
**OFFICE OF COURT MANAGEMENT
HARRIS COUNTY CRIMINAL COURTS AT LAW**



DWI Study for the Harris County Criminal Courts at Law
Recidivism profiles of first-time defendants with case filed in 2001

Data collected on May 2, 2005

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DWI Study for the Harris County Criminal Courts at Law

This study was designed to profile first-time DWI defendants from 2001. The base study group consists of 4,935 individuals whose first-ever criminal case in Harris County (other than a Class C misdemeanor) was a DWI misdemeanor charge filed in 2001 that resulted in a judgment. Of these, 850 have returned to the Harris County criminal justice system as of May 2, 2005.

Multiple charges from the same day were considered as one occurrence. Any future charges that resulted in an acquittal or that have not reached a judgment were eliminated from the study. The source data is from the Harris County Justice Information Management System (JIMS).

This study examines the re-appearance rate for these individuals within the Harris County Criminal Courts at Law and the Harris County District Courts Trying Criminal Cases. The 2001 profile describes the group according to the age of the defendants, and it also describes the kind of judgments dispensed for the group.

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DWI Recidivism: Population

For the year 2001, there were 9,993 misdemeanor DWI cases filed in Harris County. Of these, 127 cases have still not reached a judgment, and those defendants were not included in this study.

The remainder (9,866 cases) were adjudicated by the Harris County Criminal Courts at Law. This set of cases includes 9,656 unique individuals (unique SPNs) who were adjudicated by the courts.

Of these total unique defendants in adjudicated DWI cases, there were 5,276 first-time offenders.

A total of 341 first-time DWI defendants had their charge dismissed and were subtracted from the population for this study, leaving a total population of 4,935 first-time DWI defendants from 2001 whose case resulted in a judgment.

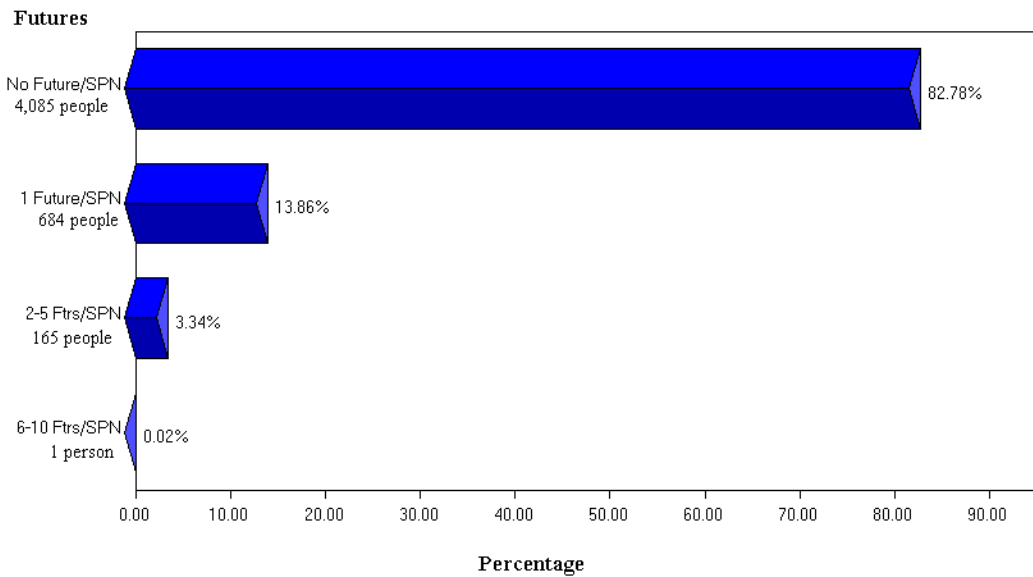
Population Selection	
9,993	Misdemeanor DWI Cases Filed in 2001
-127	Cases without a Judgment as of May 2, 2005
9,866	Adjudicated Cases
-210	Duplicate SPNs
9,656	Unique DWI Defendants Adjudicated in 2001
-4,380	Defendants with Previous Criminal Cases
5,276	First-time DWI Defendants Adjudicated in 2001
-341	Dismissals
4,935	First-time DWI Defendants in 2001

The case information for this study is current as of May 2, 2005.

Recidivism Rate

First-time Defendants with One or More Future Cases

4,935	First-time DWI Defendants in 2001
-4,085	Defendants with No Future Cases Since 2001 (83%) (as of May 2, 2005)
850	Recidivist Population from 2001 (17%)

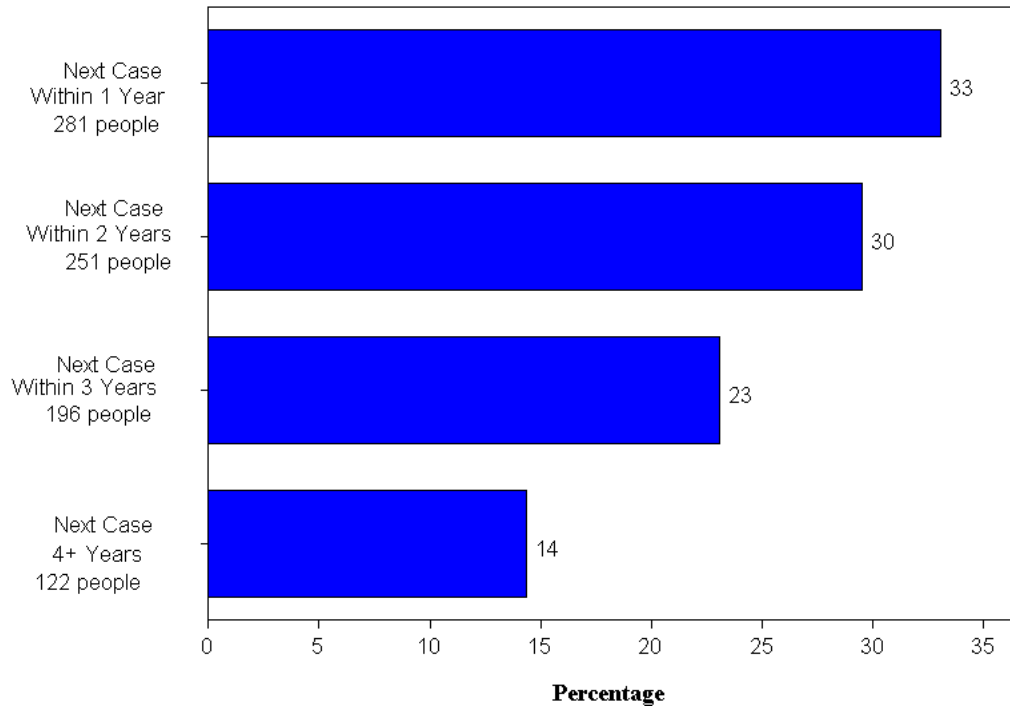


Recidivism rate for first-time DWI defendants adjudicated in 2001 is 17%.

Of the 4,935 first-time DWI defendants adjudicated in 2001:

- 17% were subsequently charged with a new criminal offense
- 83% have not incurred any additional cases

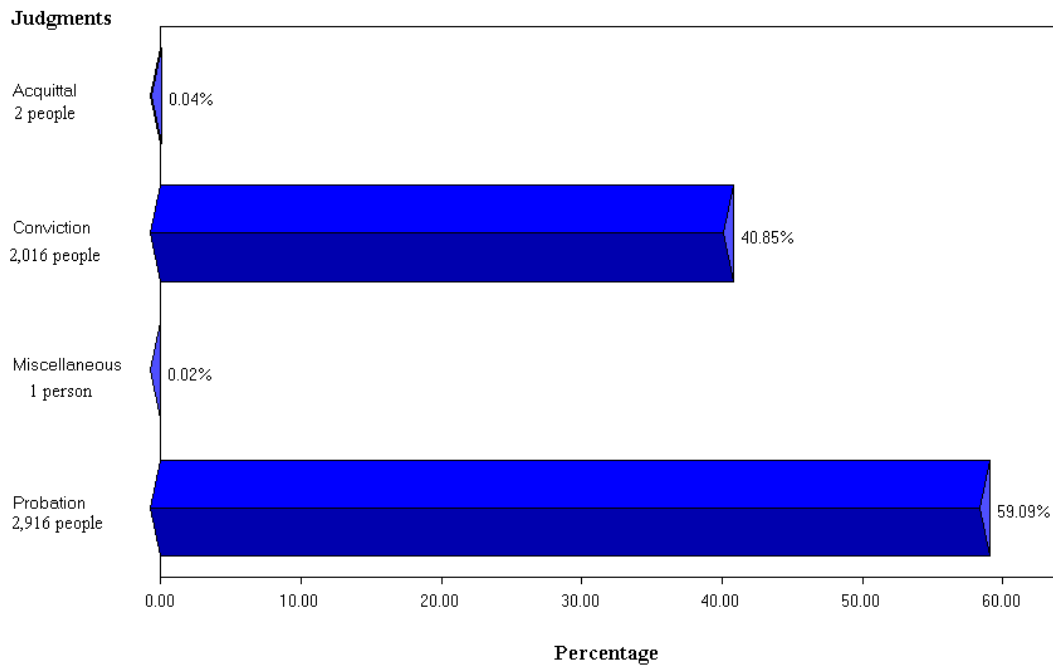
2001 First Offense DWI Defendants with Future Cases Time Lapse Between First and Second Cases



Of the 850 first-time DWI defendants who had future criminal cases:

- 33% had their next case within 1 year
- 30% within two years
- 23% within 3 years
- 14% more than 3 years after their first DWI case

Judgments on First Offense Cases Adjudication Rates

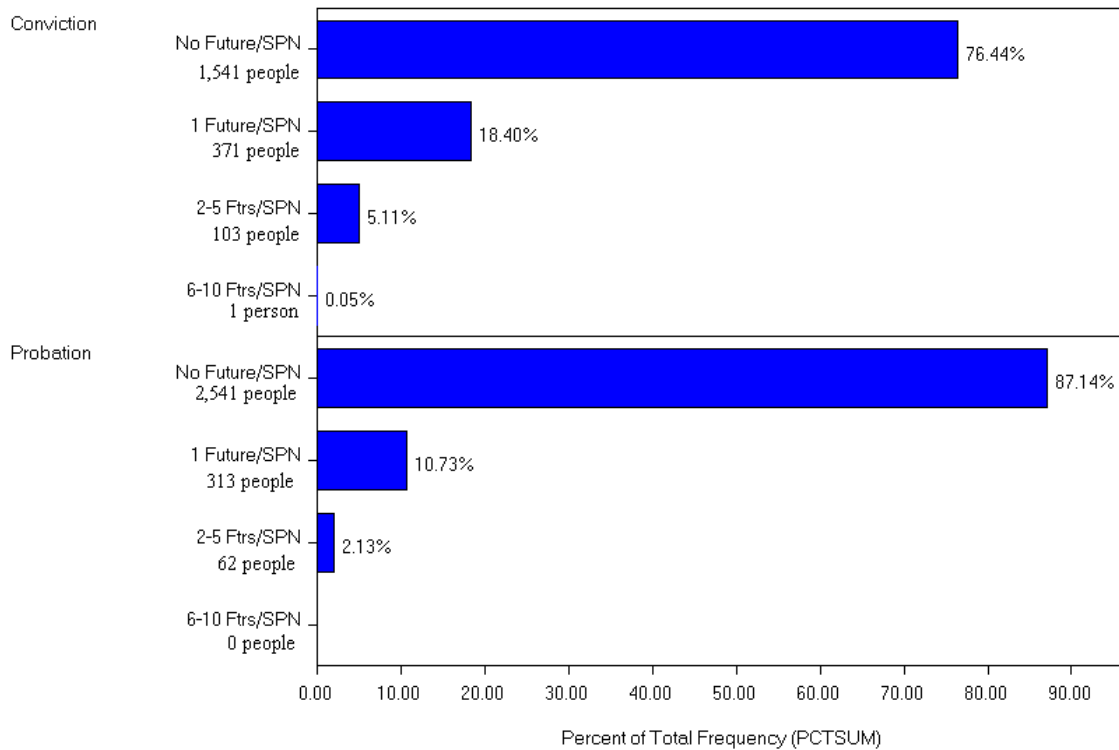


Of the 4,935 first-time DWI defendants adjudicated in 2001:

- 59% were placed on probation
- 40% were convicted and served jail time and/or paid a fine
- The “miscellaneous judgment” is a “Transfer to Juvenile Court”

Recidivism Rates: Probation vs. Conviction Re-occurrences Rates

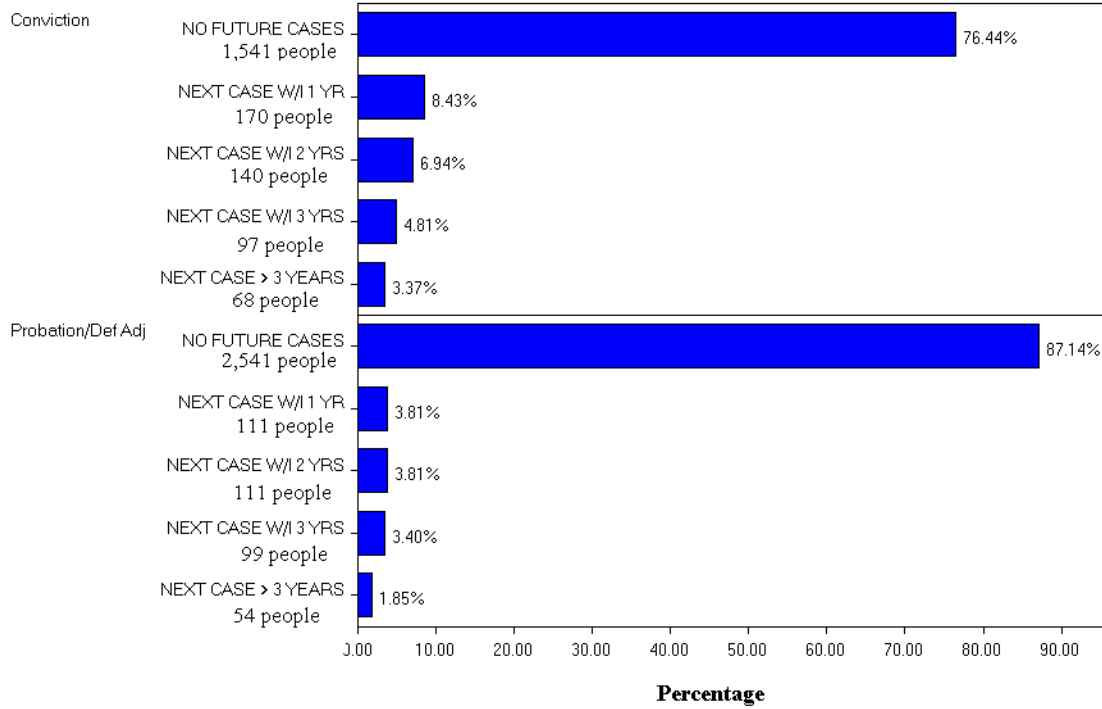
For the purpose of this study, a *Conviction* is a Guilty verdict that resulted in jail time and/or a fine. A *Probation* is a Guilty verdict that resulted in a probated sentence.



Of the 850 first-time DWI defendants who had future criminal cases:

- 13% of those placed on probation had a future case
- 24% of those sentenced to jail time and/or a fine had a future case

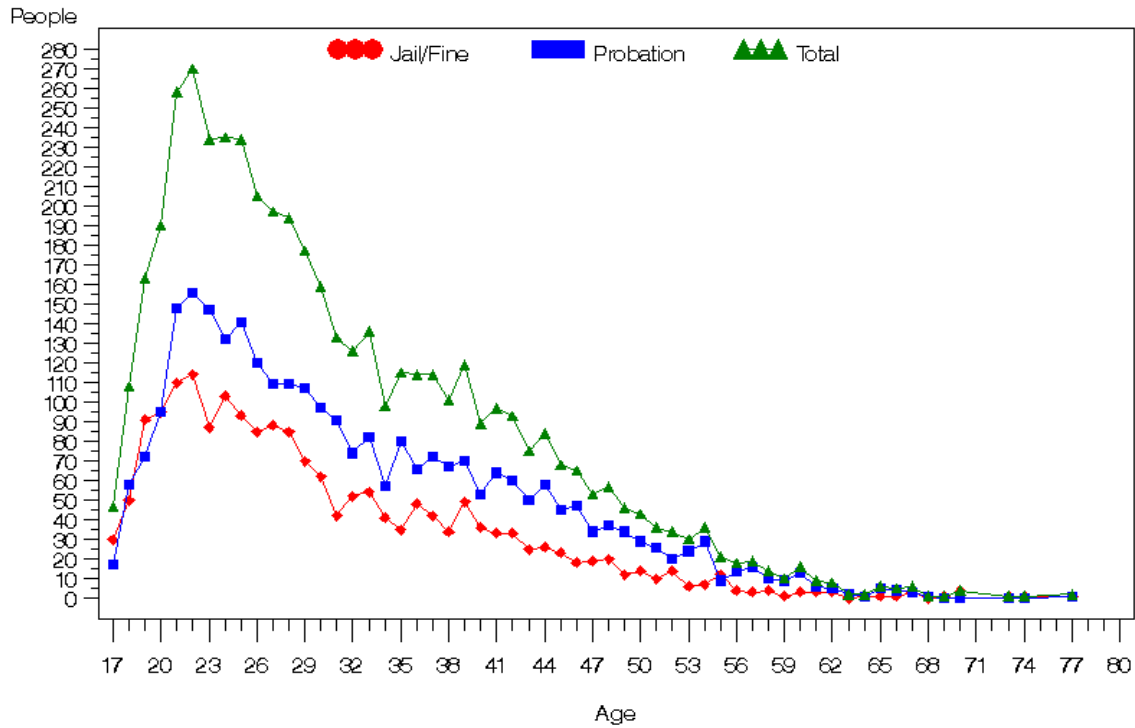
Second Offense Time Lapse: Probation vs. Conviction Recidivism Rate by Judgment Category



- 475 individuals who had future cases after a Conviction on their first case
 - 36% (170 people) had their second case within 1 year of their first case.
 - 29% (140 people) had their second case within 2 years of their first case.
 - 20% (97 people) had their second case within 3 years of their first case.
 - 14% (68 people) had their second case +4 years after their first case.

- 375 individuals who had future cases after Probation on their first case
 - 30% (111 people) had their second case within 1 year of their first case.
 - 30% (111 people) had their second case within 2 years of their first case.
 - 26% (99 people) had their second case within 3 years of their first case.
 - 14% (54 people) had their second case +4 years after their first case.

Age of Defendant: Conviction vs. Probation Adjudication Rate by Age and Judgment



Of the 4,779 defendants with verifiable age

- Defendants under 21 are more likely to serve jail time and/or pay a fine
 - 508 defendants were under the legal drinking age in Texas of 21
 - The youngest defendants were 17 years old
 - 266 underage defendants were given jail/fine judgments
 - 242 underage defendants were placed on probation
- Defendants ages 21 and older are more likely to be placed on probation

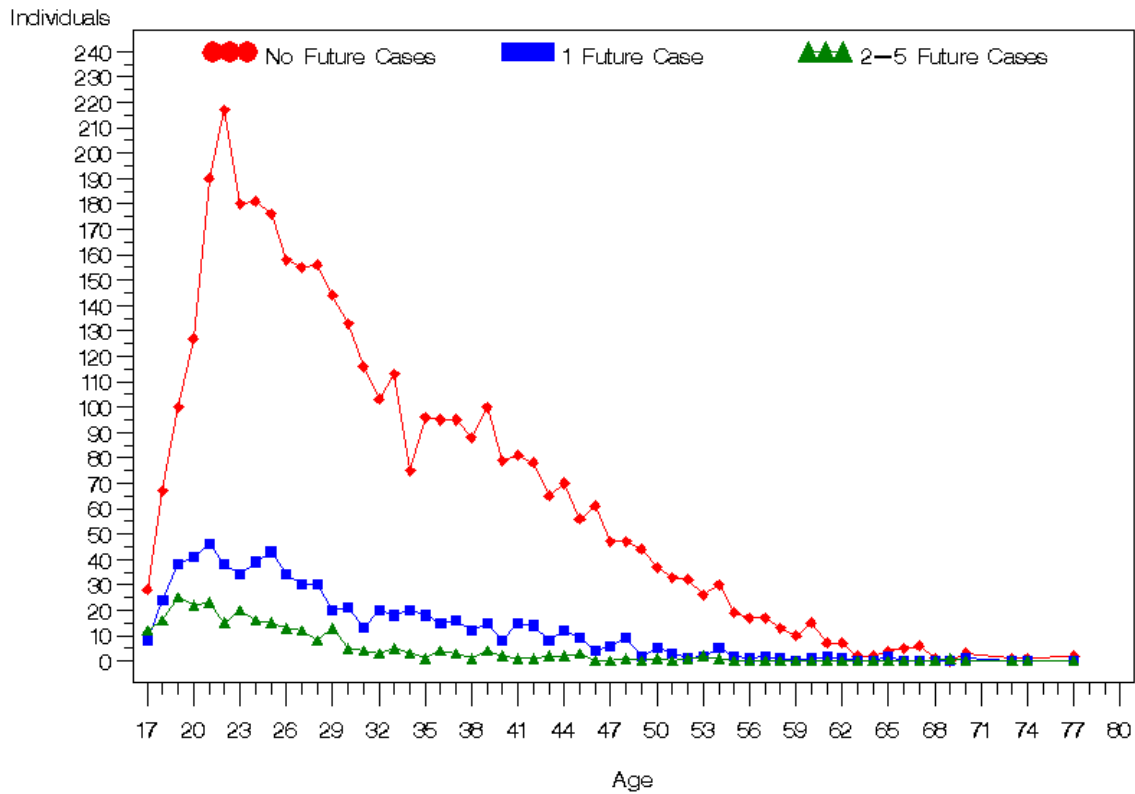
To develop the age analysis statistics, 156 individuals were eliminated because the date of birth month and birth year could not be validated. These individuals had multiple dates of birth recorded in the source data.

Age of Defendant: Conviction vs. Probation
Table: Distribution of Judgments by Age of Defendant

Age	Conviction	Probation	Age Total	Cumulative Total
17	30	17	47	47
18	50	58	108	155
19	91	72	163	318
20	95	95	190	508
21	110	148	258	766
22	114	156	270	1036
23	87	147	234	1270
24	103	132	235	1505
25	93	141	234	1739
26	85	120	205	1944
27	88	109	197	2141
28	85	109	194	2335
29	70	107	177	2512
30	62	97	159	2671
31	42	91	133	2804
32	52	74	126	2930
33	54	82	136	3066
34	41	57	98	3164
35	35	80	115	3279
36	48	66	114	3393
37	42	72	114	3507
38	34	67	101	3608
39	49	70	119	3727
40	36	53	89	3816
41	33	64	97	3913
42	33	60	93	4006
43	25	50	75	4081
44	26	58	84	4165
45	23	45	68	4233
46	18	47	65	4298
47	19	34	53	4351
48	20	37	57	4408
49	12	34	46	4454
50	14	29	43	4497
51	10	26	36	4533
52	14	20	34	4567
53	6	24	30	4597
54	7	29	36	4633
55	12	9	21	4654
56	4	14	18	4672
57	3	16	19	4691
58	4	10	14	4705
59	1	9	10	4715
60	23	41	64	4779

Future Cases: Distribution by Age of Defendant

Rate of Future Cases by Defendant's Age



The Rate of Future Cases by Defendant's Age indicates that

- 40% of defendants age 17 had one or more future criminal cases, more than at any other age level
- Defendants under 21 are more likely to have a future criminal case
- The age group with the largest number of DWI First Offense defendants is 22 years old (270 cases)

Future Cases: Distribution by Age of Defendant
Table: Rate of Future Cases by Defendant's Age

Age	Total	No Futures	% w/o Futures	1 Future	2-5 Futures	6-10 Futures	Total w/Futures	% w/Futures
17	48	29	60.42	10	9	0	19	40%
18	108	75	69.44	21	11	1	33	31%
19	163	115	70.55	33	15	0	48	29%
20	190	141	74.21	33	16	0	49	26%
21	259	196	75.68	49	14	0	63	24%
22	270	228	84.44	32	10	0	42	16%
23	234	190	81.20	34	10	0	44	19%
24	236	195	82.63	33	8	0	41	17%
25	234	191	81.62	34	9	0	43	18.38
26	205	163	79.51	35	7	0	42	20.49
27	197	166	84.26	25	6	0	31	15.74
28	194	161	82.99	29	4	0	33	17.01
29	177	149	84.18	22	6	0	28	15.82
30	159	140	88.05	19	0	0	19	11.95
31	133	117	87.97	15	1	0	16	12.03
32	126	108	85.71	18	0	0	18	14.29
33	136	117	86.03	17	2	0	19	13.97
34	98	82	83.67	14	2	0	16	16.33
35	115	99	86.09	15	1	0	16	13.91
36	114	97	85.09	14	3	0	17	14.91
37	114	99	86.84	15	0	0	15	13.16
38	101	94	93.07	7	0	0	7	6.93
39	119	105	88.24	11	3	0	14	11.76
40	89	81	91.01	7	1	0	8	8.99
41	97	88	90.72	8	1	0	9	9.28
42	93	81	87.10	11	1	0	12	12.90
43	75	65	86.67	10	0	0	10	13.33
44	84	76	90.48	7	1	0	8	9.52
45	68	57	83.82	9	2	0	11	16.18
46	65	64	98.46	1	0	0	1	1.54
47	53	47	88.68	6	0	0	6	11.32
48	57	50	87.72	7	0	0	7	12.28
49	46	44	95.65	2	0	0	2	4.35
50	43	38	88.37	5	0	0	5	11.63
51	36	33	91.67	3	0	0	3	8.33
52	34	32	94.12	1	1	0	2	5.88
53	30	26	86.67	4	0	0	4	13.33
54	36	31	86.11	5	0	0	5	13.89
55	21	20	95.24	1	0	0	1	4.76
56	18	18	100.00	0	0	0	0	0.00
57	19	18	94.74	1	0	0	1	5.26
58	14	13	92.86	1	0	0	1	7.14
59	10	10	100.00	0	0	0	0	0.00
60+	64	58	90.63	6	0	0	6	9.38

Future Cases: Convictions & Probations vs. Misdemeanors & Felonies

There were 850 repeat offenders from the base study group for 2001. These individuals accumulated non-acquittal judgments on an additional 1,055 future cases.

Of these 1,055 future cases,

- 86% were misdemeanors (907 cases)
- 14% were felonies (148 cases)

A review of the 850 repeat offenders showed that

- 56% received a jail/fine judgment on their first offenses (475 defendants)
- 44% were placed on probation (375 defendants)

DWI Priors with Convictions

Of the 475 defendants who received a jail/fine judgment on their first offense and committed at least one additional offense,

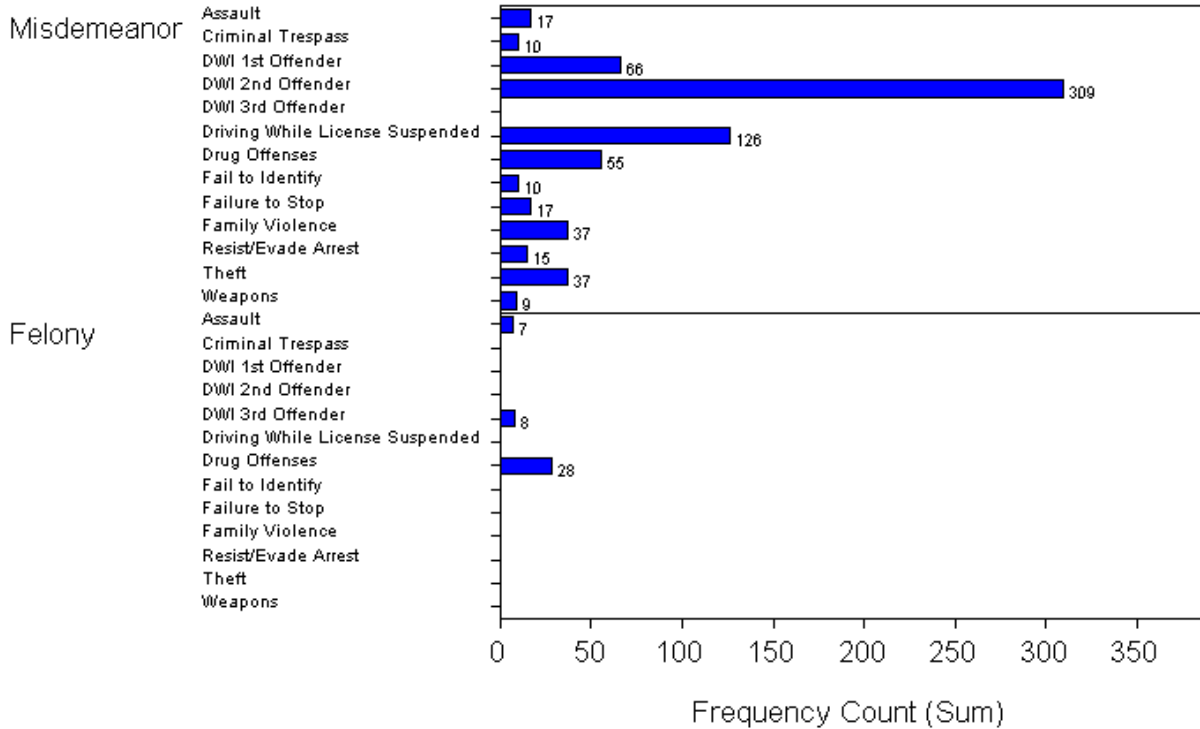
- 79% committed a misdemeanor offense as their second offense (373 defendants)
- 21% committed a felony (102 defendants)

DWI Priors with Probations

Of the 375 defendants who received probation on their first offense and committed additional offenses,

- 90% committed an additional misdemeanor (336 defendants)
- 10% committed an additional felony (39 defendants)

Distribution of Offenses on Future Cases
Rate of Occurrence by Offense Level and Category
Second Offense for Repeat Offenders



Second occurrences represented a broad range of offenses.

- Fifteen categories represent approximately 50% of the second offenses adjudicated.
- 36% of repeat offenders were charged with the offense “DWI 2nd Offender”
- Additional offenses represented 1 or 2 individuals

Distribution of Offenses on Future Cases

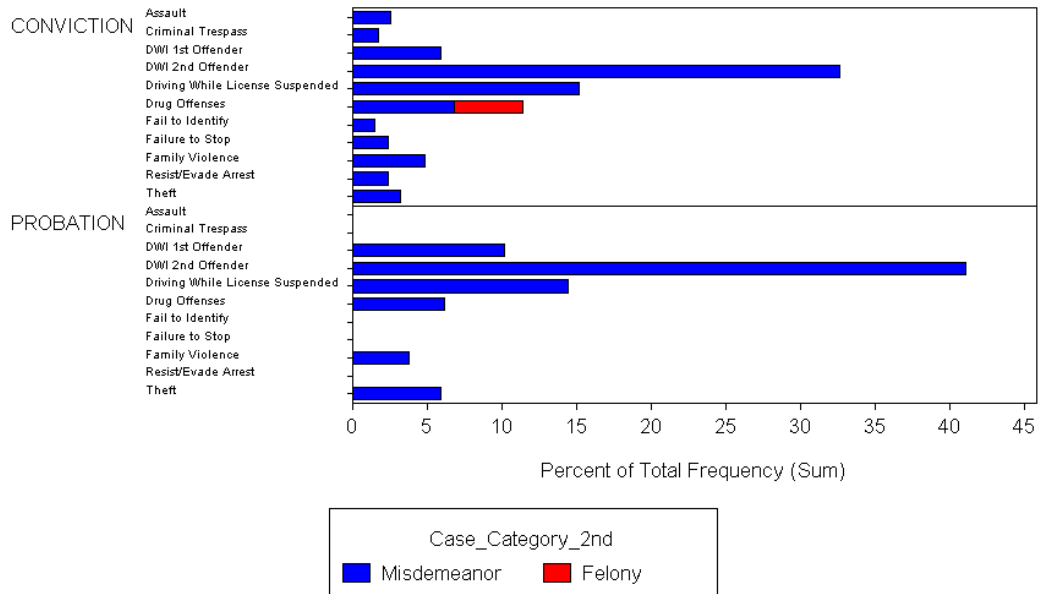
Table: Rate of Occurrence by Offense Level and Category
Second Offense for Repeat Offenders

First Offense was a misdemeanor DWI.

2nd Case Offense Type	2nd Case Offense	Number of People	Percentage of Group
Misdemeanor	DWI 2nd Offender	309	36%
Misdemeanor	Driving While License Suspended	126	15%
Misdemeanor	DWI 1st Offender (either a reduced charge or coded in error)	66	8%
Misdemeanor	Drug Offenses	55	6%
Misdemeanor	Family Violence	37	4%
Misdemeanor	Theft	37	4%
Felony	Drug Offenses	28	3%
Misdemeanor	Assault	17	2%
Misdemeanor	Failure to Stop	17	2%
Misdemeanor	Resist/Evade Arrest	15	2%
Misdemeanor	Fail to Identify	10	1%
Misdemeanor	Criminal Trespass	10	1%
Misdemeanor	Weapons	9	1%
Felony	DWI 3rd Offender	8	1%
Felony	Assault	7	1%

Conviction vs. Probation: Distribution of Future Offenses
Rate of Occurrence by Offense Level and Offense Category
Grouped by Judgment on Original Offense
Second Offense for Repeat Offenders

First Offense was a misdemeanor DWI.



Of the 850 repeat offenders

- Approximately the same percentage of each group were charged with future alcohol related charges
 - 39% for Convictions vs. 41% for Probations
- Those with prior Convictions (jail/fine) judgments
 - committed more non-alcohol related second offenses
 - 5% were charged with Felony Drug Offenses
 - 3% were charged with Assault Offenses as second offense
- Those with prior Probation judgments
 - Primarily committed alcohol related second offenses

Defendants with Convictions: Distribution of Future Offenses
475 Defendants with DWI Prior - Conviction

Represents offenses that had at least 7 individuals

2nd Case Type	2nd Offense	Number of People	Percentage of Group
Misdemeanor	DWI 2nd Offender	155	33%
Misdemeanor	Driving While License Suspended	72	15%
Misdemeanor	Drug Offenses	32	7%
Misdemeanor	DWI 1st Offender	28	6%
Misdemeanor	Family Violence	23	5%
Felony	Drug Offenses	22	5%
Misdemeanor	Theft	15	3%
Misdemeanor	Assault	12	3%
Misdemeanor	Resist/Evade Arrest	11	2%
Misdemeanor	Failure to Stop	11	2%
Misdemeanor	Criminal Trespass	8	2%
Misdemeanor	Fail to Identify	7	1%

Defendants with Probations: Distribution of Future Offenses

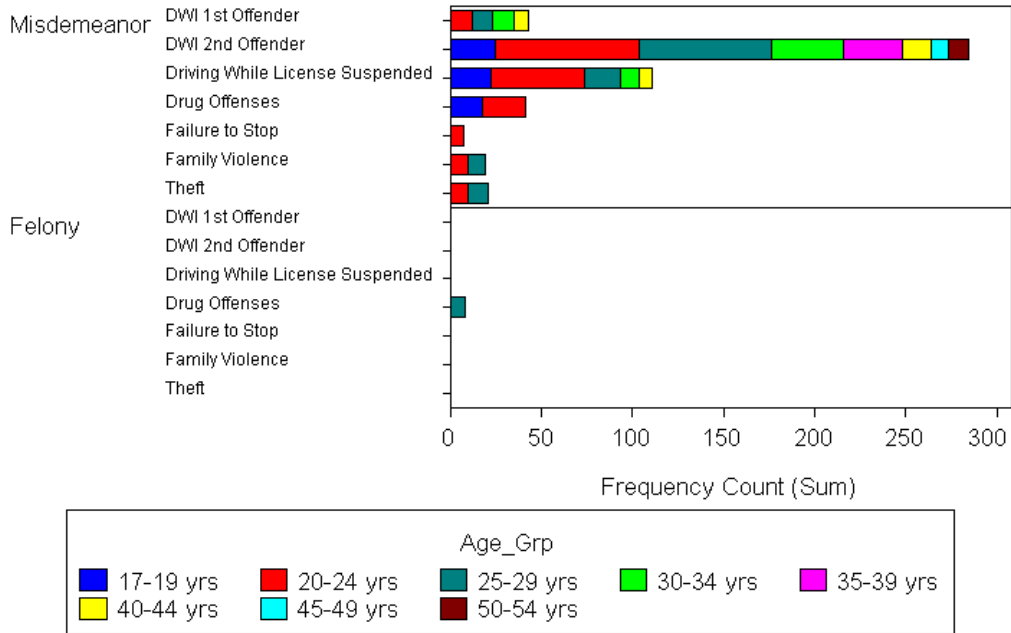
375 Defendants with DWI Prior - Probation

Represents offenses that had at least 7 individuals

2nd Case Type	2nd Offense	Number of People	Percentage of Group
Misdemeanor	DWI 2nd Offender	154	41%
Misdemeanor	Driving While License Suspended	54	14%
Misdemeanor	DWI 1st Offender	38	10%
Misdemeanor	Drug Offenses	23	6%
Misdemeanor	Theft	22	5%
Misdemeanor	Family Violence	14	4%

2001 First Offense DWI Defendants with Future Cases Age Groups and Distribution of Future Offenses

Represents offenses that had at least 7 individuals



Age Analysis indicates that

- The 20-24 year olds and the 25-29 year olds were more likely to commit non-alcohol related offenses than the other age groups.
- Those older than 30 years only had future cases for charges of “Driving while License Suspended” and additional DWI Charges.