

2018 Court Watch NOLA Criminal District Court data sheet

Glossary of Terms	Index			
ADA = Assistant District Attorney, prosecution	start of court	A10-13	competency hearings	B24-26
B/c = because	continuances	B2-5	interpreters	B27-28
Def = defense, including defendants and defense attorneys	sidebars	B6-12	victims & fragile witnesses	C1-13
LSP = Louisiana State Police	defendants without attorneys	B13-18	testifying police	D1-7
N/A = not applicable	guilty pleas	B19-21	expert witnesses, scientific/hard evidence	D8-12
NOPD = New Orleans Police Department	bonds forfeited/revoked	B22-23	trial	E1-7
OPD = Orleans Public Defenders				
OPSO = Orleans Parish Sheriff's Office				

NOTE: All white areas require a response UNLESS the questions instruct you to skip questions. If you did not observe something in court, answer “no,” “N/A,” or “0” where appropriate.

Section A: General Information					
A1	Court watcher (<i>last name, first name</i>)				
A2	Date (<i>MM/DD/YY</i>)	_ _ / _ _ / _ _			
A3	Time you entered the courthouse (<i>circle AM or PM</i>)	_ _ : _ _ AM PM			
	Time you left the courthouse (<i>circle AM or PM</i>)	_ _ : _ _ AM PM			
CLOSED COURTROOM					
A4	If your assigned courtroom was closed, whose courtroom were you supposed to observe? (<i>A/White, B/Flemings-Davillier, C/Willard, D/Bonin, E/Landrum-Johnson, F/Pittman, G/Williams, H/Buras, I/Herman, J/Derbigny, K/Hunter, L/Zibilich</i>)				
A5	If your assigned courtroom was closed, explain what happened.				
A6	How did members of the public react to the closed courtroom?				
A7	How did you first learn that the courtroom was closed? (<i>Clerk's office, note on door, court staff, CWN, other- specify</i>)				
A8	What did you do after learning that your assigned courtroom was closed?	Left the courthouse, or observed Magistrate or Municipal Court <i>[end of survey]</i>	Observed another Criminal District Court courtroom <i>[continue to next question]</i>		
A9	Whose courtroom did you observe? (<i>A/White, B/Flemings-Davillier, C/Willard, D/Bonin, E/Landrum-Johnson, F/Pittman, G/Williams, H/Buras, I/Herman, J/Derbigny, K/Hunter, L/Zibilich</i>)				
START OF COURT					
A10	Did the Judge start court on time? (<i>A-9:30; B,C-9; D-8:30; E,F-9; G-8:15; H,I,J-9; K-9:30; L-8:15 AM</i>)	Yes	No, court started early	No, court started _ _ minutes late	N/A- didn't observe start of court
A11	Did the Judge explain or apologize for any delay in starting? If yes, what s/he say?	Explanation/apology			N/A- no delay occurred
A12	How many testifying NOPD and LSP officers were waiting in the courtroom for the Judge to begin court? (<i>exclude officers providing inmate transportation or courtroom security. write 0 if none seen.</i>)	_ _ NOPD officers waiting to testify _ _ LSP officers waiting to testify			

A13	If there were officers waiting to testify, did the Judge attempt to promptly hear those cases?	Yes	No (<i>explain</i>)	N/A- didn't see officers waiting to testify
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Section B: Keep Track Throughout Court (*if you do not observe something in court, write 0*)

B1	How many total cases did you observe during this court session? (<i>include all cases listed on the docket and any off-docket cases mentioned, including probation, payments, and appeals</i>)	_____ total cases observed
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CONTINUANCES (*record the number of cases continued to another day for each of the following reasons, for any case in any posture- not just for trials or motions*)

B2	How many cases were continued (<i>cont.</i>) by the Judge for the following reasons?	_____ cases cont. b/c of a trial in another case _____ cases cont. b/c a jury was unavailable
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B3	How many cases were continued by the ADA for the following reasons?	_____ cases cont. b/c the ADA was unavailable _____ cases cont. b/c the ADA was unprepared _____ cases cont. b/c the ADA's law enforcement witness was unavailable _____ cases cont. b/c the ADA's civilian witness was unavailable _____ cases cont. b/c the ADA owed discovery to the defense _____ cases cont. b/c the ADA hadn't requested that a defendant be brought from jail
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B4	How many cases were continued by the defense for the following reasons?	_____ cases cont. b/c the defendant had been released and did not return to court _____ cases cont. b/c the defense attorney was unavailable _____ cases cont. b/c the defense attorney was unprepared _____ cases cont. b/c of a change in defense attorney _____ cases cont. b/c the defense's witness was unavailable _____ cases cont. b/c the defense owed discovery to the ADA
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B5	Comments on continuances	
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SIDEBARS

B6	How many total sidebars (<i>SB</i>) did you observe?	_____ total SB observed
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B7	Out of all SB you observed, how many times was the reason, result, subject, or confidential nature of the SB explained on record?	_____ SB explained on record
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B8	List reasons, results, subjects, or confidential nature explained on the record for SB.	
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B9	Out of the 2-party SB you observed, how many were initiated by each party?	_____ 2-party SB initiated by the Judge _____ 2-party SB initiated by the ADA _____ 2-party SB initiated by the defense
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B10	How many 1-party SB involved each party?	_____ 1-party SB with the ADA _____ 1-party SB with the defense
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B11	Out of the 1-party SB you observed, how many were initiated by each party?	_____ 1-party SB initiated by the Judge _____ 1-party SB initiated by the ADA _____ 1-party SB initiated by the defense
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B12	Comments on sidebars		
DEFENDANTS WITHOUT ATTORNEYS			
B13	How many total defendants spoke on the record without a defense attorney? Out of the unrepresented defendants you observed, how many represented themselves (<i>it will be made known in court</i>), and how many did not have their lawyer present in court?	<input type="text"/> total defendants who spoke on record without an attorney <input type="text"/> defendants represented themselves <input type="text"/> defendants' attorneys were not present in court	
B14	How many defendants were appointed OPD by the Judge during your court session?	<input type="text"/> defendants appointed OPD	
B15	How many defendants did the Judge order to hire a private defense attorney? Did the Judge order a private attorney solely b/c the defendant had successfully paid bail or bond?	<input type="text"/> defendants ordered to hire private defense attorneys <input type="text"/> defendants ordered to hire private defense attorneys solely b/c they'd paid their bail	
B16	How many defendants did the Judge threaten to jail for failure to hire a private attorney? How many were actually jailed for this reason?	<input type="text"/> defendants threatened jail for failing to hire private defense attorneys <input type="text"/> defendants actually jailed for failing to hire private defense attorneys	
B17	If the Judge either appointed OPD to represent defendants or ordered defendants to hire private defense attorneys, did the Judge ask any questions related to the defendant's income? (<i>e.g., whether the defendant was working. Explain your answer.</i>)	Yes (<i>specify what questions</i>)	No N/A- Judge didn't appoint OPD or order private defense attorneys
B18	If a defense attorney was unavailable, list what the Judge ruled on in the attorney's absence. (<i>exclude defendants who represented themselves</i>)		
GUILTY PLEAS			
B19	How many total defendants pled guilty during your court session? Out of the guilty pleas you observed, how many defendants were incarcerated at the time of their guilty plea? (<i>e.g., they pled while wearing a jail jumpsuit</i>)	<input type="text"/> total defendants pled guilty <input type="text"/> defendants pled guilty while incarcerated	
B20	Out of the guilty pleas you observed, how many defendants pled after you heard them referred to by the following terms: "habitual offender, multiple bill, single, double, triple, quad, or lifer"?	<input type="text"/> defendants pled guilty after someone referred to them as a "habitual offender, multiple bill, single, double, triple, quad, or lifer"	
B21	Comments on defendants who pled guilty		
BONDS FORFEITED OR REVOKED			
B22	How many total defendants' bonds were forfeited or revoked? How many bonds were forfeited for each reason?	<input type="text"/> total defendants' bonds forfeited or revoked <input type="text"/> bonds forfeited b/c the defendant failed to appear to court <input type="text"/> bonds forfeited b/c the defendant was arrested on new charges <input type="text"/> bonds forfeited b/c the defendant had a positive drug screen	
B23	Comments on defendants whose bonds were forfeited or revoked. If bonds were forfeited for reasons not listed above, write them here.		

COMPETENCY HEARINGS

B24	How many total competency hearings did you observe?	_____ total competency hearings
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B25	<i>For each competency hearing seen in court, answer these four questions by entering the codes defined below.</i>	Docket no. <i>(see docket from Clerk's Office)</i>	Was the defendant found competent? <i>(see codes below)</i>	How many questions did the defense attorney ask the testifying doctor?	Did the competency evaluation occur on the same day as the competency hearing? <i>(listen for this during the hearing. see codes below)</i>
	1 st competency hearing				
	2 nd competency hearing				
	3 rd competency hearing				
<i>Codes for defendant's competency finding</i> 000 = defendant was found to be competent 111 = defendant was found to be incompetent 222 = Judge did not decide competency during your observation 555 = you didn't hear or don't know the Judge's finding			<i>Codes for when evaluation and hearing occurred</i> 000 = Yes, the evaluation occurred on the same day as the hearing 111 = No, the evaluation occurred at an earlier date than the hearing 555 = you didn't hear or don't know		
B26	Comments on competency hearings. If there were more than 3 competency hearings, record them here.				
INTERPRETERS <i>(include individuals needing American Sign Language interpreters)</i>					
B27	<i>For each case involving an unavailable interpreter, answer these four questions.</i>	Docket no. <i>(see docket from Clerk's Office)</i>	Was the defendant incarcerated at the time of their court appearance?	Was the case continued to another day because there was no interpreter?	
	1 st unavailable interpreter case				
	2 nd unavailable interpreter case				
	3 rd unavailable interpreter case				
B28	Comments on cases where interpreters were needed but unavailable. Include what the Judge ruled on in the interpreter's absence. If there were more than 3 of these cases, record them here.				

Section C: Victims & Fragile Witnesses					
VICTIMS					
C1	How many times was a victim mentioned by the Judge or ADA?	<input type="text"/> times the Judge mentioned a victim <input type="text"/> times the ADA mentioned a victim			
C2	What did the Judge or ADA say about victims?				
C3	Was there an allegation that a victim or witness had been harassed, threatened, or intimidated? If yes, explain who was allegedly responsible, and who reported it.				
C4	Was a victim impact statement submitted into the record? If yes, explain whether the statement was read aloud and by whom.				
VICTIMS IN COURT					
C5	In how many cases did you observe a victim or a victim's family in court?	<input type="text"/> cases in which victims or victims' family were observed in court			

C6	<i>For each victim seen in court, answer these four questions by entering the codes defined below.</i>	What were the defendant's charges?	Was the victim incarcerated at the time of their court appearance? <i>(see codes below)</i>	Victim's gender <i>(see codes below)</i>	Victim's ethnicity <i>(see codes below)</i>
	1 st victim				
	2 nd victim				
	3 rd victim				
	4 th victim				
	5 th victim				
<i>Codes for whether the victim was incarcerated at the time of their court appearance (e.g., they wore a jail jumpsuit)</i> 000 = Yes, they wore a jail jumpsuit 111 = No, they weren't wearing a jail jumpsuit 777 = don't know		<i>Codes for gender</i> 000 = female 111 = male 222 = transgender 777 = unknown or unlisted gender	<i>Codes for ethnicity</i> 000 = African American 111 = Asian/Pacific Islander 222 = Caucasian 333 = Hispanic 555 = bi- or multi-racial 777 = unknown or unlisted ethnicity		
C7	Describe victims' demeanors when you saw them. <i>(e.g., upset, crying, scared)</i>				
C8	Did you observe any nonverbal communication or interaction between the defendants and the victims? If yes, explain. <i>(e.g., defendant looked directly at the victim, smirking, making gestures, rolling eyes)</i>				
C9	Did the court make equal accommodations for the victims and the defendants to remain a safe distance from each other? Explain.				
C10	Did the Judge act respectfully toward all known victims? Explain.				
C11	Comments on victims seen in court. If there were more than 5 victims, record them here.				
TESTIFYING VICTIMS OR FRAGILE WITNESSES <i>(child witnesses, witnesses with mental disabilities, or otherwise fragile or delicate situations)</i>					
C12	What type of witness testified? <i>(child, witness with mental disabilities, sex crime survivors, victims of non-sexual offenses, other- specify)</i> <i>(if multiple witnesses, circle all that apply)</i>				
C13	Did the Judge offer a confidential space <i>(not the public courtroom)</i> in which the witness could testify? Explain.				

Section D: Testifying Police Officers, Expert Witnesses, & Scientific/Hard Evidence

TESTIFYING POLICE

D1	How many total New Orleans Police Department (NOPD) and Louisiana State Police (LSP) officers testified as witnesses?	<input type="text"/> NOPD officers testified <input type="text"/> LSP officers testified
D2	How many officers were late for their testimony?	<input type="text"/> NOPD officers were late <input type="text"/> LSP officers were late
D3	How many officers appeared not to be entirely truthful in their testimony? <i>(e.g. were facts provided in one officer's testimony consistent with facts provided in another officer's testimony in the same case? did the officer contradict his/her own testimony?)</i>	<input type="text"/> NOPD officers appeared to be untruthful <input type="text"/> LSP officers appeared to be untruthful
D4	How often was the officers' testimony unclear or difficult to understand?	<input type="text"/> NOPD officers' testimony was unclear <input type="text"/> LSP officers' testimony was unclear

D5	How many officers did not completely or straightforwardly answer questions to the best of their knowledge?	<input type="checkbox"/> NOPD officers' answers were incomplete <input type="checkbox"/> LSP officers' answers were incomplete
D6	Rate officers' overall demeanor to all parties. (rating of 1 = rude, disrespectful, unprofessional; rating of 5 = polite, respectful, professional)	<input type="checkbox"/> NOPD officers' rating <input type="checkbox"/> LSP officers' rating
D7	If you determined testifying officers were late, untruthful, unclear, incomplete or otherwise rated low, explain.	
EXPERT WITNESSES, SCIENTIFIC & HARD EVIDENCE		
D8	Did the ADA or defense propose using an expert witness? (both ADA and defense, ADA only, defense only, or neither)	
D9	If body camera footage, DNA, blood, fingerprint, ballistics, gunshot residue (GSR), or other scientific evidence was proposed for introduction, what kind of evidence was it, and did the Judge allow the evidence to be presented? Explain.	
D10	If discovery materials were given late by the ADA and/or defense, who gave them late? Was the party receiving the discovery provided time before a trial or hearing to review the materials? If so, how many days or hours? Explain.	
D11	Did anyone mention Brady or exculpatory evidence (evidence that tends to show the innocence of the defendant)? Explain.	
D12	If you observed a pretrial suppression hearing, what type of evidence did the ADA or defense want to suppress (quash)? (physical evidence, confession or statement, identification of the defendant, or other- specify). How did the Judge rule in the suppression hearing?	

Section E: Trial		
E1	What was the trial case's docket number? (listed on the docket)	
E2	What was the defendant's name?	
E3	How many eyewitnesses testified for the prosecution, and how many eyewitnesses testified for the defense? (exclude testifying officers and expert witnesses)	<input type="checkbox"/> testified for prosecution <input type="checkbox"/> testified for defense
E4	Comments on trial.	
JURY (complete only after a jury has been selected)		
E5	What was the racial makeup of the jury? (write zero if you saw no jurors of a certain ethnicity)	<input type="checkbox"/> African American or black jurors <input type="checkbox"/> Asian or Pacific Islander jurors <input type="checkbox"/> Caucasian or white jurors <input type="checkbox"/> Hispanic jurors <input type="checkbox"/> bi- or multi-racial jurors <input type="checkbox"/> jurors of unknown or unlisted ethnicity
E6	What was the gender makeup of the jury? (write zero if you saw no jurors of a certain gender)	<input type="checkbox"/> female jurors <input type="checkbox"/> male jurors <input type="checkbox"/> transgender jurors <input type="checkbox"/> jurors of unknown or unlisted gender
E7	Comments on jury trial.	



Section F: General Impressions					
<i>Write "yes" or "no" for each party below. If a question does not apply to a party, it is grayed out.</i>		ADA	OPD	private defense	Judge
F1	Were they prepared to present or speak about each case as it was called?				
F2	Did they appear to be knowledgeable of specific laws that applied to each case?				
F3	Did they present each case in a clear and complete manner?				
F4	Rate each party's overall demeanor to everyone. (e.g. Judge, ADA, def, witnesses, public) (rating of 1 = rude, disrespectful, unprofessional; rating of 5 = polite, respectful, professional)				
F5	Did the Judge appear to pay attention to all proceedings?				
F6	Did the Judge avoid showing favor towards the ADA or defense?				
F7	Did the Judge maintain control of the court?				
F8	Rate the Judge's respect towards defendants. (rating of 1 = rude, disrespectful, unprofessional; rating of 5 = polite, respectful, professional)				
F9	Rate the Judge's respect towards attorneys. (rating of 1 = rude, disrespectful, unprofessional; rating of 5 = polite, respectful, professional)				
F10	Did Orleans Parish Sheriff's Office (OPSO, in charge of courthouse and courtroom security) officers stay alert and pay attention during court?				
F11	Did OPSO maintain control of inmates and the courtroom?				
F12	Rate OPSO's overall demeanor to everyone. (e.g. Judge, ADA, def, witnesses, public) (rating of 1 = rude, disrespectful, unprofessional; rating of 5 = polite, respectful, professional)				
F13	Were all court actors well-organized, and did they minimize disruptions to the flow of court?				
F14	Was it your perception that anyone was treated inappropriately or differently based on gender, race, ethnicity, religion, age, disability status, sexual orientation, economic status, etc.? If yes, explain.				
F15	Write about your day in court, including any compliments, criticisms, suggestions, recommendation, or concerns you may have.				

