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To: SENTAC

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Subject: Superior Court Detention Case Status of Long Term Detainees: 2nd Quarter 2010,
June 30, 2011

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 2nd quarter of 2011, and a historical look of these populations since the 1st quarter of 2008.

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 1st 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 247 individuals that have been detained longer than 120 days. Of these 247 individuals, 142 cases are pending disposition without exceptional circumstances. Sixty-two are guilty but awaiting sentencing, 40 are Murder 1st cases, and the remaining 3 cases are waiting on some type of psychological evaluation. All 3 individuals awaiting psychological evaluations are being 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 (74.1%). The remaining 26% of Superior Court cases are split between Kent County (12.9%) and Sussex County (12.9%).

The final table displays the Superior Court detention population by quarter since March 31, 2008. The total 2nd quarter 2011 Superior Court detention population has decreased overall by 9 individuals, with a 28 person decrease in active cases, and a 19 person increase in the non-sentenced detention category. The current Superior Court detention population for 2011 is following a similar pattern as 2nd Quarters 2008, 2009 and 2010.

Table 1

Summary Of DOC Detainees Statewide Superior Court Cases 2nd Quarter 2011 Snapshot						
Detention Length of Stay as of 6/30/2011						
Case Type	121-150 days	151-180 days	181-270 days	271- 360 days	>360 days	Total
Total Active Cases						
Felony A or Felony B	42	27	27	6	7	109
Other Cases	15	7	7	1	3	33
Total Active Cases	57	34	34	7	10	142
Total Non-Sentenced Detention Cases						
Murder 1st	2	1	8	4	25	40
Cases Involving Psych	0	0	0	1	2	3
Guilty Awaiting Sentencing Cases	6	6	22	22	6	62
Total Non-Sentenced Detention Cases	8	7	30	27	33	105
Total Active and Non-Sentenced Detention Cases						
<u>Total</u>	65	41	64	34	43	247

Table 2

Summary Of DOC Detainees With New Castle County Superior Court Cases 2nd Quarter 2011 Snapshot						
Detention Length of Stay as of 6/30/2011						
Case Type	121- 150 days	151- 180 days	181-270 days	271- 360 days	>360 days	Total
Total Active Cases						
Felony A or Felony B	27	17	14	5	2	65
Other Cases	13	7	6	0	2	28
Total Active Cases	40	24	20	5	4	93
Total Non-Sentenced Detention Cases						
Murder 1st	2	0	7	4	17	30
Cases Involving Psych	0	0	0	1	2	3
Guilty Awaiting Sentencing Cases	6	6	21	18	6	57
Total Non-Sentenced Detention Cases	8	6	28	23	25	90
Total Active and Non-Sentenced Detention Cases						
Total	48	30	48	28	29	183

Table 3

Summary Of DOC Detainees With Kent Superior Court Cases 2nd Quarter 2011 Snapshot						
Detention Length of Stay as of 6/30/2011						
Case Type	121- 150 days	151- 180 days	181-270 days	271- 360 days	>360 days	Total
Total Active Cases						
Felony A or Felony B	9	2	7	1	4	23
Other Cases	1	0	1	0	1	3
Total Active Cases	10	2	8	1	5	26
Total Non-Sentenced Detention Cases						
Murder 1st	0	0	1	0	5	6
Cases Involving Psych	0	0	0	0	0	0
Guilty Awaiting Sentencing Cases	0	0	0	0	0	0
Total Non-Sentenced Detention Cases	0	0	1	0	5	6
Total Active and Non-Sentenced Detention Cases						
Total	10	2	9	1	10	32

Table 4

Summary Of DOC Detainees With Sussex County Superior Court Cases 2nd Quarter 2011 Snapshot						
Detention Length of Stay as of 6/30/2011						
Case Type	121- 150 days	151- 180 days	181-270 days	271- 360 days	>360 days	Total
<i>Total Active Cases</i>						
Felony A or Felony B	6	8	6	0	1	21
Other Cases	1	0	0	1	0	2
<i>Total Active Cases</i>	7	8	6	1	1	23
<i>Total Non-Sentenced Detention Cases</i>						
Murder 1st	0	1	0	0	3	4
Cases Involving Psych	0	0	0	0	0	0
Guilty Awaiting Sentencing Cases	0	0	1	4	0	5
<i>Total Non-Sentenced Detention Cases</i>	0	1	1	4	3	9
<i>Total Active and Non-Sentenced Detention Cases</i>						
<i>Grand Total</i>	7	9	7	5	4	32

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>>360 days</i>	
1st Quarter 2008 (3/31/08)	56	40	31	4	1	132
2nd Quarter 2008 (6/30/08)	60	29	18	5	2	114
3rd Quarter 2008 (9/30/08)	47	47	42	6	6	148
4th Quarter 2008 (12/31/08)	78	36	48	16	6	184
1st Quarter 2009 (3/31/09)	56	40	39	5	5	145
2nd Quarter 2009 (6/30/09)	45	30	28	12	4	119
3rd Quarter 2009 (9/30/09)	49	27	41	10	6	133
4th Quarter 2009 (12/31/09)	61	27	37	19	8	152
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
	<i>Non-Sentenced Detention Cases</i>					
1st Quarter 2008 (3/31/08)	7	12	48	19	40	126
2nd Quarter 2008 (6/30/08)	5	18	41	29	38	131
3rd Quarter 2008 (9/30/08)	14	12	47	16	38	127
4th Quarter 2008 (12/31/08)	16	14	47	26	31	134
1st Quarter 2009 (3/31/09)	9	12	41	23	32	117
2nd Quarter 2009 (6/30/09)	19	14	28	32	33	126
3rd Quarter 2009 (9/30/09)	12	7	29	22	44	114
4th Quarter 2009 (12/31/09)	17	8	30	12	45	112
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
	<i>Total Active and Non-Sentenced Detention Cases</i>					
1st Quarter 2008 (3/31/08)	63	52	79	23	41	258
2nd Quarter 2008 (6/30/08)	65	47	59	34	40	245
3rd Quarter 2008 (9/30/08)	61	59	89	22	44	275
4th Quarter 2008 (12/31/08)	94	50	95	42	37	318
1st Quarter 2009 (3/31/09)	65	52	80	28	37	262
2nd Quarter 2009 (6/30/09)	64	44	56	44	37	245
3rd Quarter 2009 (9/30/09)	61	34	70	32	50	247
4th Quarter 2009 (12/31/09)	78	35	67	31	53	264
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	256
2nd Quarter 2011 (6/30/11)	65	41	64	34	43	247