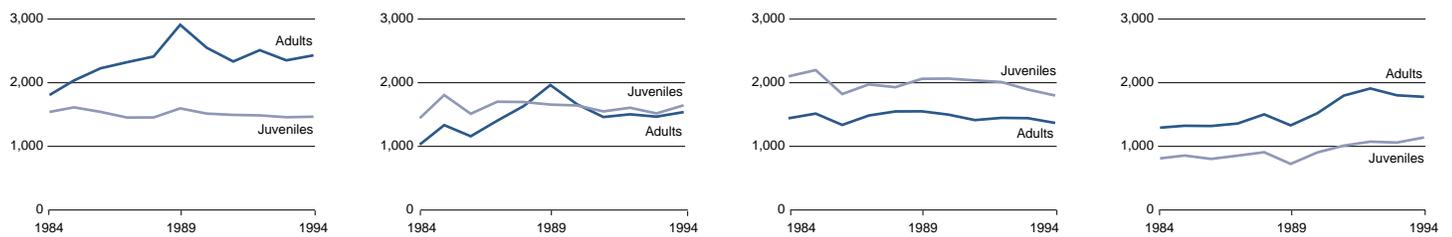
some of which are shown on the following pages. Population-adjusted trends in adult and juvenile arrests for serious crime, felony filings, and prison commitments are displayed, and changes in arrest policies and sentencing legislation are briefly explained for seven states plus the District of Columbia. These sites were chosen to provide a balance of geographic, economic, and social diversity, as well as to allow comparisons over the 11-year period.

Probation Admissions and Prison Commitments for New Convictions and Parole Violators, 1984-1994²

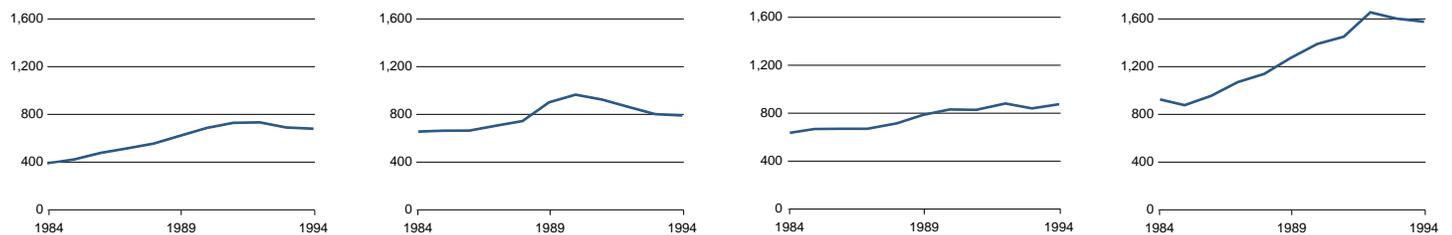


Criminal Justice Measures in Selected States, 1984 - 1994

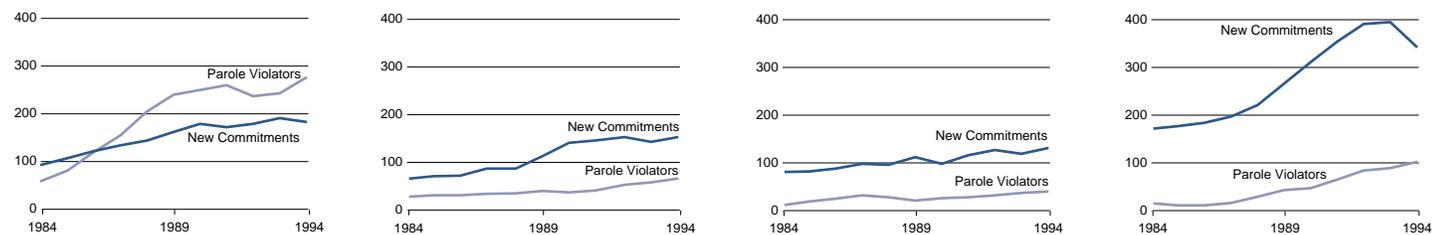
Arrest Rates for Violent, Property, and Drug Crimes per 100,000 Adults and Juveniles ^{3, 4}



Rate of Felony Filings per 100,000 Adults



State Prison Admission Rate for New Commitments and Parole Violators per 100,000 Adults ⁵



California

Adult arrest rates for serious crime increased steadily in the mid-1980s and jumped 21 percent from 1988 to 1989, driven primarily by an additional 90,000 drug arrests that year. The rate of felony filings increased from 1984 to 1992, then dropped 7 percent in 1994. In the late 1980s, drug offenses accounted for 60-65 percent of criminal caseloads in the larger metropolitan courts in California. The rate of prison commitments for new crimes doubled, and the rate of commitments for parole violators increased 365 percent. California has long had a determinate sentencing structure and introduced one of the country's first "Three-Strikes" provisions for repeat offenders in 1994.

New Jersey

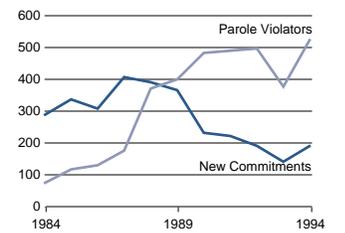
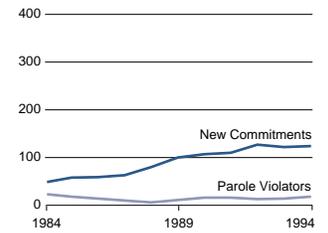
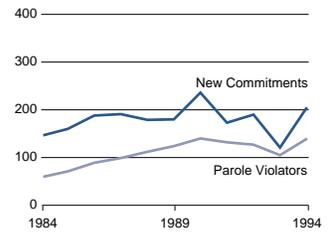
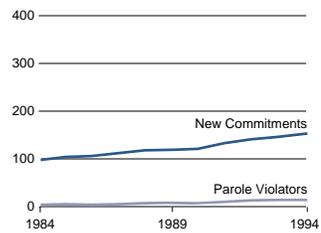
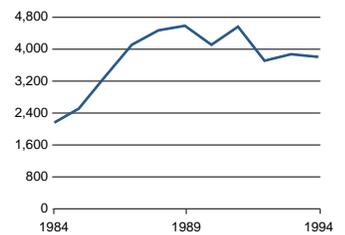
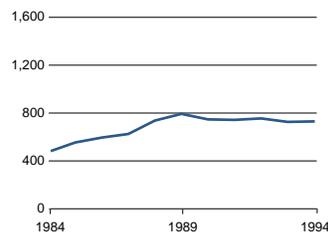
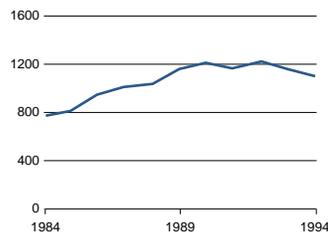
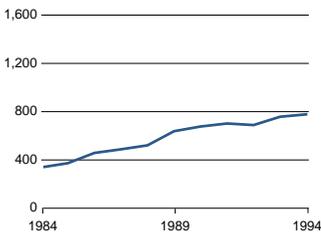
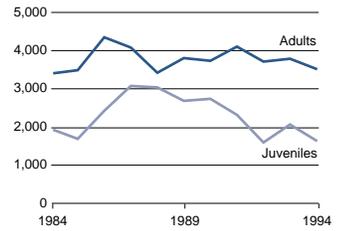
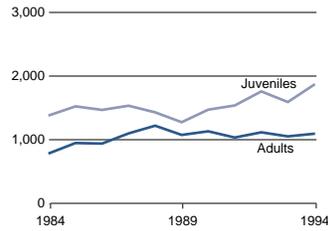
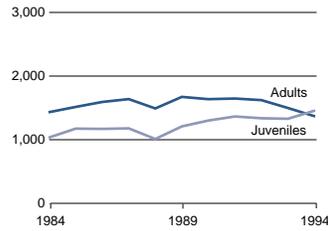
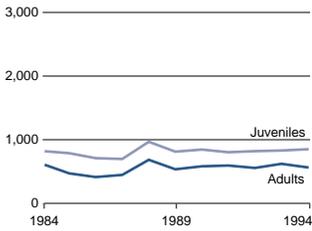
With the exception of 1989, the profile of arrest rates for adults and juveniles are quite similar. The adult arrest rate rose sharply from 1988 to 1989 because of an additional 14,000 adult drug arrests, whereas juvenile drug arrests decreased 10 percent during this same period. Felony filing rates also jumped from 1989 to 1991, likely as a result of the additional number of drug arrests. Drug-related crime continues to impact the correctional system. Since 1987, prison populations increased by 10,000 new inmates, 70 percent for narcotics offenses. Over the next year, New Jersey plans to add 3,400 more prison beds—at a cost of \$250 million.

Colorado

Colorado arrest rates have fallen 5 percent for adults and 14 percent for juveniles since 1984. Adjusting for population differences, juveniles are more likely to be arrested for property crimes whereas adults are more likely to be arrested for violent and drug crimes. Felony filing rates have increased 37 percent since 1984 and reached a peak in 1992 following a substantial increase in drug arrests. In the last three years the rate of new commitments to prison has mirrored the rise and fall of felony filing rates. In recent legislation, Colorado adopted a "Three-Strikes" law and reinstated parole, which had been eliminated in the 1980s.

North Carolina

Juvenile arrest rates increased 7 percent in 1994, largely because of an increase in drug and larceny arrests. In contrast, the adult rate fell 1 percent. Felony filing rates are considerably higher than in other states, with the level peaking at 1,655 filings per 100,000 adults in 1992. This trend reflects a 73 percent increase in drug filings from 1989 to 1992. The rate of prison sentencing also increased steeply from 1988 to 1992. Sentencing guidelines were implemented, discretionary parole was eliminated, and the use of community sanctions was expanded in 1994. One possible reason for the recent drop in new court commitments is the diversion of lower-level drug offenders from prison.



Indiana

A short-term increase in all crimes for both juveniles and adults contributed to the sharp increase in arrest rates in 1988. Despite the otherwise stable profile of arrest rates, felony filings increased nearly 130 percent since 1984 with no sign of slowing. Felony filings rose more than 20 percent in both 1986 and 1989. Continuing growth in felony filings appears to underlie the upward trend in new commitments to prison since 1990. In 1994, Indiana initiated a “Three-Strikes” law without the possibility of parole. Commitments for parole violators were already low because early release required earned good time credit as opposed to discretionary release by the Parole Board.

Texas

Arrest rates for adults in Texas have dropped since 1992, while juvenile rates increased in 1994, particularly for larceny and drug offenses. Recent felony filing rates show a similar profile of decline following a 56 percent increase from 1984 to 1990. Drug filings comprised 15 percent of felony caseloads in 1984 and 31 percent in 1994. Most offenses involved drug possession. Texas is one of the few states that still allows jury sentencing. New and parole violator commitments increased sharply in 1994, likely reflecting the more than 50,000 motions to revoke parole that year. Bracing for prison population increases, Texas plans to construct 44 new facilities at a cost of \$1.5 billion.

Washington

Washington State’s juvenile arrest rate has increased since 1989, while the adult arrest rate has stabilized. The felony filing rate closely follows the trend in adult arrest rates. Washington implemented sentencing guidelines in 1984 that set upper limits on non-prison sentencing options and eliminated discretionary parole, which may explain why fewer parole violators returned to prison from 1984 to 1988. Following eight years of growth, the rate of new commitments to prison (123 percent) has been leveling since 1992. Washington will soon be in the position to meaningfully evaluate the impact of “Three-Strikes” legislation enacted in 1993.

District of Columbia

Adult arrests fluctuated but increased only 3 percent overall, while juvenile arrests fell 21 percent since 1984. Felony filings increased 76 percent from 1984 to 1994 and closely tracked arrests in the 1990s. In 1994, over half of all felony indictments were drug related. Initiated in 1993, D.C.’s special drug court program screened 1,436 drug-involved adults in 1994 and provided numerous diversionary sanctions and treatment options. The rate of new commitments to prison dipped 65 percent from 1987 to 1993 before rising 36 percent in 1994.⁶ Parole violator commitments have increased over 600 percent since 1984. Of the jurisdictions here, D.C. is the only one without a death penalty.

The Court Statistics Project (CSP)

In existence since 1975, the CSP is administered by the National Center for State Courts, with generous support by the State Justice Institute and the Bureau of Justice Statistics. The CSP receives general policy direction from the Conference of State Court Administrators through its Court Statistics Committee. Those wishing a more comprehensive review and analysis of the business of state trial and appellate courts are invited to read the CSP's latest publication, *Examining the Work of State Courts, 1994*.

Endnotes

- 1 Felony filing rates in 32 states *excludes* data for Alabama, Connecticut, Delaware, Florida, Georgia, Idaho, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, Montana, Nebraska, Nevada, New Mexico, Pennsylvania, Puerto Rico, South Carolina, and Tennessee.
- 2 Probation admission figures for the United States were unavailable for 1991, so were estimated using linear interpolation.
- 3 Population-adjusted rates are based on U.S. Census Bureau data for adults (ages > 17) and juveniles (ages < 18) for the years 1984-1994.
- 4 For arrest rates, violent crime includes murder, rape, robbery, and aggravated assault. Property crime includes burglary, motor vehicle theft, larceny, and arson. Drug crime includes all drug abuse violations.
- 5 Commitments for parole violators may also include commitments for other types of conditional release violators. Probation violators later sentenced to prison would normally be counted under the "new commitment" category. Special notes and an explanation of the methodology for how each state collected or reported commitment data is found in *Prisoners 1984-1994*, U.S. Dept. of Justice, Bureau of Justice Statistics.
- 6 The D.C. figures for commitments include jail and prison commitments.

Sources

Corrections Compendium. The National Journal for Corrections, Vol. XIX, No. 5, May 1994; Vol. XIX, No. 7, July 1994; Vol. XX, No. 3, March 1995; Vol. XXI, No. 2, February 1996, CEGA Publishing, Lincoln, Nebraska.

Corrections Populations in the United States, 1984-1994, U.S. Department of Justice, Bureau of Justice Statistics, reference Table 2, 1984, Table 3.5, 1985-1994.

Frase, Richard S. "State Sentencing Guidelines: Still Going Strong," *Judicature*, Vol. 78, No. 4 (January-February 1995).

National CSP Database, 1994, Court Statistics Project, National Center for State Courts.

Prisoners 1984-1993, U.S. Department of Justice, Bureau of Justice Statistics, reference Table 5.10a.

Turner, Michael, et al. "Three-Strikes and You're Out Legislation: A National Assessment," *Federal Probation*, Vol. 59, No. 3 (September, 1995)

Uniform Crime Reports 1984-1994, U.S. Department of Justice, Federal Bureau of Investigation, extracted from automated and manual files.

1990 Annual Report: A Summary of 1989 Activities, Vol. I: Judicial Council Report to the Governor and the Legislature, Judicial Council of Calif.

1991 Annual Report: A Summary of 1990 Activities, Vol. I: Judicial Council Report to the Governor and the Legislature, Judicial Council of Calif.

1993 Annual Report, District of Columbia Courts.

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