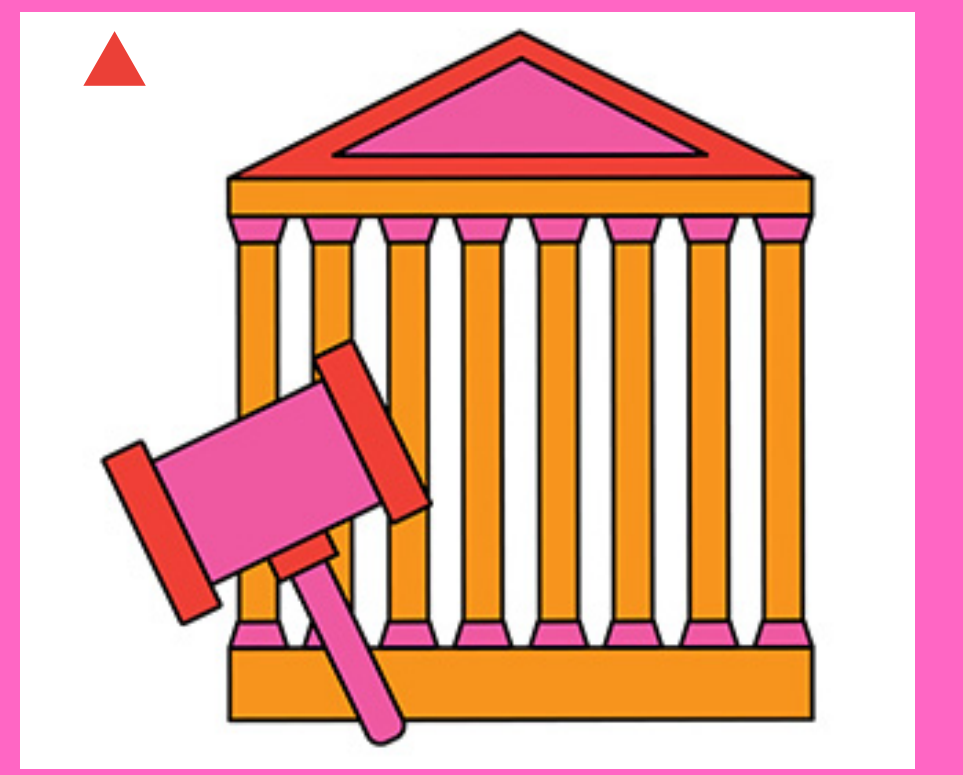


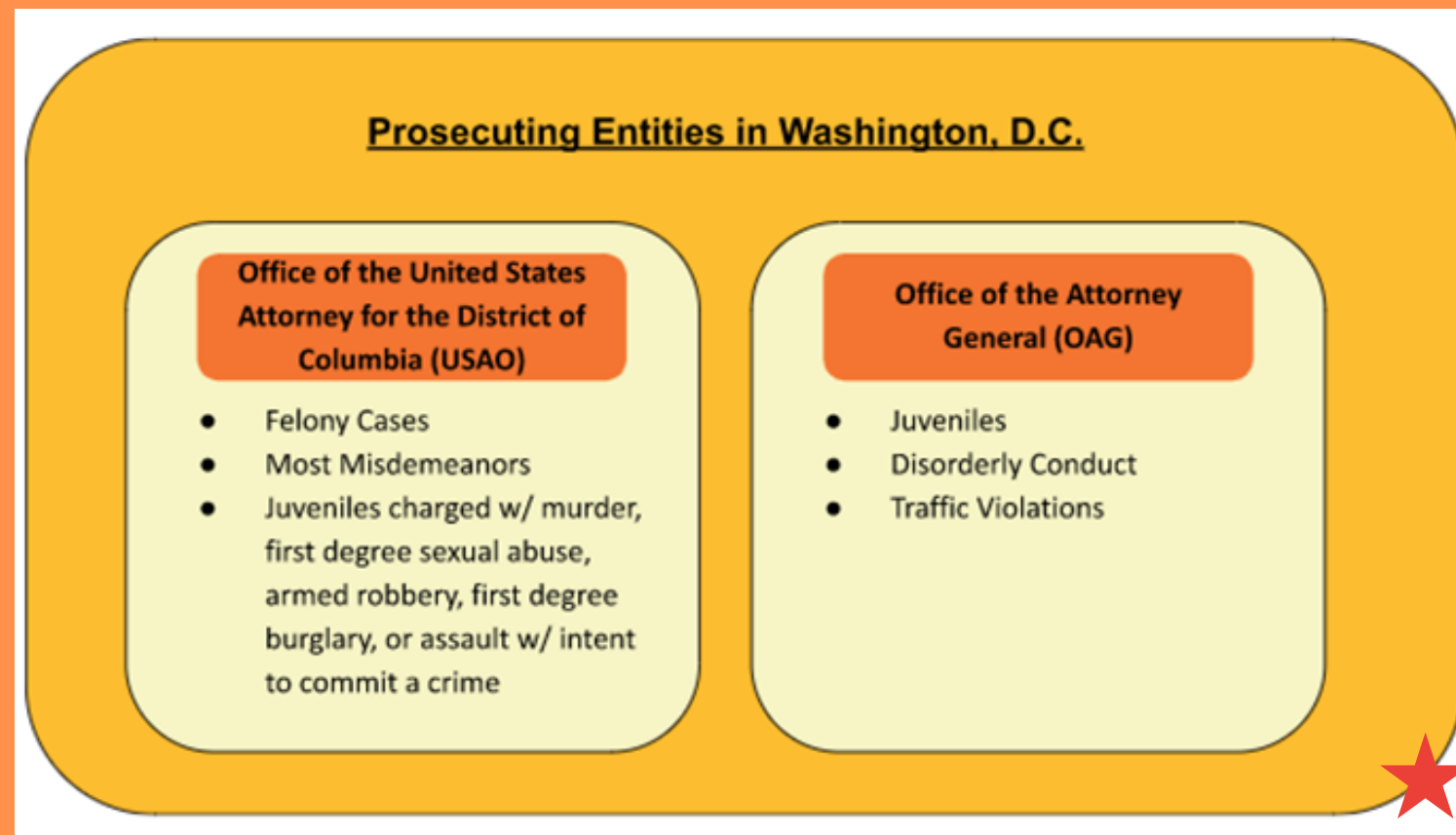
# DC's Inefficient Criminal Justice System: Costs and Benefits of a Remote Papering Process

Spring 2023 PUAD 688-003



## Motivation:

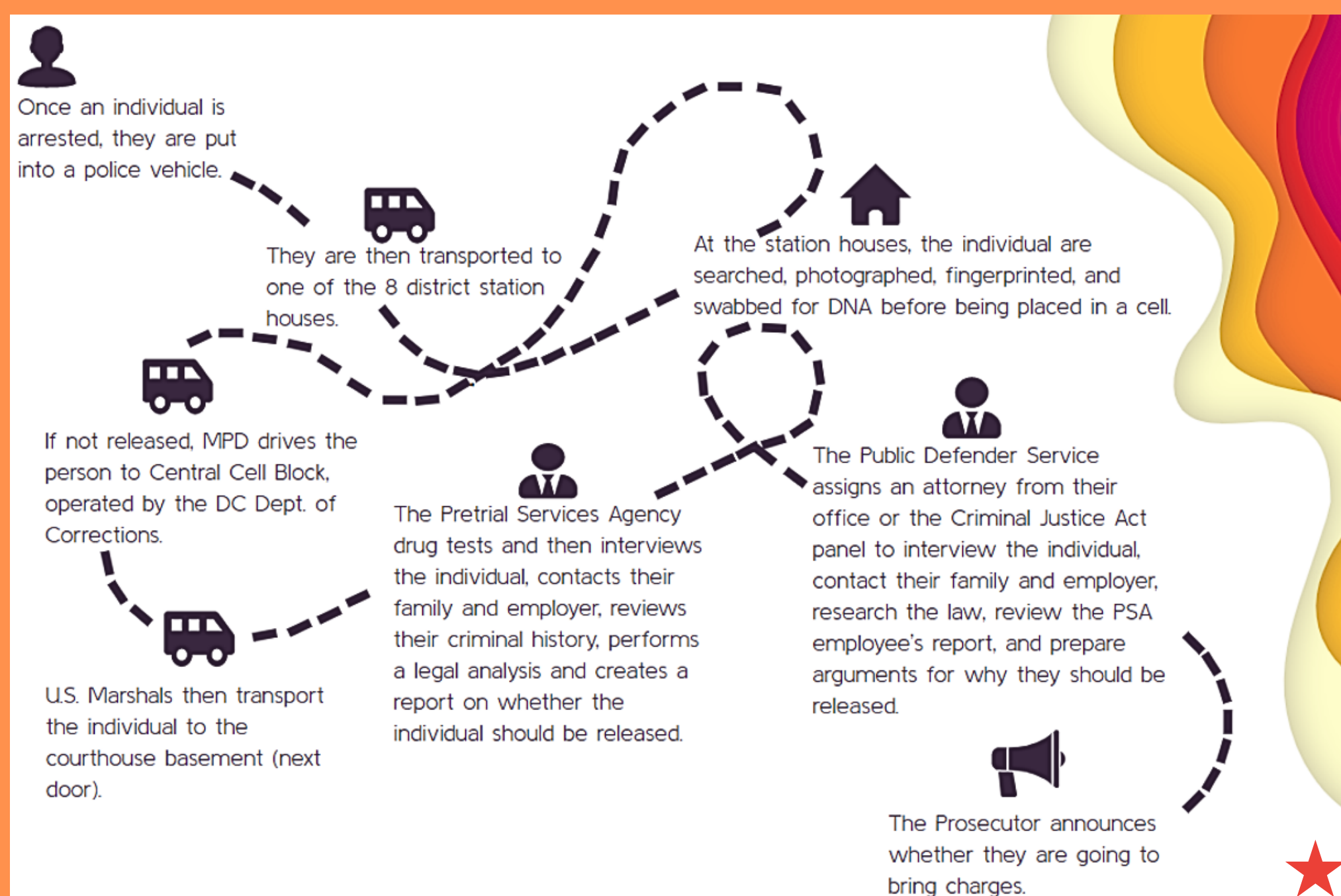
Washington, D.C.'s unique position as a federal district dictates an equally unique criminal prosecution structure. Throughout the rest of the country, the norm is for a district attorney to prosecute a criminal case. However, Washington, D.C. hosts two separate prosecutorial bodies.



D.C.'s discontinuities in its criminal justice system have led to significant inefficiencies. One of the most significant is its papering system. Arrested individuals in this system are subject to a long and arduous arrest process and many times not are charged with a crime. In fact, 67% of arrests are not prosecuted.

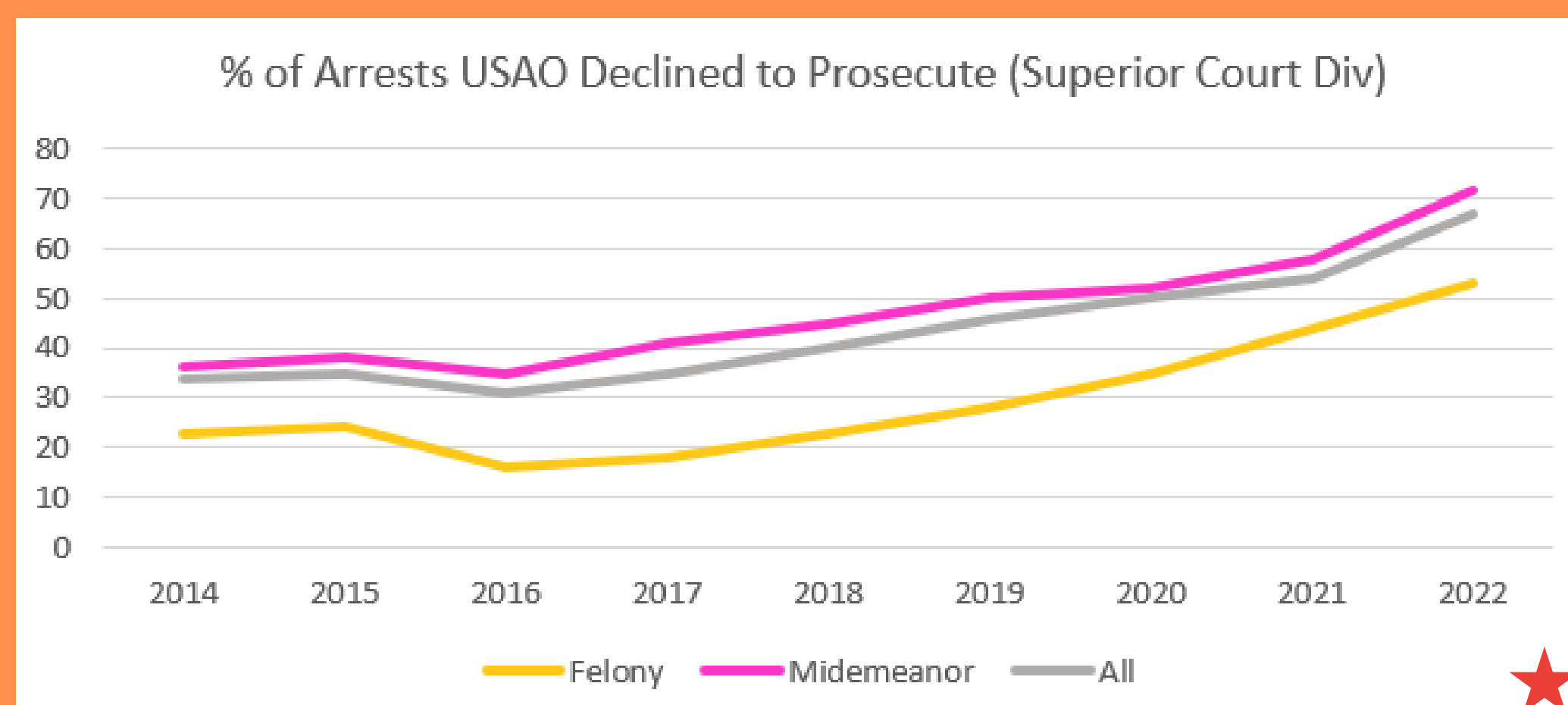
## Problem Definition:

In the district, arrested individuals are shuttled between station houses, Central Cell Block, and the courthouse basement. They are searched, photographed, and fingerprinted. They are interviewed, their families and employers are contacted, and attorneys begin working on their defense. All of this occurs before the individual even knows whether the prosecutor has decided to pursue charges.



Prosecutors review evidence submitted to them by the arresting officer and decides whether or not to charge the individual. If they a decision to charge has been made, the case is "papered." Before this happens, an arrested individual may be transported multiple times and undergone a physically/emotionally strenuous processing

Washington, D.C. currently has a 67% declination rate (which can be seen increasing over time in the graph below). This signifies that the D.C. United States Attorney's Office (USAO) declined to prosecute 67% of those arrested which would have been tried in D.C. Superior Court.



Individuals who will not be charged are detained longer and subjected to more interaction with D.C. Metropolitan Police Department (MPD) facilities and officers than necessary. This inefficiency is experienced not only by arrestees but also by MPD, which expends more time and monetary resources to arrest individuals who are not charged, and by victims of crimes, who must wait longer periods of time before being informed of whether a papering decision has been made.

## Methodology:

Because this policy change would not require any major fixed costs or startup costs, a simple cost benefit analysis (CBA) was used, with a one-year time horizon. While numbers are in real values in 2023, the cost benefit ratio should not be expected to vary year-over-year. Furthermore, the assumption made in the cost benefit analysis is that all cases that are not prosecuted would no longer have to go through the arrest, transport, and housing process in the event that remote papering was instituted. The cost benefit analysis assumes no increase or decrease in the total percentage of cases that are papered. The estimate of 10,261 no papered cases is based on a 2022 figure.

## Findings:

COSTS AND BENEFITS OF REMOTE PAPERING			
Net benefit (1 year): \$40,502,878.75		Benefit cost ratio: 49:1	
Item	Unit cost	Amount	Total cost
<b>BENEFITS (AND AVOIDED COSTS)</b>			
Transportation to stationhouse	\$3.50	10261	\$ 35,913.50
Stationhouse Meal	\$1.25	10261	\$ 12,826.25
Overnight Holding	\$107.85	10261	\$ 1,106,648.85
Transportation to CCB	\$3.50	10261	\$ 35,913.50
CCB Meal	\$1.25	10261	\$ 12,826.25
Drug Testing	\$5.00	10261	\$ 51,305.00
Pretrial Services Agency Background Check	\$25.00	10261	\$ 256,525.00
Public Defender Service assigns attorney	\$90.00	10261	\$ 923,490.00
MPD Staff Hours	\$31.80	492528	\$ 15,662,390.40
Central Cell Block Security	\$2,724,000.00	1	\$ 2,724,000.00
<b>TOTAL PROCESS COSTS AVOIDED</b>			<b>\$ 20,821,838.75</b>
Financial Impact of arrested individual avoided	\$2,000.00	10261	\$ 20,522,000.00
<b>IMPACTS TO ARRESTED INDIVIDUALS</b>			<b>\$ 20,522,000.00</b>
<b>TOTAL</b>			<b>\$ 41,343,838.75</b>
<b>COSTS</b>			
US Attorney's Office Hours	\$72.00	11680	\$ 840,960.00
<b>TOTAL</b>			<b>\$ 840,960.00</b>
<b>TOTAL NET BENEFIT</b>			<b>\$40,502,878.75</b>
<b>BENEFIT-COST RATIO</b>			<b>49:1</b>

Last year, 10,261 individuals were arrested in DC who were not formally charged with a crime. These 10,261 individuals were transported, housed, fed, supervised, drug tested, held overnight, fed again, transported again, held overnight again, were assigned an attorney, and only then were they told they were free to go with no charge. In all, holding these 10,261 individuals cost the DC government more than \$20.8 million, or more than \$2,000 for every individual who was not charged.

The prosecutorial bodies are not the only ones that bear the costs of their inefficiencies. There are also significant costs borne by the individuals detained. Research has shown that the pretrial detention experience can result in a variety of negative outcomes, including high levels of stress, anxiety, low self-esteem, loneliness, and depression.

## Recommendations:



**The Goal:** The prosecuting bodies in Washington, D.C. suffer from a level of inefficiency, the impacts of which are not felt just by their employees but also by the communities they serve. Increased coordination between prosecutors and officers addresses the long-standing differences in perspective and approach that facilitate the ever-growing declination rate. For instance, officers are often focused on obtaining facts while prosecutors must consider who those facts come from. While the varying priorities that officers and prosecutors have are unlikely to change, research indicates that increased communication between the two can improve the existing disconnect.

**The Solution:** To remedy the current disconnect between officers and prosecutors in the District, this research proposes a reimagined, remote papering system. This would remodel the prosecutorial system after the longstanding cross-country effort to improve efficiency. **More specifically, the new system would be a 24-hour phone hotline staffed by prosecutors who could communicate with arresting officers.** Ideally, the extent of this communication would permit prosecutors to make papering decisions in the moment. However, if a decision could not be made, it would still allow them to direct officers as they collect evidence and interact with arrested individuals. Overall, this would decrease the amount of time prosecutors spend on cases that they are unable to pursue and also decrease everyday citizens' interactions with a physically and emotionally invasive prosecutorial system.

## Research Team:

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★ Original Graphic

▲ D.C. Justice Lab Graphic

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