

# Town of Highland Park Court

January 1 through December 31, 2022



This particular analysis constitutes an annual review of the Town of Highland Park Court and its administration of justice, which has been in place during the past few years. The current review is focused on the data from January 1, 2022 through December 31, 2022. The objective in collecting and analyzing the data is to determine the patterns or practices of the municipal court in Highland Park, in its administration of justice. Although the data poses limitations it is substantive enough in order to reach conclusions on trends related to the patterns and practices of the court.

The analysis of the 2022 annual data produced relevant findings and results. Overall, the significant majority of cases filed, related to White defendants. This was followed by Hispanics and Blacks, in that order. Of the cases filed and disposed in 2022, a significant percentage of cases were filed and disposed across most racial and ethnic categories. That is, of the total number of cases filed and disposed in 2022, Whites constituted 49% of all cases. This was followed by Hispanics (16%), Blacks (9%), and Asians (3%). Based on the data reviewed, it is clear that the least significant percentage of cases that were filed and disposed in 2022, belonged to Asians. In a deep dive on the data relevant to disposition of Asian cases in 2022, the court made every attempt at contacting alleged violators of all racial and ethnic categories including Asians. Accordingly, the court reports that in 8 cases, the alleged violator did not make any attempt at responding to the court's outreach via telephone, mail or email. In 79 cases involving Asians in 2022, 79 individuals set to plea and/or pay a fine. Further, in 38 instances, the cases were dismissed due to the individual complying with the court's conditions established and in 2 instances, the cases were appealed to the court.

When analyzing the dispositions for this particular year, the data shows that of the 1,095 cases with court appearances, 479 of them involved White defendants. The second (but distant)

most significant number (200) related to Hispanic defendants. This was followed by Blacks (183) and Asians (25). It is also evident that Native Americans constituted the group with the least number of court appearances (8). Of the cases involving White defendants, a significant number (2,504) were closed with no court appearance. The second most significant number of cases closed without any court appearance pertained to Hispanics (894). One would expect this given the fact that Hispanics constituted the second largest number of defendants, after Whites. The third most significant number of dispositions without a court appearance (740) pertained to Blacks.

Of the cases with fines paid to the clerk, the majority of them involved White defendants (681); this was followed by Hispanics (354), Blacks (227) and Asians (31). This seemed to be the same trend across the board with White defendants. For instance, the majority of the cases deferred by the judge and the prosecutor, involved Whites. This was followed, in both instances, by Hispanics.

When considering the number of cases disposed relative to gender, most of these cases disposed in 2022 were related to White Males among all males. This was followed by White Females among all females. The second largest percentage of cases disposed in 2022 while controlling for gender, related to Hispanic Males among all males, and Black Females among all females.

### **Summary of Findings**

Although the data is limited in nature, it does present a profile regarding the disposition of cases. The importance related to the manner in which the cases are processed through the Highland Park Municipal Court, goes without saying. It should be noted, that during the time this data was recorded, the nation and the State were still recovering from the COVID-19

Pandemic and facing a decline in the economy. Thus, much of the trend captured here and discussed in the analysis, is representative of the somewhat restrictive movement of individuals throughout their communities with limited funding. A careful review of the data shows the following:

- a) The cases filed in 2022 are mostly related to White defendants; this was followed by Hispanics and Blacks, respectively.
- b) The cases that were closed by the court, dismissed by the prosecutor and dismissed by the judge, seem to be almost evenly distributed among Whites, Hispanics and Asians. Given that most of the cases involved Whites, this trend seems to be consistent with the proportionality of racial/ethnic distributions.
- c) The cases dismissed at the window and those dismissed via U.S. Mail also seemed to be proportionally distributed among all races and ethnic groups.
- d) A significant percentage of cases by all races/ethnicities were disposed through the payment of fines to the clerk. This, in my view, is an indicator that defendants took advantage of the convenience of resolving their cases before their court date. The race and ethnicity of the defendant did not seem to make a difference in their ability to dispose of the citation through the mail or window.
- e) The data also shows that there were various methods of disposing cases by all racial and ethnic groups. Even though there no specific pattern was identified, it is clear that disposition of cases ranged from the completion of driving courses to paying fines and providing proof of insurance.

It is my expert opinion with over 25 years of analyzing data specific to racial and ethnic disparities in the criminal justice system, and after having reviewed the data analyzed in this report, that the Highland Park Municipal Court seems to engage in a fair and Constitutional process as measured through the availability of options on disposition of cases. There is very little doubt that the analysis of additional data over the next few years will reveal, with some degree of certainty, if the pattern on the distribution of cases and disposition of these, continues.

As noted in the previous year's report, the Highland Park Municipal Court continues to update all of its standing orders, provide easy access and information to all defendants through its web site, and ensures that the administration of justice in its court is implemented while adhering to the United States Constitution and the laws of the state of Texas.

As it is typical in these annual data evaluations, a deeper dive was performed and the following data points were identified:

- 1) Of the 363 cases involving Whites, in 162 of them, the defendants did not make any attempt to call, mail or email the court regarding their citations. Of the 363 cases, 69 were set to plea and/or pay, 122 cases were pending probation dismissal and/or compliance dismissal, 3 cases were on appeal and 7 cases were past due, by the end of 2022.
- 2) Of the 332 cases involving Blacks, in 206 of them, the defendants did not make any attempt to call, mail or email the court regarding their citations. Of the 332 cases, 79 were set to plea and/or pay, 38 cases were pending probation dismissal and/or compliance dismissal, 4 cases were on appeal, 1 case was set for trial, and 4 cases were past due, by the end of 2022.
- 3) Of the 245 cases involving Hispanics, in 147 of them, the defendants did not make any attempt to call, mail or email the court regarding their citations. Of the 245 cases, 59 were set to plea and/or pay, 24 cases were pending probation dismissal and/or compliance dismissal, 1 case was seeking an appeal, and 14 cases were past due, by the end of 2022.
- 4) Of the 21 cases involving Asians, in 8 of them, the defendants did not make any attempt to call, mail or email the court regarding their citations. Of the 21 cases, 3 of them were set to plea and/or pay, 8 cases were pending probation dismissal and/or compliance dismissal, and 2 cases were on appeal, by the end of 2022.

- 5) Of the 8 cases involving Native Americans, in 6 of them, the defendants did not make any attempt to call, mail or email the court regarding their citations. Of the 8 cases, 1 of them was set to plea and/or pay, and 1 case pending probation dismissal and/or compliance dismissal, by the end of 2022.
  
- 6) Of the 120 cases not entered, in 106 of them, the defendants did not make any attempt to call, mail or email the court, regarding their citations. Of the 120 cases not entered, 10 of them were set to plea and and/or pay, 4 cases were pending probation, dismissal and/or compliance dismissal, by the end of 2022.

It should be noted that the Court office reports continuing its efforts in sending courtesy letters out to all defendants that do not appear within the 20 days from the date the citation was issued or pay on the date given by the court. It is also reported that the court staff sends notifications by phone or text message as a reminder the 20 days have passed and defendants need to seek options, schedule a preliminary hearing and/or make payment. All defendants are given the opportunity to handle cases by email, and by submitting a request for a virtual hearing with the Prosecutor, if they are not able to appear in person.

In response to the report on the 2021 data recommendations, the court staff uses the Texas Department of Public Safety’s TLETS program to update addresses and phone numbers of defendants that have mail returned due to a non-existing or incorrect address. Additional letters are then sent with information on the options to handle outstanding citation. Consequently, court staff applies the updated information and sends out notices and/or communication to the defendants with outstanding offenses filed from Jan 2017 to Dec 2022. In accordance with Judge Hammack’s standing order, a second courtesy letter, a pre-warrant letter and a warrant are being sent as needed.

**Results of additional letters sent by Race**

	<b>Letters Mailed</b>	<b>No Response</b>	<b>Cases Disposed</b>	<b>Appeared in Court</b>	<b>Total Disposal and Appearances</b>
<b>White</b>	970	646	198	126	324
<b>Black</b>	1,498	1,188	146	164	310
<b>Hispanic</b>	1,038	802	107	129	236
<b>Asian</b>	25	24	1	-	1
<b>M Eastern</b>	9	9	-	-	-
<b>Unknown</b>	2	2	-	-	-
<b>N American</b>	22	18	4	-	4
<b>Blank</b>	134	108	21	5	26
<b>Total</b>	3,698	2,797	477	424	901

Index of Codes Used by the Court:

(When reviewing the data for outstanding cases the following are status and descriptions):

STATUS	Description
PP	Payment Plan
1P	Deferred by Prosecutor.
1J	Deferred by Judge.
1C	Deferred by Defendant.
1W	Deferred by Clerk.
2W	DSC by Clerk
2C	DSC by Defendant
2P	DSC by Prosecutor
2J	DSC by Judge
CS	Community Service
EA	Pass for Appeal Bond
EX	Extension to Pay
CA	Continued Appearance
CN	Virtual Hearing
C1	Pass for Proof of Compliance
C2	Pass for Defensive Driving
C3	Pass for Disposition & Plea
C4	Pass for Deferred
PH	Preliminary Hearing
PT	Pre-Trial Hearing
TR	Bench Trial
TM	Essay due
IA	Initial Appearance
MB	Collections
SC	Show Cause
OM	Outstanding sent to DPS (deny renewal of license)

It is clear from this additional analysis that of all the races/ethnicities, Blacks showed the highest percentage of cases pending at the end of the 2022 calendar year. Some of the reasons that may explain this finding may be related to loss of income, relocation, inability to contact the court, lingering economic and social effects of COVID-19, and the absence of a telephone number provided to the Court. Despite these reasons, it is also true that all of these issues have

affected other races and ethnicities. The court is commended for adhering to the recommendations made in 2021 in identifying ways to reach out to all defendants, but particularly those of minority descent while providing them with alternatives on satisfying the court-imposed conditions associated with their citation. A recommendation is being made in this year's report to provide a granular analysis on the data collected during the current calendar year.

Table 1. Profile of Cases (January 1, 2022 through December 31, 2022)

<b>Race/Ethnicity</b>	<b>Cases Filed</b>	<b>Cases Disposed</b>	<b>Outstanding Cases</b>
<b>White</b>	1,837	2,504	1,296
<b>Black</b>	605	740	1,789
<b>Hispanic</b>	732	894	1,361
<b>Asian</b>	103	128	58
<b>Middle Eastern</b>	0	1	18
<b>Unknown</b>	1	7	3
<b>Native American</b>	25	40	27
<b>Not Entered</b>	798	770	296
<b>Total</b>	4,101	5,084	4,848

Table 2. Disposition of Cases with Court Appearances (January 1, 2022 through December 31, 2022)

<b>Race/Ethnicity</b>	<b>Total Cases with Court Appearances</b>	<b>Cases Closed by the Court</b>	<b>Cases Dismissed Completion of Defensive Driving Course</b>
<b>White</b>	479	176	93
<b>Black</b>	183	107	17
<b>Hispanic</b>	200	122	7
<b>Asian</b>	25	12	5
<b>Middle Eastern</b>	0	0	0
<b>Unknown</b>	0	0	0
<b>Native American</b>	8	3	4
<b>Not Entered</b>	200	109	1
<b>Total</b>	1,095	529	127

Table 3. Disposition of Cases with Court Appearances (cont.)

<b>Race/Ethnicity</b>	<b>Cases Complied Dismissal (3J)</b>	<b>Cases Complied Dismissal (3P)</b>	<b>DA Dismissed/Deferred Completed</b>	<b>Cases DI/Dismiss (Proof Insurance)</b>
<b>White</b>	28	46	2	1
<b>Black</b>	5	12	3	0
<b>Hispanic</b>	8	11	2	1
<b>Asian</b>	3	2	1	0
<b>Middle Eastern</b>	0	0	0	0
<b>Unknown</b>	0	0	0	0
<b>Native American</b>	0	0	1	0
<b>Not Entered</b>	0	0	0	0
<b>Total</b>	44	71	9	2

Table 4. Disposition of Cases with Court Appearances (cont.)

<b>Race/Ethnicity</b>	<b>Cases Dismissed by Prosecutor</b>	<b>Cases Dismissed by Judge</b>	<b>Cases Dismissed (Juveniles/Minors)</b>
<b>White</b>	72	14	39
<b>Black</b>	30	6	1
<b>Hispanic</b>	32	9	8
<b>Asian</b>	1	0	1
<b>Middle Eastern</b>	0	0	0
<b>Unknown</b>	0	0	0
<b>Native American</b>	0	0	0
<b>Not Entered</b>	72	18	0
<b>Total</b>	207	47	49

Table 5. Percentages of All Cases Dismissed by Judge and Prosecutor

<b>Race/Ethnicity</b>	<b>Cases Dismissed by Judge (in percentages)</b>	<b>Cases Dismissed by Prosecutor (in percentages)</b>
<b>White</b>	1.28	6.58
<b>Black</b>	.55	2.74
<b>Hispanic</b>	.82	2.92
<b>Asian</b>	0	.09
<b>Middle Eastern</b>	0	0
<b>Unknown</b>	0	0
<b>Native American</b>	0	0
<b>Not Entered</b>	1.64	6.58