

Town of Highland Park Court

January 1 through December 31, 2021



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, 2021 through December 31, 2021. The objective in collecting and analyzing the data is to determine the patterns and 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 2021 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 in 2021, a significant percentage of cases were disposed across most racial and ethnic categories. That is, of the total number of cases filed and disposed in 2021, Whites constituted 57% of all cases. This was followed by Hispanics (18%), Blacks (8%), and Asians (2%). Based on the data reviewed, it is clear that the least significant percentage of cases that were filed and disposed in 2021, belonged to Black. It is strongly recommended to further examine this in an effort to determine the nature of Black dispositions and the reasons that would explain why they constituted the lowest percentage of cases disposed among those filed in 2021.

When analyzing the dispositions for this particular year, the data shows that of the 933 cases with court appearances, 489 of them involved White defendants. The second (but distant) most significant number (189) related to Hispanic defendants. This was followed by Blacks (124) and Asians (15). It is also evident that Native Americans constituted the group with the least number of court appearances (11). Of the cases involving White defendants, a significant number (2571) were closed with no court appearance. The second most significant

number of cases closed without any court appearance pertained to Hispanics (800). 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 (553) pertained to Blacks.

Of the cases with fines paid to the clerk, the majority of them involved White defendants (953); this was followed by Hispanics (455), Blacks (230) and Asians (46). It should also be noted that the majority of juvenile cases was led by Whites (51); then followed by Hispanics (4) and African Americans (1). This seemed to be the same trend across the board with White defendants. That is, 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 2021 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 2021 while controlling for gender, related to Hispanic Males among all males, and Hispanic 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 recovering from the COVID-19 Pandemic. Thus, much of the trend captured here and discussed in the analysis, is representative of the somewhat restrictive movement of individuals throughout their communities. A careful review of the data shows the following:

- a) The cases filed in 2021 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 unevenly 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 recommended that a follow up and “deeper dive” on the disposition of cases while controlling for race/ethnicity, is considered.

It is my expert opinion with over 24 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.

Of interest in this particular analysis is the fact that Blacks seemed to show the least significant percentage of cases disposed. Therefore, a deeper dive was performed and the following data points were identified:

Regarding Whites, of the 857 cases pending, 122 cases did not make any attempt to call, mail or email the Court regarding their citations. Further, 164 cases are set pay or plea while 15 cases are past due. As of April 1, 2022, 556 cases involving White defendants have been disposed. Overall then, a total of **14%** of cases belonging to **Whites**, no attempt was made by the defendant to contact the court.

Regarding Blacks, of the 410 cases pending, 215 cases did not make any attempt to call, mail or email the Court regarding their citations. Further, 84 cases are set to pay or plea while 13 cases are past due. As of April 1, 2022, 98 cases involving Blacks have been disposed. Overall then, a total of **52%** of cases belonging to **Blacks**, no attempt was made by the defendant to contact the court.

Regarding Hispanics, of the 344 cases pending, 152 cases did not make any attempt to call, mail or email the Court regarding their citations. Further, 55 cases are set to pay or plea while 22 cases are past due. As of April 1, 2022, 115 cases involving Hispanics have been disposed. Overall then, a total of **44%** of cases belonging to **Hispanics**, no attempt was made by the defendant to contact the court.

Regarding Asians, of the 45 cases pending, 14 cases are set to pay or plea while 1 case is past due. As of April 1, 2022, 30 cases involving Asians have been disposed. Overall then, a total of **31%** of cases belonging to **Asians**, no attempt was made by the defendant to contact the court.

Regarding Native Americans, of the 27 cases pending, 5 cases did not make any attempt to call, mail or email the Court, regarding their citations while 6 cases are set to pay or plea and 1 case is past due. As of April 1, 2022, 15 cases involving Asians have been disposed. Overall then, a total of **19%** of cases belonging to **Native Americans**, no attempt was made by the defendant to contact the court.

Regarding the 150 cases not entered, 91 cases did not make any attempt to call, mail or email the Court, regarding their citations. Further, a total of 5 cases are set to pay or plea. As of April 1, 2022, 54 cases have been disposed. Overall then, a total of **61% of cases, where race was not entered**, no attempt was made by the defendant to contact the court.

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 2021 calendar year. Some of the reasons that may explain this finding may be related to loss of income, relocation, inability to contact the court, 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, particularly Hispanics. Although the Court is to be commended for continuing the practice of sending out letters to all defendants that do not appear or pay by the specified date issued by the Court, it may be necessary to apply an additional and specific effort to improve communication with Black defendants. Perhaps a coordinated effort can be made with the Highland Park Police Department in order to ensure that officers attempt to gather additional information on all defendants such as a second phone number (if available) and a mechanism that ensures the physical address being captured is correct. It may also be effective to consider the possibility of asking officers that issue a citation to provide the defendant with a brochure (both in English and Spanish) which allows them to learn of the various mechanisms in place, as established by the Court, in order for defendants to correspond with the Court (i.e., being able to submit a request for a virtual hearing with the prosecutor).

Table 1. Profile of Cases (January 1, 2021 through December 31, 2021)

Race/Ethnicity	Cases Filed	Cases Disposed	Outstanding Cases
White	2,779	3,060	1,877
Black	680	677	1,851
Hispanic	933	989	1,459
Asian	122	142	82
Middle Eastern	2	5	19
Unknown	1	3	3
Native American	84	82	42
Not Entered	587	497	250
Total	5,188	5,455	5,583

Table 2. Disposition of Cases with Court Appearances (January 1, 2021 through December 31, 2021)

Race/Ethnicity	Total Cases with Court Appearances	Cases Closed by the Court	Cases Dismissed Completion of Defensive Driving Course
White	489	199	103
Black	124	58	18
Hispanic	189	85	26
Asian	15	6	6
Middle Eastern	3	2	0
Unknown	0	0	0
Native American	11	1	4
Not Entered	102	63	0
Total	933	414	157

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

Race/Ethnicity	Cases Complied Dismissal (3J)	Cases Complied Dismissal (3P)	DA Dismissed/Deferred Completed	Cases DI/Dismiss (Proof Insurance)
White	10	11	10	2
Black	2	2	4	1
Hispanic	1	4	1	2
Asian	0	0	1	0
Middle Eastern	0	0	1	0
Unknown	0	0	0	0
Native American	0	0	0	0
Not Entered	0	0	0	0
Total	13	17	17	5

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

Race/Ethnicity	Cases Dismissed by Prosecutor	Cases Dismissed by Judge	Cases Dismissed (Juveniles/Minors)
White	73	25	51
Black	28	10	1
Hispanic	50	15	4
Asian	1	1	0
Middle Eastern	0	0	0
Unknown	0	0	0
Native American	4	0	2
Not Entered	30	9	0
Total	186	60	58

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

Race/Ethnicity	Cases Dismissed by Judge (in percentages)	Cases Dismissed by Prosecutor (in percentages)
White	2.68	7.82
Black	1.07	3.00
Hispanic	1.61	5.36
Asian	.11	.11
Middle Eastern	0	0
Unknown	0	0
Native American	0	.43
Not Entered	.96	3.22