

MID-YEAR REPORT

Assessment of 2008 Five-Year Population Projections of Davidson County Correctional Facilities And Criminal Justice Trends Criminal Justice Planning



**Nashville – Davidson County
Tennessee**

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Assessment of 2008 Five-Year Population Projections

Criminal Justice Planning annually projects the number of offenders anticipated to be incarcerated in Davidson County correctional facilities over the next five years. Typically these projections are developed starting in the first quarter of each year and the final report is presented to the Criminal Justice Steering Committee in the fall. The projections and the basic assumptions underlying the projections are later assessed in the first quarter of the following year for accuracy. The mid-year assessment determines if the actual incarcerated population differs from the projected population at a significant level. The level of significance was determined by JFA Associates, which developed the forecasting computer model and acted as consultants to the department. According to JFA Associates, there is a +-4% peaking factor, or explainable variation, around the forecasted daily average. Then an error range of +-2% is applied around the peaking factor, resulting in a total significance level of +-6%. This report will then guide our efforts to explore the causes of significant discrepancies. The model is typically updated on an annual basis; however, we will recast the model if the actual incarcerated population differs from the projected population by more than the significance level of +-6%.

I. Introduction

In October 2008 Criminal Justice Planning presented its sixth annual report of the projection of the Davidson County inmate population. The projections were based on known and assumed policies affecting admissions into the jail system and lengths of stay for current inmates. For example, future admissions into jail were estimated by looking at projected demographic trends for Davidson County, arrest rate trends for the county, and historical admission patterns of various offender types. Jail stay length in days was estimated by calculating the representative average jail stays for various offender categories during 2007.

II. Results of Assessment

This section presents an accuracy assessment of the 2008 projection model. We compared the actual average daily population count to the forecasted estimates for a 13-month time period, January 2008 through January 2009. This time period was used so we could capture the most data possible for a more accurate assessment.

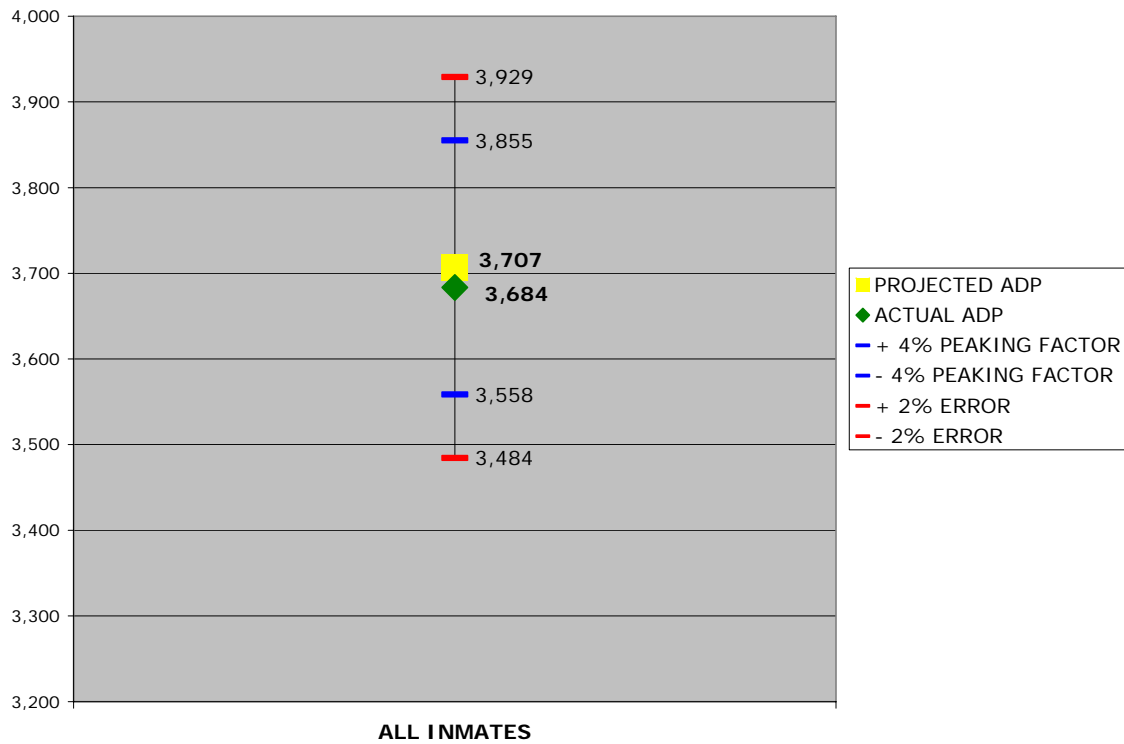
A. Average Daily Population -- Total for All Offenders

Figure 1 compares the actual average daily population of all offenders in the Davidson County correctional system with the forecasted projections. The actual average daily population of all offenders during the period was 3,684. We compared this against our projection of 3,707. The resulting difference is an over-projection of 0.6%, or 23 offenders on average per day (Figure 1). A difference of 0.6% is within a statistically

acceptable range, according to the significance levels determined by JFA Associates. As discussed above, there is a +/-4% peaking factor and then an error range of +/-2% applied to the forecasted daily average, resulting in a +/-6% significance level. As one can see in Figure 1, the projected average daily population is within the acceptable significance level.

Figure 1

**ACTUAL VS. FORECASTED AVERAGE DAILY POPULATION
DAVIDSON COUNTY CORRECTIONAL FACILITIES
ALL OFFENDERS
January 2008 – January 2009**



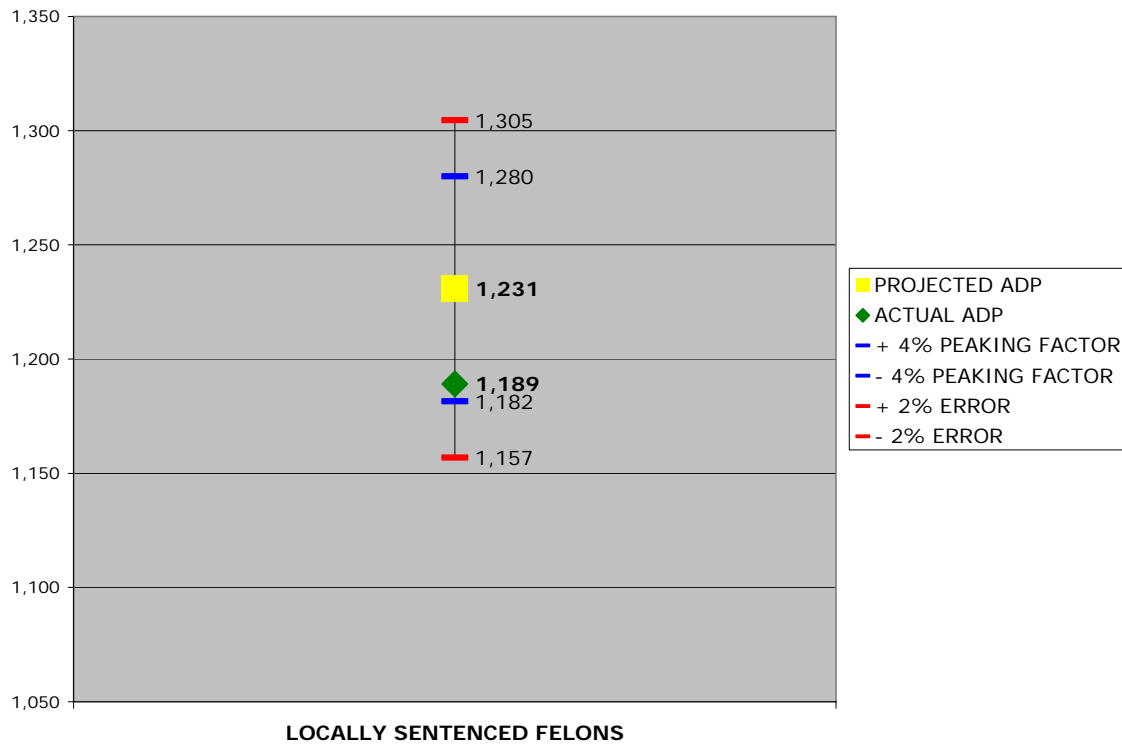
B. Average Daily Population – Results by Offender Types

Results for the various offender groups are presented in Figures 2 through 9. Analysis of the data shows that the projections for all offender groups, except one, are within the $\pm 6\%$ significance level, taking into account the estimated peaking factors and error ranges. Projections for the inmate class called Other are significantly different from the actual daily population. The results are discussed below, along with possible explanations for the disparities.

Locally sentenced felons had a projected daily population of 1,231 compared to the actual population of 1,189 inmates, for the 13-month period. This represents a difference of 3.5%, or 42 felons per day. Figure 2 shows that this result was within the acceptable significance level.

Figure 2

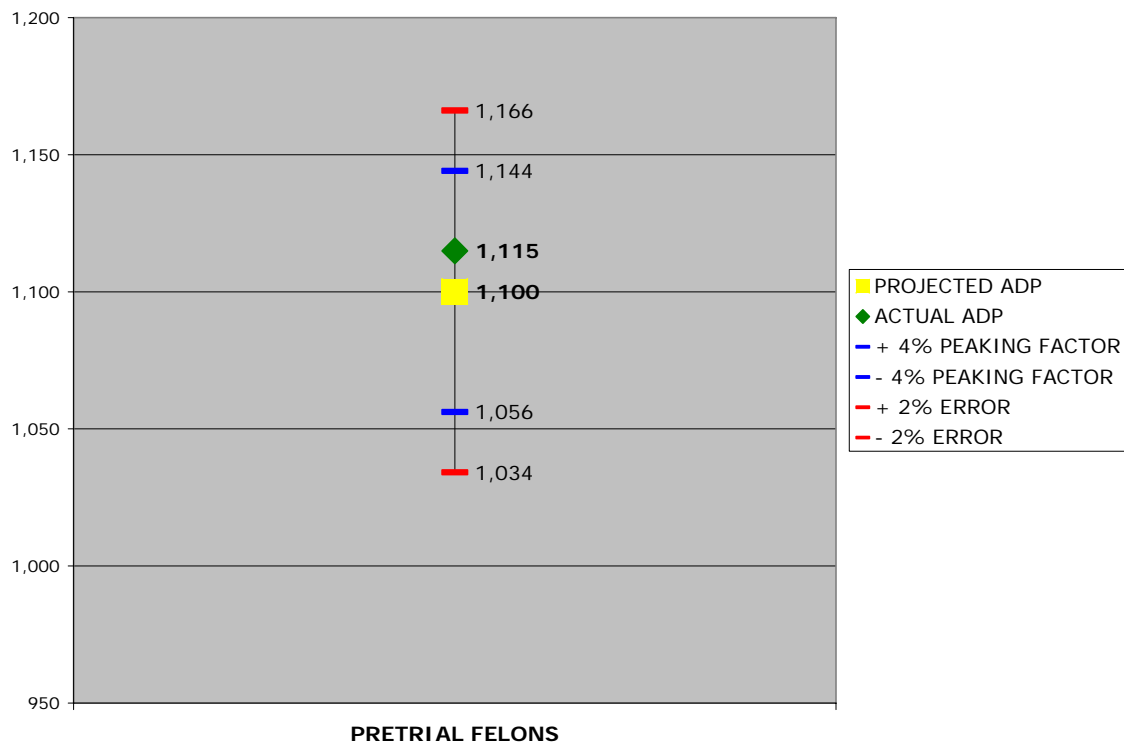
ACTUAL VS. FORECASTED AVERAGE DAILY POPULATION DAVIDSON COUNTY CORRECTIONAL FACILITIES LOCALLY SENTENCED FELONS January 2008 – January 2009



There were 1,115 pretrial felons on average each day in Davidson County correctional facilities, compared to a projected population of 1,100. We under projected the pretrial felons by 15 inmates a day on average, which resulted in -1.3% difference. Figure 3 shows that the result is within the acceptable significance level.

Figure 3

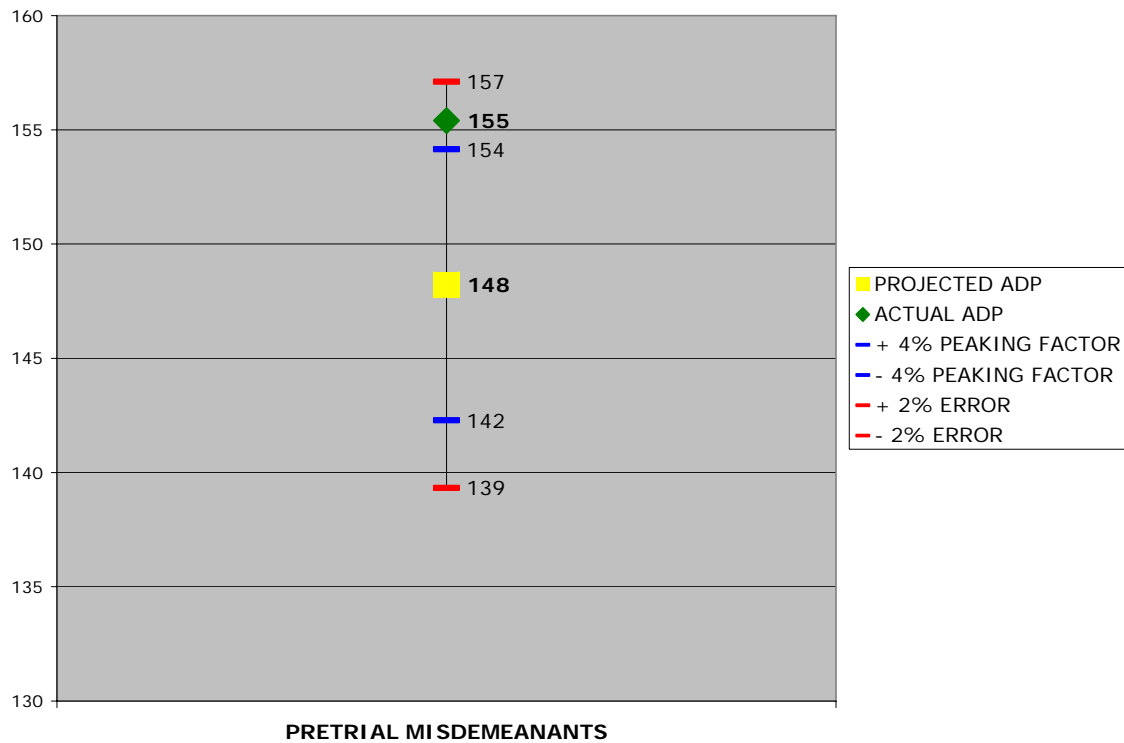
**ACTUAL VS. FORECASTED AVERAGE DAILY POPULATION
DAVIDSON COUNTY CORRECTIONAL FACILITIES
PRETRIAL FELONS
January 2008 – January 2009**



We projected 148 pretrial misdemeanants per day in the correctional population, but there were actually 155 on average each day during the period. This is a difference of 7 inmates per day (-4.6% difference). Figure 4 shows that the projection, although outside the +-4% peaking factor, is within the statistically acceptable error range.

Figure 4

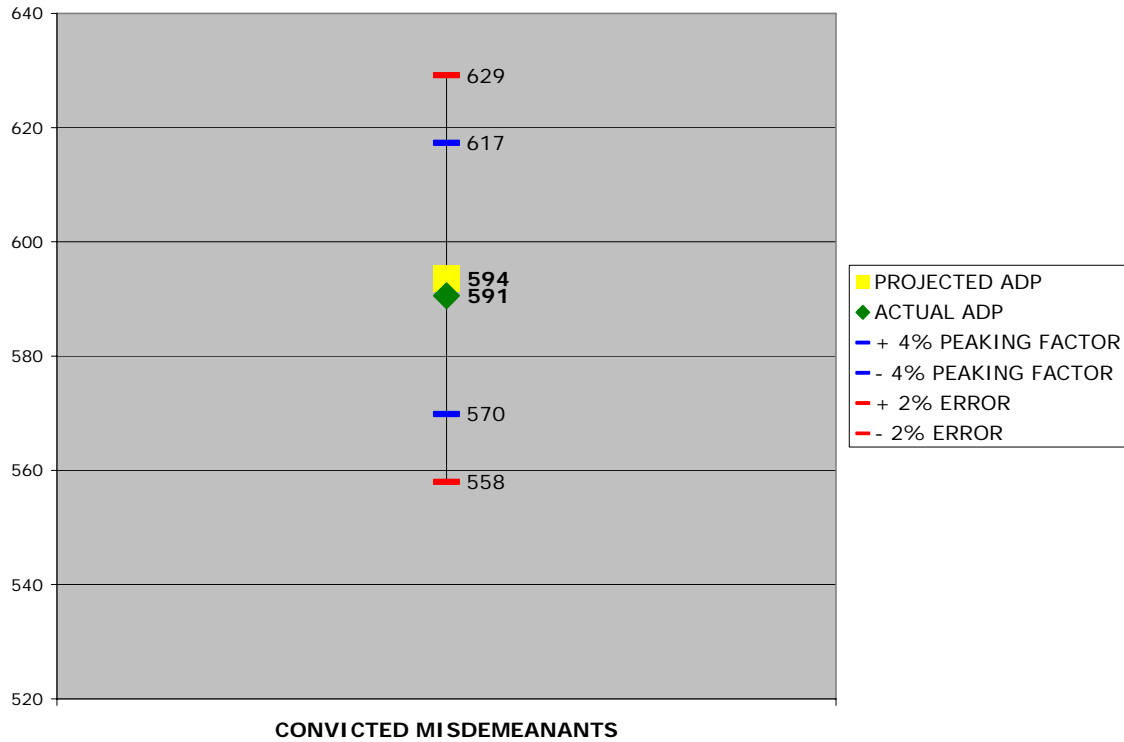
**ACTUAL VS. FORECASTED AVERAGE DAILY POPULATION
DAVIDSON COUNTY CORRECTIONAL FACILITIES
PRETRIAL MISDEMEANANTS
January 2008 – January 2009**



We projected that there would be 594 convicted misdemeanants on average each day in jail during the 13-month period. There were 591 convicted misdemeanants incarcerated each day on average. The difference was 3 inmates a day (0.5% difference). Figure 5 shows that this is within the +-6% statistically acceptable range (+-4% peaking factor and +-2% error range).

Figure 5

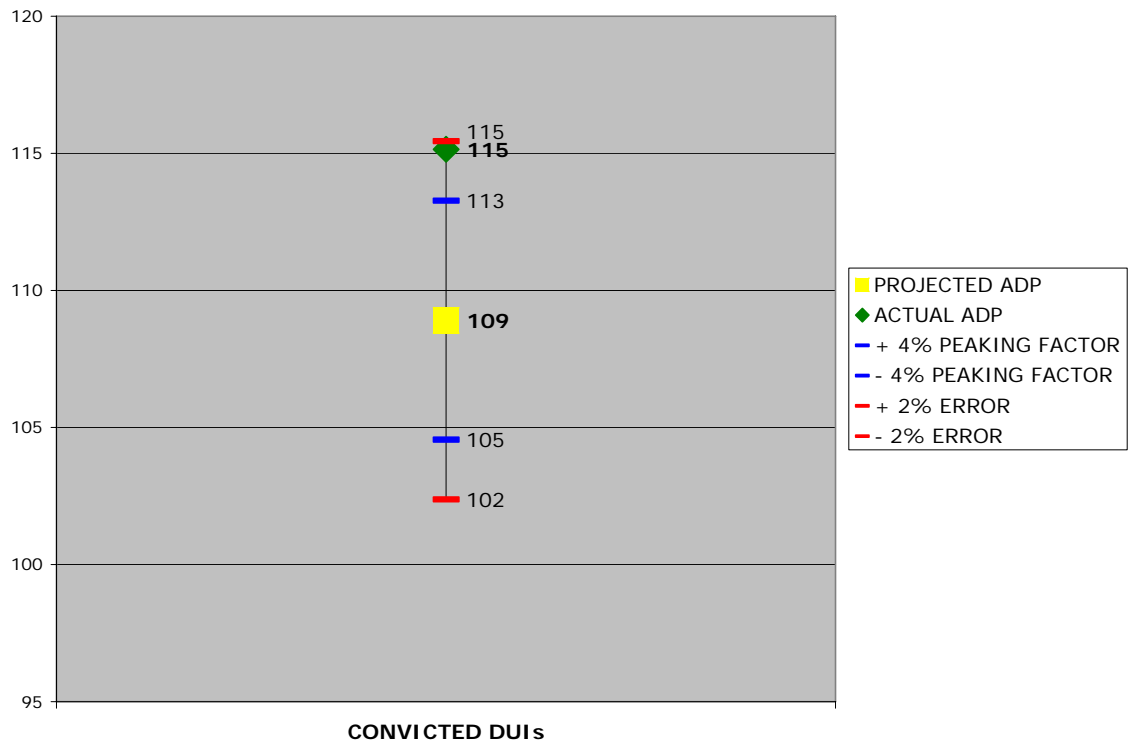
**ACTUAL VS. FORECASTED AVERAGE DAILY POPULATION
DAVIDSON COUNTY CORRECTIONAL FACILITIES
CONVICTED MISDEMEANANTS
January 2008 – January 2009**



We projected that there would be 109 convicted DUI offenders on average each day in jail during the 13-month period. There actually were 115 convicted DUI offenders each day on average. The difference was -6 inmates a day which is an underestimate of 5.4%. Figure 6 shows that while the difference is relatively small, it is very close to falling outside the +-6% statistically acceptable error range.

Figure 6

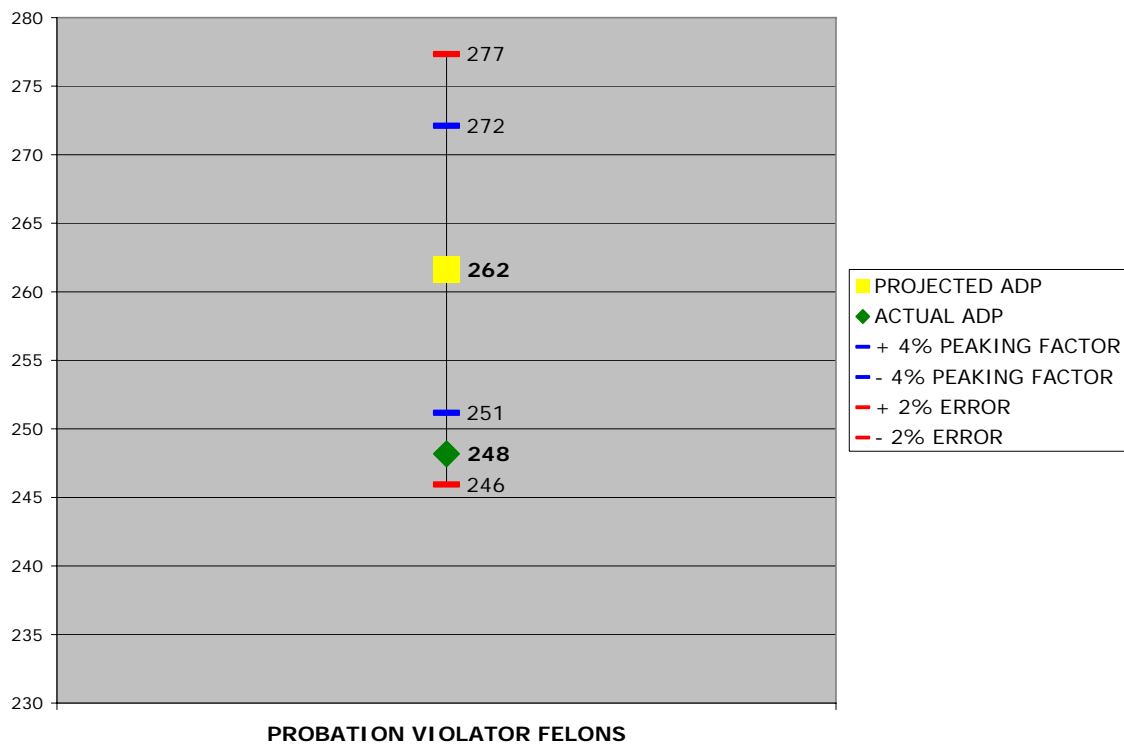
**ACTUAL VS. FORECASTED AVERAGE DAILY POPULATION
DAVIDSON COUNTY CORRECTIONAL FACILITIES
CONVICTED DUIs
January 2008 – January 2009**



Felons with probation violations were projected to average 262 inmates per day, while the actual average was 248. This projection over stated the actual population by 13 inmates per day (5.4% error). The results are outside of the +-4% peaking factor but within the +-6% statistically acceptable range. The results can be seen in Figure 7.

Figure 7

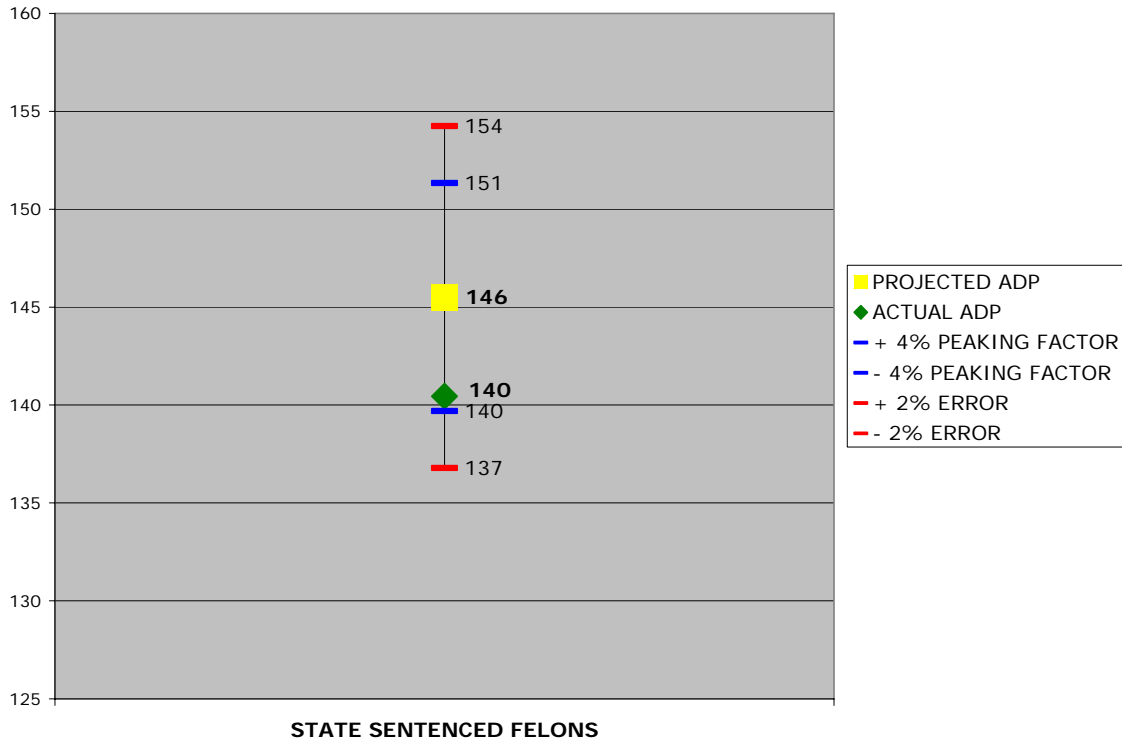
**ACTUAL VS. FORECASTED AVERAGE DAILY POPULATION
DAVIDSON COUNTY CORRECTIONAL FACILITIES
PROBATION VIOLATOR FELONS
January 2008 – January 2009**



State felons sentenced to the Tennessee Department of Correction were projected to average 146 inmates per day. This is compared to the actual average of 140 inmates per day. The resulting difference is an over projection of about 6 inmates a day, or 3.6% difference. Figure 8 shows that the result is within the +-6% significance level (+-4% peaking factor and +-2% error range).

Figure 8

**ACTUAL VS. FORECASTED AVERAGE DAILY POPULATION
DAVIDSON COUNTY CORRECTIONAL FACILITIES
STATE SENTENCED FELONS
January 2008 – January 2009**



Inmates in the “Other” category include the following charge classes: Civil Contempt, Federal inmates (with no active immigration charge), DHS/ICE inmates, and inmates with inactive charges and no ICE holds. DHS/ICE inmates are inmates detained for U.S. Department of Homeland Security Immigration and Customs Enforcement. The Davidson County Sheriff’s Office began screening for legal immigration status in April 2007. Inmates are defined as ICE if they have no active local charges and are being held on a 48-hour ICE detainer, inmates who have no active local charges and are being held on an ICE custody hold, and inmates who have only an active immigration charge.

For this category we estimated an average daily population of 118 inmates compared to an actual population of 130 inmates. We underestimated this category by 12 inmates (-9.0%) The results are displayed in Figure 9. The projection results are clearly out of the statistically-acceptable error range. Figure 10 displays the results of our analysis of inmates in the Other category in an attempt to understand why this group went out of expected range.

Figure 9

**ACTUAL VS. FORECASTED AVERAGE DAILY POPULATION
DAVIDSON COUNTY CORRECTIONAL FACILITIES
OTHER INMATES
January 2008 – January 2009**

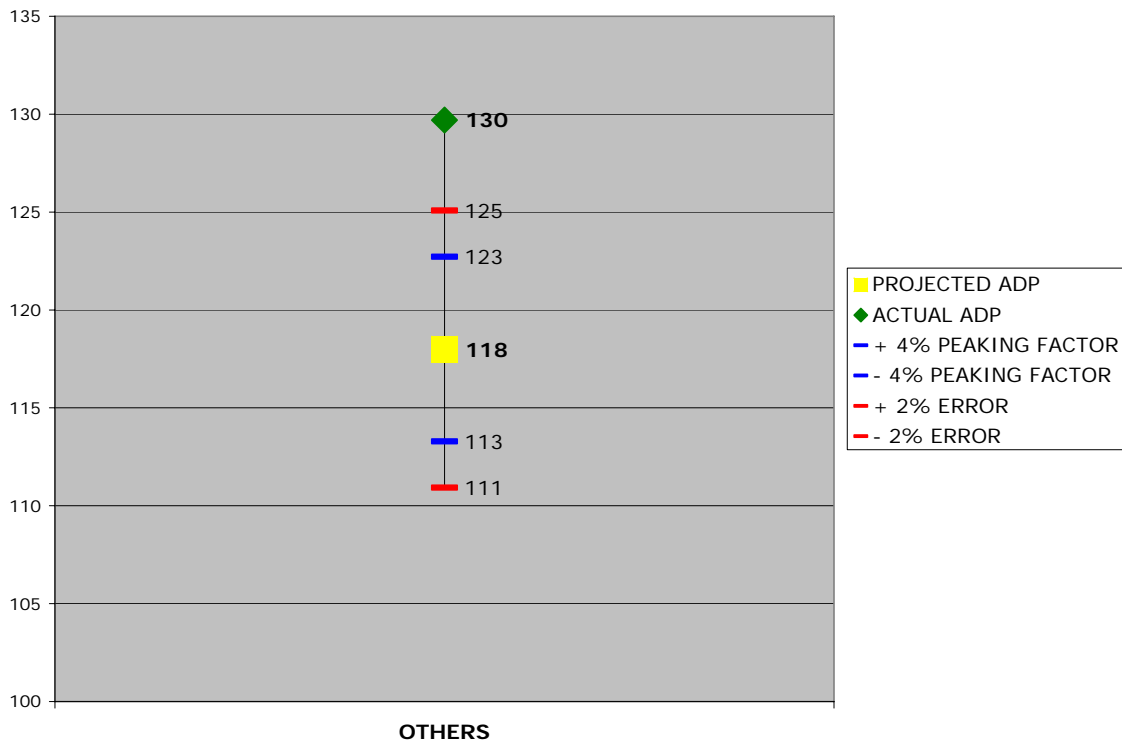
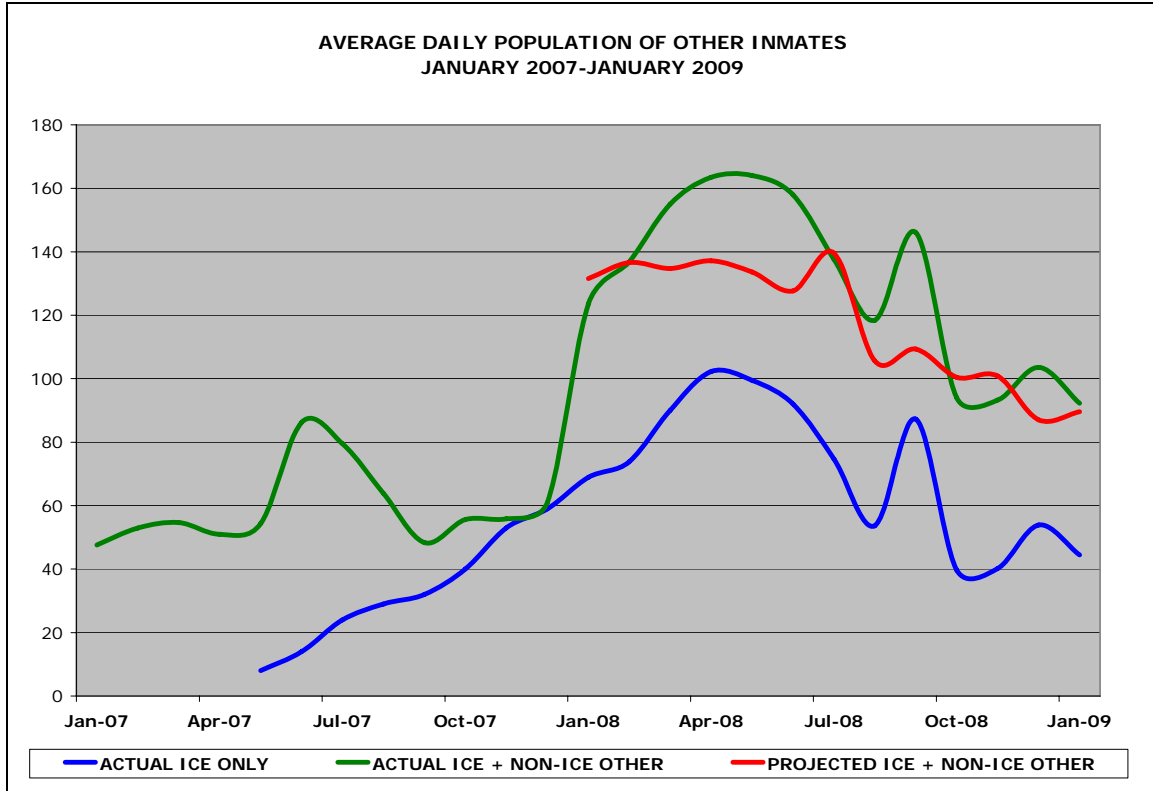


Figure 10

**ANALYSIS OF OTHER INMATE CLASS
AVERAGE DAILY POPULATION
January 2007 – January 2009**



Notes:

(a) The Other inmate class includes the following charge classes: Civil Contempt, Federal (with no active immigration charge), Governor’s Warrant, DHS/ICE inmates, and inmates with no active charges and no ICE detainer or custody holds.

(b) ICE inmates are inmates detained for the U.S. Department of Homeland Security / Immigration and Customs Enforcement. The Davidson County Sheriff’s Office began screening for legal immigration status in mid-April 2007. The number of ICE inmates in the graph represents inmates who have no active local charges and are being held on a 48-hour ICE detainer, inmates who have no active local charges and are being held on a DHS/ICE custody hold, and inmates who have only an active immigration charge.

Source: Data pulled from the Jail Management System, Criminal Justice Planning, 2/23/2009.

Figure 10 shows the number of inmates, classified as Other, in the daily correctional population from January 2007 through January 2009. The Other class includes a variety of miscellaneous charge classes (see Note above) and started to include ICE inmates in April 2007. The average daily population of ICE inmates was 32 during 2007, increasing to an average of 71 a day from January 2008 through January 2009. Figure 10 shows that there was a noticeable increase in the ICE population during the period March through June 2008. Another spike in the population occurred in September 2008.

The daily population of the Other inmate class (including both ICE and Non-ICE Other inmates) averaged 59 during 2007, increasing to 130 per day in the period from January 2008 through January 2009. In Figure 10 we see that the population trend of this group as a whole follows that of the population of ICE inmates.

It is clear from Figure 10 that the population of inmates in the Other category was strongly influenced by the influx of new ICE inmates starting in April 2007. Our projection underestimated the actual population of the Other inmate category because we didn't accurately predict the volume from this new population.

Criminal Justice Trends

In the following sections we discuss local and national criminal justice trends. This is a brief review of the current situation regarding crime, arrests, courts, and incarceration in Davidson County and in the Nation as a whole.

III. Criminal Justice Trends in Davidson County During 2008

A. Crime Trends

Major crime in Nashville fell 2.3% in 2008, which continued a five-year decline. There were 41,754 criminal offenses reported to the Metropolitan Nashville Police Department in 2008, a drop of 986 from 2007. Violent crimes overall declined by 5.2% in Nashville during 2008. Murders increased 1.4% and aggravated assaults decreased 3.7%. Reported rapes also decreased 6.5%, as did robberies which decreased 8.6%. Property crimes reported to police declined 1.5% in 2008. All three categories of property crimes either remained flat or fell in 2008. Burglaries neither increased nor decreased, larcenies decreased slightly at 0.1% and vehicle thefts dropped 17.5% in 2008. Overall, the total number of criminal offenses reported to police has declined each year from 2003 through 2008. This trend is primarily fueled by the drop in property crimes which has declined each year from 2003 through 2008 (Table 1).

Table 1
REPORTED CRIMINAL OFFENSES
NASHVILLE AND DAVIDSON COUNTY
YEARS 2003 – 2008

CRIME INDEX TOTAL (a)			
YEAR	NUMBER OF REPORTED OFFENSES	NUMERIC CHANGE	PERCENT CHANGE
2003	48,488		
2004	46,552	-1,936	-4.0%
2005	45,912	-640	-1.4%
2006	43,666	-2,246	-4.9%
2007	42,740	-926	-2.1%
2008	41,754	-986	-2.3%

VIOLENT CRIMES															
YEAR	VIOLENT CRIMES TOTAL			MURDER			RAPE			ROBBERY			AGGRAVATED ASSAULT		
	NUMBER OF REPORTED OFFENSES	NUMERIC CHANGE	PERCENT CHANGE	NUMBER OF REPORTED OFFENSES	NUMERIC CHANGE	PERCENT CHANGE	NUMBER OF REPORTED OFFENSES	NUMERIC CHANGE	PERCENT CHANGE	NUMBER OF REPORTED OFFENSES	NUMERIC CHANGE	PERCENT CHANGE	NUMBER OF REPORTED OFFENSES	NUMERIC CHANGE	PERCENT CHANGE
2003	8,525			72			350			2,246			5,857		
2004	8,788	263	3.1%	58	-14	-19.4%	390	40	11.4%	2,138	-108	-4.8%	6,202	345	5.9%
2005	8,954	166	1.9%	97	39	67.2%	351	-39	-10.0%	2,426	288	13.5%	6,080	-122	-2.0%
2006	8,846	-108	-1.2%	81	-16	-16.5%	333	-18	-5.1%	2,521	95	3.9%	5,911	-169	-2.8%
2007	8,854	8	0.1%	73	-8	-9.9%	339	6	1.8%	2,603	82	3.3%	5,839	-72	-1.2%
2008	8,390	-464	-5.2%	74	1	1.4%	317	-22	-6.5%	2,378	-225	-8.6%	5,621	-218	-3.7%

PROPERTY CRIMES												
YEAR	PROPERTY CRIMES TOTAL			BURGLARY			LARCENY			VEHICLE THEFT		
	NUMBER OF REPORTED OFFENSES	NUMERIC CHANGE	PERCENT CHANGE	NUMBER OF REPORTED OFFENSES	NUMERIC CHANGE	PERCENT CHANGE	NUMBER OF REPORTED OFFENSES	NUMERIC CHANGE	PERCENT CHANGE	NUMBER OF REPORTED OFFENSES	NUMERIC CHANGE	PERCENT CHANGE
2003	39,963			7,377			27,683			4,903		
2004	37,764	-2,199	-5.5%	6,871	-506	-6.9%	26,643	-1,040	-3.8%	4,250	-653	-13.3%
2005	36,958	-806	-2.1%	6,400	-471	-6.9%	27,219	576	2.2%	3,339	-911	-21.4%
2006	34,820	-2,138	-5.8%	6,596	196	3.1%	25,141	-2,078	-7.6%	3,083	-256	-7.7%
2007	33,886	-934	-2.7%	6,243	-353	-5.4%	24,826	-315	-1.3%	2,817	-266	-8.6%
2008	33,364	-522	-1.5%	6,243	0	0.0%	24,797	-29	-0.1%	2,324	-493	-17.5%

Note:

(a) The Crime Index is comprised of seven offense categories: Homicide, Rape, Aggravated Assault, Robbery, Burglary, Larceny, and Vehicle Theft. These offenses make up the Uniform Crime Reporting standards for reporting and comparing the crime index for U.S. cities.

Source: Data came from "Annual Crime Analysis Report of CY 2008 Crime Statistics," Strategic Development Division, Metropolitan Police Department of Nashville and Davidson County, 2/11/2009. Criminal Justice Planning, 2/25/2009.

B. Arrest Trends

In Davidson County there were 44,260 adult physical arrests in 2008, an increase of 1.9% over 2007. Males accounted for 77.6% of all arrests in 2008, and there were 1% more males arrested in 2008 than in 2007. Females comprised 22.4% of all physical arrests in 2008. The number of female arrestees grew 5.4% over 2007 totals. Data on physical arrests and State citations for years 2004 through 2008 is shown in Table 2.

There were 38,801 State citations issued in 2008 which was 20.1% more than in 2007. The increase in 2008 followed the increase of the prior year of 9.4%. Males made up 68.4% of persons issued a citation in 2008, and there were 17.4% more males issued a citation in 2008 than in 2007. Females comprised 31.6% of persons issued a citation in 2008, and the female number issued a citation grew 26.6% over 2007 (Table 2).

Table 3 shows the arrest rates in Davidson County for years 2004 through 2008, taking into account the size of the resident population. In 2008 Davidson County had 7,224 adult physical arrests per 100,000 residents. This was an increase over 2007 when there were 7,165 adults physically arrested per 100,000 residents. State citations experienced a substantial increase. There were 6,333 citations issued per 100,000 Davidson County residents in 2008. This was an increase over 2007 when there were 5,333 citations issued per 100,000 residents. However, prior to the last two years, the citation rate had been on the decline. The rate of citation issuance declined from 6,173 in 2004, to 5,369 in 2005, to 4,884 in 2006 (Table 3).

Table 2

**ADULT PHYSICAL ARRESTS IN NASHVILLE AND DAVIDSON COUNTY
2004 – 2008**

ADULT PHYSICAL ARRESTS												
YEAR	FEMALES			MALES			MISSING (c)			TOTAL		
	NUMBER OF PHYSICAL ARRESTS (a)	PERCENT CHANGE YEAR-TO-YEAR	PERCENT OF TOTAL PHYSICAL ARRESTS	NUMBER OF PHYSICAL ARRESTS (a)	PERCENT CHANGE YEAR-TO-YEAR	PERCENT OF TOTAL PHYSICAL ARRESTS	NUMBER OF PHYSICAL ARRESTS (a)	PERCENT CHANGE YEAR-TO-YEAR	PERCENT OF TOTAL PHYSICAL ARRESTS	NUMBER OF PHYSICAL ARRESTS (a)	PERCENT CHANGE YEAR-TO-YEAR	PERCENT OF TOTAL PHYSICAL ARRESTS
2004	7,874		22.0%	27,868		78.0%	5		0.0%	35,747		100.0%
2005	8,746	11.1%	22.3%	30,515	9.5%	77.7%	4	-20.0%	0.0%	39,265	9.8%	100.0%
2006	8,585	-1.8%	21.6%	31,145	2.1%	78.4%	5	25.0%	0.0%	39,735	1.2%	100.0%
2007	9,405	9.5%	21.7%	34,012	9.2%	78.3%	1	-80.0%	0.0%	43,418	9.3%	100.0%
2008	9,913	5.4%	22.4%	34,347	1.0%	77.6%	0	-100.0%	0.0%	44,260	1.9%	100.0%

ADULT STATE CITATIONS												
YEAR	FEMALES			MALES			MISSING (c)			TOTAL		
	NUMBER OF STATE CITATIONS (b)	PERCENT CHANGE YEAR-TO-YEAR	PERCENT OF TOTAL STATE CITATIONS	NUMBER OF STATE CITATIONS (b)	PERCENT CHANGE YEAR-TO-YEAR	PERCENT OF TOTAL STATE CITATIONS	NUMBER OF STATE CITATIONS (b)	PERCENT CHANGE YEAR-TO-YEAR	PERCENT OF TOTAL STATE CITATIONS	NUMBER OF STATE CITATIONS (b)	PERCENT CHANGE YEAR-TO-YEAR	PERCENT OF TOTAL STATE CITATIONS
2004	9,610		26.1%	27,145		73.8%	22		0.1%	36,776		100.0%
2005	9,269	-3.5%	28.6%	23,055	-15.1%	71.3%	33	50.7%	0.1%	32,357	-12.0%	100.0%
2006	8,710	-6.0%	29.5%	20,796	-9.8%	70.4%	39	18.7%	0.1%	29,545	-8.7%	100.0%
2007	9,680	11.1%	30.0%	22,597	8.7%	69.9%	38	-1.6%	0.1%	32,316	9.4%	100.0%
2008	12,258	26.6%	31.6%	26,536	17.4%	68.4%	7	-81.7%	0.0%	38,801	20.1%	100.0%

Notes:

(a) Physical arrests are custodial arrests of one person with the possibility of multiple charges. Only adult arrestees are included in the table above. Once booked, this person may bond out, be placed on the Pretrial Release Program, or remain in jail.

(b) State Citations are non-custodial arrests in which the offender is given a date to show up for booking and court, but not jailed unless outstanding warrants are discovered during the booking process. Citations are only issued for misdemeanor offenses.

(c) Missing means information on the sex of a defendant was unavailable in the data.

Source: Arrest data comes from the "Average Daily Population Report" and the "Monthly Criminal Justice Report", December 2004, 2005, 2006, 2007, and 2008. Criminal Justice Planning, 2/25/2009.

Table 3

**ARREST RATES IN DAVIDSON COUNTY
2004 – 2008**

YEAR	DAVIDSON COUNTY POPULATION (a)	ADULT PHYSICAL ARRESTS (b)		ADULT STATE CITATIONS (c)	
		NUMBER OF PHYSICAL ARRESTS	PHYSICAL ARREST RATES PER 100,000 DAVIDSON COUNTY RESIDENTS	NUMBER OF STATE CITATIONS	CITATION RATES PER 100,000 DAVIDSON COUNTY RESIDENTS
2004	595,714	35,747	6,001	36,776	6,173
2005	602,679	39,265	6,515	32,357	5,369
2006	604,953	39,735	6,568	29,545	4,884
2007	605,972	43,418	7,165	32,316	5,333
2008	612,664	44,260	7,224	38,801	6,333

Note:

(a) Population estimates are the calculated number of people living in Davidson County for each year.

(b) A physical arrest is a custodial arrest and represents an individual body and not the number of charges issued to a person. The figures above include adult arrestees only. One individual can have multiple physical arrest events during the year.

(c) State Citations are non-custodial arrests in which the offender is given a date to show up for booking and court, but not jailed unless outstanding warrants are discovered during the booking process. Citations are only issued for misdemeanor offenses. One individual can have multiple citation arrest events during the year.

Source: Arrest data comes from the "Average Daily Population Report" and the "Monthly Criminal Justice Report", December 2004, 2005, 2006, 2007, and 2008. Criminal Justice Planning, 2/26/2009.

Population estimates are from the Metropolitan Planning Commission, 2/26/2009.

C. Court Volume and Trends

The volume of work flowing through the Davidson County court system grew in 2008 over the previous year. There were 66,488 defendants with a filing in the Criminal Court Clerk's Office for General Sessions Court in 2008, representing 98,351 warrants and citations filed. General Sessions Court experienced a 3.5% growth in the number of defendants filed and a 1.3% growth in the number of warrants and citations filed during 2008. State traffic filings with the Criminal Court Clerk's Office for General Sessions Court increased 43.7% in 2008 (4,192 defendants in 2008 compared to 2,917 defendants in 2007). Defendants with post-conviction events declined 36.7% in 2008—from 493 defendants in 2007 to 312 in 2008.

The number of arrestees processed by the Criminal Court Clerk's Office for release by Bond and Pretrial were up in 2008. Defendants released on Bond increased 7.7% in 2008 over 2007 (14,411 releases). The number of releases to the Pretrial Release Program increased 1.8% in 2008 over 2007 (6,248 releases).

General Session Courts concluded a similar amount of defendants in 2008 compared to 2007. In 2008 there were 57,476 defendants processed by the Criminal Court Clerk's Office for disposition by the General Sessions Court, a 3.2% increase over

2007. In addition, 5,410 General Sessions defendants were bound over to Criminal Court, a 1.5% increase over 2007.

Criminal Court experienced higher volume in 2008. There were 10,897 new Criminal Court defendants filed with the Criminal Court Clerk's Office in 2008, an 8.8% increase over 2007. Presentments/Indictments were the largest group of new Criminal Court defendants (5,104); this group increased 22.4% over 2007 totals. The second largest group of Criminal Court defendants was Probation Violations (4,209 defendants) which decreased 0.3%. Of the remaining types of Criminal Court defendants, Informations (1,518 defendants) decreased 3.7%, and GS Appeals (66 cases) increased 37.5% compared to 2007.

The Criminal Court Clerk's Office processed 5,447 defendants for disposition by the Criminal Courts in 2008, a slight decline of 0.4% below 2007 levels. In addition, the Clerk's Office processed 4,105 Probation Violation dispositions by Criminal Court, a 2.7% increase over 2007.

(Source: *Monthly Criminal Justice Report*, December 2008, Criminal Justice Planning)

D. Case Processing Times

The time it took to process defendants in General Sessions Court decreased in 2008. The total number of defendants disposed increased 12.5% while the average case age from arrest to disposition decreased 4.6% (-2.6 days) from 2007. About 91% of the defendants disposed in General Sessions Court in 2008 were concluded without a trial, and they took an average of 56.3 days from arrest to disposition. This represents a shortened processing time of 1 day less than in 2007.

General Sessions defendants that were bound over to Criminal Court comprised about 8.6% of the total number of cases in 2008. There were 8.6% more boundovers in 2008 than 2007. Boundovers took an average of 39.1 days from arrest to boundover, 12.3 days shorter than in 2007.

Defendants disposed in General Sessions Court who spent the majority of time in jail ("jail cases") spent an average of 5.6 days in jail from arrest to disposition, and it took 6.4 days on average for dispositions on their cases. Comparing this to defendants who were out on bond—the bond group spent an average of 1.2 days in jail and waited 75.4 days for their cases to be disposed. This distinction holds whether the defendant's case was boundover or disposed. Processing time depended on whether or not the defendant was in jail or on bond for either outcome. For boundovers, jailed defendants took 8.4 days while bonded defendants took 89.9 days on average from arrest to boundover. For defendants disposed without a trial, jailed defendants took 5.6 days while bond defendants took 74.2 days from arrest to disposition.

There were 5,604 defendants disposed in Criminal Court during 2008, representing 3.2% more defendants disposed than in 2007. The average case age from

arrest to disposition increased 3.6% (+9.7 days). However, the average time from filing in Criminal Court to disposition of the case slightly decreased by 0.4 day (-0.3%).

Cases disposed by trial include cases disposed by either a jury trial or a bench trial. There were 121 defendants who were disposed by trial in 2008, which were 26 more defendants than in 2007. The average processing time for trial cases in 2008 was 535 days, which was a decrease of 9.5% (-55.9 days) from 2007. Many more of the defendants in Criminal Court were disposed without a trial: 5,483 defendants in 2008. This was an increase over 2007 by 150 defendants. Non-trial defendants averaged 273 days from arrest to disposition of their cases, which was 9.8 more days (+3.7%) than in 2007.

There were 3,856 defendants disposed by indictment in 2008, which was the largest group of Criminal Court dispositions and also was 274 more defendants than in 2007. On average this group took 353 days from arrest to disposition, which was an increase of 5.7 more days than in 2007. Most of the increase in case processing time for indicted defendants occurred from boundover to filing, which increased 14.1 days from the 2007 average. The second largest group was defendants disposed by Information Agreements. There were 1,285 defendants disposed in this manner, a decline of 164 defendants from 2007 totals. It took this group 85 days from arrest to disposition, an increase of 5.2%.

The number of jailed defendants in Criminal Court declined 5.6% in 2008, and the average time it took these defendants until their cases were disposed increased 6.3 days (+3.6%). There was a substantial increase of defendants on bond with cases disposed in Criminal Court in 2008 (+323 defendants, +11.5%). The time to process these cases to disposition slightly decreased 0.3% from 2007 (-1.1 days).

There were 4,209 defendants with probation violations filed in Criminal Court in 2008. This was 0.3% fewer probation violations than in 2007. Also during 2008 there were 3,867 defendants with a probation violation disposed in Criminal Court, an increase of 1.5% over 2007. The average time it took from the probation violation arrest to disposition was 28.4 days, a decrease of 4.1 days.

(Source: *2008 Fourth Quarter Case Management Analysis*, Criminal Justice Planning, January 2009.)

E. Average Daily Population in the Davidson County Correctional System

The 2008 average daily population in Davidson County correctional facilities was 3,693 inmates, a 4.7% increase over the 2007 average of 3,526 inmates. The correctional population grew at a rate of 0.2% per month, or 11 inmates on average per month, during 2008.

The largest group of inmates in the correctional population was locally sentenced felons. This group represented 32% of the population or 1,194 inmates per day on

average. Locally sentenced felons grew 1.2% over 2007 levels. The second largest group of inmates was pretrial felons, which comprised 30% of the population or 1,114 inmates a day on average. The number of pretrial felons jumped 10.7% over 2007 levels.

Convicted misdemeanants and DUI's made up over 18% of the 2008 average daily population with 680 inmates a day. This was the third largest group. They declined 1.6% from 2007 levels. The fourth largest group was probation violator felons, who were 6.8% of the daily population (250 inmates a day), which represented a 16% drop below 2007 levels. Of the remaining inmate categories, pretrial misdemeanants were 4% of the daily population in 2008 (156 inmates) and grew 10.7% over 2007. Inmates in the Other category (Federal inmates, civil contempt, inactive charges, State-sentenced felons) were 5.5% of the daily population and grew 2.8% over 2007.

When looking at gender differences in the 2008 average daily population we find that both males and females grew over the 2007 levels. There were 492 female inmates on average each day in 2008, or 13.3% of the population. This was a 9.3% increase over the 2007 female inmate average of 450. The average daily female population has increased every year since 2003 (Table 4).

Male inmates increased in the correctional population, though not as rapidly as female inmates. In 2008 male inmates averaged 3,201 each day, or 86.7% of the total population. This was an increase of 4.1% over the 2007 level of 3,076 male inmates. The number of male inmates has increased every year since 2001 (Table 4).

(Source: *Average Daily Population Report*, Criminal Justice Planning, December 2008.)

Table 4
AVERAGE DAILY POPULATION
DAVIDSON COUNTY CORRECTIONAL FACILITIES
2001 – 2008

YEAR	AVERAGE DAILY POPULATION (a)			AVERAGE DAILY POPULATION % CHANGE		
	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL
2001	2,400	328	2,729			
2002	2,573	368	2,941	7.2%	12.1%	7.8%
2003	2,661	364	3,025	3.4%	-1.1%	2.9%
2004	2,704	395	3,099	1.6%	8.5%	2.4%
2005	2,782	403	3,186	2.9%	2.0%	2.8%
2006	2,888	422	3,310	3.8%	4.7%	3.9%
2007	3,076	450	3,526	6.5%	6.6%	6.5%
2008	3,201	492	3,693	4.1%	9.3%	4.7%
AVERAGE	2,786	403	3,189	4.2%	6.0%	4.4%

Notes:

(a) Average Daily Population includes locally sentenced felons, State sentenced felons waiting transfer to TDOC, sentenced misdemeanants, sentenced DUI's, pretrial felons, pretrial misdemeanants, parole violators, probation violator felons and misdemeanants, and miscellaneous other offender types.

Source: Average daily population data comes from the "Average Daily Population Report", December 2001 through 2008. Criminal Justice Planning, 3/3/2009.

F. Incarceration Rates

The rate of incarceration in Davidson County in 2008 was 407.9 inmates per 100,000 residents. If you include locally sentenced felons held by the Davidson County correctional system for the State prison system, the incarceration rate grows to 602.8 inmates per 100,000 residents (Table 5).

Table 5

**JAIL INCARCERATION RATE IN DAVIDSON COUNTY
2004-2008**

YEAR	DAVIDSON COUNTY POPULATION (a)	AVERAGE DAILY CORRECTIONAL POPULATION		INCARCERATION RATE PER 100,000 DAVIDSON COUNTY RESIDENTS	
		ALL INMATES (b)	DCSO INMATES (b)	ALL INMATES	DCSO INMATES
2004	595,714	3,099	1,883	520.2	316.1
2005	602,679	3,186	1,975	528.6	327.7
2006	604,953	3,310	2,195	547.1	362.8
2007	605,972	3,526	2,346	581.9	387.1
2008	612,664	3,693	2,499	602.8	407.9

Note:

(a) Population estimates are the calculated number of people living in Davidson County for each year.

(b) Average Daily Correctional Population includes locally sentenced felons, State sentenced felons waiting transfer to TDOC, sentenced misdemeanants and DUI's, pretrial felons and misdemeanants, parole violators, probation violator felons and misdemeanants, and miscellaneous other offender types. DCSO inmates are local inmates under the jurisdiction of the Davidson County Sheriff's Office, which include all those listed above excluding locally sentenced felons.

Source: Average daily correctional population comes from the "Average Daily Population Report", December 2004 through 2008, Criminal Justice Planning, 3/3/2009.

Population estimates are from the Metropolitan Planning Commission, 2/26/2009.

Table 6 compares Davidson County's jail incarceration rate with three Tennessee counties: Hamilton, Knox, and Shelby. The largest county in terms of population also had the highest incarceration rate. Shelby County incarcerated 645.4 inmates per 100,000 residents in 2008. Davidson County ranked second in population size and rate of incarceration, with 602.8 jail inmates per 100,000 residents. Interestingly, Hamilton County is the smallest of the four counties but ranked third with 434.4 jail inmates per 100,000 residents. Knox County incarcerated 263.7 in jail in 2008 per 100,000 residents (Table 6).

Table 6

**JAIL INCARCERATION RATE
DAVIDSON COUNTY COMPARED TO OTHER TENNESSEE COUNTIES
2008**

COUNTY	2008 AVERAGE DAILY JAIL POPULATION (a)	2008 POPULATION ESTIMATE (ALL AGES) (b)	JAIL INCARCERATION RATE PER 100,000 COUNTY RESIDENTS
Shelby	5,962	923,753	645.4
Davidson	3,693	612,664	602.8
Hamilton	1,367	314,710	434.4
Knox	1,101	417,649	263.7

Notes:

(a) The jail population includes all inmates in all facilities. This includes any pretrial or convicted local, state, or other inmate being held in a local jail facility. The Davidson County jail population is an average of the daily population calculated monthly for January-December 2008. The jail population for the other counties is an average of the population as of the last day of the month for the six months July-December 2008.

(b) Population estimates are the estimated number of residents in each county for that year.

Source: Jail population for Davidson County comes the "Average Daily Population Report", January-December 2008, Criminal Justice Planning. Jail population for the other counties comes from the "Tennessee Jail Summary Report", July-December 2008, TN Department of Correction, Policy, Planning, and Research Section. The 2008 population estimate for Davidson County is from the Metropolitan Planning Commission, 2/26/2009. The 2008 population estimates for the other counties are from "Tennessee Estimates and Projections, Tennessee Counties and the State, 2000-2010", TN Department of Health, Office of Policy, Planning and Assessment, Division of Health Statistics, 2/21/2008.

G. Davidson County Sheriff's Office 287(g) Program

2008 was the first complete year for the 287(g) program. In mid-April 2007 the Davidson County Sheriff's Office initiated its 287(g) program, which originates in the Immigration and Nationality Act passed by Congress in 1996. The initiative is designed to assist U.S. Immigration and Customs Enforcement (ICE) through enhanced cooperation and communication with state and local law enforcement. Under the program, DCSO deputies identify, process, and when appropriate, detain criminal illegal immigrants encountered in the booking process.

In May 2007 Criminal Justice Planning began reporting the number of inmates in the daily population of the Davidson County correctional system as a result of the 287(g) program. Included in the report are 287(g) inmates who are in the population as a result of either having an ICE detainer with no active local charges, having a DHS/ICE custody hold with no active local charges, or having only an active immigration charge. Using these definitions, the 287(g) population increased from 32 inmates each day on average in 2007 to 73 inmates each day in 2008. This was an increase of 128%, or 53 more ICE inmates a day in 2008 (Table 7). The average 2008 monthly increase for the 287(g) population was 3.9%. We will continue to monitor the impact these inmates have on the correctional population in Davidson County.

(Source: *Average Daily Population Report*, Criminal Justice Planning, December 2008.)

Table 7

**ICE INMATES
AVERAGE DAILY POPULATION
DAVIDSON COUNTY CORRECTIONAL FACILITIES
2007 - 2008**

YEAR	AVERAGE DAILY POPULATION	AVERAGE DAILY POPULATION % CHANGE
	ICE INMATES (a)	ICE INMATES (a)
2007	32	
2008	73	128.1%
AVERAGE	53	128.1%

Notes:

(a) ICE inmates are inmates detained for the U.S. Department of Homeland Security / Immigration and Customs Enforcement. The Davidson County Sheriff's Office began screening for legal immigration status in mid-April 2007. The number of ICE inmates in the graph represents inmates who have no active local charges and are being held on a 48-hour ICE Detainer, inmates who have no active local charges and are being held on a DHS/ICE Custody Hold, and inmates who have only an active immigration charge.

Source: Average daily population data comes from the "Average Daily Population Report", December 2007 and 2008. Criminal Justice Planning, 3/3/2009.

IV. Criminal Justice Trends in the United States

A. Violent Crime in the United States in 2008

According to the FBI's Uniform Crime Reporting (UCR) Program, violent crime is composed of four offenses: murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault.

Preliminary figures indicate that, as a whole, law enforcement agencies throughout the Nation reported a decrease of 3.5% in the number of violent crimes during the first half of 2008 (the most recent data available) when compared with figures reported for the first six months of 2007. Aggravated assaults make up the largest portion of violent crime and this group declined 4.1% from 2007. Robberies decreased 2.2%, forcible rape decreased 3.3%, and murders decreased 4.4%.

When looking at geographic regions of the country we see that the South showed the smallest decrease in violent crimes, with a decrease of 1.5%. Murders decreased 5.2% and robberies remained flat in the South during the first half of 2008 compared to the same time period in 2007. Aggravated assaults also declined 1.8% and rapes declined 4.7% in the South in 2008.

(Source: *Preliminary Semiannual Uniform Crime Report, January-June 2008*, U.S. Department of Justice, Federal Bureau of Investigation, January 2009.)

B. Property Crime in the United States in 2008

According to the FBI's Uniform Crime Reporting (UCR) Program, property crime includes the offenses of burglary, larceny-theft, motor vehicle theft, and arson. Data for arson are not included in property crime totals reported below.

Preliminary figures for January-June 2008 indicate that law enforcement agencies throughout the Nation reported that property crimes decreased 2.5% compared to the same time period in 2007. Burglaries declined 0.8%, larceny-thefts decreased 1.2%, and motor vehicle thefts dropped 12.6%.

The Southern region did not fare as well as other regions of the country when looking at property crime rates. Property crimes in the South slightly declined 0.4%. The largest decline in the South's property crime was the 8.2% drop in motor vehicle thefts. Burglary increased 0.6% and larceny-thefts increased 0.5%. Arson in the South decreased 3.2% over the same time period in 2007.

(Source: *Preliminary Semiannual Uniform Crime Report, January-June 2008*, U.S. Department of Justice, Federal Bureau of Investigation, January 2009.)

C. Persons Arrested in the United States in 2007

The most recent year that data is available on persons arrested in the United States is 2007. In 2007, law enforcement in the United States made an estimated 14.2 million arrests for crimes committed (excluding traffic offenses). Law enforcement made 1.6 million arrests for Part 1 property crimes, which represented 11.3% of the total arrests. An estimated 597,447 arrests for Part 1 violent crimes made up 4.2% of the total arrests. Drug abuse violations accounted for nearly 1.8 million arrests (13% of total arrests), the most arrests for any offense category.

The number of arrests decreased 1.4% in 2007 when compared to arrest figures from the previous year. Arrests for violent crimes decreased 1.1% and those for property crimes increased 5.4% over 2006.

By gender, 75.8% of arrestees in the U.S. in 2007 were male. Males made up 81.8% of violent crime and 66.6% of property crime arrestees. A comparison of 2007 arrest data to the 2006 figures revealed that the number of arrests of females increased 1.6%, and the number of arrests of males decreased 0.9%.

By race, 69.7% of arrestees in 2007 were white, 28.2% were black, and 2.1% were of other races. The South is the U.S. region with the largest population, and it also had the highest arrest rate. In 2007, the South had a rate of 5,300.8 arrests per 100,000 inhabitants.

Aggravated assaults accounted for 73.6% of violent crime arrests, the most of any violent crime category. Arrests for aggravated assaults declined 1.6% in 2007. The murder arrest rate declined 0.1% as compared to the previous year. During 2007, 84.2% of arrestees for violent crimes were people age 18 or over and 15.8% were under age 18. Males comprised 81.8% of those persons arrested for violent crimes. By race, whites accounted for 58.9% of violent crime arrestees, blacks accounted for 39%.

Of the estimated arrests for property crimes, arrests for larceny-theft offenses comprised the largest percentage, 73.6%. Arrests for larceny-thefts increased 8.8% in 2007 over 2006. In 2007, a total of 73.9% of persons arrested for property crime were adults (persons 18 years and older). By gender, 66.6% of all persons arrested for property crime were male. By race, 67.9% of all persons arrested for property crime were white, 29.8% were black, and 2.2% were of other races.

(Source: *Crime in the United States 2007*, U.S. Department of Justice, Federal Bureau of Investigation, September 2008.)

V. Prisoners in the United States

A. Volume and Trends

Overall, including all types of correctional facilities, there were 2,413,112 persons incarcerated in the United States at yearend 2007. This was the most recent data available. Of these, 780,581 (32.3%) were held in local jails. There were 1,512,576 inmates in the custody of State and Federal prison authorities (62.7%). Since yearend 2006 the total incarcerated population has increased by 32,647 (1.4%). During 2007, the number of inmates in State prisons increased by 21,053 (1.5%), while the number of inmates in local jails increased by 14,571 (1.9%).

The rate of incarceration in prison and jail was 756 inmates per 100,000 residents in 2007, up from 751 in 2006. At yearend 2007, 1 in every 132 U.S. residents was incarcerated in State or Federal prison or a local jail.

B. By Region

Looking at number of 2007 State and Federal prisoners by region of the country, the Southern region experienced the largest growth with 2.6% more inmates in its jurisdiction than in 2006. The Northeast and West had the next largest growth rates (up 0.7%), followed by the Midwest (up 0.6%). Growth of the Federal and State prison population slowed as compared to the average annual rate change of 2000 through 2006. However, growth of the prison population in 2007 increased faster than the U.S. resident population. Tennessee had 26,267 inmates under its jurisdiction at yearend 2007, an increase of 2% over 2006.

C. Female Inmates

Female inmates increased faster than male inmates. During 2007 the number of women under the jurisdiction of State or Federal prison authorities increased by 2.1%. The number of men in prison rose 1.8%. At yearend 2007, 105,500 women and 1,427,300 men were in prison. The growth rate of females was lower for 2007 than the average rate (3.4%) for the years 2000 through 2006. By yearend 2007 women accounted for 6.9% of all prisoners, up from 6.3% in 2000.

Relative to their number in the U.S. resident population, men were almost 14 times more likely than women to be incarcerated in a State or Federal prison. At yearend 2007 there were 69 sentenced female inmates per 100,000 women in the US, compared to 955 sentenced male inmates per 100,000 men.

Over a third of all female and male prisoners were held in the three largest jurisdictions. Texas, the Federal system, and California held more than a third of all female inmates in 2007. Tennessee had 1,923 female inmates under State jurisdiction in 2007, representing a 1.8% decline from 2006. Tennessee's rate of incarceration for

women was 61 female inmates per 100,000 females. This rate was lower than the U.S. total rate of 69 women incarcerated per 100,000 women.

D. Local Jails

In 2007 local jails held 5% of State and Federal prisoners. At the end of 2007 (the most recent data available), States and the Federal systems reported a total of 80,371 State and Federal prisoners held in local jails or other facilities operated by county or local authorities. These inmates held in local jails represented 5% of all prisoners in 2007.

Louisiana had the largest percentage of its State inmate population housed in local jails (45.5%). Four other States—led by Kentucky (35.2%) and Tennessee (26.7%) – had at least a fifth of their population housed in local jail facilities.

About 84% of prisoners held in local jails were in the South (67,071). Overall, the South held 10.5% of prisoners in local jails, followed by the West (1.9%), the Midwest (1.3%), and the Northeast (0.9%).

E. Characteristics of Inmates

By race, black inmates represented 38.2% of all State and Federal inmates in 2007, while white inmates accounted for 34% and Hispanic inmates accounted for 20.8%.

Looking at the trends for female inmates, white females (50,500) outnumbered black females (29,300) and Hispanic females (17,600). About 48% of all sentenced female inmates were white.

When incarceration rates are estimated separately by age group, black males in their 30's have high rates relative to other groups. The incarceration rate was highest for black males between the ages of 30 to 34. Among black males in this age group, 8% were in prison at yearend 2007, compared to 1.2% of white males of the same age group. However, between the years 2000 and 2007, black males as a percentage of all male sentenced prisoners declined from 43% to 39%. The incarceration rate per 100,000 between 2000 and 2007 declined for black males 1.6% while it increased for white males 17.3%.

Female incarceration rates, while substantially lower than male incarceration rates at every age, reveal similar racial and ethnic changes. Black females (with an incarceration rate of 150 per 100,000) were nearly twice as likely as Hispanic females (79 per 100,000) and over 3 times more likely than white females (50 per 100,000) to be in prison on December 31, 2007. These differences among white, black, and Hispanic females were consistent across all age groups. However, there is a positive trend for black females in recent years. In 2000 the incarceration rate of black females was 175 per 100,000. The rate shows a decline to the current level of 150 per 100,000.

(Source: *Prisoners in 2007*, NCJ 224280, Bureau of Justice Statistics Bulletin, U.S. Department of Justice, December 2008.)

VI. Summary

Major crimes fell 2.3% in Davidson County in 2008, the fifth straight year of declines. Property crimes dropped 1.5%, with declines or no increase in all of the major property crime categories. Violent crimes decreased 5.2% in 2008. In the violent crime categories murders were up 1.4%, while rapes, robberies, and aggravated assaults went down. Overall the total number of criminal offenses reported to the police has declined each year from 2003 through 2008.

Adult physical arrests increased 1.9% in 2008. Males accounted for 78% of all arrests, and there were 1% more males arrested in 2008 compared to 2007. Females comprised 22% of all arrests, and their number rose 5% in 2008 over 2007. There were 7,224 physical arrests per every 100,000 Davidson County residents in 2008. There were 20% more State citations issued in 2008 than in 2007, which was the second straight year of increases.

Court volume expanded in 2008 compared to 2007. General Sessions Courts experienced 3.5% growth in the number of defendants with a filing in the Criminal Court Clerk's Office. Criminal Courts saw an 8.8% increase in number of new defendants with a filing in the Criminal Court Clerk's Office in 2008. Defendants processed by the Criminal Court Clerk's office for disposition in General Sessions Courts grew 3.2% in 2008 compared to 2007, while there were 1.5% more defendants bound over to Criminal Court. The number of defendants processed for disposition by the Clerk's Office in Criminal Court slightly declined 0.4% below 2007 levels. In addition, the Clerk's Office processed 2.7% more probation violation dispositions in Criminal Court in 2008 than in 2007.

On average it took a shorter time to process defendants in General Sessions Court, but a longer time in Criminal Court, in 2008 compared to 2007. The average number of days from arrest to disposition in General Sessions Court decreased 4.6% (down 2.6 days) from 2007. The average number of days from arrest to disposition increased 9.7 days (up 3.6%) in Criminal Court in 2008 over 2007. However, the average time from filing in Criminal Court to disposition of the case slightly decreased by 0.4 day (-0.3%).

The inmate population in Davidson County correctional facilities grew 4.7% in 2008, increasing from 3,526 inmates per day in 2007 to 3,693 inmates per day in 2008. The largest segment of the 2008 inmate population was locally sentenced felons. This group comprised 32% of the population (1,194 inmates per day) and grew 1.2% over 2007 levels. The second largest segment in 2008 was pretrial felons, which was 30% of the daily inmate population. There were 1,114 pretrial felons on average each day, which was a 10.7% jump over the 2007 average.

Davidson County incarcerated 602.8 correctional inmates per 100,000 residents in 2008. Shelby County outranked Davidson County with 645.4 jail inmates per 100,000 residents. Both Hamilton and Knox Counties had lower jail incarceration rates than Davidson County.

The Davidson County Sheriff's Office initiated the 287(g) program in April 2007. Under the program, DCSO deputies assist the U.S. Immigration and Customs Enforcement (ICE) by identifying, processing, and when appropriate, detaining criminal illegal immigrants encountered in the booking process. There was an average of 32 inmates per day in custody in 2007 as a result of the 287(g) program. By the end of 2008 the average was 73 ICE inmates per day, representing a 128% increase.

In comparing Davidson County to the country as a whole, we found that Davidson County reflected national trends in some respects. During 2008 violent crimes decreased 5.2% in Davidson County and also decreased 3.5% across the nation during the first half of 2008 (the most recent data available). Property crimes fell 1.5% in Davidson County while similarly decreasing 2.5% across the rest of the country.

The number of arrests made by law enforcement in the United States decreased 1.4% in 2007 (the most recent data available). In 2008 Davidson County's physical arrests increased 1.9% and State citations increased 20% over 2007.

The incarcerated population in the Nation's prisons and jails grew 1.4% in 2007 (the most recent data available). The number of inmates in local jails increased 1.9% and the number of inmates in State prisons increased by 1.5% across the United States. Davidson County's inmate population outpaced the nation's, growing 4.7% in 2008.

Finally, Criminal Justice Planning was able to calculate the effects of policies and trends which impacted both admissions into the correctional system and inmate lengths of stay, and use the information to project the number of offenders expected to be incarcerated in Davidson County correctional facilities over the next five years. In this report, we assessed the forecasts by comparing the projected results with the actual inmate population for January 2008 through January 2009. The projection results were within a statistically acceptable range. We projected an average daily population of 3,707 against an actual daily population of 3,684 for the 13-month period.