

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

**Background**

The Minneapolis Serious Traffic Court began hearing cases in August 2004. This court calendar is for non-payable, misdemeanor and gross misdemeanor, traffic offenses that occur in the city of Minneapolis. The calendar runs Monday through Friday at the Public Safety Facility (i.e., Hennepin County jail), so that in and out of custody defendants can be seen.

### Case Types

During the last quarter of 2004, there were 1,661 cases that had at least one hearing on the serious traffic calendar. Of these, 1,508 (91%) were court accepted in 2004.

However, court acceptance dates for the remaining 9% go back as far as 1997. Most of the cases heard on the calendars are driver license cases<sup>1</sup> (45%), DWI cases (31%), and moving violations (14%). Table 1 shows the frequencies for the various case types.

The conduct and community violation cases on this calendar are typically offenses that are related to traffic, such as interference with pedestrians and amplified sound from vehicle. The Drug/Alcohol cases were also traffic related, such as driver with an open bottle driver, driver consuming, or possession of marijuana in a vehicle. However, a number of cases that do not appear to belong on the calendar (e.g., parking, conduct, community violations) have “tagged along” with a serious traffic offense.

**Table 1: Types of Cases Heard on the Serious Traffic Calendar, 4<sup>th</sup> Quarter 2004**

<b>Case Type</b>	<b>Gross Misdemeanor</b>	<b>Common Misdemeanor</b>	<b>Petty Misdemeanor</b>	<b>Total</b>
<i>Conduct</i>	11	18	1	30
<i>Community Violations</i>	0	11	0	11
<b><i>Driver's License</i></b>	<b>0</b>	<b>745</b>	<b>1</b>	<b>746</b>
<i>Drugs/Alcohol</i>	2	60	0	62
<b><i>DWI</i></b>	<b>259</b>	<b>264</b>	<b>0</b>	<b>523</b>
<i>Equipment</i>	0	4	22	26
<b><i>Moving Violations</i></b>	<b>89</b>	<b>103</b>	<b>47</b>	<b>239</b>
<i>Parking</i>	0	1	20	21
<i>Recreational Vehicles</i>	0	1	0	1
<i>Trucks</i>	0	2	0	2
<b><i>TOTAL</i></b>	<b>361</b>	<b>1,209</b>	<b>91</b>	<b>1,661</b>

<sup>1</sup> Driver's license cases are also seen on the payable traffic calendar. The ones on the serious traffic calendar, however, are ones where the defendant is appearing on a bench warrant, and/or has stayed jail time from other prior offenses.

**How Cases Began**

Nearly 65% of the cases on the serious traffic calendar that started as complaints were gross misdemeanors, and nearly all of those that started as tab charges were common misdemeanors (99.6%). Overall, over half of the cases on the calendar that were disposed by the end of the year began as citations, with the other half of cases fairly evenly split between tab charges and complaints.

***Table 2: How Cases on the Serious Traffic Calendar Began,  
for Cases Disposed in the Last Quarter of 2004***

	<b>Gross Misdemeanors</b>	<b>Common Misdemeanors</b>	<b>Petty Misdemeanors</b>	<b>Total</b>
<b>Complaint</b>	151 64.8%	79 33.9%	3 1.3%	233 (23% of cases) 100%
<b>Tab Charge</b>	0 0%	242 99.6%	1 0.4%	243 (25% of cases) 100%
<b>Citation</b>	0 0%	455 88.9%	57 11.1%	512 (52% of cases) 100%
<b>Total</b>	151 15.3%	776 78.5%	61 6.2%	988 100%

**Clearance Rates on the Serious Traffic Calendar**

Forty-one percent of the cases on the serious traffic calendar resolve without going on to pretrial or trial. There is, however, great variation by offense degree with regard to disposition at arraignment. Of the gross misdemeanors, only 18% plead guilty at arraignment, while 47% of the common misdemeanors plead guilty without moving on to pretrial and 63% of the petty misdemeanors plead guilty without moving on to trial. This can be explained by the differences in what is at stake for each offense level; defendants convicted of gross misdemeanors and many common misdemeanors face the possibility of jail time if convicted, whereas this is not an issue for those who plead guilty to petty misdemeanors.

***Table 3: Outcome of Arraignment Hearings on the Serious Traffic Calendar<sup>2</sup>***

<b>Outcome</b>	<b>Gross Misdemeanors</b>	<b>Common Misdemeanors</b>	<b>Petty Misdemeanors</b>	<b>Total</b>
<i>Disposed</i>	64 17.7%	562 46.5%	57 62.6%	<b>683</b> <b>41.1%</b>
<i>Pled Not Guilty</i>	8 2.2%	326 27.0%	12 13.2%	<b>346</b> <b>20.8%</b>
<i>Continuance for Consultation with Attorney</i>	67 18.6%	112 9.3%	9 9.9%	<b>132</b> <b>7.9%</b>
<i>Bench Warrants/No Appearance</i>	19 5.3%	113 9.4%	9 9.9%	<b>141</b> <b>8.5%</b>
<i>Continued</i>	12 3.3%	10 0.8%	3 3.3%	<b>25</b> <b>1.5%</b>
<i>Other<sup>3</sup></i>	191 52.9%	134 11.1%	9 9.9%	<b>334</b> <b>20.1%</b>
<i>Total</i>	361 100%	1,209 100%	91 100%	<b>1,661</b> <b>100%</b>

<sup>2</sup> In this table, each case is counted only once, by the most final of outcomes. For example, if a case had a continuance, but was eventually disposed without going on to pretrial or trial, it would be counted in the disposed category. Similarly, cases are only counted as bench warrant/no appearance if that is the last thing that happened for that case on this calendar.

<sup>3</sup> Many of these are appearances on A&D's and revocation hearings.

### **Types of Dispositions**

Of the 1,661 cases that appeared on the serious traffic calendar in the last quarter of 2004, 60% (988) were disposed during that same time frame, and another 9% (150) were disposed prior to that time frame (and appeared on arrest and detention hearings, revocations, or other post-disposition reasons for appearance). Table 4 displays dispositions for all serious traffic court cases disposed during the last quarter of 2004, regardless of the hearing at which they were disposed (i.e., arraignment, pretrial, trial). Nearly all (96%) of the gross misdemeanor cases heard on the serious traffic calendar during the last quarter of 2004 resolved with a guilty plea. Most of these are DWI's.

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

	<b>Gross Misdemeanors</b>	<b>Common Misdemeanors</b>	<b>Petty Misdemeanors</b>	<b>Total</b>
<b>Pled Guilty</b>	145 96%	424 54.6%	16 26.2%	585 59.2%
<b>Continue for Dismissal (CWOP)</b>	0 0%	117 15.1%	8 13.1%	125 12.7%
<b>Acquitted</b>	1 0.7%	0 0%	0 0%	1 0.1%
<b>Dismissed</b>	5 3.3%	233 30.0%	37 60.7%	275 27.8%
<b>Adjudication Withheld</b>	0 0%	2 0.3%	0 0%	2 0.2%
<b>TOTAL</b>	151 100%	776 100%	61 100%	988 100%

**Case Dispositions By How Cases Began**

Most of the cases that were charged by complaint resolved in a guilty plea. This is understandable because 70% of the cases charged by complaint were gross misdemeanors (see Table 2), and nearly all of those resolved in guilty pleas (see Table 4). Most of the tab charges resulted in guilty pleas as well (72.4%), and on further investigation we find that 65% of these cases were Driver's License cases (Driving After Suspension, Cancellation, Revocation, or Withdrawal). The resolutions for citation cases were evenly split between cases that resolved with a guilty plea (41%) and cases that were dismissed (39.8%), with another 19% receiving CWOP's. These citation cases were also, for the most part, Driver's License cases.

***Table 5: Dispositions by How Cases Began,  
for Cases Disposed in the Last Quarter of 2004***

	<b>Complaint</b>	<b>Tab Charge</b>	<b>Citation</b>	<b>Total</b>
<b>Pled Guilty</b>	199 85.4%	176 72.4%	210 41.0%	585 59.2%
<b>Continue for Dismissal (CWOP)</b>	15 6.4%	14 5.8%	96 18.8%	125 12.7%
<b>Acquitted</b>	1 0.4%	0 0%	0 0%	1 0.1%
<b>Dismissed</b>	18 7.7%	53 21.8%	204 39.8%	275 27.8%
<b>Adjudication Withheld</b>	0 0%	2 0%	2 0.4%	2 0.2%
<b>TOTAL</b>	233 100%	243 100%	512 100%	988 100%

**Timing Indicators**

On average, it takes approximately 4 months (125 days) for serious traffic offenses to have their first appearance in court. However, the gross misdemeanors are only taking approximately 1 month (31 days) from offense to first appearance; the cases that take the longest are the petty misdemeanors, because they have typically been ignored until the defendant commits a more serious driving offense, and then the petty misdemeanors that start as citations “tag along” with the more serious cases. In short, there are petty misdemeanors from 3 or 4 years prior that are having their first appearance (along with a gross misdemeanor for the same defendant) on the serious traffic calendar.<sup>4</sup> Once the serious traffic cases make it to court, it takes just over two months to resolve them.

***Table 6: Timing Indicators by Degree,  
for Cases Disposed in the Last Quarter of 2004***

	<b>Gross Misdemeanors (151 cases)</b>	<b>Common Misdemeanors (776 cases)</b>	<b>Petty Misdemeanors (61 cases)</b>	<b>All Cases Disposed in Last Quarter of 2004 (988 cases)</b>
<b>Average Length of Time from Offense to First Appearance (in days)</b>	31 days	132 days	263 days	125 days
<b>Average Length of Time from First Appearance to Disposition (in days)</b>	76 days	58 days	97 days	63 days
<b>Average Number of Appearances in Court</b>	2.8 hearings	2.3 hearings	3.0 hearings	2.4 hearings

<sup>4</sup> We performed an outlier analysis, in order to remove the statistical outliers from the calculation of the average. In doing so we reduced the number of days from offense to first appearance for petty misdemeanors to 192 days, or just over six months. When we adjust the overall average after removing statistical outliers, it takes 92 days, or approximately 3 months, for serious traffic cases to make it to court.

### *Failure to Appear*

Out of the total of 1,661 cases heard on the serious traffic calendar during the last quarter of 2004, 211 (13%) had at least one bench warrant ordered for failure to appear, and only 4 cases had two.

**Table 7: Bench Warrants for All Cases Heard on the Calendar**

<b>Offense Level</b>	<b>Bench Warrants Ordered</b>
Gross Misdemeanor (361 cases)	32 (8.9%)
Common Misdemeanor (1,209 cases)	165 (13.6%)
Petty Misdemeanor <sup>5</sup> (91 cases)	18 (19.8%)
Total (1,661 cases)	215 (12.9%)

### *Person Level Analysis*

Because defendants are often seen in traffic court on multiple cases at the same time, there are often less people than cases represented. There are 1,350 people related to the 1,661 cases in the last quarter of 2004. While the maximum number of cases for one defendant was 18, 81% had only one case, and 97% had five or less.

In an analysis of the defendants for whom we have complete demographic data, we found that 52% of serious traffic court defendants are people of color, and 48% are white.<sup>6</sup> This ratio is much more equivalent than we have seen on our other criminal calendars, where

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<sup>5</sup> Typically bench warrants would not be ordered for petty misdemeanor cases. However, these are cases that have tagged along with common and gross misdemeanor cases.

<sup>6</sup> In a separate study going on at the time that this report was being written, we have also found that in addition to their race, one fifth of traffic court defendants identify themselves as Hispanic.



we have had upwards of 70% people of color, which may be a reflection of the types of offenses (i.e., DWI's) on this calendar.

Similarly, 71% percent of defendants are male, and 21% are female, which is also less of a difference than on other criminal court calendars. The average age of serious traffic court defendants was 32 years old, with the oldest being 76 and the youngest being 16.

### **Conclusions**

This is a first look at the data from the newly established Minneapolis Serious Traffic Calendar. We will continue to observe and analyze data over time to get a true picture of how these types of cases are being handled.