



FOR IMMEDIATE RELEASE

Date: Feb. 28 2011

Subject: Misdemeanor Settlement Court

New Court Processes up to Sixty Misdemeanor Cases a Day

Contact: District Attorney Paul Gallegos

Phone: (707) 268-2571, (707) 267-4400

In October Humboldt County launched the new Misdemeanor Settlement Court and less than six months later, it has exceeded all expectations.

"We are able to process about sixty non-violent misdemeanor cases a day," explained Max Cardoza, the Deputy District Attorney assigned to the program. "This frees up the other courts to promptly deal with more serious, especially felony crimes, such as assault, rape and murder."

The Misdemeanor Settlement Court was established to help mitigate the anticipated reduction of available courtrooms in the Humboldt County courthouse. Last June, the "Justice Partners", which included representatives from the court, public defenders office, probation, district attorney's office and others, began meeting to iron out the details. The group used the Yolo County program as a model and then customized it to better suit the needs of Humboldt County.

"One condition of the new court was that we bring in an experienced prosecutor to deal with these cases," noted Humboldt County District Attorney Paul Gallegos. "Fortunately Deputy District Attorney Max Cardoza's thirty years of experience made him a perfect fit. He knows the true value of a case in terms of evidence and the law and I implicitly trust him to make appropriate charging and settlement decisions."

The cases routed through the Misdemeanor Settlement Court are generally non-violent and the accused is not in custody at the time of the court appearance. Common crimes include first time Driving Under the Influence (DUI) and petty theft.

After a police report is filed with the Humboldt County District Attorney's Office, Cardoza reviews all available information and determines what, if any, criminal charges are appropriate. If he finds enough evidence to charge someone with a crime, he files a complaint and offer sheet, which outlines the accusations and what the court will accept in terms of a plea.

"Roughly we settle ten cases for each one that is held over for trial," Cardoza explained. "That is a good percentage and really reduces the caseload."

Cardoza pointed out that many offenders simply made mistakes and are ready to accept responsibility and the legal consequences of their actions. "The Misdemeanor Settlement Court gives them an opportunity to do so and get on with their lives," he said.

By participating in the Settlement Court, offenders may receive fine reductions, but are still required to participate in the court process and accept the sentence handed down by the judge.

"Of course, people can plead not guilty to the charges and their case will be transferred to the Superior Court for a jury trial," Cardoza added. "The Misdemeanor Settlement Court just offers another, sometimes very appropriate, option."

