



To: The Honorable Karen E. Spilka, Chair, Senate Committee on Ways and Means
The Honorable Brian S. Dempsey, Chair, House Committee on Ways and Means

cc: Christopher Marino, Fiscal Analyst, Senate Committee on Ways and Means
Taylor Shepherd, Fiscal Analyst, House Committee on Way and Means

From: Tara Maguire, Executive Director, Massachusetts District Attorneys Association

Date: March 7, 2017

Re: **Amended Annual Report on the District Attorneys' Prosecution Statistics**

This report replaces the report filed on March 1, 2017, as it includes additional data unavailable at the time of the last filing.

As required by Chapter 133 of the Acts of 2016,¹ the Massachusetts District Attorneys Association submits to the Ways & Means Committees data from the District Attorneys relative to their criminal prosecutions and workloads for calendar year 2016.

¹ 0340-2100 For the operation of the Massachusetts District Attorneys' Association . . . provided further, that the Massachusetts District Attorneys Association shall work in conjunction with the 11 district attorneys' offices to prepare and submit a report to the house and senate committees on ways and means and the clerks of the house of representatives and senate no later than March 1, 2017, detailing by district for calendar year 2016 the following: (i) the number of criminal cases initiated by arraignment; (ii) the number of criminal cases disposed; and (iii) the number of criminal cases actively managed during the year; provided further, that the report shall separately identify the number of criminal cases initiated by arraignment, the number of cases disposed, and the number of cases under active management where the case includes charges for drug offenses under chapter 94C of the General Laws, motor vehicle charges under chapter 90 of the General Laws or firearm offenses under chapter 140 of the General Laws; provided further, that the association shall provide the 11 district attorneys' offices with an agreed upon template for the report to be filled out;

While the reports of the individual districts delineating their workloads by charge or category of work are attached, below please find a synopsis of the calendar year 2016 totals per listed category² pertaining to those districts who have reported thus far:

Superior Court/Youthful Offender:

Arraigned: 249

Disposed: 279

Actively Managed: 516

Juvenile Court:

Arraigned: 18,303

Disposed: 27,514

Actively Managed: 40,750

Diversion: 3,666

Superior Court (Adult):

Arraigned: 22,734

Disposed: 22,410

Actively Managed: 53,768

District Court (Adult):

Arraigned: 384,791

Disposed: 364,761

Actively Managed: 672,896

Appellate Work: 3,081+

Cases Reviewed/Not Charged: 23,727+

Other Work: 35,140+

² Data lists total charges with the exception of "Appellate Work," "Cases Reviewed/Not Charged," and "Other Work," all of which measure cases, investigations or a specific event.

As also required by the reporting language of line item 0340-2100, please find specific charges below, broken down by court:

Superior Court/Youthful Offender:

Motor Vehicle (pursuant to MGL Chapter 90):

Arrested: 14

Disposed: 18

Actively Managed: 25

Controlled Substances (pursuant to MGL Chapter 94C):

Arrested: 9

Disposed: 3

Actively Managed: 9

Firearms (pursuant to MGL Chapter 140):

Arrested: 63

Disposed: 50

Actively Managed: 111

Juvenile Court:

Motor Vehicle (pursuant to MGL Chapter 90):

Arrested: 1,682

Disposed: 1,987

Actively Managed: 3,097

Controlled Substances (pursuant to MGL Chapter 94C):

Arrested: 699

Disposed: 598

Actively Managed: 1,356

Firearms (pursuant to MGL Chapter 140):

Arrested: 412

Disposed: 657

Actively Managed: 977

Superior Court (Adult):

Motor Vehicle (pursuant to MGL Chapter 90):

Arraigned: 530

Disposed: 489

Actively Managed: 1,253

Controlled Substances (pursuant to MGL Chapter 94C):

Arraigned: 4,871

Disposed: 5,614

Actively Managed: 11,630

Firearms (pursuant to MGL Chapter 140):

Arraigned: 5,185

Disposed: 3,094

Actively Managed: 7,105

District Court (Adult):

Motor Vehicle (pursuant to MGL Chapter 90):

Arraigned: 120,311

Disposed: 120,085

Actively Managed: 156,838

Controlled Substances (pursuant to MGL Chapter 94C):

Arraigned: 40,184

Disposed: 38,982

Actively Managed: 81,334

Firearms (pursuant to MGL Chapter 140):

Arraigned: 8,077

Disposed: 7,475

Actively Managed: 13,689

As evidenced by the attached submissions, the District Attorneys utilize the same case management system (DAMION) but differ significantly in how each office defines its data and inputs and reports that data, as well as whether certain data is even tracked at all. Please also note that, due to budget constraints, and resulting administrative staffing shortages, not all offices are able to input all cases (especially those in the district courts) into DAMION, resulting in underreporting of cases; and not all offices are able to quickly close their disposed cases out of the system, resulting in over reporting.

The DA offices have utilized DAMION for approximately 15 years and the current software is nearing end-of-life. With funding provided by the legislature in FY14 and FY15, MDAA underwent a lengthy and involved business-needs-assessment. MDAA is now prepared to draft a request for responses to begin the process of selecting new case management software, but must seek funding for its ultimate purchase. MDAA's implementation plan includes a process to make certain that the new case management software is deployed in a uniform manner, including the use of common definitions. Thus, once implemented, the districts will be able to collect and report common data to the legislature.

Attached to this memo are the individual submissions from ten District Attorneys' Offices.³ Where the reporting requirements have changed from those in years past, the District Attorneys have encountered issues interpreting the report fields consistently, extracting specific data from DAMION, and hand-counting information that is not currently captured by DAMION. This has made it difficult to produce these reports in a uniform manner.

Please do not hesitate to contact me should you have any questions or concerns.

³ Please note, one county was unable to finalize its data prior to the filing of this report. MDAA will immediately amend this report upon receipt of data from the final county. Also note, three submissions are incomplete – Bristol, Essex and Plymouth are unable to report the data typically not tracked and reported in DAMION, mainly appellate work, cases reviewed but not charged, and other work. As such, these three categories summarized herein contain a plus sign “+” after the tally.