

**THE SAN DIEGO POLICE DEPARTMENT'S
WESTERN DIVISION**

WARRANT PROJECT



Written By:

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Panel Submission Form

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SCANNING:

What problem did you address in your POP project?

While assigned to Western Divisions 610 Service Area Walking Team, Officers James Heppell and Carol Council noticed many of the subjects who were issued misdemeanor citations, failed to appear for their court date, yet were not issued warrants for their arrest. As a result, the misdemeanor citations had no deterrent effect on criminal behavior.

Why did you select this problem over others?

The Officers noted that there was a significant recidivism rate involving individuals cited and current enforcement efforts were fruitless.

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Citizens and local merchants complained to Police Officers about the transients chronic public drunk and disorderly behavior, urinating in public and a wanton disregard towards local laws and ordinances.

With the assistance of Crime Analyst Ann Carter, Officers were able to show that there was a marked recidivism by those issued misdemeanor citations, especially for alcohol related violations within city parks and beaches. (See Attachment 2)

ANALYSIS:

What Analysis was done concerning the problem?

Within Western Division, we have several "Walking Teams" that have been assigned the primary task of enforcing laws that are commonly violated within specific geographic areas located within the Division. These teams have daily, frequent contact with people who violate the law and receive misdemeanor citations. The citation recipients fail to appear in court and made no attempt to resolve their charges or fines.

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Some of the violations that these people were cited for, are designated in the Misdemeanor and Infraction Bail Schedule to be processed to the Civil Assessment Program rather than a warrant being issued for their arrest.

The Civil Assessment Program was initiated in 1991 by County Supervisor Ron Roberts as a way to deal with the 250,000 active misdemeanor warrants that were in the County Marshal's warrant system. At that time, law enforcement was unable to book individuals into jail on misdemeanor warrants.

The intent of the Civil Assessment Program was to find an alternative to the ever increasing amount of misdemeanor warrants which were being added to the warrant bank. The program was designed to make a person take care of their obligations to the court, if they were concerned about their credit rating.

Officers Heppell and Council, asked Officer Michael Shiraishi to assist with locating information on the Civil Assessment Program and facilitate a meeting with Court Administrators, due to his prior employment with the San Diego County Marshal's Office.

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Officer Shiraishi met with then Municipal Court Presiding Judge Michael P. Orfield.

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Shiraishi explained that transient members of the community were not concerned about their credit ratings, because their way of life does not require them to have a credit rating in good standing. Thus a civil assessment against them had no deterrent effect on their criminal behavior. Subjects continued to re-offend knowing that nothing would happen to them.

Judge Orfield agreed that this transient life style had been overlooked in 1991 at the inception of the program. Judge Orfield agreed to allow Officers to conduct a pilot program in partnership with the Municipal Court.

Officers Heppell, Council and Shiraishi met with Sharon Cole, Assistant Administrator of the San Diego Municipal Court and formed a partnership for this project. Sharon Cole, supervised the Misdemeanor Arraignment Court and all of the record keeping that is generated from that court. The Officers explained this unique situation had been overlooked. Cole agreed that this could cause a problem and might in fact create a back log in the Civil Assessment Program, much like the one they were tried to alleviate in the Warrant system.

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Officers Heppell, Council and Shiraishi, developed a tracking criteria that would allow the Police Department and the Municipal Court to track each citation and insure that it was correctly routed. They developed a "flagging system" so the court recognized when the defendant failed to appear in court. The case was then sent to the warrant bank and not to Civil Assessment. (See Attachment 1)

RESPONSE:

What were the goals of your response?

With the assistance of Assistant Court Administrator Sharon Cole and Municipal Court Supervisor Julie Del Muro, Officers designed a form to be attached to the misdemeanor citation. The form alerted the court clerks when the defendant failed to appear for court so the case would not be sent for a Civil Assessment. The court then issued a warrant for the arrest of the defendant.

Court officials and the officers decided to implement this pilot program and scheduled meetings to determine if the project was viable.

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Officer Shiraishi created a computer database to track the people Officers Heppell and Council were contacting on a daily basis. The database would be used to document their recidivism rate. The database eventually reached 336 citations. Officers Heppell and Council also conducted computer follow-ups to see if the citizen had been issued a citation or had been booked into County Jail on at least one prior occasion.

During the year long project, the Officers had several meeting with Court officials to ensure that the citations were being routed correctly and that warrants were being issued.

The Officers also met with Judge Frank Brown, Chairman of the Bail and Jail Committee. The Bail and Jail Committee is responsible for making adjustments to the Misdemeanor Bail schedule. The Officers collected the data from the project and presented the information to Judge Brown.

Judge Brown agreed that the documentation concerning the chronic recidivism supported the officers initial hypothesis that the Civil Assessment program was only effective with those members of the community concerned with their credit ratings.

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Generally, the Civil Assessment Program had no direct impact on people whose primary concern in life was where their next drink was coming from. They had no concern about their credit rating or standing in the community. For those members of the community not concerned with their credit ratings and unwilling to appear in court, the only viable answer was the issuance of a warrant if the defendant failed to appear.

In October of 1998, Judge Brown presented the warrant project findings to the Bail and Jail Committee. Judge Brown asked the committee members to amend the Misdemeanor Bail Schedule to reflect the issuance of warrants for all alcohol related offenses and specified sections that pertain to City parks and beaches. (Attachment 3).

ASSESSMENT:

What were the results of your response?

This program was intended to effectively impact criminal activity and recidivism by members of the community, who were not concerned with their credit ratings.

It was discovered when talking to these individuals', their criminal activities were most effectively deterred by the prospect of incarceration.

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During the one and a half year pilot project, officers issued 336 misdemeanor citations. The majority of those cited re-offended at least once. However, upon being physically arrested and placed into custody 72 percent, did not recidivate as evidenced by the lack of repeat citations. The highest documented recidivism rate was a total of 17 repeat offenses by an individual who refused to comply with the drinking in public ordinance. (See Attachment 4)

The officers presented their project findings as a closed P.O.P. project at the November 1998 P.A.A.C. (Problem Analysis Advisory Committee) meeting. The P.A.A.C. monthly meeting is used to provide information and resources to Department personnel on open and closed P.O.P. projects. Judge Brown was present at the P.A.A.C. meeting. He told the group the Officers' findings were "eye opening" and no one involved in the conception and design of the program had realized some citation recipients would not be concerned about their credit ratings at the inception of the Civil Assessment Program. (See Attached Letter from Judge Brown)

Judge Brown also said that because of the new awareness these three officers had brought to the court, the misdemeanor bail schedule would be changed.

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The changes would make particular nuisance crimes affecting the quality of life go automatically to warrant if the defendant failed to appear in court.

This program allowed the Court and the Police Department to work in partnership to assist those individuals who had no desire to appear in court. This new system prevented a backlog in the Civil Assessment bank and allowed the Court to get a disposition on active cases.

How did we measure our results?

Due to the efforts of Officers Carol Council, James Heppell and Michael Shiraishi, there was a marked reduction in nuisance related crimes. Furthermore some of the chronic offenders left the community rather than face incarceration. (See Attachment 5)

This long and involved project was successful due to the officers' perseverance and their willingness to form a lasting partnership with members of the Judiciary, Court Administrators and other county agencies.

All County agencies are now able to incarcerate repeat offenders for specified nuisance crimes.

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The change realized by the "warrant project" positively impacted the community as a whole by reducing the chronic recidivism by transient members of the community and the overall crime rate by holding people accountable for their actions. (See letters.)

The significant change made to the Misdemeanor Bail schedule as a result of this project, gave all San Diego County law enforcement agencies another useful tool to address the quality of life issues that are so difficult to deal with on a daily basis.

ATTACHMENT #1

**SAN DIEGO MUNICIPAL COURT
SAN DIEGO JUDICIAL DISTRICT**

NOTICE

NAME OF DEFENDANT: _____

CITATION NUMBER: _____

If the defendant fails to appear on this citation, as part of a pilot project, approved by the Honorable Michael B. Orfield, Judge, San Diego Municipal Court, this case WILL GO TO WARRANT.

Do Not Process A Civil Assessment

**SAN DIEGO MUNICIPAL COURT
SAN DIEGO JUDICIAL DISTRICT**

NOTICE

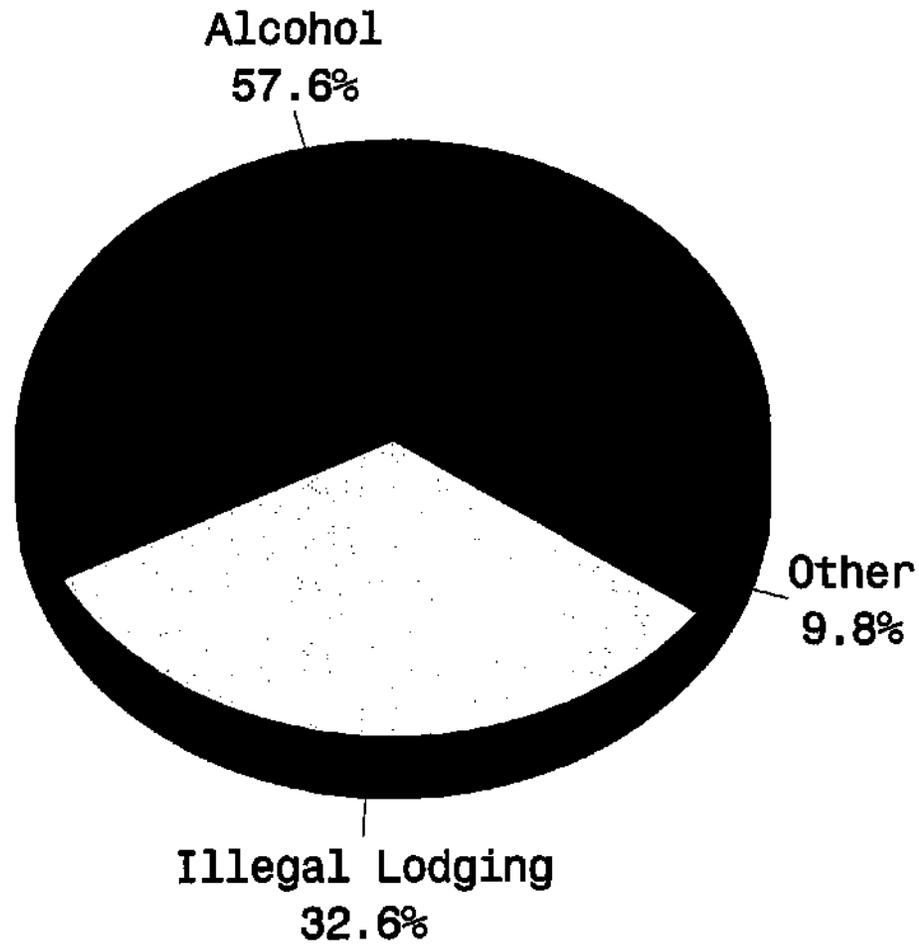
NAME OF DEFENDANT: _____

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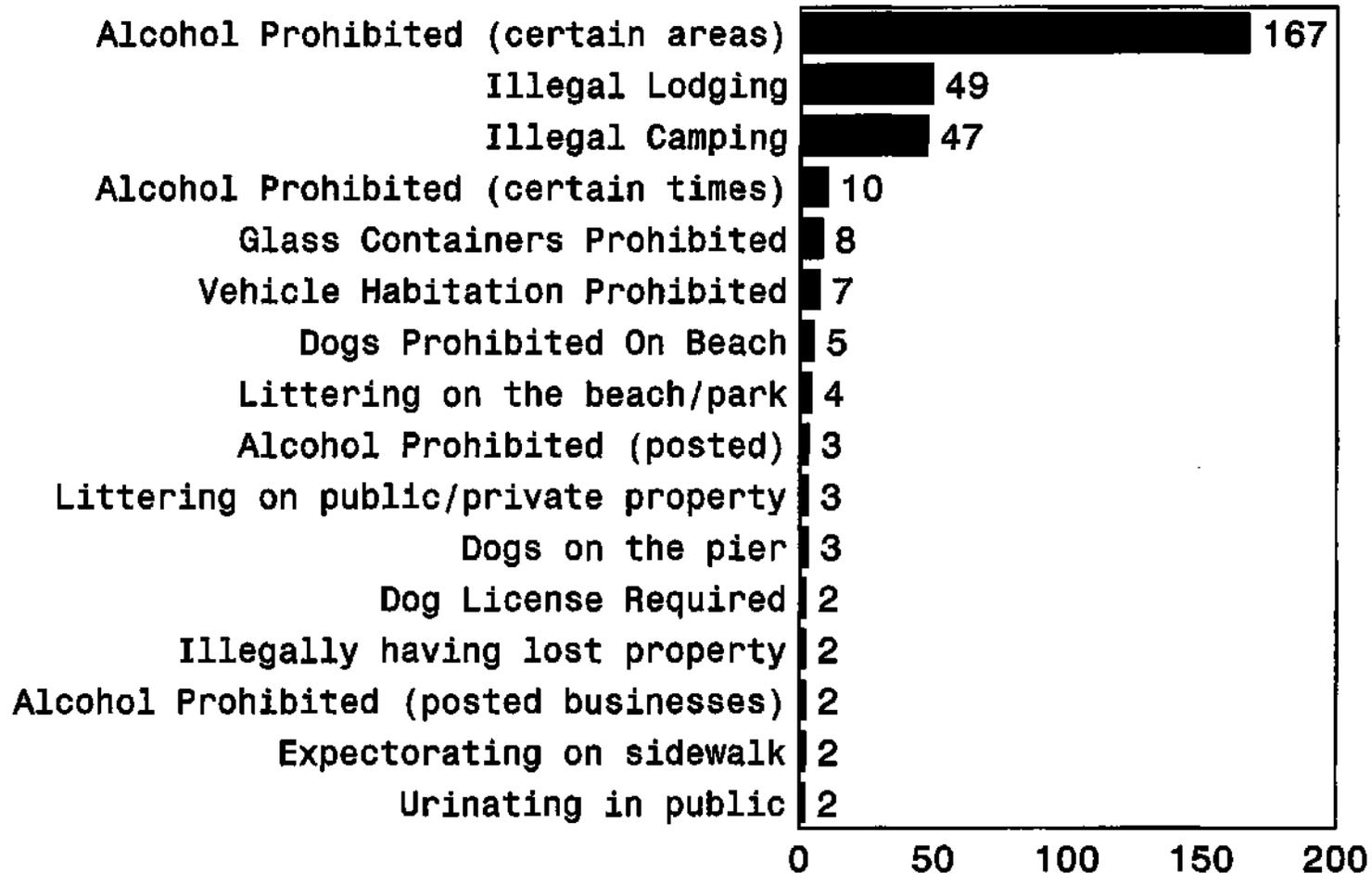
Do Not Process A Civil Assessment

Sections Most Frequently Violated (Attachment 2)



Sections Most Frequently Violated

(Attachment 3)



Number of Violators Who Left the Area (Attachment 5)

