



# National Prosecutors' Consortium Survey Highlights: Louisiana

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# BACKGROUND

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The National Prosecutors' Consortium (NPC), a collaboration between Justice & Security Strategies (JSS) and the Prosecutors' Center for Excellence (PCE), is designed to collect information on innovative programs employed by prosecutors' offices, to assist prosecutors in developing and deploying new programs, and to expand the research capacities of prosecutors' offices.

The team developed a survey that is being administered at the county level across the United States on a state-by-state basis. This survey seeks to accomplish two objectives to support prosecution needs:

- 1) collection of a thorough baseline of information on the operation of county prosecutors' offices across the country, and
- 2) identification of those offices that have adopted innovative programs.



# METHODOLOGY

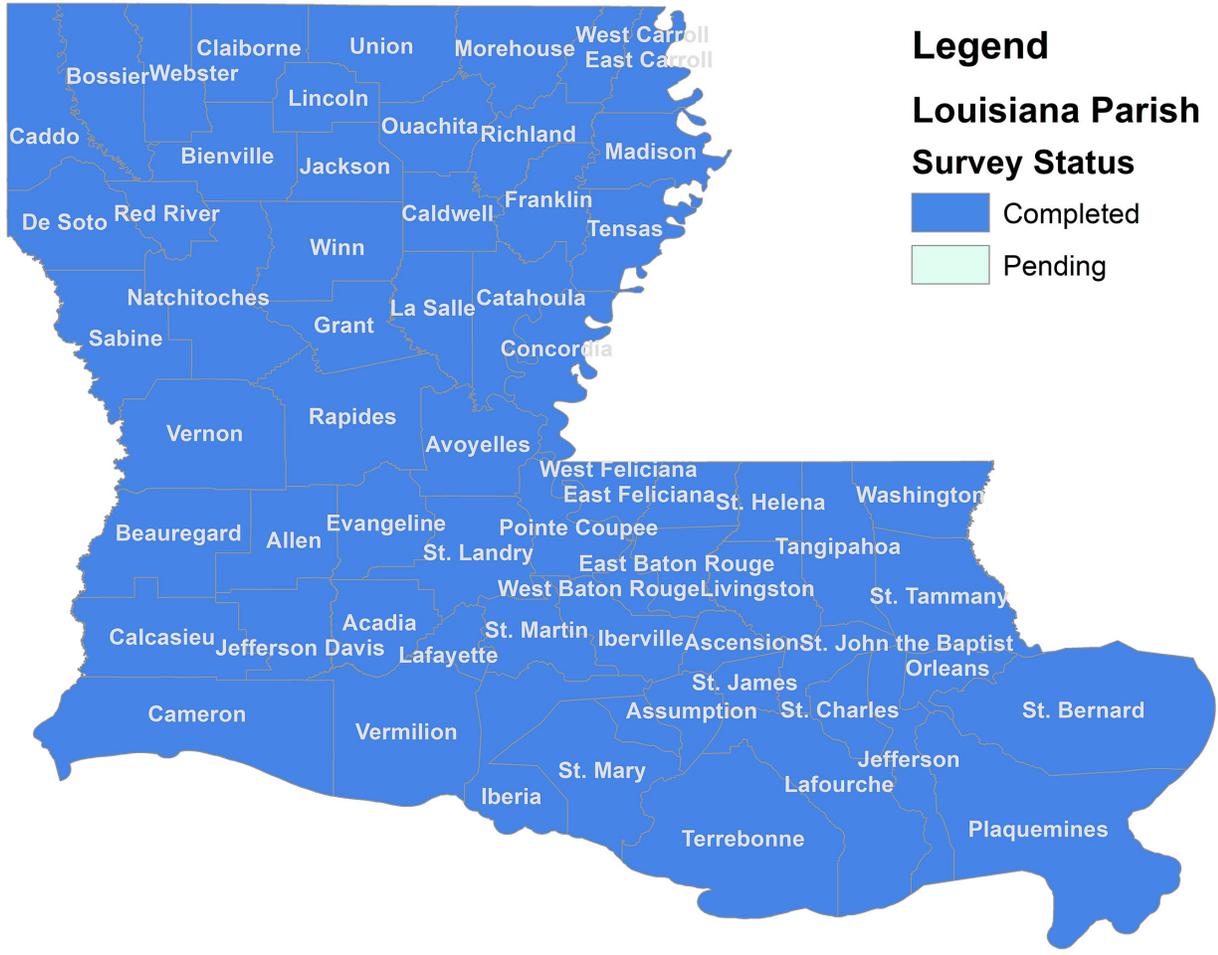
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**NPC** conducted focus groups with prosecutors and prosecutor coordinating offices. As part of this effort, NPC identified the desired topic areas and reviewed survey questions. The survey is designed as an agency-based questionnaire intended to collect data on the characteristics and operations within each prosecutor's office. The survey is delivered through an online, secure, cloud-based service using the *Qualtrics* survey platform. States will be offered this survey on a rolling basis.

As part of the data quality assurance process, we have identified a battery of 84 questions that provide the core information of the survey. To minimize the proportion of missing data, the weighted number of completed responses is compared to a threshold. Offices in jurisdictions where the responses did not pass this threshold will be contacted and additional responses will be requested. This report discusses responses from all partially complete surveys, but there may be changes in the number of valid cases for some questions as follow-ups with agencies continue.

# THE CURRENT STATE – LOUISIANA

This report discusses results from the state of Louisiana. All 42 judicial districts in Louisiana completed the survey. **Figure 1** highlights the parishes in Louisiana covered by judicial districts that have submitted surveys as of April 24, 2019.



# OVERVIEW

## Descriptive Information

### TYPES OF CASES

**Figure 2** depicts the percentage of prosecutors' offices handling specific types of cases. All offices reported handling all or at least some felonies, misdemeanors, and juvenile cases. All but one office reported handling infraction cases. Approximately 93% of the responding offices ( $N = 39$ ) reported handling civil matters. **Figure 3** highlights the percentage of prosecutors' offices involved in various types of civil matters. Of the 39 offices that reported involvement in civil matters, all the offices reported handling child protection and FOIA or other public information or requests. Further, 97% of offices reported handling child support, 92% civil forfeitures, 80% adult protection, 61% mental health commitment, and 49% nuisance abatement cases.

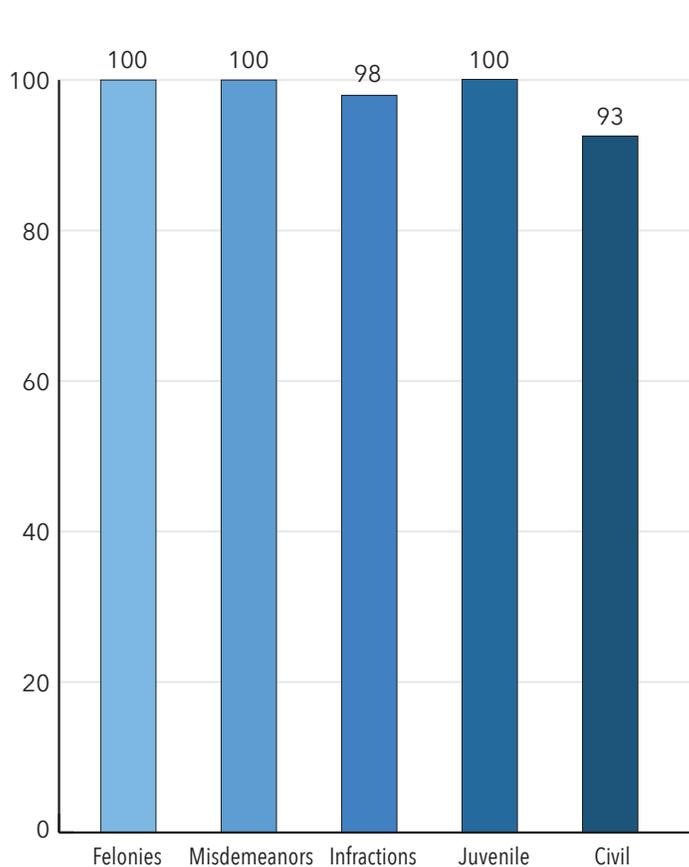


Figure 2. Percentage of Prosecutors' Offices with Jurisdiction over Cases by Type ( $N = 42$ ).

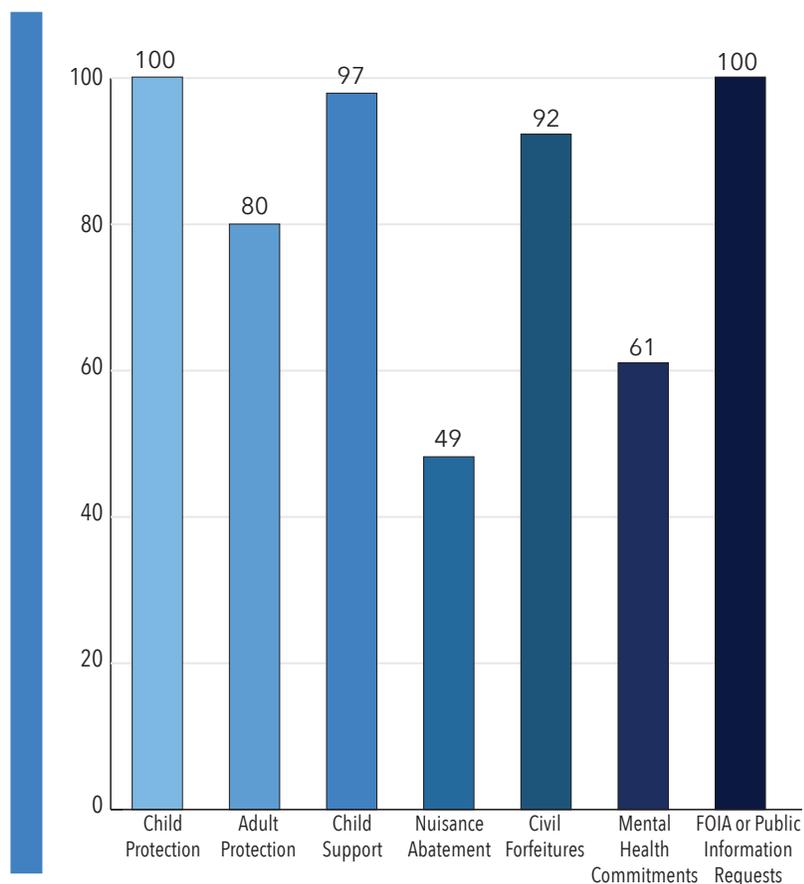


Figure 3. Percentage of Prosecutors' Offices with Jurisdiction over Civil Matters by Type ( $N = 39$ ).

## CHIEF PROSECUTOR

**41** offices indicated that their Chief Prosecutor was elected, while one office reported their Chief Prosecutor was appointed. On average, the Chief Prosecutors have been in office for about 11.5 years. The tenure of the Chief Prosecutor ranged from one to 34 years. As seen in **Figure 4**, 36% of prosecutors have been in office 1-5 years, 26% 6-10 years, 7% 11-15 years, 12% 16-20 years, and 19% over 20 years.

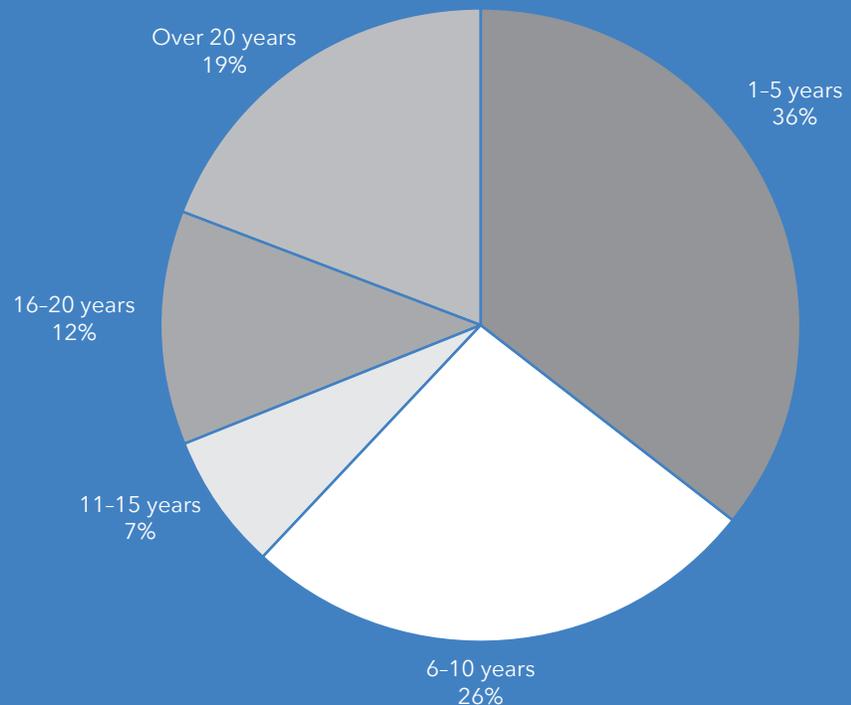


Figure 4. Chief Prosecutor Years in Office (N = 42).

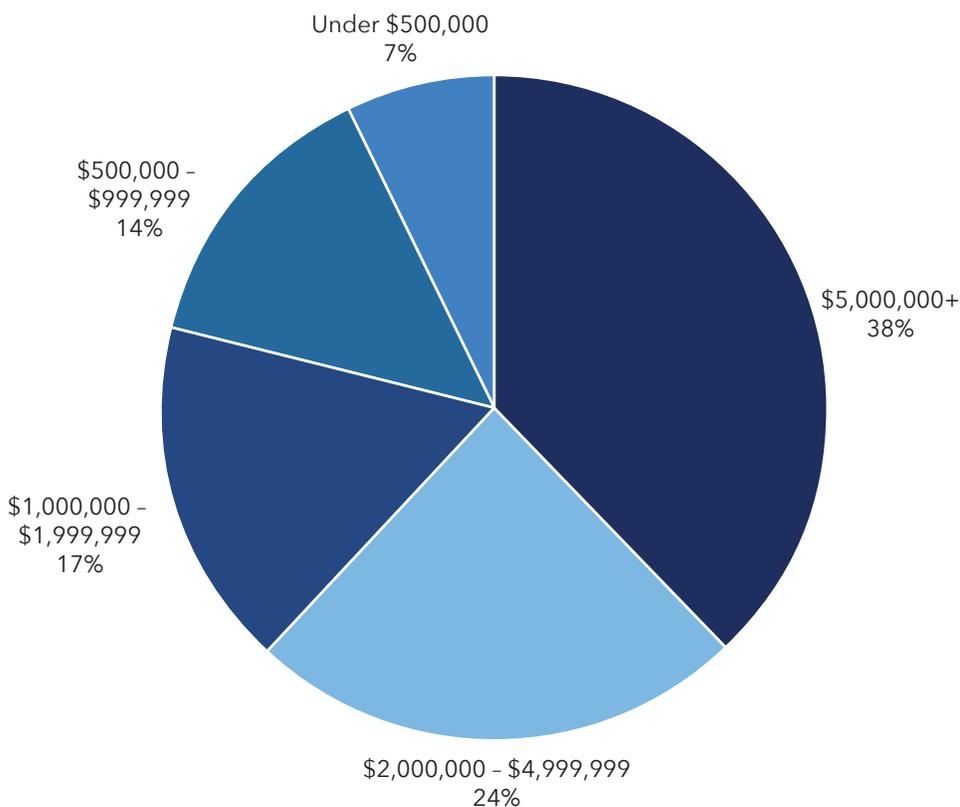


Figure 5. Ranges of 2018 Total Budgets (N = 42).

## OFFICE BUDGET

The average budget for prosecutors' offices is approximately \$4,217,317 with a range from \$245,775 to about \$22.2 million. **Figure 5** depicts that 7% of the offices have a budget of under \$500,000, 14% have budgets between \$500,000 and about \$1,000,000, 17% have budgets over \$1,000,000 but less than about \$2,000,000, 24% have budgets over \$2,000,000 but less than about \$5,000,000, and 38% have budgets over \$5,000,000.

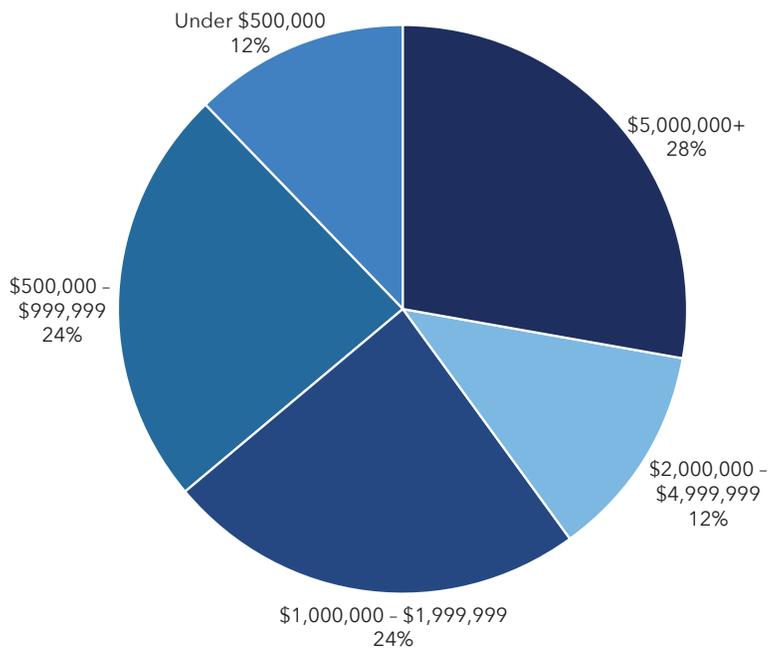


Figure 6. Ranges of 2018 Personnel Budgets (N = 38).

The average personnel budget was \$3,085,261. Responses ranged from \$150,000 to over \$16.7 million. **Figure 6** presents the ranges of personnel budgets.

Approximately 12% of the offices have a budget of under \$500,000, 24% have budgets between \$500,000 and about \$1,000,000, 24% have budgets over \$1,000,000 but less than about \$2,000,000, 12% have budgets over \$2,000,000 but less than about \$5,000,000, and 29% have budgets over \$5,000,000.

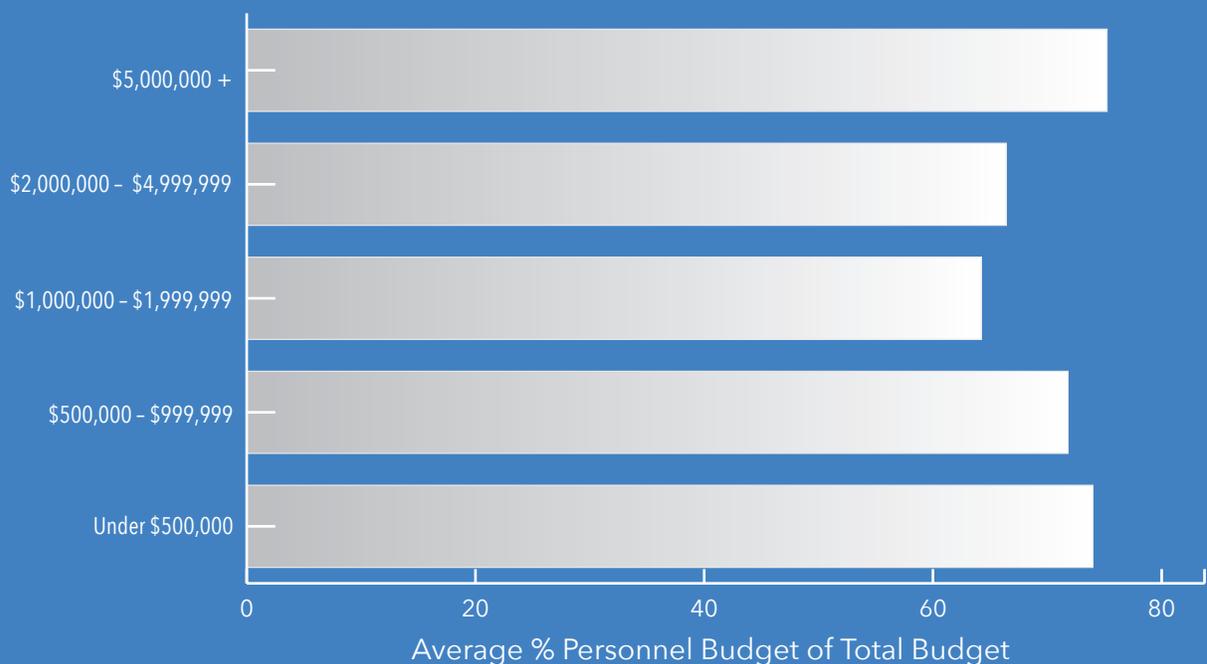


Figure 7. Average Percentage Personnel to Total Budget by Budget Category (N = 34).

The average percentage of personnel to total budget by budget category is displayed in **Figure 7**.<sup>1</sup> This graph provides a method to determine whether agencies with large budgets spend a disproportionate amount of their budget on personnel costs. It appears that agencies with budgets between \$1,000,000 and \$1,999,999 and between \$2,000,000 and \$4,999,999 have the lowest ratio of personnel costs to total costs. Across agencies, the average percentage of personnel to total costs was 71%.

<sup>1</sup> There were three agencies where the personnel budget was less than 40% of the total agency budget. This was due to either inaccurate reporting or the agencies were outliers. Agencies with percentages less than 40% were omitted from this chart.

# STARTING SALARIES

The starting salaries of recently graduated law students being hired in Louisiana as prosecutors ranged from a minimum of \$30,000 to a maximum of \$65,000. The average starting salary of the 35 responding offices was \$47,500.

# CASE PROCESSING

The offices surveyed reviewed on average 2,128 felony cases, resulting in 1,533 cases charged, 1,097 convicted cases, and 115 cases diverted. Further, on average the offices reported reviewing 3,578 misdemeanor cases, resulting in 2,985 cases charged, 1,492 convictions, and 325 cases diverted. Finally, on average, the offices also review 616 juvenile cases, resulting in 324 cases charged, 259 convictions, and 115 cases diverted.

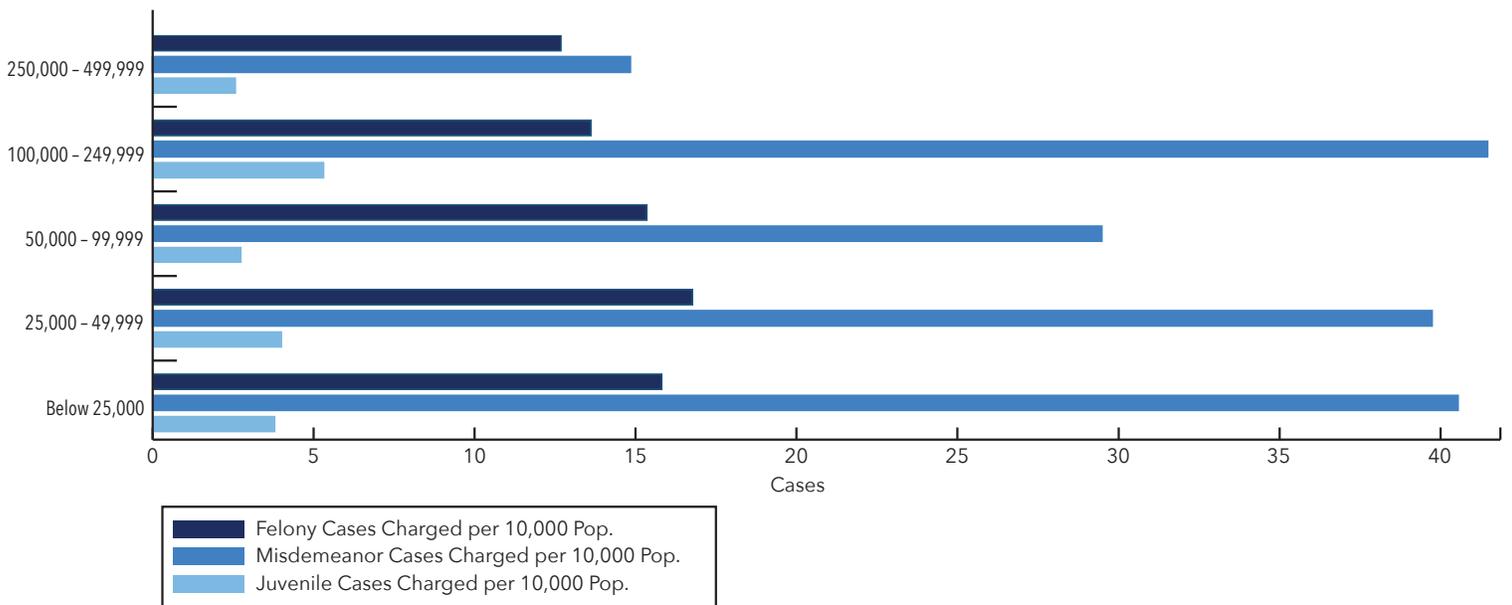


Figure 8. Cases Charged per 10,000 Population by Population Category (N = 40).

**Figure 8** depicts the number of felony, misdemeanor, and juvenile cases charged by district population category. There is not much variance in felony and juvenile cases charged per capita, yet there appears to be a noticeable difference in the rates of misdemeanors charged. The largest judicial districts prosecute misdemeanors at a considerably lower rate than do smaller districts. This result is likely due to the reliance on municipal and other courts handling the bulk of misdemeanor cases.

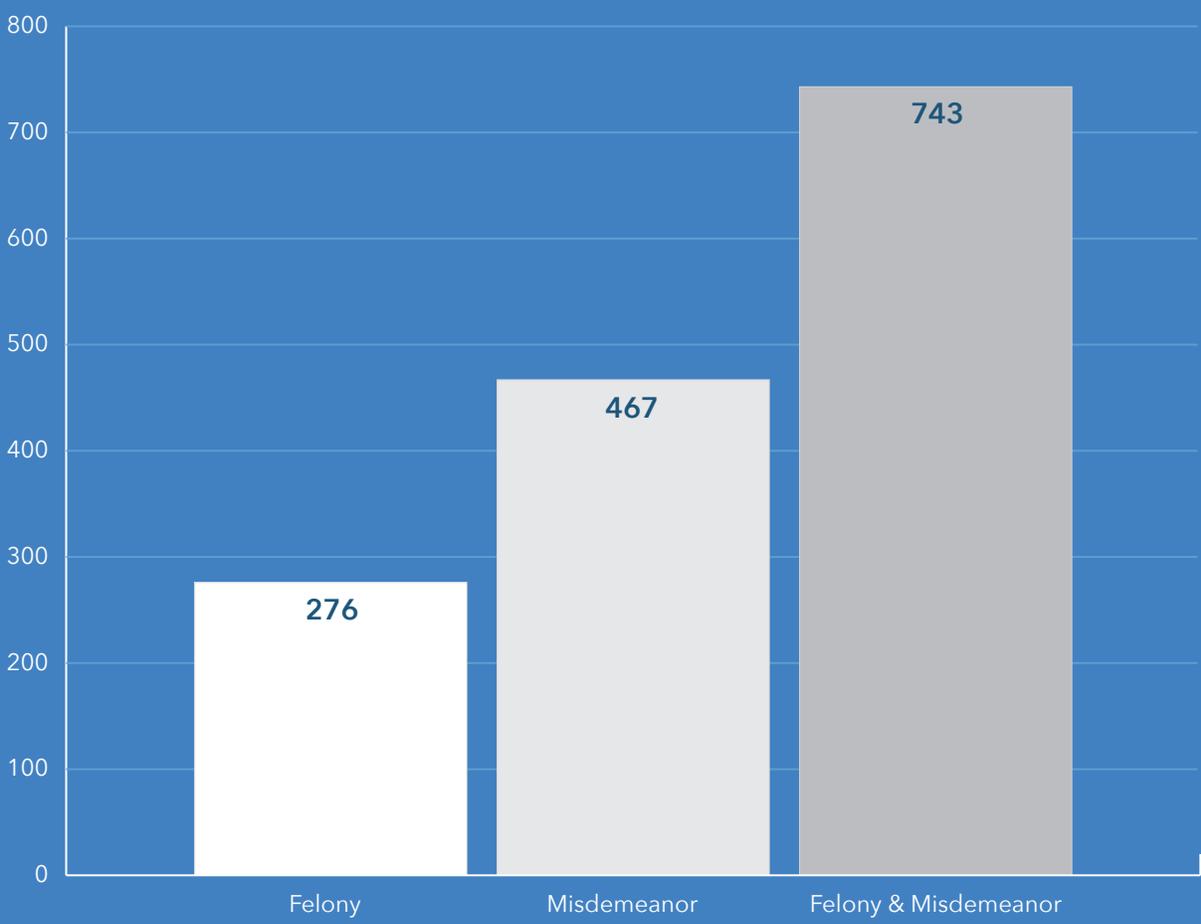


Figure 9. Average Number of Cases per Full Time Attorney by Type of Case. (N = 39).

**Figure 9** presents the average number of reviewed cases per full-time attorney for felonies, misdemeanors, and both felonies and misdemeanors combined. While these data are limited, the estimated workloads can provide a useful benchmark for agencies. Across reporting offices, there are an average of 276 reviewed felony cases per full-time attorney and 467 reviewed misdemeanor cases per full-time attorney. Overall, this resulted in an average of 743 reviewed misdemeanor and felony cases per full-time attorney.

# NUMBER OF EMPLOYEES



On average, prosecutors' offices in Louisiana reported employing 14 full-time attorneys and 3 part-time attorneys. These offices also reported average of 36 full-time and 4 part-time non-attorneys (i.e. administrative staff).

**Figure 10** examines the number of full-time employees in judicial districts per 10,000 residents. Judicial districts are again organized according to population categories. From this figure, it is apparent that the smallest judicial districts employ the highest number of employees per capita. The number full-time attorneys per 10,000 residents, however, appears relatively constant across population categories. The main differences between the judicial districts appears to be constrained to the number of full-time non-attorneys as smaller judicial districts are employing considerably more full-time non-attorneys per capita compared to the other population categories.

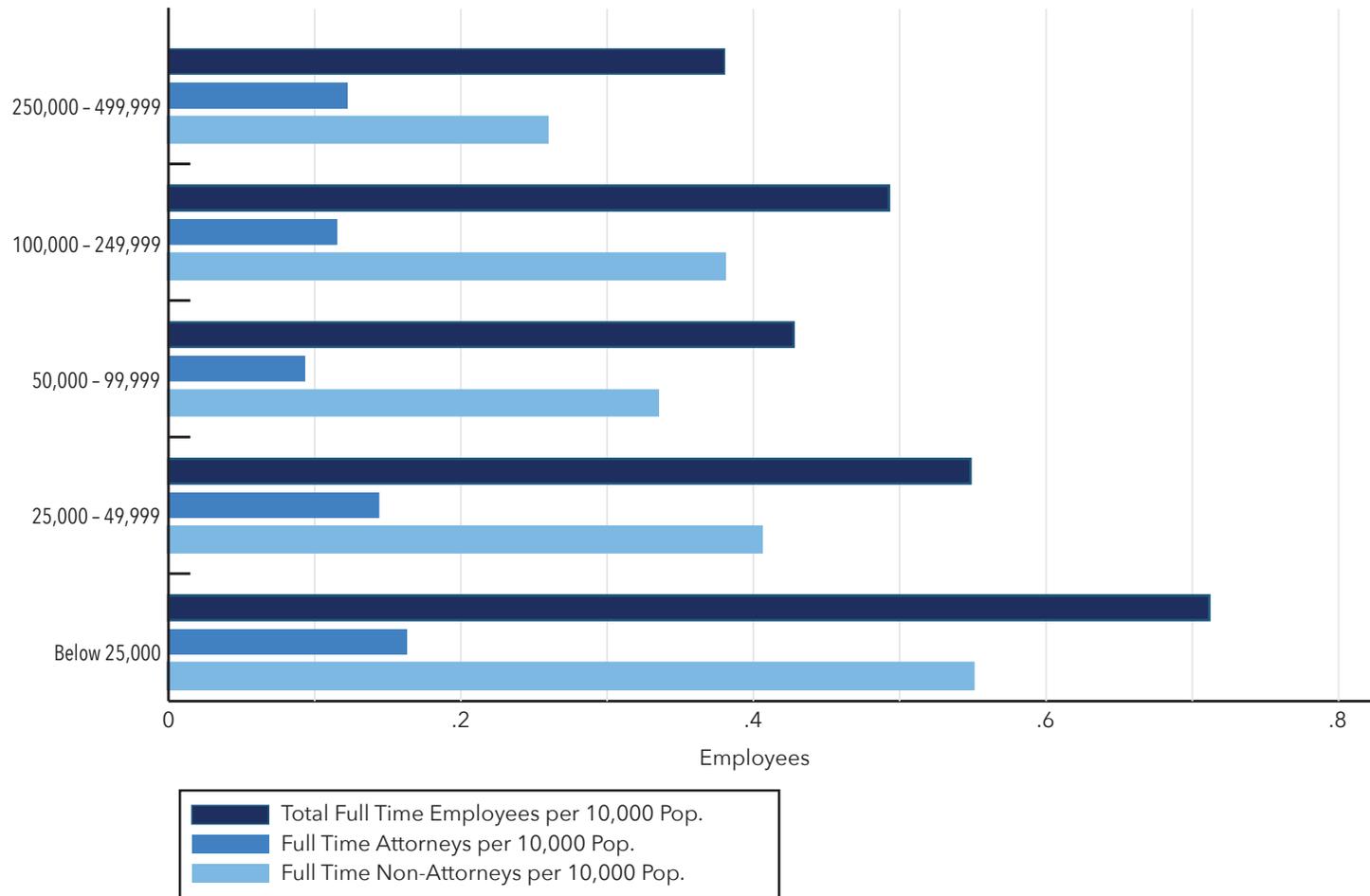


Figure 10. Number of Full Time Employees per 10,000 Population by Population Category (N = 42).

A different strategy for examining staffing information is to examine the ratio of staff to a measure of workload. **Figure 11** presents the average number of full-time employees per 1,000 felony and misdemeanor cases charged. Comparing results across population categories, the largest and smallest judicial districts appear to have a higher average number of full-time employees compared to other judicial districts.



Figure 11. Average Number of Employees per 1,000 Felony and Misdemeanor Cases by Population Category (N = 40).



## PROSECUTOR INITIATIVES

A total of 86% of offices reported engaging in problem solving courts or other programs that offer alternatives to incarceration. Of the 36 judicial districts participating in these programs, all reported that individuals with offenses involving misdemeanors are eligible, and 94% reported that individuals with low-level felonies are eligible for these programs. A smaller number of judicial districts (83%) reported that non-violent felony offenders, in general, are eligible for these programs. Very few judicial districts (14%) allow offenders with violent felonies into these programs.

## SPECIALTY COURTS

We asked respondents about nine different types of specialty courts: Drug Courts, Veterans' Courts, Mental Health Courts, Human Trafficking Courts, Homeless Courts, Alcohol/Sobriety Courts, Domestic Violence Courts, Community Courts, and Re-entry Courts. **Figure 12** provides the frequency of judicial districts with each type of specialized court. While most judicial districts reported Drug courts (64%), fewer than half reported specialized Alcohol/DUI, Mental Health, Veterans', Re-entry, and Domestic Violence courts. No judicial districts reported specialized Human Trafficking, Homeless, or Community courts.

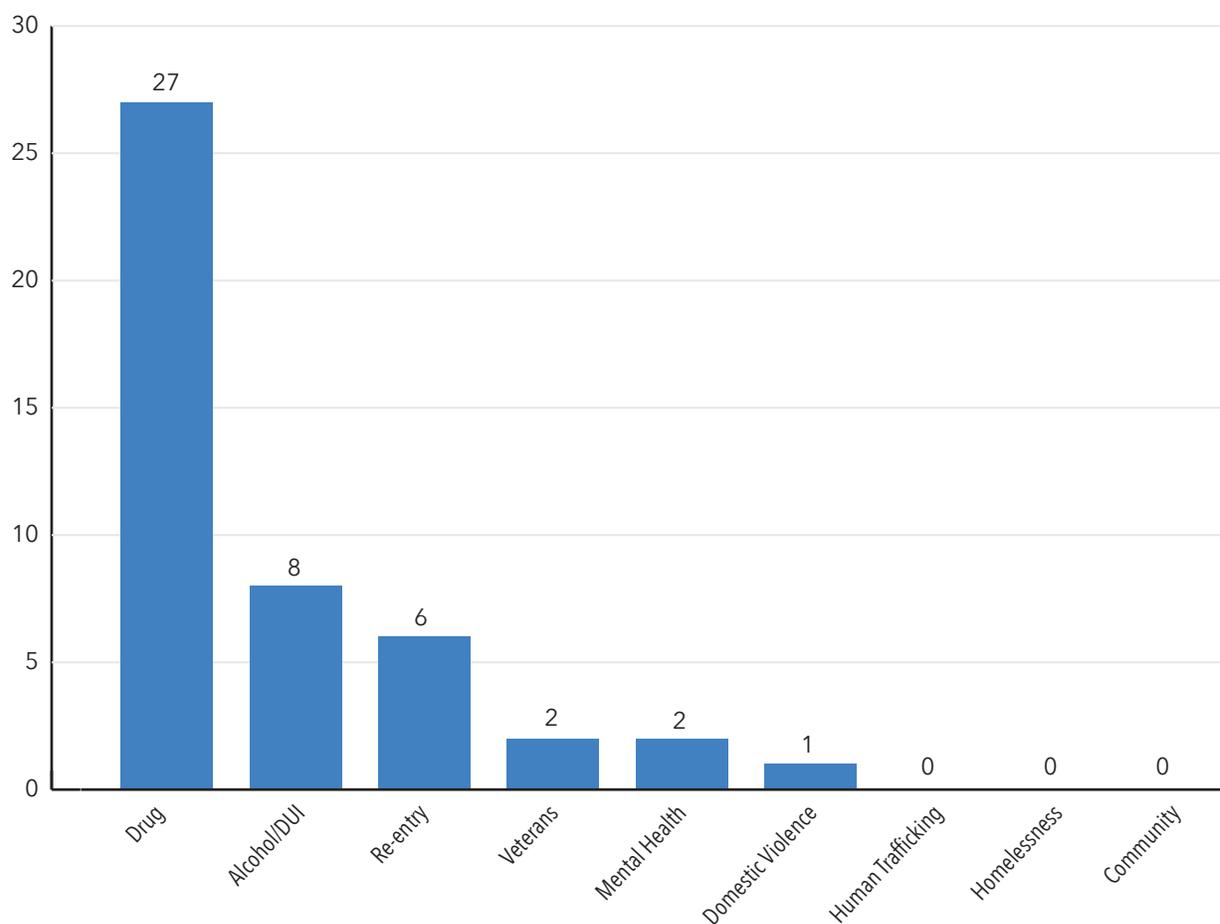


Figure 12. Number of Judicial Districts Reporting Specialized Courts by Type (N = 42).

**Figure 13** shows the number of special court types compared to the population category of the judicial district. There is a very clear relationship between judicial district size and special court availability in that larger judicial districts report having a larger number of special court types.

Since the total caseload of larger districts is higher than that of smaller districts, larger districts are more likely to have enough cases of types to allow for specialized courts.

The consequence of this relationship is that cases in larger districts may have more targeted sentencing options, such as court-ordered treatment. To achieve the same level of availability of specialized courts, smaller districts would need to consider cross-jurisdictional courts when possible.

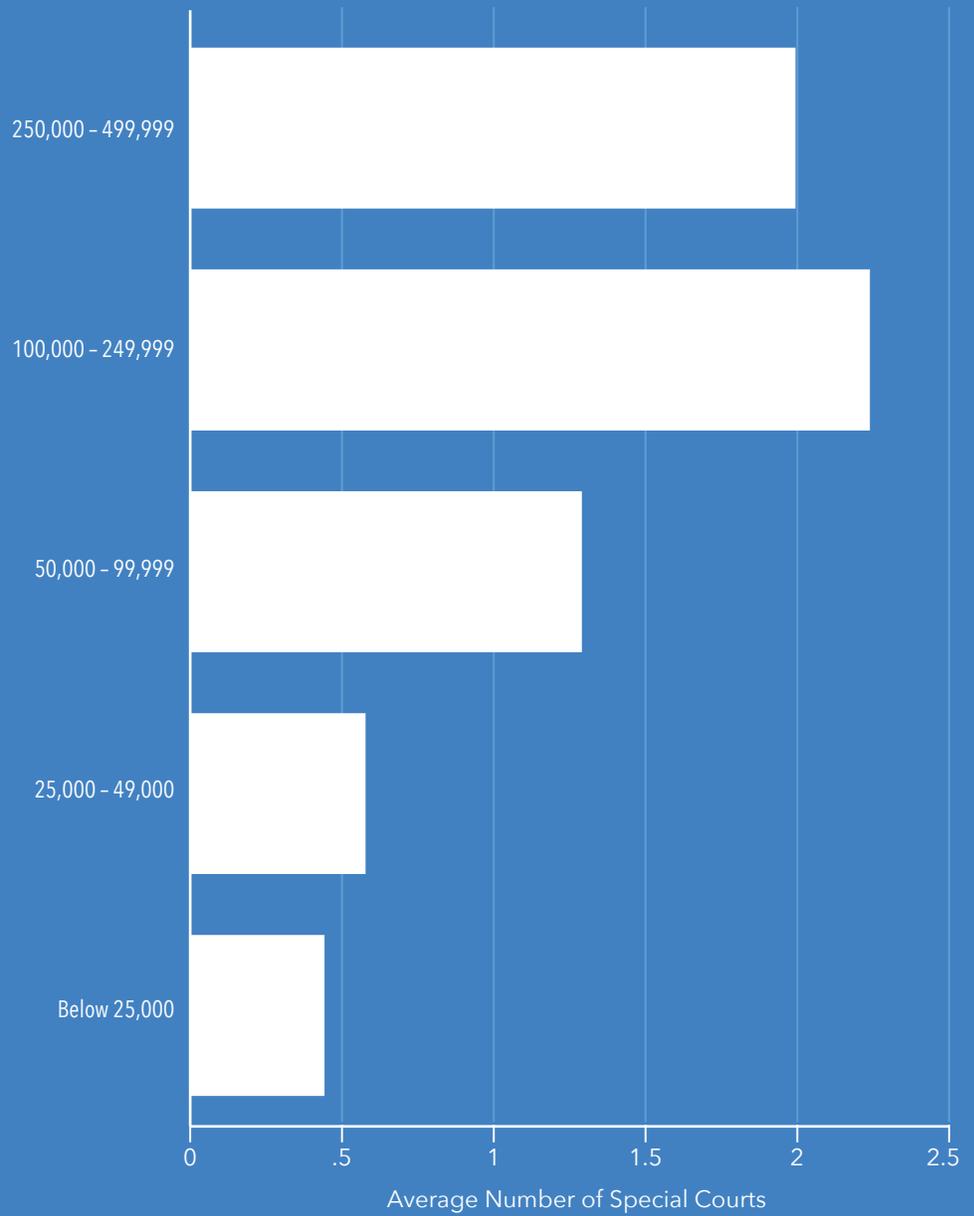


Figure 13. Average Number of Special Court Types by Population Category (N = 42).



# ALTERNATIVES TO INCARCERATION

We also asked whether the offices in each judicial district offered alternatives to incarceration, as shown in **Figure 14**. About 86% of offices reported offering drug treatment. Anger management was offered in 83% of districts, and community service was offered in 76% of districts. Less often were training/education (71%), mental health services (67%), deflection (38%), or restorative justice (17%) programs offered as alternatives to incarceration.

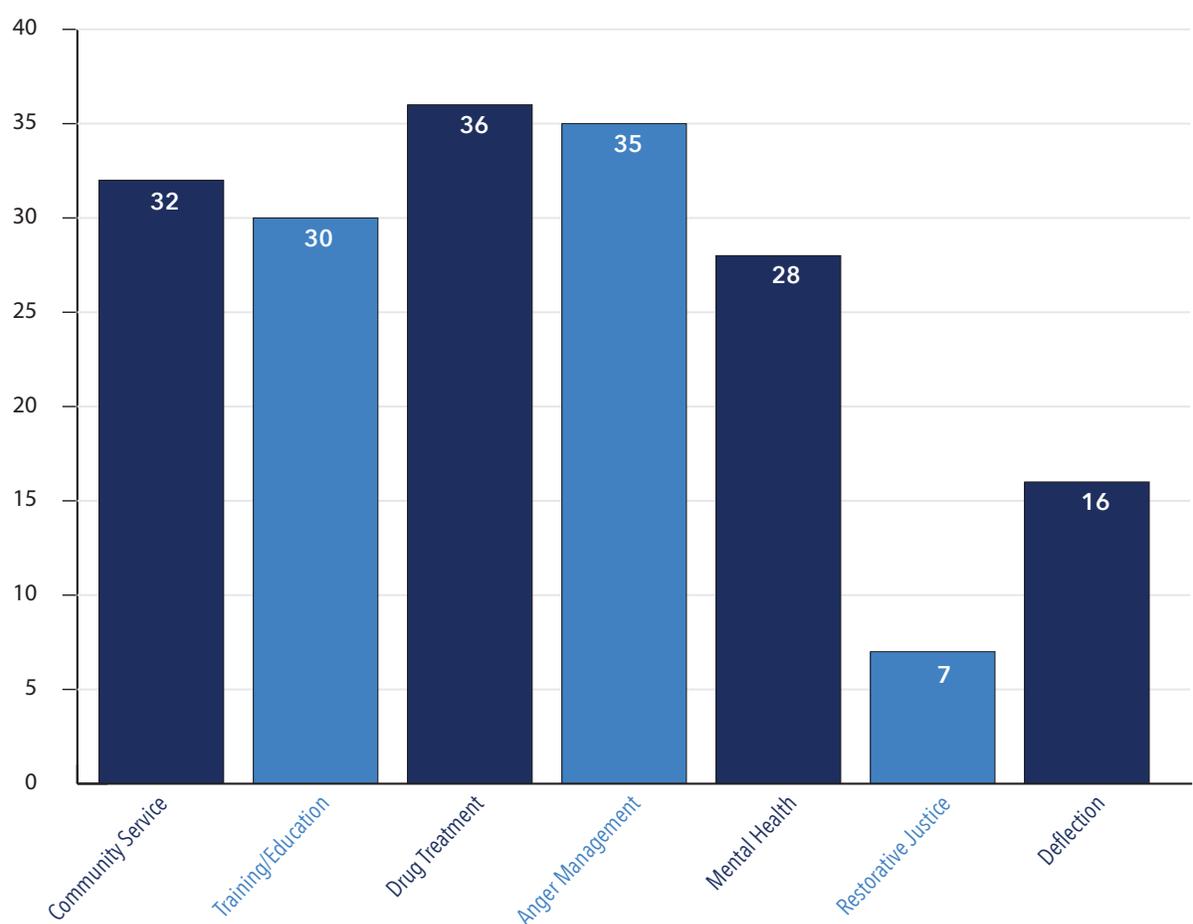


Figure 14. Number of Judicial Districts Reporting Alternatives to Incarceration by Type (N = 42).

# SPECIALIZED PROGRAMS

**Figure 15** presents the number of prosecutors' offices that reported operating specialized programs. The most common type of program is Victim Assistance, which was reported by 100% of offices. Slightly less common were Restitution programs (86%), Witness Assistance programs (67%), Victim Services without arrest (55%), and Community Affairs Units (55%). Very rarely did prosecutors' offices report running Conviction Review (31%), Victim Witness Relocation (24%), Community Prosecutors (24%), or Crime Strategies Units (10%).

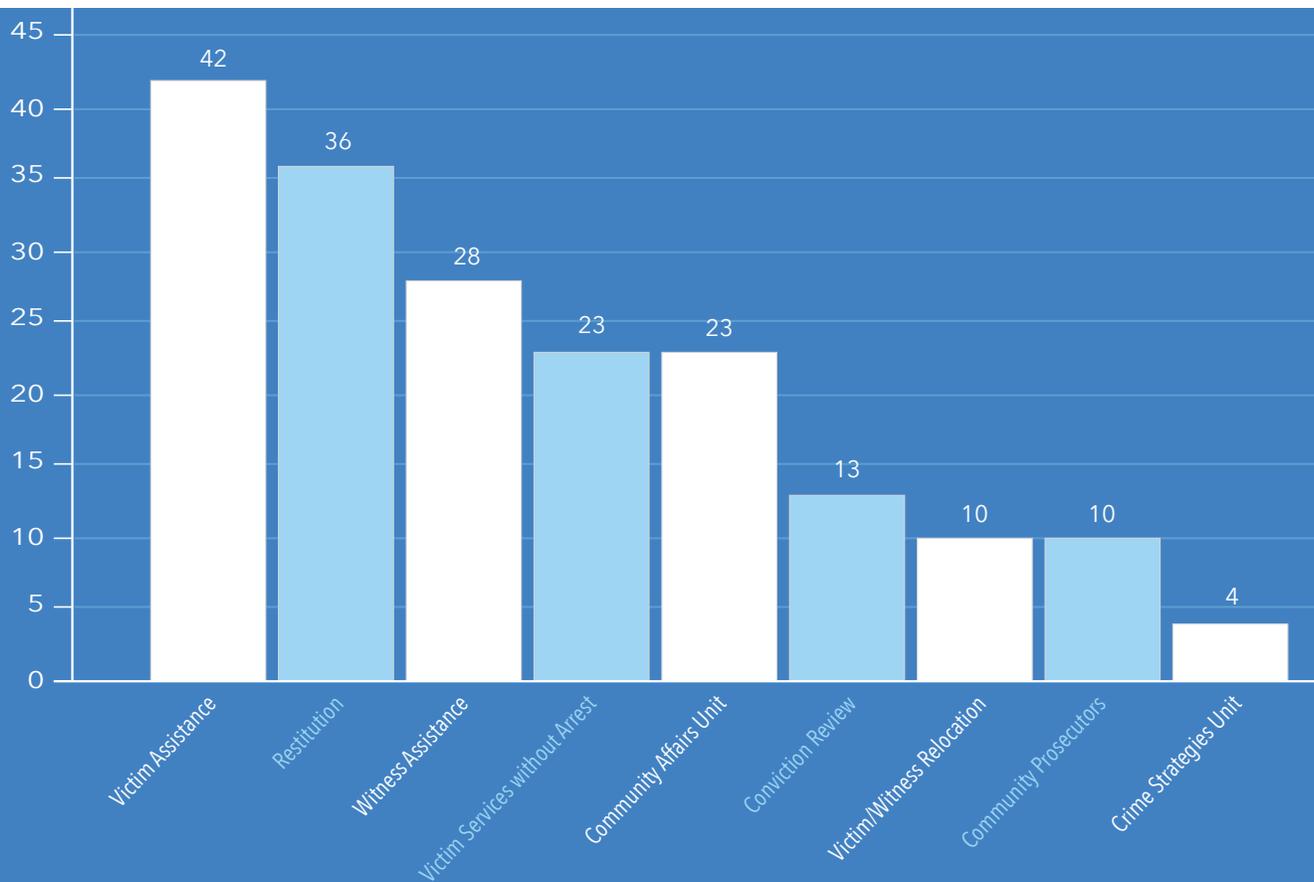


Figure 15. Judicial Districts Reporting Specialized Programs by Type (N = 42).





# COMMUNITY PROGRAMS

Finally, we asked whether the prosecutors' offices either ran or participated in several different community programs. These results are presented in **Figure 16**. The majority of offices reported participating in Truancy programs (81%), Co-Located Child Abuse programs (67%), Youth Education programs (62%), and Community Engagement (62%). Slightly fewer offices reported participating in Violence Reduction programs (50%), Co-Located Domestic Violence programs (50%), and Adult Education programs (40%). Considerably fewer offices reported participating in Sports programs (26%), Neighborhood Clean Up (26%), Re-entry (21%), Neighborhood Courts (14%), and Children of Inmates programs (12%).

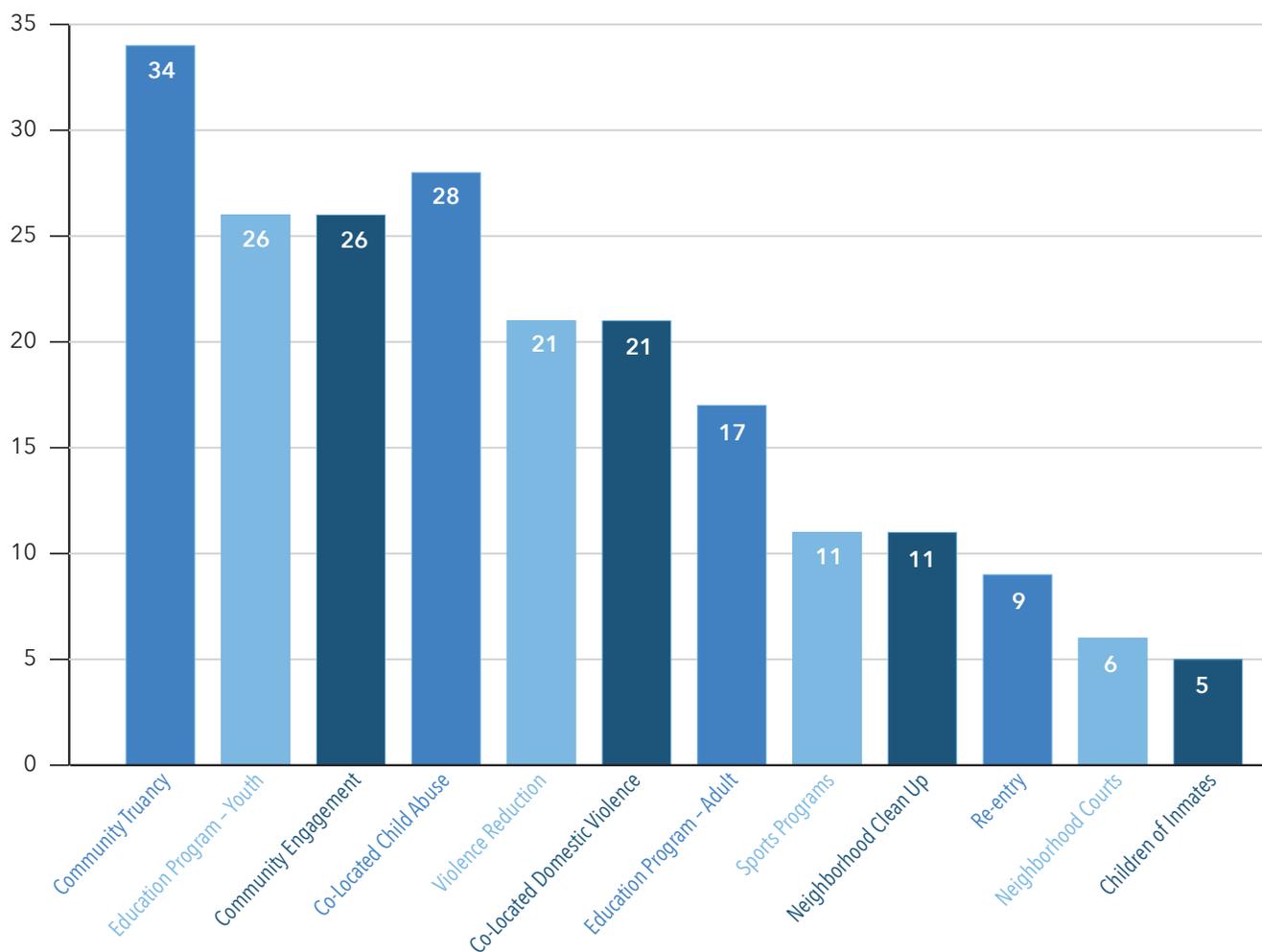


Figure 16. Participation in Community Programs by Type (N = 42).

# TECHNOLOGY

In the following section, we discuss responses pertaining to the use of technology within the agencies. Sixty percent (60%) of the offices responded that they have a technology unit responsible for computers, data, software, and hardware that functions within their own office. Nearly all offices (98%) responded that they are using an electronic case management system, and 52% of the offices currently use electronic discovery. Over 95% report using technology in the courtrooms and 85% report having staff to support them with use of this technology.

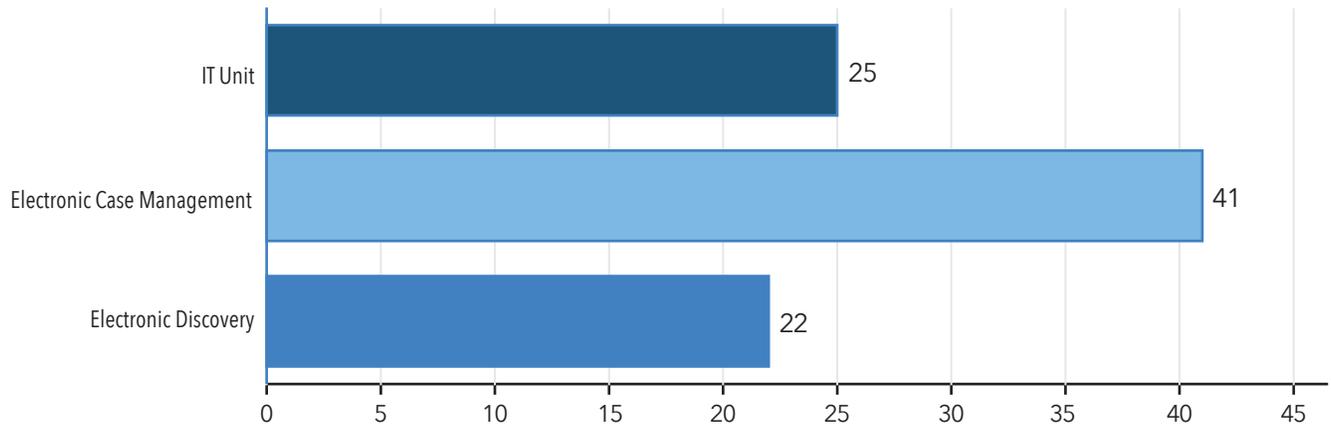


Figure 17. Technology Use within Prosecutors' Offices by Type (N = 42).



## BODY-WORN CAMERAS

In addition, 90% of the respondents have at least one police agency within their jurisdiction that has implemented a body-worn camera (BWC) program. **Figure 18** presents the method of delivery for BWC video.

Of those receiving BWC video, 14% are using cloud-based interfaces, 51% are using DVDs, 27% are using both cloud and DVD interfaces, and 8% are using other means.

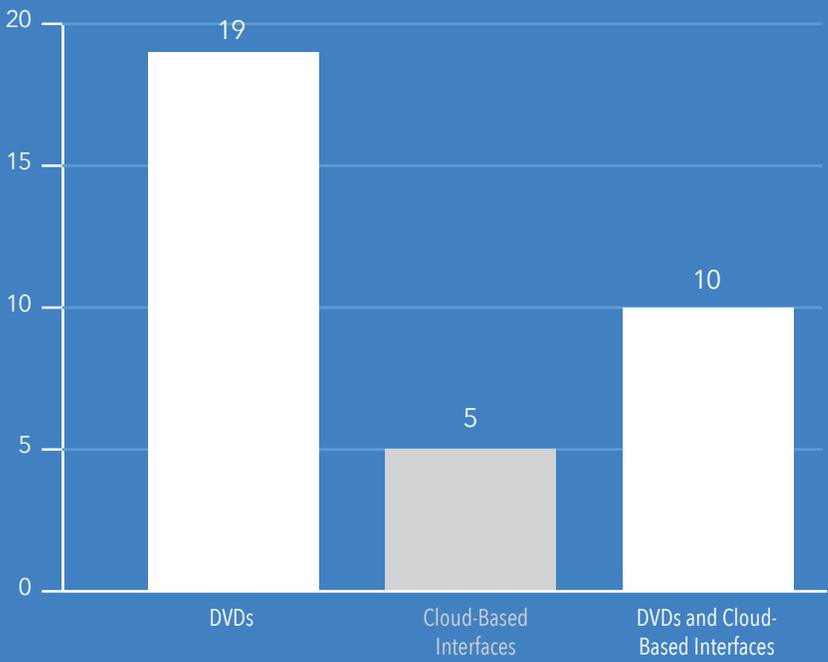


Figure 18. BWC Recordings Received by Prosecutors' Offices by Type (N = 37).

Over 58% of respondents reported needing additional staff to view and manage the evidence collected by BWCs. **Figure 19** presents the percentage of offices requesting additional personnel for reviewing BWC evidence by population category. The largest two categories of agencies appear to have the greatest need for additional personnel to review BWC footage.

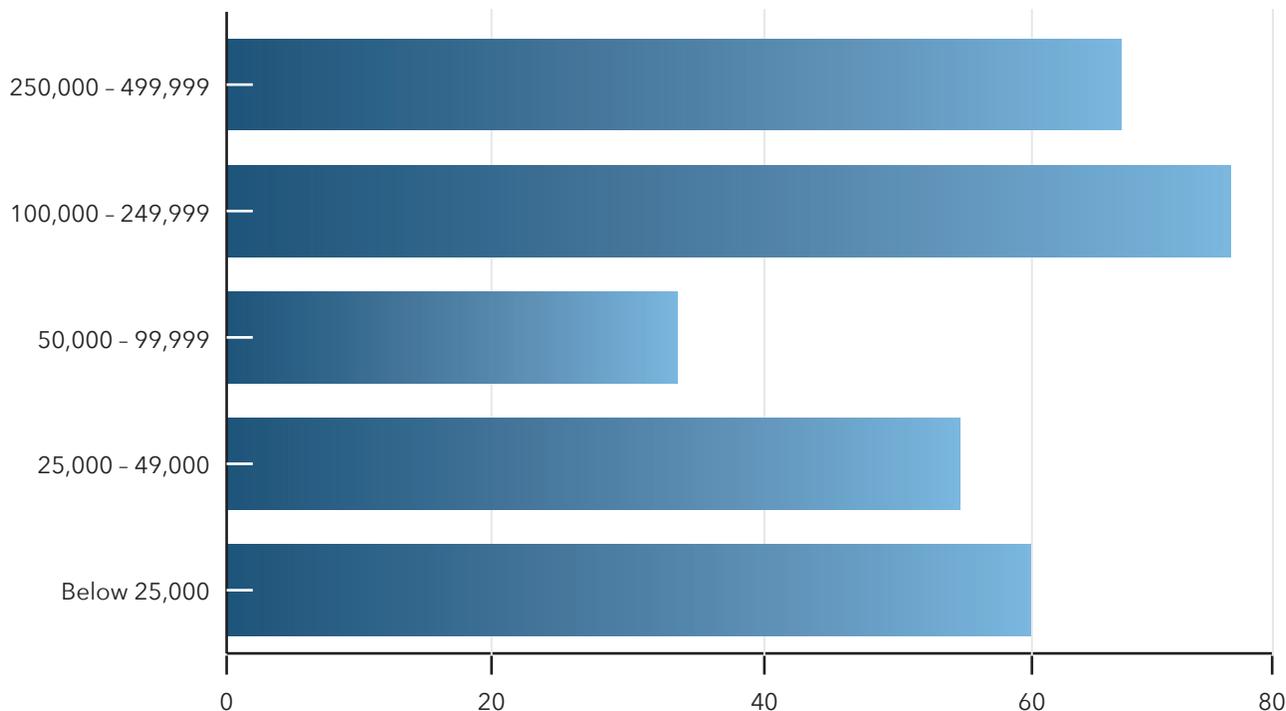


Figure 19. Percentage of Offices Requesting Additional Personnel for Reviewing BWC Video by Population Category ( $N = 36$ ).

## WEBSITES

Asked what they share with the public online, 79% of survey respondents reported having office websites and 73% update their websites routinely (monthly, quarterly, or annually).

## RESEARCH

Research and analysis were reported by a minority of the responding offices. Just over 21% of offices reported involvement in a research project in the last two years with a university, college, consultant, or independent research firm.

Just over half (55%) of offices reported analyzing crime data, caseloads, or other types of information routinely on a monthly, quarterly, or annual basis. Approximately forty-one percent (41%) of offices provided an annual report to the public on the work of the office.

Sixty-two percent (62%) of the responding offices have participated in major U.S. Department of Justice grant-based programs.

# STATE-SPECIFIC QUESTIONS

The State of Louisiana also requested some specific information from each judicial district. Specifically, prosecutors in Louisiana were interested in the number of direct appeals, writs of review, post-conviction relief claims, and federal habeas corpus claims responded to by each office. **Figure 20** presents the average number of claims handled by offices across the state. Post-conviction relief claims constitute the largest number of appeals handled by prosecutors' offices, followed by writs of review and direct appeals. Federal habeas corpus claims are handled the least often by prosecutors' offices in Louisiana.

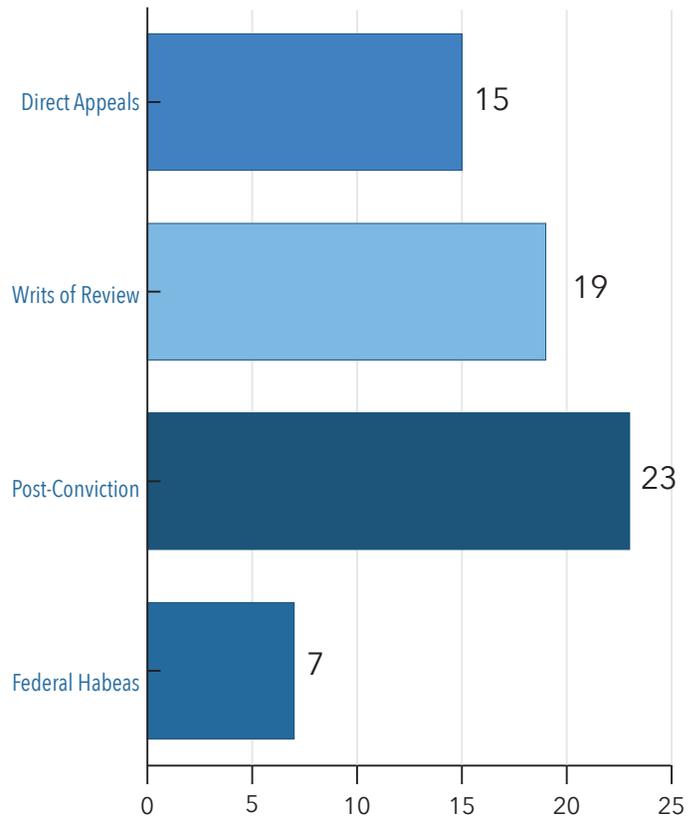


Figure 20. Average Number of Appeals Handled by Louisiana Judicial Districts by Type of Appeal (N = 38).

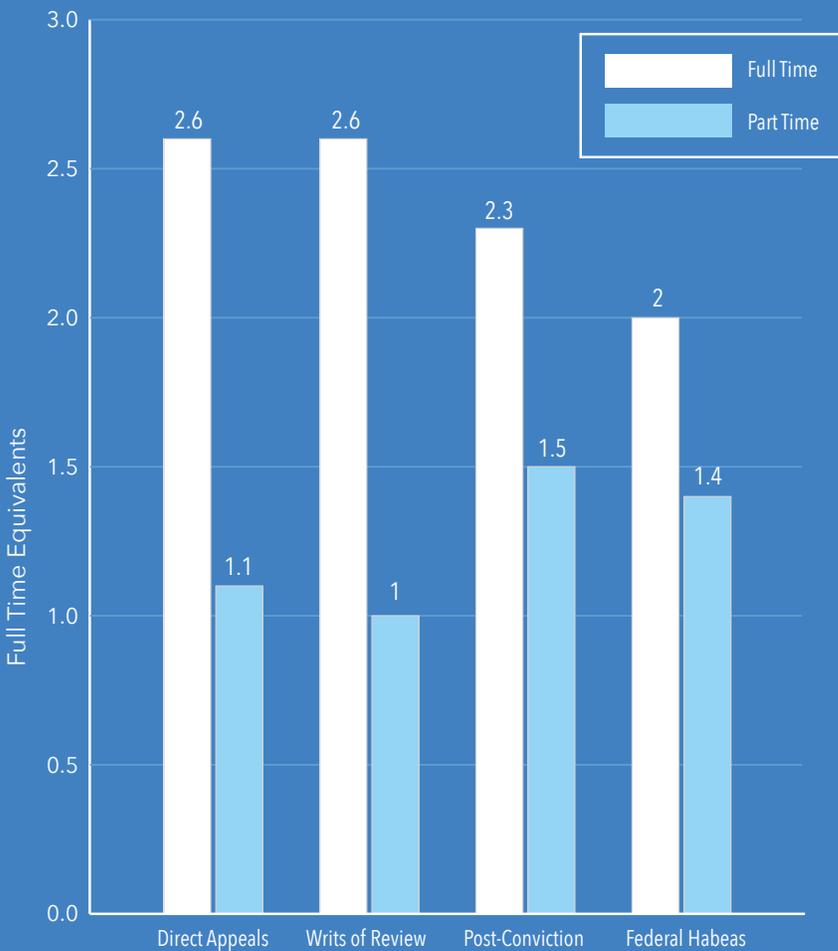


Figure 21. Average Number of Full-Time and Part-Time FTEs Spent on Appeals by Type (N = 42).

Further, prosecutors were interested in the amount of time spent on each type of appeal in terms of the number of full-time and part-time Full-Time Equivalents (FTEs). Figure 21 presents the average number of full-time and part-time FTEs spent on each type of appeal. Louisiana prosecutors' offices report spending about 2.6 full-time and 1.1 part-time FTEs on direct appeals. Similarly, prosecutors reported spending 2.6 full-time and 1 part-time FTE on writs of review. Offices also reported spending about 2.3 full-time and 1.5 part-time FTEs on post-conviction relief claims. Finally, 2 full-time and 1.4 part-time FTEs were spent on federal habeas corpus claims.

The final question requested for inclusion on the Louisiana survey was whether a significant number of prosecutors regularly did work outside of the office. 36 of the 42 responding offices (86%) reported that a significant number of prosecutors worked outside the office.

# CONCLUSIONS

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The statewide survey administered by JSS and PCE provides many insights into the day-to-day functioning of Louisiana prosecutors' offices. From the wide range of survey submissions from Louisiana judicial districts, there are a number of trends emerging as well as various outliers.

From the survey, we can determine that all responding Louisiana prosecutors' offices handle felonies, misdemeanors, and juvenile cases, and that the majority of responding offices also handle civil matters and infractions.

Almost two-thirds of prosecutors' offices have elected chief prosecutors serving less than 10 years. Under one quarter of the offices have budgets over \$5 million, and a little under three quarters have personnel budgets under \$5 million. The number of full-time employees per 10,000 population appears slightly lower for the largest districts compared to the smaller districts, but the number of attorneys per capita appears relatively stable across diverse population groups.

Across all population categories, the per capita rates of felony and juvenile cases charged are very similar. Larger offices process more felonies than misdemeanor cases, most likely because of municipal offices, whereas smaller offices process more misdemeanor cases than felonies.

It is apparent that nearly all offices offer specialized or problem-solving courts, and that some courts are significantly more common than others.

While a majority of offices reported offering Drug Courts, few reported offering Mental Health, Veterans', or Domestic Violence courts, and no offices offered Homeless, Community, or Human Trafficking courts.

Most offices reported running a number of specialized programs. By far the most common specialized program offered fell under the heading of Victim Assistance, which was reported by all offices. On the other hand, only a few offices offered Community Prosecutors, Victim/Witness Relocation, and Crime Strategies Units.

Over half of respondents reported providing specific community programs to the areas they serve. The most common offerings were Truancy, Co-Located Child Abuse, Youth Education Programs, and Community Engagement.

This research has given much insight into the basic needs of each prosecutor's office. Further research based on these findings should focus on the caseload of prosecutors. Researchers should continue to investigate ideal caseloads for prosecutors and evaluate proper resource management.

All in all, the Louisiana offices that completed the statewide prosecutor survey have provided key data that has increased the knowledge base on the functioning of Louisiana prosecutors' offices as well as on the role of Louisiana prosecutors.