

CRIMINAL JUSTICE UPDATE

Year Long Rotations – Superior Court trial Departments will begin year long rotations in January. This change is expected to have a significant impact on reducing the inventory of pending criminal cases which currently hovers around the 1550 mark. This change means that up to 10 Superior Court Trial Departments will be available for handling criminal cases on a daily basis.

TU1-TU4 Pre-assigned Cases - Judges Culpepper, Lee, Hogan and Cuthbertson will continue to focus primarily on the SAU- TU 1 (Robbery Assault Unit) Pre-assigned case project. It is anticipated that these Departments will realize increased capacity to timely handle these pre-assigned cases since they will not be required to rotate into civil calendars during the year.

Criminal Justice Summit - Judges Serko, Murphy, Felnagle, van Doorninck, Lee, Culpeper and Cuthbertson held a half day weekend summit with other County stakeholders involved in criminal Justice including Chief Criminal Deputy Prosecutor Mary Robinette and Unit Chiefs from the Prosecutors Office as well Mike Kawamura and Dick Whitehead from DAC and Harry Steinmetz and Anna Woods representing the private defense bar. Participants analyzed data and mapped out proposals for getting more cases to trial in a timely manner. The proposals, which are still under consideration, include assigning some of the 179 cases over 270 days old to trial Departments for management before trial and agreeing on timelines, by case type, (simple, moderate and complex) for plea negotiations thereby limiting continuation of Omnibus Hearings and trial setting.

Review Hearings – Legislative and policy changes reducing the number of felons supervised by the Department of Corrections (DOC) has resulted in Court Criminal Dockets over-crowded with review hearings for criminal defendants under “bench probation” or supervision by the Courts. By eviscerating the responsibilities of DOC the burden of community supervision for many defendants has been shifted to the Courts, Prosecutor and DAC. There is also concern that public safety may be compromised, particularly in domestic violence cases. Several proposals are being considered to balance the criminal court dockets and there are ongoing discussions about the County contracting with a private vendor to supervise felons. Prior to implementation the County would need the agreement of DOC. Private Supervision would be paid for by the criminal defendants themselves.

Criminal Department Commissioner – The County Council and Executive agreed to continuation funding for the Criminal Court Commissioner position (CD2). Establishment of the Criminal Court Commissioner position has been a major success. The position initially came available through a grant funded with federal “stimulus” dollars. Commissioner Meagan Foley was recently selected to serve as the new Criminal Court Commissioner. Thanks go to Judge D. Gary Steiner (ret.) for pro tem service in CD2 during the past several months.

Respectfully submitted,
Judge Frank E. Cuthbertson