



VANCOUVER POLICE DEPARTMENT PLANNING, RESEARCH & AUDIT SECTION

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Subject: *Traffic Court Survey Results*

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Background

A number of Vancouver Police Department (VPD) members, particularly those in the Traffic Section, brought forward concerns about the amount of time being spent in Traffic Court. In particular, anecdotal evidence suggested that officers were sometimes sitting in court for hours, only to have their cases put over to be heard another day, or for cases where the disputant did not appear in court. This was concerning both for the members as well as for senior management; it was a clear waste of police resources and kept members off the road for little in return.

Planning, Research & Audit (PR&A) was asked to examine this issue to determine whether this anecdotal evidence was supported by quantitative data and if so, the extent of the problem. To do so, PR&A implemented a survey that was filled out by Traffic members to measure the time spent at court and the outcome in each case.

Resources

Andy Hobbs, Superintendent #976, South Command
Ted Schinbein, Inspector #1089, Traffic Section
Kevin Critchley, Detective Constable #1556, Traffic Section

Research and Analysis

In order to obtain more quantitative data around the amount of time members are spending in Traffic Court, a survey was implemented. The short survey was designed to capture information around wait times, and the resulting dispositions of the cases heard each day a member attended court (see Appendix A). While Patrol members do attend Traffic court, it was felt that it would be more efficient and reliable to obtain feedback solely from Traffic

Section members for three reasons. First, Traffic members attend Traffic court more often. Second, there would be a smaller group required to fill out the survey, making it more likely that the members would consistently comply with the request to fill out the survey each time they attended court. Third, as these members attend Traffic Court more often than Patrol members do, it was felt that they would be more interested in participating in the data collection.

The data collection for this survey began on February 25, 2009. Inspector Schinbein instructed all members of the Traffic Section to complete the survey for any day they attended Traffic court. Surveys were made available to the Traffic Section electronically so that copies could be made at any time. Completed surveys were returned to PR&A for inclusion in the analysis. Members were asked to complete surveys for three months and the final day of data collection was May 22, 2009.

Results

A total of 133 surveys, representing 30 separate Traffic Enforcement members were returned to PR&A. These surveys represented 1152 cases heard in Traffic Court between February 25 and May 22 of 2009. On average, officers had nine cases per attendance at court but it ranged from one case to 11 cases. The number of officers and court cases attended by Enforcement members who did not submit surveys is unknown.

Officers attended court equally in the morning session (49.5%) and afternoon session (50.5%), and on average, spent 1.89 hours in court (range = 0.3 hours to 3.8 hours, median = 1.75 hours, and mode = 2 hours). However, despite the fact that officers spent almost 2 hours in court, they waited only 24 minutes on average to have their first case heard (range = 1 min to 2.5 hours). However, in 50% of cases, officers waited for 15 min or less. This suggests that for the survey time period, the anecdotal evidence of long wait times was not supported except in rare cases.

The outcome of the cases for which the officers attended was unsurprising in many ways. Unfortunately, due to some confusion early on about how to track the dispositions, the counts for each category are inaccurate. For example, officers grouped cases where the person was found guilty in court, as well as those cases where the person pleaded guilty upon arrival in court, requested a change in the fines or failed to appear in the same "found guilty" group. As well, because there is no efficient way to disentangle the "actual" results of each of these cases, it is unknown whether the results are over or under estimates of each group (see Table 1).

The Fail to Appear (FTA) category is likely the most accurate of all the categories and overall, approximately 45% of cases resulted in a conviction because the disputant did not attend. Interestingly, the number of FTA cases

was not significantly related to the amount of time at court, i.e., having a disputant not attend did not result in less time spent at court.

Table 1 - Dispositions for Traffic Court

Disposition	Frequency*
Found Guilty	270
Found Not Guilty	24
Fail to Appear	512
Change of plea to Guilty at Court	232
Requesting a reduction in fine/increase in time to pay	250
Withdrawn/Stayed	83
Adjourned	69

**Frequencies add up to more than the total number of cases because of inconsistent double counting*

About 41.5% of cases resulted in a guilty plea because the disputant changed their plea at court, or were requesting reduction in fines or increased time to pay the fine. Disputants may be counted in both these categories so this may be a slight overestimate. However, given these results, it is clear that the majority of the time (almost 86%), members are attending Traffic Court for cases that do not require their attendance to give evidence or prosecute the violation ticket. That said, in a good portion of cases it is likely that the presence of the officer is the reason the disputant changes his or her plea to guilty.

Lastly, it is important to point out the small number of cases in which a disputant is found not guilty, or has the charges withdrawn. Of those that were withdrawn, it was typically due to the disputant correcting the problem that lead to the violation. Of the cases that had a reason noted for an adjournment, the majority were adjourned because the court ran out of time or because the disputant required an interpreter.

In summary, members spend less time than expected in court waiting for their cases to be heard, but still spend significant time at court overall. Most of the members are attending for cases that typically result in convictions, though a large portion of these convictions are made because of the disputant's failure to appear or the disputant plead guilty at court.

Risk Management

The only major risk management implication is that while members are in court, they are not on the road actively dealing with violations. While court time is an integral part of an officer's duties, it could be argued that the time spent there is wasteful because in many cases the conviction could take place even without the officer's presentation of evidence.

It has been suggested, and tried in other jurisdictions, that an alternative dispute resolution process would reduce the pressure on the courts by funnelling the cases that do not need to go to trial away from the courts. In particular, this may be helpful in cases where the disputant simply needs more time to pay the fine, or may present evidence of economic hardship and is requesting a reduction in the fine. As well, it may reduce the number of cases that people dispute because of a lack of understanding of the law (e.g., a disputant attending court because of a speeding ticket, where he admits he was driving 52km/hr in a 50km/hr zone, but still believes he is not guilty of speeding). Given that a large portion of the cases that were heard in court during the survey period ended with disputants requesting changes to the time to pay or the fine itself, an alternative process would likely mitigate a lot of the frustration felt by members appearing in court and allow substantially more time for proactive enforcement duties.

Implementation of this process may reduce officer court time by up to 86% given the results of the current survey, suggesting significant time savings by members.

Budget Implications

If officers were able to spend more time on the road and less time in court, more tickets could be written which would result in a higher number of fines being owed to the City of Vancouver.

Implementation of a process for reducing unnecessary court time would result in long term savings, both at the court level and at the police level. An alternative dispute process would save costs and may also result in an increase in the number of fines being paid on time.

Conclusion

Though anecdotal evidence had suggested that officers were spending a great deal of time waiting for cases to be heard in Traffic Court, the results of this survey suggests that wait times are fairly reasonable (around 25 minutes) but that officers spend significant amounts of time at court overall. There were some officers who waited hours for their cases to be heard, but this was rare.

In general, the survey shows that there is a far bigger issue at Traffic Court. For the majority of cases, officers are attending court for little reason because the

disputant did not attend in approximately 40% of cases. This is a significant waste of police and court resources. Given the results of the survey, implementation of an alternative resolution process has the potential to reduce officer court time by up to 86%.

