



New Mexico Statistical Analysis Center

**Bookings and case dispositions:
Violent, property, and drug crimes in
Santa Fe County, New Mexico**

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Introduction

The Drug Policy Alliance (DPA) is helping to lead a municipal drug strategy initiative for Santa Fe, New Mexico. This effort began with the implementation of the Law Enforcement Assisted Diversion (LEAD) program, currently under evaluation by the New Mexico Sentencing Commission. The New Mexico Statistical Analysis Center is assisting with that assessment. The DPA is now moving to the next phase of the municipal drug strategy initiative. As part of these efforts, they are interested in obtaining a variety of data to inform their strategies. The current report contributes to those efforts by providing information about bookings and related court case dispositions in Santa Fe County.

Methods

We obtained an automated dataset from the Santa Fe County Detention Center (SFCDC), which includes all individuals booked into that facility between January 2015 and December 2015. We then limited the data to bookings that involved a violent crime (including weapons violations), property crime, and/or drug crime (possession, trafficking, or paraphernalia) as the most serious offense. We made the initial assessment based on the charges recorded in the booking data. We confirmed the severity of the case with the charges found in the court. A few cases were subsequently omitted because the booking was not for a new offense (e.g., a person was booked while reconsidering sentencing) or the most serious offense was not a drug, property, or violent crime. In cases where a property crime and violent crime were the same degree, we flagged the violent crime as the most serious. In some cases, people picked up charges while detained for an offense that was not of interest (e.g., failure to comply). In particular, officials sometimes charged detainees with being in possession of a drug while in custody; we included these cases in the current study.

We merged the sample data from the SFCDC with automated data from the Administrative Office of the Courts (AOC) to determine the disposition of each case. We recorded the disposition of the entire case rather than individual charges. For example, if one or more charges in the case resulted in a conviction, we coded it as “conviction” – even if the most serious offense did not result in a conviction.

Examining bookings and court dispositions by drug type was central to this project. We used several methods to determine the drug type involved. First, the charges themselves sometimes indicated the type of substance. This typically occurred when the charges included marijuana possession. Next, we searched secure online court records (available at <https://securecourtcaseaccess.nmcourts.gov>) for the drug type. Substance type is available in various documents, including the criminal complaint, the grand jury indictment, and sometimes the judgement and sentence. We found substances for the majority of cases using these methods.

After completing this search, we provided a list of the remaining cases to the Santa Fe Police Department (SFPD). Their records department looked up each person and documented the drug type, if available. Many records were not available from the SFPD, housed instead at other law enforcement agencies. After SFPD, the Santa Fe County Sheriff's Office (SFCSO) made the greatest number of arrests. The SFCSO website hosts "hotsheets" that describe arrests made since 2007 (see https://www.santafecountynm.gov/sheriffs_hotsheets). We scoured these arrests for matches and descriptions of substances; we provided a list to the SFCSO for those we could not find. We also provided a list the Department of Public Safety for cases handled by New Mexico State Police. Ultimately, we were unable to identify one or more substances in 38 cases, with no substances identified in 30 cases overall.

Results

We begin with a select description of the sample, highlighting offense type, court case dispositions, and any illicit substances identified. Next, we explore the differences in court case outcomes within each crime type overall and by personal and case characteristics. In all analyses, the booking is the unit of analysis. The main body of the report focuses on key findings. Additional results are available in the appendices.

Sample description

There were 1,835 bookings involving a property, drug, or violent crime as the most serious offense in 2015; this represents 29% of all bookings that year. Violent crimes comprised the greatest proportion (39.8%, n=730) of these bookings, followed by drug crimes (35.4%, n=649). Property crimes made up the smallest proportion (24.9%, n=456).

While we identified the most serious offense, some individuals were booked for other offense types of interest. For example, 40 individuals whose most serious offense was a violent crime also had drug charges (2.2% of bookings overall). Overall, drug charges occurred more commonly with property offenses than with violent offenses, regardless of which charge was most serious. However, the majority of incidents did *not* involve a combination of these offense types (though they frequently involved other types of offenses, such as traffic violations, disorderly conduct, or DWI).

We found some significant differences in most serious offense type by personal characteristics. Defendants identified as Hispanic were significantly more likely to be booked for an offense involving a drug possession charge, and significantly less likely to be booked for a violent offense relative to non-Hispanic defendants.¹ Further, drug offenders tended to be younger on average than violent or property offenders (see Table A.1 in Appendix A for details).

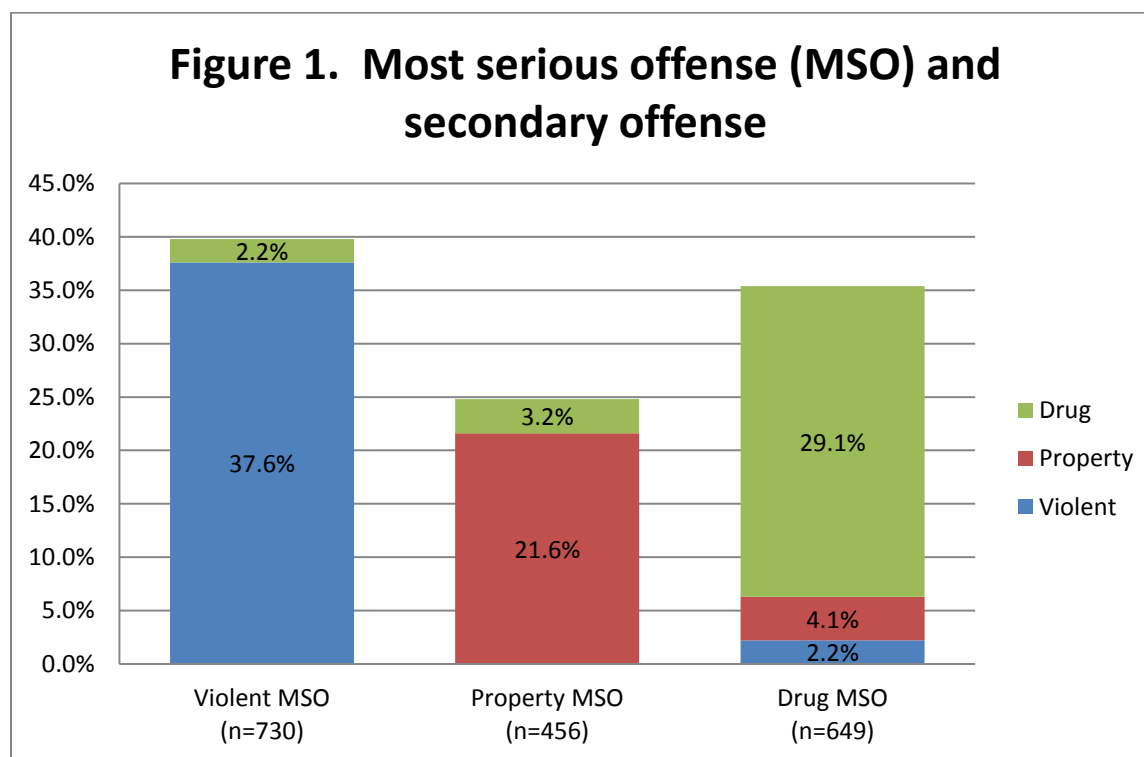


Figure 1. Most serious offense with secondary offense related to a single booking. If the MSO is a non-drug offense, the secondary offense identified is a drug offense; if the MSO is a drug offense, the secondary offense identified is violent or property offense.

¹ We determined race/ethnicity from the data recorded at the time of booking. This may or may not reflect the race/ethnicity that those booked identify as, and may instead indicate their perceived race/ethnicity.

Among bookings involving a drug crime as the most serious offense, the most common violation was drug possession (74%, n=478), followed by possession of drug paraphernalia (17%, n=111). Just 9% (n=60) of bookings for a drug offense involved charges for drug trafficking.

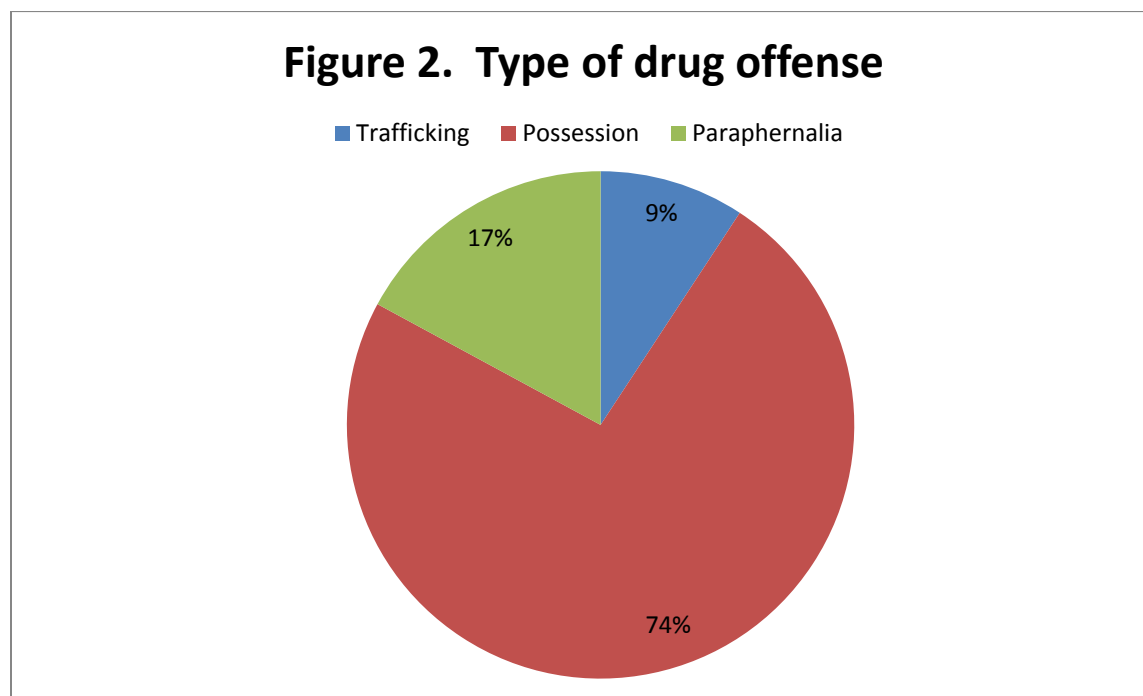


Figure 2. Proportion of drug offense types among those whose most serious offense was a drug crime.

In Figure 3 below, we summarize the types of substances involved in bookings that had any drug charge. This includes bookings where the most serious offense was something other than a drug crime.

Some cases involved multiple substances. If the documented substances included opiates, we classified the substance as opiates plus other substance(s). If there were multiple substances but an opiate was not one of them, we classified them in the following order: methamphetamines, cocaine, and marijuana. Thus, if a case had methamphetamines and cocaine, its classification would be methamphetamines plus another substance. In cases classified as marijuana and other substances, the other substance was a non-opiate prescription drug.

Opiates were the most common type of substance identified. In 46% (n=262) of the bookings, the substance(s) identified included opiates alone (37.7%, n=215) or opiates in conjunction with some other type of substance (8.2%, n=47). Most often, the secondary substance was cocaine,

followed by marijuana. The second most common type of substance was marijuana (27.5%, n=157). The vast majority of these cases did not involve a secondary substance. Less than 1% included marijuana and another substance. Approximately 12% (n=66) of cases involved methamphetamines alone or in combination with other substances. Another 9% (n=51) of cases involved cocaine, alone or with another drug. Very few cases involved “other” substances like non-opiate prescription drugs or hallucinogens. We were unable to determine the substance type in 5.2% (n=30) of the cases.

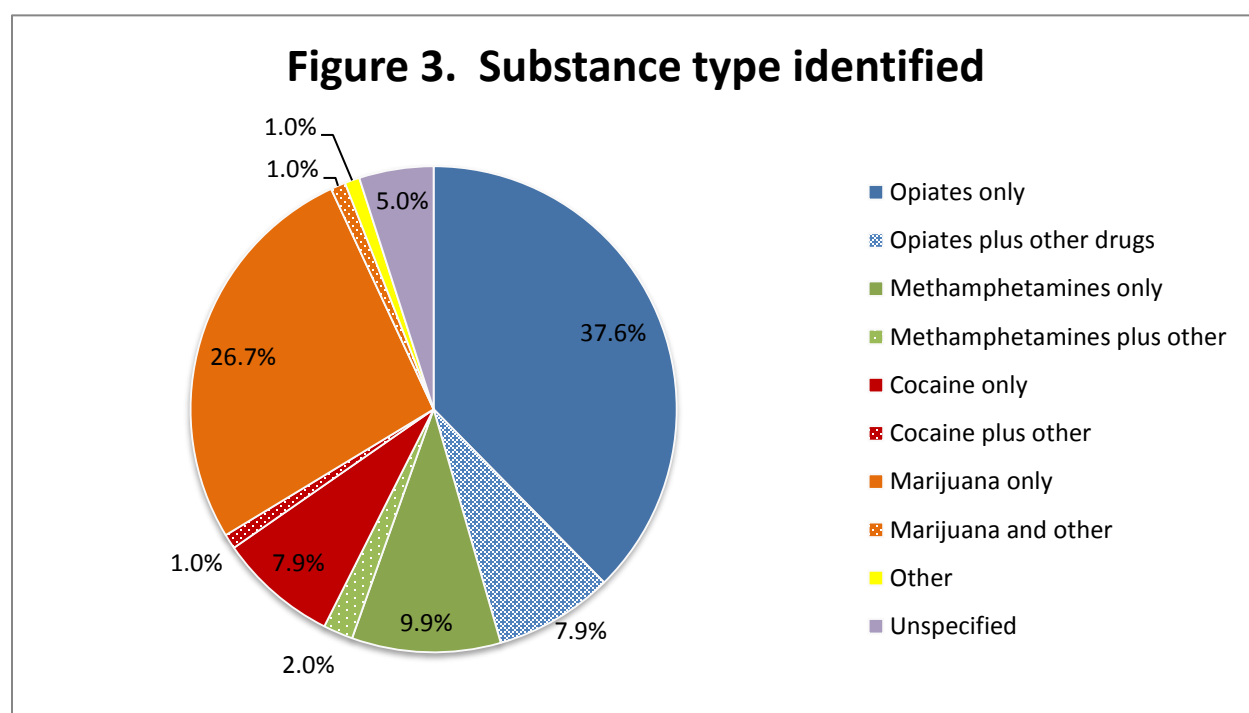


Figure 3. Proportion of each substance type identified, alone or in combination with other substances.

Heroin was the most common opiate documented (60%, n=167), followed by medications typically intended to treat opiate addiction (i.e., buprenorphine, suboxone, subutex, and methadone; 33%, n=92). Other prescription opioids (e.g., oxycodone) accounted for just under 6% (n=17) of cases. Morphine accounted for 1% (n=3).²

² Some people had multiple types of opiates; therefore the total number of opiates exceeds the number of cases.

Court case dispositions

We found a court case corresponding to the majority of bookings; just 1% (n=20) of cases were not found in the courts. Thus, almost all bookings had evidence of charges filed in magistrate or district court. Just over half (52%, n=943) of the cases filed were dismissed. Most commonly, the prosecutor dropped the charges (nolle prosequi) with the option to refile. In a handful of cases, the prosecutor dismissed the charges without the option to refile or as part of an agreement in which the defendant pled guilty to charges in another case. The next most common reason for dismissal was that either the prosecutor or witness failed to appear to court (11%, n=197). In these types of cases, either the court or the prosecutor dismissed the charges. The court dismissed the charges in 8% (n=140) of cases, most often due to violations of the speedy trial rules. In other cases, the court dismissed the charges because the defendant was found to be incompetent, the defendant died, or the reason was not specified.

The defendant was found culpable in 45% (n=830) of the cases. This includes outright convictions, as well as cases involving a conditional discharge or deferred sentence.³ Both conditional discharges and deferred sentences hold the possibility of a dismissal of the charges, whereas a conviction without these options does not.

Thirty-nine cases were still open when we gathered the data. Most often, cases were open because the defendant had absconded and had an active warrant. Just two cases resulted in an acquittal. Figure 4 illustrates the court case dispositions; additional details are available in Table B.1 in Appendix B.

³ Nearly all of the outright convictions were because the defendant pled guilty or no contest; only two defendants were found guilty at a jury trial.

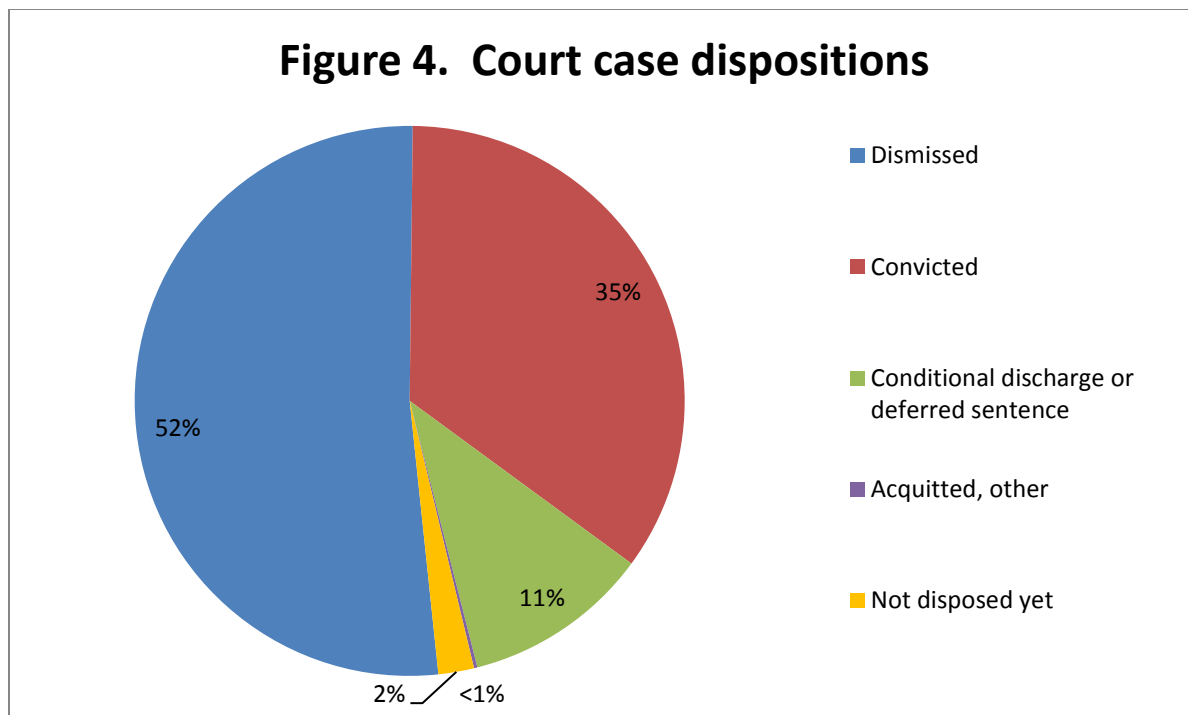


Figure 4. Proportion of court case dispositions among all bookings found in court.

Court case disposition by offense

We illustrate the disposition of cases by most serious offense type in Figure 5 below. Relative to other offense types, incidents involving drug possession charges were more likely to result in conviction. Notably, these cases were more likely to involve a conditional discharge or deferred sentence. Judges ordered approximately 17% (n=76) of drug possession cases to a deferred sentence or conditional discharge compared to 11% (n=48) of property cases (the next highest), 9% (n=64) of violent crimes, and approximately 7% of drug paraphernalia and trafficking cases. Further, drug possession cases were more likely to be awaiting disposition than incidents in which the most serious offense was not drug possession. As noted above, most cases that were not yet disposed stemmed from the defendant absconding. The court dismissed cases involving violent crimes, drug paraphernalia, and drug trafficking more frequently than cases involving drug possession, or property charges. Overall, court case dispositions varied significantly ($p=.000$)⁴ by most serious offense type.

⁴ P-values are a measure of statistical significance. The lower the p-value, the more confident you can be that the observed difference is not due to chance. We use a threshold of .05; thus, anything at or below that level is considered statistically significant. Statistically significant findings are noted.

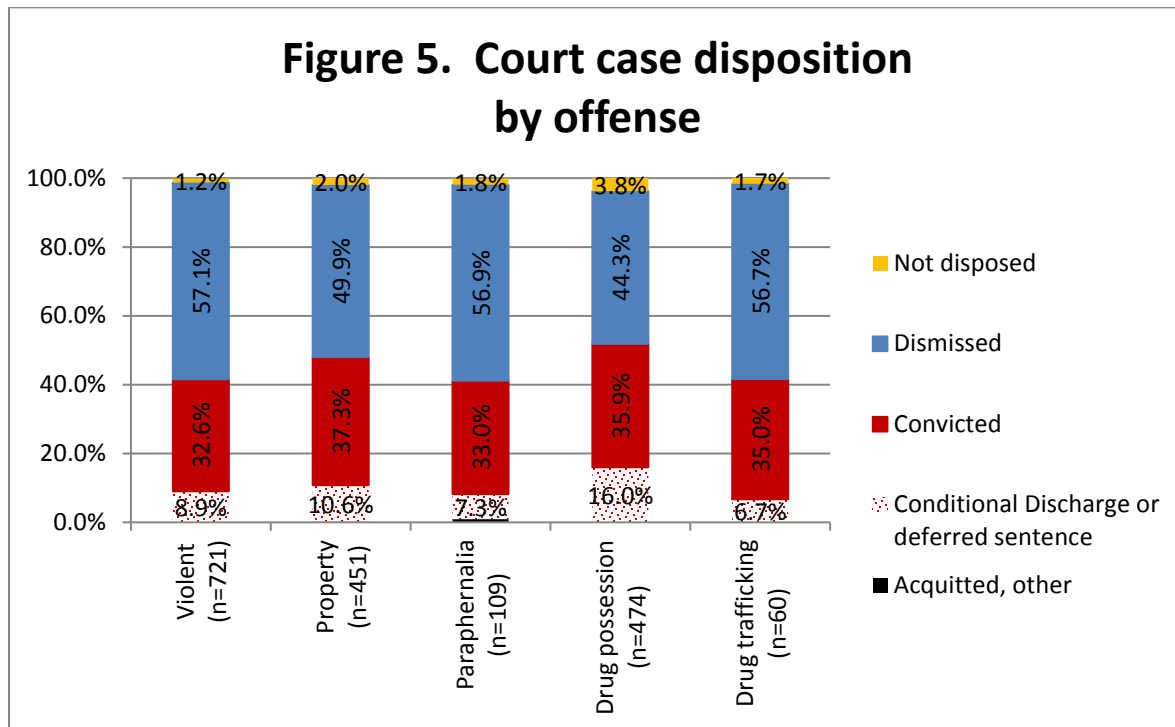


Figure 5. Dispositions of court cases by offense type ($p=.000$).

Sex and court dispositions

Among all bookings, sentences for males were slightly more likely to include an outright conviction, while a greater proportion of females had conditional discharges or deferred sentences. However, dismissals occurred at a similar rate for both sexes. None of these between-sex differences was statistically significant. These results are available in Table C.1 Appendix C.

When we examined the relationship between sex and court disposition within each crime type, we found one statistically significant difference. Among those charged with a violent crime, outright convictions occurred more often for males (37%, $n=197$) than females (21%, $n=38$). Conversely, the courts ordered a conditional discharge or deferred sentence to a greater proportion of females (12%, $n=21$) than males (8%, $n=43$ of males), or dismissed the charges altogether (67%, $n=122$ of females versus 55%, $n=290$ of males).

Among cases involving drug possession or trafficking charges, the courts dismissed cases against males more frequently (50%, n=175) than females (43%, n=69). Outright convictions, conditional discharges, and deferred sentences occurred more commonly among females. Among drug possession cases, the differences are more pronounced. Dismissal rates for males with drug possession charges were higher (49%) than the rates for females (40%). However, these differences were not statistically significant.

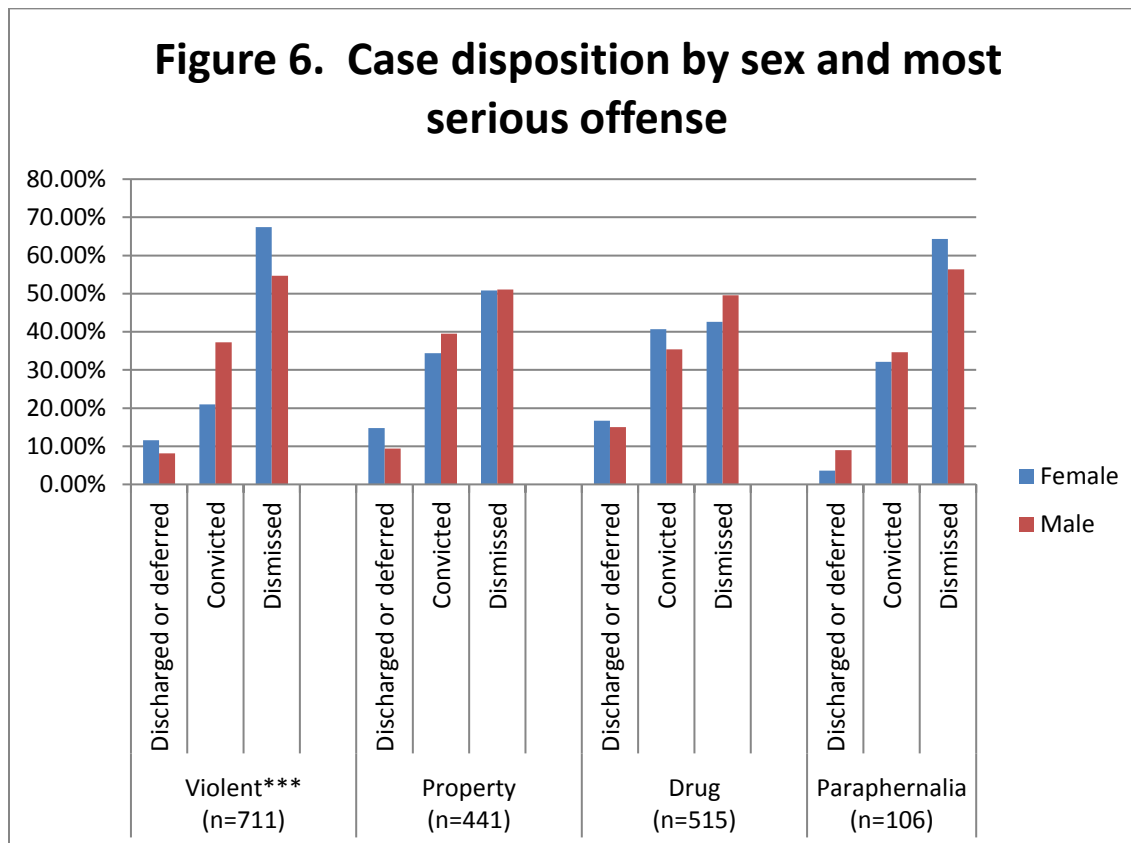


Figure 6. Court case dispositions by sex within most serious offense type (***) $p \leq .001$.

Race/ethnicity and court case dispositions

Among all bookings, the proportion of cases dismissed was similar by race/ethnicity (ranging from 51% to 53% for each group). Offenders identified as “other” race/ethnicity (non-Hispanic, non-white) were convicted slightly more often and less likely to receive a conditional discharge or deferred sentence than Hispanics and non-Hispanic whites. However, these differences were minor and not statistically significant (for details, see Appendix C, Table C.1). While there was some variation in court dispositions by race within each type of offense, these differences were not statistically significant (see Appendix D, Table D.1).

Age and court dispositions

Among all bookings, we found that individuals who received a deferred sentence or conditional discharge were significantly younger on average (30 years old) than those convicted outright or whose charges were dismissed (approximately 33 to 34 years old) (see Appendix C, Table C.1). However, this varied by crime type. Court dispositions *did not* significantly differ by age among those whose most serious offense was a violent crime or a drug paraphernalia offense. Dispositions *did* differ by age among those whose most serious offense was a property or non-paraphernalia drug crime. For both property and drug offenses, individuals ordered to a deferred sentence or conditional discharge were significantly younger on average than those convicted outright or whose cases were dismissed (see Table 1).

Table 1

Court case dispositions by offense type, average age of offender.

Average age (sd)	Court case disposition		
	Conditional discharge	Conviction	Dismissal
Offense type			
Violent	34.4 (11.3)	34.8 (10.7)	36.0 (11.4)
Property**	28.3 (11.0)	32.6 (11.0)	34.5 (11.5)
Drug***	27.2 (7.6)	32.2 (9.2)	30.5 (9.2)
Paraphernalia	34.4 (19.1)	28.9 (7.9)	30.6 (11.0)

** $p < .01$, *** $p \leq .001$

Case disposition by severity of offense

Overall, case dispositions did not vary by the severity of the offense (felony or misdemeanor). Cases involving misdemeanors were no more likely than felonies to be dismissed (51% compared to 52%, respectively). The only notable difference between felony and misdemeanor cases was that felony cases were less likely to have been resolved. However, only 3% of felony cases had not yet been disposed compared to 1% of misdemeanor cases (see Appendix C, Table C.2).

We examined case outcomes by the degree of the offense and type of offense. The outcomes of cases involving drug possession or property crimes as the most serious crime differed significantly by degree of offense. As illustrated in Figure 8 below, the courts dismissed cases

involving a misdemeanor property crime significantly more often ($p \leq .01$) than cases involving a felony property crime. Conversely, the courts dismissed felony drug possession charges significantly more often than cases involving a misdemeanor possession charges. Note that the degree of the offense did not vary for cases involving drug paraphernalia or drug trafficking. All drug paraphernalia cases were misdemeanors and all drug trafficking cases were felonies (see Table D.2 in Appendix D for additional details).

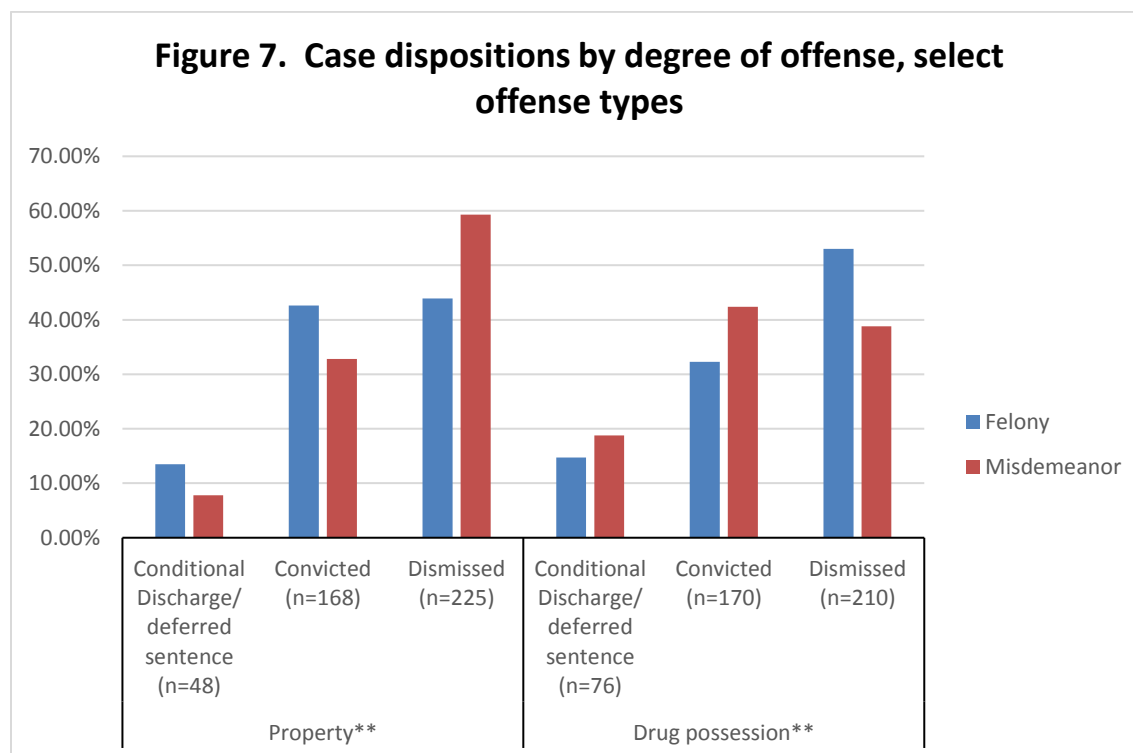


Figure 7. Court case disposition by degree of offense among drug possession cases. (** $p \leq .01$).

Case disposition by type of court

Judges in magistrate court, district court, or both could hear cases included in this sample.

Typically, magistrate courts adjudicate cases involving misdemeanor charges only. Felony-level cases may begin in either magistrate or district court, though most often they begin in magistrate court. If filed in magistrate court, the magistrate court judge will hold a preliminary hearing. If the court determines there is probable cause, the case is bound over to district court for prosecution. Prior to the preliminary hearing, prosecutors may present the evidence to a grand jury. If indicted, the case is transferred to district court for prosecution. In addition, the prosecuting attorney can dismiss charges (in either magistrate court or district court) without prejudice, meaning that the prosecutor can refile charges later if there is additional evidence to

justify pursuing the case. Here, we report case disposition by the final court jurisdiction, either magistrate or district.

Cases heard in district court were significantly more likely to have resulted in a conviction, with or without a deferred sentence or conditional discharge, compared to cases in magistrate court. Further, the district court dismissed just 14% cases compared to 60% of cases heard in magistrate court.

Regardless of offense type, cases heard in district court were more likely to result in a finding of culpability. However, dismissal rates varied somewhat by court venue. Rates of dismissal in magistrate court were highest for drug trafficking offenses, followed by violent crime and property crime. Conversely, rates of dismissal for drug possession cases and drug paraphernalia cases heard only in magistrate court were lowest relative to other offense types. Among district court cases, dismissal rates were highest for violent crimes and drug possession charges, followed by drug trafficking charges. Regardless of court type, the judge ordered a conditional discharge or deferred sentence most often in drug possession cases relative to other offense types.

Table 2
Court case dispositions by court venue and offense type.

<u>Disposition</u>	Violent***		Property***		Drug possession***		Drug paraphernalia		Drug trafficking***	
	Magistrate	District	Magistrate	District	Magistrate	District	Magistrate	District	Magistrate	District
Dismissed	63%	18%	64%	9%	54%	18%	58%	n/a	91%	12%
Conviction	29%	66%	27%	73%	32%	58%	34%	---	9%	72%
Conditional discharge or deferred sentence	8%	16%	9%	18%	15%	24%	7%	---	0%	16%
N	628	83	335	106	356	100	106	0	34	25

Case disposition by drug type

Cases involving methamphetamines resulted in a conviction more often than cases involving other types of drugs (note that for nine cases, both opiates and methamphetamines were involved – we classified these as opiate related). However, we found no statistically significant differences by substance type. Since few of the cases that had property or violent offenses as a most serious offense also included a drug offense, we do not separate these results by offense type as we did with the other analyses.

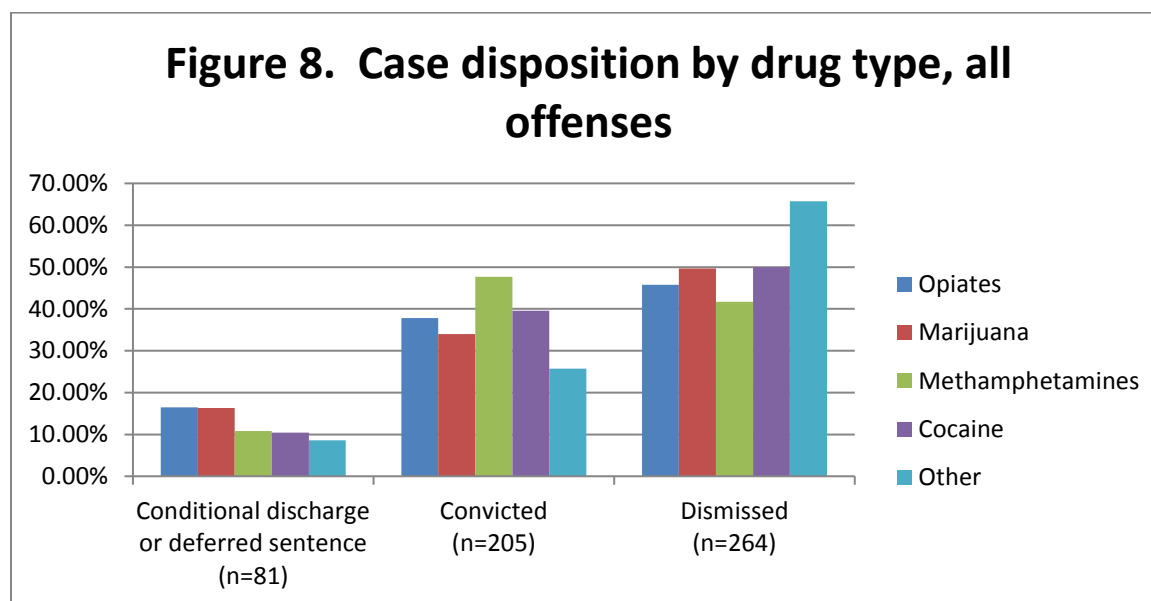


Figure 8. Case dispositions by type of substance involved.

While not displayed in Figure 8 above, a small number of cases were not yet disposed. Among those incidents that included drug charges and not yet disposed, most (58%) were opiate related and most (89%) were in warrant.

Court case disposition by substance type and personal characteristics

We explored whether court case outcomes varied by substance type and personal/case characteristics. Since the number of cases in each category became very small for some combinations, we opted to combine the case dispositions into two outcomes: convicted (which includes conditional discharges and deferred sentences) and dismissed.

Cases involving opiates were more likely to be dismissed if the defendant was male (49%) than if the defendant was female (39%). While notable, these differences were not statistically

significant. We did not find any other significant differences in court case dispositions by substance type and sex, nor did we find significant differences by race/ethnicity or age (see Appendix E for details).

Court case disposition by substance type and case characteristics

We examined court case disposition by substance type and degree of offense. Regardless of the substance, the courts dismissed felony-level offenses more often (see Appendix E). However, these differences were only significant for cases involving marijuana and methamphetamines (see Figure 11). Possession of methamphetamines is a felony-level offense. However, defendants often plea to a lesser charge of attempted possession of methamphetamines, which is a misdemeanor. The results displayed in Figure 9 reflect these pleas and charging options.

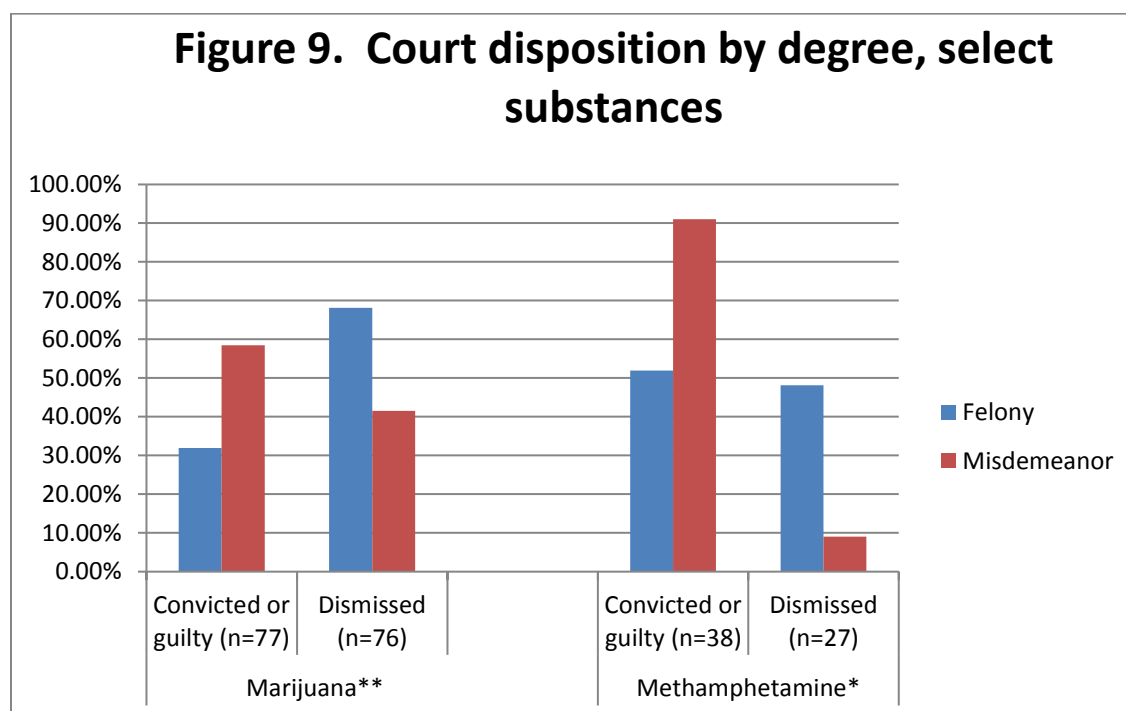


Figure 9. Disposition of cases by degree of offense within select substance types.

****** $p < .01$ ***** $p < .05$

Regardless of the substance involved in the case, cases in district court resulted in a conviction significantly more often than cases heard only in magistrate court (See Appendix E). Since we did not gather information about the amount of the substance found, this may speak to the quantity of the substance or it could reflect other factors, such as criminal history. For example, prosecutors may prioritize indicting cases against repeat offenders over cases involving a first-time offender. Additionally, it may reflect circumstances of the incident.

Summary and discussion

Among the bookings in this sample, the most serious offense was most often a violent crime. Drug offenses followed, with drug possession as the most common type of drug crime. The most common substance documented was opiates, either alone or in combination with other illicit substances. Heroin was the most frequently documented opiate.

We found a court case corresponding to nearly all of the bookings in our sample. Over half of the cases filed resulted in a dismissal of all the charges. However, rates of dismissal were significantly lower among cases involving drug possession charges. Especially notable were the relatively higher rates of conditional discharge or deferred sentences in these cases. These options offer the defendant a second chance. In both options, the court expects defendants to complete the imposed terms of supervision. Once the defendant successfully completes those terms, the court dismisses the charges. If the defendant fails to comply, the court convicts the defendant (conditional discharge) or imposes the sentence (deferred sentence).

We found some significant variations in court case dispositions for drug offenses by both personal and case characteristics. Specifically, the courts ordered younger defendants to a deferred sentence or conditional discharge when the case involved drug possession or trafficking. However, we found no statistically significant differences by sex or race/ethnicity. Although there were fewer dismissals for drug possession cases relative to other crimes, the courts dismissed felony-level drug possession crimes significantly more often than misdemeanor-level drug possession crimes. Similarly, while drug possession cases heard in district court were more likely to result in conviction than those heard only in magistrate court, the dismissal rates were higher for drug possession cases heard in district court relative to most other offenses (except violent crimes). There were also significant differences by substance type. The courts dismissed felony-level methamphetamine and marijuana cases significantly more often than misdemeanor-level cases involving these substances. While we found no statistically significant differences for other substance types and degree of offense, the trends were the same. Further, we found no significant differences in case outcome by substance type overall.

These findings suggest that the courts dismiss felony-level drug cases more often than misdemeanor cases, regardless of substance type. While we do not know from these data why this occurred, there are several possible explanations. It may be that felony-level possession cases are more difficult to prove, or that defendants are less likely to accept a plea bargain when the penalties are more severe. Conversely, in misdemeanor cases, defendants may be more likely to accept a plea bargain, especially with the promise offered by a conditional discharge/deferred sentence. Further, prosecutors may be more inclined to offer plea bargains in these cases, or the evidence may better support conviction in these cases.

We also found differences in case disposition by personal and case characteristics for other crime types. Among violent crimes, males faced harsher consequences. They were convicted outright more often, while cases against females were dismissed more often or judges ordered conditional discharges or a deferred sentence. As noted for defendants in drug possession cases, the average age of defendants in property crimes who were ordered to a conditional discharge/deferred sentence was younger than those convicted or dismissed. Unlike drug crimes, the courts dismissed misdemeanor-level property crimes significantly more often than felony-level property crimes. However, it is important to note that while we examined case disposition using a variety of characteristics, we did not account for factors such as criminal history, concurrent cases, or other factors that could affect sentencing decisions. This is an important limitation of this study to keep in mind. It is possible that if we took these factors into account, some of these relationships would no longer be statistically significant.

Finally, only a very small number of cases were not yet disposed. Notably, those involving drug possession charges were significantly more likely to have outstanding cases relative to cases involving other types of offenses. Over half of the outstanding drug possession cases were opiate related, and most were in warrant. This suggests that offenders with opiate-related charges may be more likely to abscond than those whose charges involve some other substance. However, we did not control for detention, so it is unknown whether pretrial detention might be associated with the type of substance(s) found. If so, this could account for the higher warrant rates among those with opiate-related charges. Specifically, if those with opiate-related charges were less likely to be detained pretrial, they would be afforded the opportunity to abscond.

Conversely, if those with other substances were more likely to be detained, they would not have the opportunity to abscond.

We found many felony cases that began in magistrate court were never bound over to district court. This may reflect the prosecutor's judgment that there is not enough evidence to prove the defendant's guilt beyond a reasonable doubt. Successful prosecution requires sufficient evidence to proceed. Some cases, such as drug possession cases, may be easier to prove than others. For example, when a person is charged with drug possession, the police typically confiscate the substance and have it tested at the lab. If the test shows it is an illicit substance, the prosecutor has physical evidence to provide when arguing the case. Additionally, the arresting officer can serve as a witness in these cases. Conversely, cases involving violent crimes may be more difficult to prove, particularly if the evidence is lacking or if victims do not wish to cooperate with the case.

Importantly, cases were most often dismissed without prejudice. These cases could be reopened if sufficient evidence becomes available to support proceeding with the case. We did find evidence of prosecutors reopening cases after dismissal. In some instances, prosecutors are actively pursuing other cases against a particular defendant. They use their resources to focus on incidents that are more serious or where there is better evidence to prove guilt. Other factors, such as a backlog in cases could play a role.

We found some interesting differences in the dispositions of bookings in this study. It is important to keep in mind the myriad of factors that can play a role in explaining these results differences.

Appendix A: Sample description overall and by offense type

Table A.1.

Sample Description by Personal Characteristics and Offense Type

<u>Offense type</u>	Sex		Ethnicity/race ***			Age***
	Female	Male	Hispanic (Any race)	Non- Hispanic White	Non-Hispanic Other	Average age (sd)
Violent	37%	41%	36%	48%	48%	35.4 (11.2)
Property	25%	25%	25%	23%	27%	33.2 (11.3)
Drug paraphernalia	6%	6%	7%	4%	6%	30.6 (10.6)
Drug possession	30%	25%	29%	21%	15%	30.9 (9.0)
Drug trafficking	3%	4%	3%	3%	4%	28.6 (9.6)
Total	28% (N=510)	72% (N=1325)	70% (N=1279)	22% (N=411)	8% (N=145)	33.2 (10.8) (N=1835)

*** $p < .001$

Table A.2.

Sample Description by Case Characteristics and Offense Type

<u>Offense type</u>	Degree MSO***		Court Venue***	
	Felony	Misdemeanor	District	Magistrate
Violent	38%	41%	26%	43%
Property	28%	22%	33%	23%
Drug paraphernalia	0%	12%	0%	7%
Drug possession	28%	25%	33%	25%
Drug trafficking	7%	0%	8%	2%
Total	49% (N=888)	52% (N=944)	18% (N=331)	82% (N=1484)

*** $p < .001$

Appendix B: Court case disposition details

Table B.1.
Court case disposition details

Disposition	% (N)	Detailed disposition	%
Convicted	34% (630)	Pled guilty or no contest	34%
		Guilty at jury trial	<1%
Convicted- Deferred sentence or conditional discharge	11% (200)	Deferred sentence	7%
		Conditional discharge	4%
Dismissed	52% (943)	Nolle prosequi	33%
		Dismissed prosecutor or witness FTA	11%
		Dismissed, speedy trial violation	5%
		Dismissed by judge (reason unknown)	1%
		Dismissed, defendant incompetent	1%
		Dismissed other (pled to another case, insufficient evidence, defendant died)	<1%
Not disposed	2% (39)	In warrant	1%
		Other	<1%
Acquitted, other	<1% (3)	Acquitted	<1%
		Extradited	<1%

Appendix C: Court case dispositions by personal and case characteristics

Table C.1

Court case dispositions by personal characteristics

<u>Disposition</u>	Sex ¹			Ethnicity/Race			Age ***
	All cases	Female	Male	Hispanic (Any race)	White, non-Hispanic	Other, non-Hispanic	Average age (sd)
Not found in court	1%	1%	1%	1%	<1%	<1%	32.8 (9.9)
Discharge/deferral	11%	13%	10%	11%	10%	8%	30.1 (10.8)
Convicted	34%	30%	36%	34%	33%	37%	33.1 (10.3)
Dismissed	51%	53%	51%	51%	53%	52%	33.9 (11.1)
Other	<1%	0%	<1%	0%	<1%	0%	43.0 (7.2)
Not yet disposed	2%	2%	1%	2%	2%	2%	33.2 (9.1)
N	1835	510	1325	1279	411	145	1835

¹ Although we did not find significant differences in disposition by sex overall, we did find significant differences ($p < .05$) when we included only convicted, discharged/deferred, and dismissed.

*** $p < .001$

Table C.2
Court case dispositions by degree and court type

<u>Disposition</u>	Degree of offense			Court type***	
	All cases	Felony	Misdemeanor	Magistrate	District
Not found in court	1%	<1%	1%	n/a	n/a
Discharged/ deferred	11%	11%	11%	9%	18%
Convicted	34%	34%	35%	28%	63%
Dismissed	51%	51%	52%	60%	14%
Other	<1%	<1%	<1%	<1%	0%
Not yet disposed	2%	3%	1%	2%	5%
N	1835	888	944	1484	331

*** $p < .001$

Table C.3
Court case dispositions by substance type

<u>Disposition</u>	Substance type					
	All cases	Opiate	Marijuana	Methamphetamine	Cocaine	Other
Not found in court	1%	<1%	0%	0%	0%	0%
Discharged/ deferred	10%	16%	16%	11%	10%	9%
Convicted	32%	36%	33%	47%	37%	26%
Dismissed	55%	46%	50%	46%	53%	66%
Other	<1%	0%	0%	0%	0%	0%
Not yet disposed	1%	4%	3%	2%	6%	0%
N	1835	262	157	66	51	35

Appendix D: Case disposition by select characteristics and offense type

Table D.1

Case Disposition by race and offense type

<u>Disposition</u>	Violent			Property			Drug			Drug paraphernalia		
	Hispanic, Any race	White, non-Hispanic	Other	Hispanic, Any race	White, non-Hispanic	Other	Hispanic, Any race	White, non-Hispanic	Other	Hispanic, Any race	White, non-Hispanic	Other
Conditional discharge or deferred sentence	9%	9%	7%	10%	16%	8%	17%	9%	11%	8%	6%	0%
Conviction	34%	30%	38%	39%	30%	49%	35%	46%	33%	35%	44%	0%
Dismissed	57%	61%	54%	51%	54%	44%	49%	45%	65%	56%	50%	100%
N	447	196	68	313	89	39	392	96	27	83	16	7

Note: Even though 100% of cases where the most serious offense was drug paraphernalia and race/ethnicity recorded as “other” ended in dismissal, this represents only seven individuals.

Table D.2

Case Disposition by degree of offense and offense type

<u>Disposition</u>	Violent		Property***		Drug possession***		Drug paraphernalia ¹	Drug trafficking ¹
	Misdemeanor	Felony	Misdemeanor	Felony	Misdemeanor	Felony	Misdemeanor	Felony
Conditional discharge or deferred sentence	9%	9%	8%	13%	19%	15%	7%	7%
Conviction	35%	31%	33%	43%	42%	32%	34%	36%
Dismissed	57%	59%	59%	44%	39%	53%	58%	28%
N	385	330	204	242	224	235	106	60

¹ All drug paraphernalia charges were misdemeanors and all drug trafficking charges were felonies.*** $p < .001$

Appendix E: Court case dispositions by substance type and other characteristics

Table E.1.

Court case dispositions by substance type and personal/case characteristics

	Disposition	Sex		Ethnicity/Race			Age	Degree		Court type	
		Female	Male	Hispanic	White, non-Hispanic	Other, non-Hispanic	Average age (sd)	Felony	Misdemeanor	Magistrate	District
Opiates	Convicted	61%	51%	57%	43%	44%	29.4 (7.7)	52%	59%	40%	82%
	Dismissed	39%	49%	43%	57%	56%	30.9 (8.6)	48%	41%	60%	18%
	N	83	166	205	35	9	249	161	88	164	85***
Marijuana	Convicted	46%	52%	47%	66%	40%	30.0 (10.1)	32%	58 %	48%	100%
	Dismissed	54%	48%	53%	34%	60%	27.5 (8.8)	68%	42%	52%	0%
	N	39	114	106	32	15	153	47	106**	147	6**
Methamphetamines	Convicted	69%	51%	55%	56%	100%	34.0 (7.2)	52%	91%	36%	92%
	Dismissed	31%	49%	45%	44%	0%	35.1 (9.9)	48%	9%	64%	8%
	N	26	39	38	23	4	65	54	11*	39	26***
Cocaine	Convicted	50%	50%	53%	43%	33%	34.8 (11.2)	46%	67%	29%	80%
	Dismissed	40%	50%	47%	57%	67%	34.2 (10.8)	54%	33%	71%	20%
	N	14	34	38	7	3	48	39	9	28	20***
Other	Convicted	36%	33%	27%	63%	0%	32.9 (9.2)	27%	46%	34%	0%
	Dismissed	64%	67%	73%	37%	100%	29.5 (7.8)	73%	54%	66%	0%
	N	11	24	26	8	1	35	22	13	35	0
	Convicted	57%	50%	52%	54%	47%	30.8 (8.9)	46%	60%	41%	85%
	Dismissed	43%	50%	48%	46%	53%	30.5 (9.2)	54%	40%	59%	15%
TOTAL	N	173	377	413	105	32	550	323	227**	413	137***

*** $p \leq .001$ ** $p \leq .01$ * $p \leq .05$

Note: Offenses involving substances such as cocaine, methamphetamines, and opiates are typically felony-level offenses. However, the prosecuting attorney can choose to pursue a lesser charge of attempted possession of a controlled substance, which is a misdemeanor offense. Further, the possession of some opiates, such as Suboxone, do not meet the criteria for a felony; instead, these are misdemeanor-level offenses.