



2016 Sexual Assault Prosecution Dispositions in Travis County: Comparing the Texas Office of Court Administration Data vs. "A More Accurate Story"¹

Texas Office of Court Administration Data:

- All District Courts in Texas report data monthly to the state by the District Clerk's Office.
- Data can be accessed on-line at: <http://card.txcourts.gov/ReportSelection.aspx>:

- Key gaps/challenges with OCA data:

Re-indictments/re-filed cases could have dispositions reported under both cause numbers:

- If a case is re-indicted at some point, there will now be two cause numbers associated with the same incident.
- Both will be reported with a disposition with the original cause number normally being dismissed.
 - **8 of the 22 dismissals in 2016 were re-indicted incidents:**
 - 6 of the 8 were disposed in 2016 where the original cause number was dismissed but the re-indicted cause number resulted in a plea of guilty/or jury conviction
 - 2 of the 8 re-indictments are actually still pending

Does not report the outcome for the actual "sexual assault incident" (the incident could include additional charges in addition to the sexual assault):

- **8 of the 22 dismissals in 2016 pled guilty to a companion case from the same incident.**

Other issues:

- Does not include disposition data that occurred pre-indictment:
 - **In 2016, there were 5 dismissals and 1 "No Bill" by the grand jury.**
- Does not include Kidnapping or Burglary w/intent to commit sexual assault offenses.
- Deferred adjudication is not considered a conviction in OCA data even though the defendant pled guilty.

¹ Data presented for the "more accurate story" is considered preliminary as of 11-07-17.

**Example of Differences in “The More Accurate Story” by the
Disposition of Sexual Assault Incidents in 2016:**

Disposition	OCA	“The More Accurate Story”	Comment
Guilty by Plea or from Trial:	16	33	There were an additional 17 sexual assault incidents disposed in 2016 with a guilty by a plea or from a trial in a companion case (a different additional charge from the same incident)
Acquittal:	2	1	One jury found the defendant not guilty of the sexual assault but guilty of the aggravated assault and received a Life in prison sentence
Dismissals:	22	12	“The More Accurate Story” includes the 5 pre-indictment dismissals that were not in the OCA data

Defining Success in Sexual Assault Responses

- Sexual assaults are complicated cases with many dynamics involved. There are many reasons why a reported sexual assault may not proceed to prosecution or end with a conviction.
- Two terms used for measuring performance are “prosecution rate” and “conviction rate”. These measures are not universally defined/used the same way from jurisdiction to jurisdiction or are not utilized at all for a number of reasons.
- Moving forward, the DA’s Office will be working with a number of national technical assistance providers to help inform our discussions. Our goal is to create the most accurate story we can tell and ensure a victim-centered response that informs our protocols, policies and practices.

For difficult cases, like sexual assault, conviction rates do not capture the quality of the prosecution strategies or the relative difficulty of cases taken forward.

Beyond Conviction Rates: Measuring Success in Sexual Assault Prosecutions; Justice Management Institute and AEquitas, 2014

Additional Resources:

- **AEquitas: The Prosecutors’ Resource on Violence Against Women**
(<http://www.aequitasresource.org/>)
- **Sexual Violence Justice Institute** of the Minnesota Coalition Against Sexual Assault
(<http://www.mncasa.org/svji/>)
- **End Violence Against Women (EVAW) International** (www.evawintl.org)

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District Courts
Activity Detail from January 1, 2016 to December 31, 2016

County: Travis
100.0 Percent Reporting Rate
12 Reports Received Out of a Possible 12

CRIMINAL CASES								
Cases on Docket:	Capital Murder	Murder	Other Homicide	Agg. Assault or Attempted Murder	Sexual Assault of Adult	Indecency With or Sexual Assault of Child	Family Violence Assault	Aggravated Robbery or Robbery
Cases Pending 1/1/2016:								
Active Cases	23	49	25	776	76	267	784	253
Inactive Cases	3	33	19	852	124	585	201	250
Docket Adjustments	2	(3)	(2)	(12)	(7)	(16)	10	(2)
Cases Added:								
Filed by Indictment or Information	8	32	25	992	76	165	1,074	416
Other Cases Reaching Docket:								
Motions to Revoke Filed	0	0	3	227	12	42	203	131
Cases Reactivated	1	7	13	489	37	128	607	238
All Other Cases Added	0	0	1	5	0	3	1	4
Total Cases on Docket:	34	85	65	2,477	194	589	2,679	1,040
Dispositions:								
Convictions:								
Guilty Plea or Nolo Contendere	1	5	12	410	11	79	532	212
By the Court	0	0	0	2	0	0	0	0
By the Jury	1	5	0	13	1	8	9	4
Total Convictions	2	10	12	425	12	87	541	216
Placed on Deferred Adjudication	0	0	0	168	4	30	185	48
Acquittals:								
By the Court	0	0	0	6	1	0	1	1
By the Jury	0	1	1	2	1	3	0	0
Total Acquittals	0	1	1	8	2	3	1	1
Dismissals	0	8	7	304	22	27	226	56
Motions to Revoke:								
Granted/Revoked	0	0	0	83	3	11	78	46
Denied/Continued	0	1	1	156	5	28	110	78
All Other Dispositions	0	0	1	41	1	3	44	21
Total Cases Disposed	2	20	22	1,185	49	189	1,185	466
Placed on Inactive Status	2	7	10	456	35	81	545	212
Cases Pending 12/31/2016:								
Active Cases	31	58	31	796	104	297	811	360
Inactive Cases	3	33	18	859	128	560	277	226
Cases in Which								
Death Penalty Sought	0	---	---	---	---	---	---	---
Death Penalty Not Sought	1	---	---	---	---	---	---	---
Sentencing Information:								
Prison	2	10	9	110	6	77	118	132
State Jail	0	0	1	30	0	1	29	29
Local Jail	0	0	0	216	2	4	311	34
Probation/Community Supervision	0	0	2	71	5	10	83	17
Shock Probation	0	0	1	1	0	0	0	7
Fine Only	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0

