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To: CJC

From: Thomas F. MacLeish, Director

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Subject: Superior Court Detention Case Status of Long Term Detainees: 1<sup>st</sup> Quarter 2015, March 31, 2015

This updated quarterly report provides an overview of Superior Court detention population cases for defendants detained longer than 120 days in a Level V Delaware Department of Correction (DOC) secure facility or the Delaware Psychiatric Center. Although the detainees may have more than one case for which he/she is being held, only the case with the highest charge for which an individual is being held is reported. This report also gives the statewide and county breakdowns for the Superior Court detainee population in a secure DOC facility 120-days or more for the 1<sup>st</sup> quarter of 2015, and a historical look of these populations since the 1<sup>st</sup> quarter of 2010.

There are numerous reasons why an offender with a Superior Court case may be detained in a secure facility for 120 days or more. Superior Court detainees with no specific case complications are found in the category of “active” detention cases. These “active” cases are following normal court processes and have not been sentenced as of the end of the quarter. The second group of detainee cases, “other non-sentenced detention cases” are those consisting of persons with cases involving psychological issues, and those defendants found guilty but awaiting sentencing. Murder 1<sup>st</sup> degree cases are also in this “other non-sentenced” category. These cases are not held to the same time processing standards as “active” cases.

The statewide Superior Court detention population summary, found in Table 1, shows a population of 361 individuals that have been detained longer than 120 days. Of these 361 individuals, 226 cases are pending disposition without exceptional circumstances. Ninety-nine are guilty awaiting sentencing, 25 are Murder 1<sup>st</sup> cases, and the remaining 11 cases are awaiting some type of psychological evaluation. Ten of the individuals awaiting psychological evaluation are physically held at the Delaware Psychiatric Center.

The second, third and fourth tables, show a detailed breakout by county. New Castle County has the largest percent of the statewide Superior Court detention population (75.6%). The remaining 24% of Superior Court cases are between Kent County (13.3%) and Sussex County (11.1%).

The final table displays the Superior Court detention population by quarter since March 31, 2010. The total 1<sup>st</sup> quarter 2015 Superior Court detention population has decreased overall by 60 individuals, with a 52 person decrease in active cases, and an 8 person decrease in the other non-sentenced detention category since 4<sup>th</sup> quarter 2014.

**Table 1**

<b>Summary Of DOC Detainees <u>Statewide</u> Superior Court Cases 1<sup>st</sup> Quarter 2015 Snapshot</b>						
<b>Detention Length of Stay as of 3/31/2015</b>						
<b>Case Type</b>	<b>121-150 days</b>	<b>151-180 days</b>	<b>181-270 days</b>	<b>271-360 days</b>	<b>&gt;360 days</b>	<b>Total</b>
<b><i>Total Active Cases</i></b>						
<b>Felony A or Felony B</b>	<b>28</b>	<b>34</b>	<b>48</b>	<b>19</b>	<b>26</b>	<b>155</b>
<b>Other Cases</b>	<b>31</b>	<b>10</b>	<b>20</b>	<b>6</b>	<b>4</b>	<b>71</b>
<b><i>Total Active Cases</i></b>	<b>59</b>	<b>44</b>	<b>68</b>	<b>25</b>	<b>30</b>	<b>226</b>
<b><i>Total Other Non-Sentenced Detention Cases</i></b>						
<b>Murder 1st</b>	<b>2</b>	<b>1</b>	<b>5</b>	<b>4</b>	<b>13</b>	<b>25</b>
<b>Cases Involving Psych</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>10</b>	<b>11</b>
<b>Guilty Awaiting Sentencing Cases</b>	<b>3</b>	<b>5</b>	<b>35</b>	<b>31</b>	<b>25</b>	<b>99</b>
<b><i>Total Other Non-Sentenced Detention Cases</i></b>	<b>5</b>	<b>6</b>	<b>41</b>	<b>35</b>	<b>48</b>	<b>135</b>
<b><i>Total Active and Other Non-Sentenced Detention Cases</i></b>						
<b><u>Total</u></b>	<b>64</b>	<b>50</b>	<b>109</b>	<b>60</b>	<b>78</b>	<b>361</b>

Table 2

Summary Of DOC Detainees With <u>New Castle</u> County Superior Court Cases 1 <sup>st</sup> Quarter 2015 Snapshot						
Detention Length of Stay as of 3/31/2015						
Case Type	121-150 days	151-180 days	181-270 days	271-360 days	>360 days	Total
<b>Total Active Cases</b>						
Felony A or Felony B	22	24	32	14	20	112
Other Cases	19	7	10	2	4	42
<b>Total Active Cases</b>	<b>41</b>	<b>31</b>	<b>42</b>	<b>16</b>	<b>24</b>	<b>154</b>
<b>Total Other Non-Sentenced Detention Cases</b>						
Murder 1st	2	1	4	2	10	19
Cases Involving Psych	0	0	1	0	6	7
Guilty Awaiting Sentencing Cases	3	4	33	29	24	93
<b>Total Other Non-Sentenced Detention Cases</b>	<b>5</b>	<b>5</b>	<b>38</b>	<b>31</b>	<b>40</b>	<b>119</b>
<b>Total Active and Other Non-Sentenced Detention Cases</b>						
<b>Total</b>	<b>46</b>	<b>36</b>	<b>80</b>	<b>47</b>	<b>64</b>	<b>273</b>

Table 3

Summary Of DOC Detainees With <u>Kent</u> Superior Court Cases 1 <sup>st</sup> Quarter 2015 Snapshot						
Detention Length of Stay as of 3/31/2015						
Case Type	121-150 days	151-180 days	181-270 days	271-360 days	>360 days	Total
<b>Total Active Cases</b>						
Felony A or Felony B	2	6	7	3	5	23
Other Cases	8	1	8	3	0	20
<b>Total Active Cases</b>	<b>10</b>	<b>7</b>	<b>15</b>	<b>6</b>	<b>5</b>	<b>43</b>
<b>Total Other Non-Sentenced Detention Cases</b>						
Murder 1st	0	0	0	1	1	2
Cases Involving Psych	0	0	0	0	1	1
Guilty Awaiting Sentencing Cases	0	1	0	1	0	2
<b>Total Other Non-Sentenced Detention Cases</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>5</b>
<b>Total Active and Other Non-Sentenced Detention Cases</b>						
<b>Total</b>	<b>10</b>	<b>8</b>	<b>15</b>	<b>8</b>	<b>7</b>	<b>48</b>

**Table 4**

<b>Summary Of DOC Detainees With Sussex County Superior Court Cases 1<sup>st</sup> Quarter 2015 Snapshot</b>						
<b>Detention Length of Stay as of 3/31/2015</b>						
<b>Case Type</b>	<b>121-150 days</b>	<b>151-180 days</b>	<b>181-270 days</b>	<b>271-360 days</b>	<b>&gt;360 days</b>	<b>Total</b>
<b><i>Total Active Cases</i></b>						
<b>Felony A or Felony B</b>	<b>4</b>	<b>4</b>	<b>9</b>	<b>2</b>	<b>1</b>	<b>20</b>
<b>Other Cases</b>	<b>4</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>9</b>
<b><i>Total Active Cases</i></b>	<b>8</b>	<b>6</b>	<b>11</b>	<b>3</b>	<b>1</b>	<b>29</b>
<b><i>Total Other Non-Sentenced Detention Cases</i></b>						
<b>Murder 1st</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>4</b>
<b>Cases Involving Psych</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>3</b>
<b>Guilty Awaiting Sentencing Cases</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>4</b>
<b><i>Total Non-Sentenced Detention Cases</i></b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>6</b>	<b>11</b>
<b><i>Total Active and Other Non-Sentenced Detention Cases</i></b>						
<b><i>Grand Total</i></b>	<b>8</b>	<b>6</b>	<b>14</b>	<b>5</b>	<b>7</b>	<b>40</b>

Table 5

## Statewide Quarterly Change in Superior Court Detention Population

	<i>Active Cases</i>					<i>Total</i>
	<i>121-150 days</i>	<i>151-180 days</i>	<i>181-270 days</i>	<i>271-360 days</i>	<i>&gt;360 days</i>	
1st Quarter 2010 (3/31/10)	46	36	32	10	8	132
2nd Quarter 2010 (6/30/10)	37	33	23	3	5	101
3rd Quarter 2010 (9/30/10)	58	37	37	6	6	144
4th Quarter 2010 (12/31/10)	61	50	56	13	5	185
1st Quarter 2011 (3/31/11)	44	44	57	18	7	170
2nd Quarter 2011 (6/30/11)	57	34	34	7	10	142
3rd Quarter 2011 (9/30/11)	48	40	58	10	7	163
4th Quarter 2011 (12/31/11)	63	37	38	15	5	158
1st Quarter 2012 (3/31/12)	45	23	43	9	7	127
2nd Quarter 2012 (6/30/12)	34	34	22	16	8	114
3rd Quarter 2012 (9/30/12)	54	33	42	5	9	143
4th Quarter 2012 (12/31/12)	67	46	49	9	5	176
1st Quarter 2013 (3/31/13)	64	39	64	16	5	188
2nd Quarter 2013 (6/30/13)	69	49	64	22	11	215
3rd Quarter 2013 (9/30/13)	63	53	76	22	15	229
4th Quarter 2013 (12/31/13)	90	56	86	33	22	287
1st Quarter 2014 (3/31/14)	55	66	110	35	29	295
2nd Quarter 2014 (6/30/14)	58	43	72	34	20	227
3rd Quarter 2014 (9/30/14)	65	59	62	25	24	235
4th Quarter 2014 (12/31/14)	82	61	79	28	28	278
1st Quarter 2015 (3/31/15)	59	44	68	25	30	226
	<i>Other Non-Sentenced Detention Cases</i>					
1st Quarter 2010 (3/31/10)	13	6	25	14	33	91
2nd Quarter 2010 (6/30/10)	13	9	28	19	31	100
3rd Quarter 2010 (9/30/10)	6	11	35	17	25	94
4th Quarter 2010 (12/31/10)	3	9	29	21	30	92
1st Quarter 2011 (3/31/11)	3	6	26	23	28	86
2nd Quarter 2011 (6/30/11)	8	7	30	27	33	105
3rd Quarter 2011 (9/30/11)	12	7	28	17	29	93
4th Quarter 2011 (12/31/11)	7	8	31	24	36	106
1st Quarter 2012 (3/31/12)	17	14	34	17	33	115
2nd Quarter 2012 (6/30/12)	6	9	26	22	25	88
3rd Quarter 2012 (9/30/12)	8	6	18	17	33	82
4th Quarter 2012 (12/31/12)	12	13	32	24	37	118
1st Quarter 2013 (3/31/13)	5	10	48	16	37	116
2nd Quarter 2013 (6/30/13)	8	7	27	36	35	113
3rd Quarter 2013 (9/30/13)	7	14	36	27	54	138
4th Quarter 2013 (12/31/13)	8	10	30	30	53	131
1st Quarter 2014 (3/31/14)	8	8	40	22	56	134
2nd Quarter 2014 (6/30/14)	9	13	27	29	49	127
3rd Quarter 2014 (9/30/14)	14	9	37	24	62	146
4th Quarter 2014 (12/31/14)	9	8	47	24	55	143
1st Quarter 2015 (3/31/15)	5	6	41	35	48	135
	<i>Total Active and Other Non-Sentenced Detention Cases</i>					
1st Quarter 2010 (3/31/10)	59	42	57	24	41	223
2nd Quarter 2010 (6/30/10)	50	42	51	22	36	201
3rd Quarter 2010 (9/30/10)	64	48	72	23	31	238
4th Quarter 2010 (12/31/10)	64	59	85	34	35	277
1st Quarter 2011 (3/31/11)	47	50	83	41	35	258
2nd Quarter 2011 (6/30/11)	65	41	64	34	43	247
3rd Quarter 2011 (9/30/11)	60	47	86	27	36	256
4th Quarter 2011 (12/31/11)	70	45	69	39	41	264
1st Quarter 2012 (3/31/12)	62	37	77	26	40	242
2nd Quarter 2012 (6/30/12)	40	43	48	38	33	202
3rd Quarter 2012 (9/30/12)	62	39	60	22	42	225
4th Quarter 2012 (12/31/12)	79	59	81	33	42	294
1st Quarter 2013 (3/31/13)	69	49	112	32	42	304
2nd Quarter 2013 (6/30/13)	77	56	91	58	46	328
3rd Quarter 2013 (9/30/13)	70	67	112	49	69	367
4th Quarter 2013 (12/31/13)	98	66	116	63	75	418
1st Quarter 2014 (3/31/14)	63	74	150	57	85	429
2nd Quarter 2014 (6/30/14)	67	56	99	63	69	354
3rd Quarter 2014 (9/30/14)	79	68	99	49	86	381
4th Quarter 2014 (12/31/14)	91	69	126	52	83	421
1st Quarter 2015 (3/31/15)	64	50	109	60	78	361