

## Appendix A: Sampling Strategy

Urban researchers first identified 2,330 state prosecutors' offices surveyed in the Bureau of Justice Statistics' 2007 National Prosecutors Survey (Census) (2007 NPS).<sup>i</sup> The pool of offices contacted for the survey included a census of offices representing a population of 250,000 or more residents and a stratified random sample of offices representing a population of less than 250,000 residents.

For offices with a population less than 250,000 residents, Urban researchers took a sample of 400 out of a total of 2,048 districts. To ensure that the sampled offices represented districts with a range of characteristics, the sample was stratified by three variables: district poverty, race and ethnicity, and urban/rural categorization. County FIPS codes were used to link prosecutors' offices from the 2007 NPS to other datasets. The percent of the district's population living below the poverty line was calculated using 2015 American Community Survey 5-year estimates – specifically, the “Poverty Status in the Past 12 Months” table.<sup>ii</sup> The percent of the population that was non-white (including Hispanic) in 2016, the most recent year of data available, was generated based on 2016 Census Population Estimates.<sup>iii</sup> Finally, each district was matched to a code on the rural-urban continuum based on 2013 Rural-Urban Continuum Codes produced by the U.S. Department of Agriculture's Economic Research Service.<sup>iv</sup> Since some districts were composed of multiple counties with different rural-urban continuum codes, a district was assigned the code associated with the majority of the district's population.

Offices were divided into strata based on the percent of represented residents below the poverty line (divided into three quantiles), percent non-white residents (divided into three quantiles), and the rural-urban continuum (operationalized as a binary variable as reflected in Table A below).

**Table A. Rural-Urban Continuum Codes**

Category	Rural-Urban Continuum Code	Description	Binary Code (Used for Stratification)
Metro	1	Counties in metro areas of 1 million population or more	1
Metro	2	Counties in metro areas of 250,000 to 1 million population	1
Metro	3	Counties in metro areas of fewer than 250,000 population	1
Nonmetro	4	Urban population of 20,000 or more, adjacent to a metro area	2
Nonmetro	5	Urban population of 20,000 or more, not adjacent to a metro area	2
Nonmetro	6	Urban population of 2,500 to 19,999, adjacent to a metro area	2
Nonmetro	7	Urban population of 2,500 to 19,999, not adjacent to a metro area	2
Nonmetro	8	Completely rural or less than 2,500 urban population, adjacent to a metro area	2
Nonmetro	9	Completely rural or less than 2,500 urban population, not adjacent to a metro area	2

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<sup>i</sup>United States Department of Justice. Office of Justice Programs. Bureau of Justice Statistics. National Prosecutors Survey [Census], 2007. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2012-05-14. <https://doi.org/10.3886/ICPSR33202.v1>

<sup>ii</sup>“Poverty Status in the Past 12 Months.” Data Set: 2011-2015 American Community Survey 5-Year Estimates. Available at American FactFinder (Census Bureau), <http://factfinder.census.gov>. Accessed 9/7/2017.

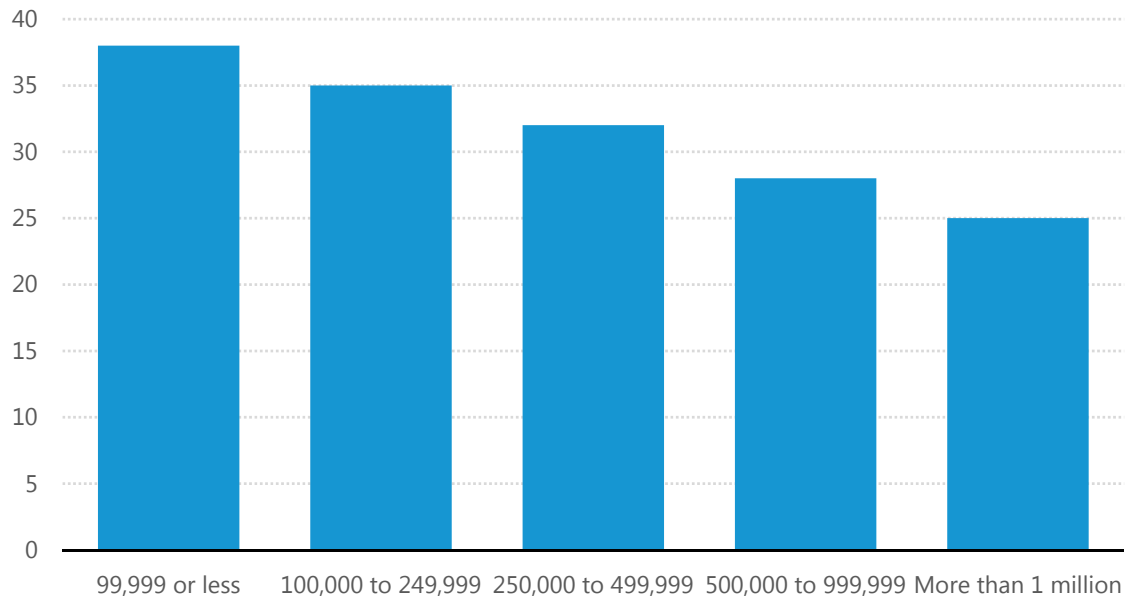
<sup>iii</sup>“Annual Estimates of the Resident Population by Sex, Race, and Hispanic Origin for the United States, States, and Counties: April 1, 2010 to July 1, 2016.” Data Set: 2016 Population Estimates. Available at American FactFinder (Census Bureau), <http://factfinder.census.gov>. Accessed 9/7/2017.

<sup>iv</sup>United States Department of Agriculture. Economic Research Service. “Rural-Urban Continuum Codes.” <https://www.ers.usda.gov/data-products/rural-urban-continuum-codes/documentation/#referencedate> Accessed 9/7/2017.

## Appendix B. Survey Results

- ☐ This appendix includes only the multiple-choice questions from the survey. Respondents also answered a number of free response questions and were given the opportunity to expand on their answers to multiple choice questions in a free response box. To ensure confidentiality, the free response questions (6b, 6d, 7a, 8a, 9a, 15b, 15d, 16a, 17a, 24b, 24d, 25a, 34b, 34d, 35a, 36a, 37a, 42a, 50a, 51, 52, 53, 54, 55) are not included in this appendix.
- ☐ Each question presented here includes:
  - » Total number of respondents to that question.
  - » Total number of responses for each answer choice.
- ☐ All multiple-choice questions were included in the long form of the survey. A total of **141** offices responded to the long form, although not all offices answered every question.
- ☐ Seven questions (1, 7, 21, 26, 41, 41a, and 50) were included in the short form of the survey. A total of **17** offices responded to the short form, although not all offices answered every question.
- ☐ Questions included in the short form are presented here and broken down by long form respondents and short form respondents. The combined responses from both the long and short form are included as well.
- ☐ Percentages for single-question responses included in the brief are taken by dividing the number of respondents for an answer choice by the total number of respondents **to that question**. For more information, see endnote 5 in the brief.

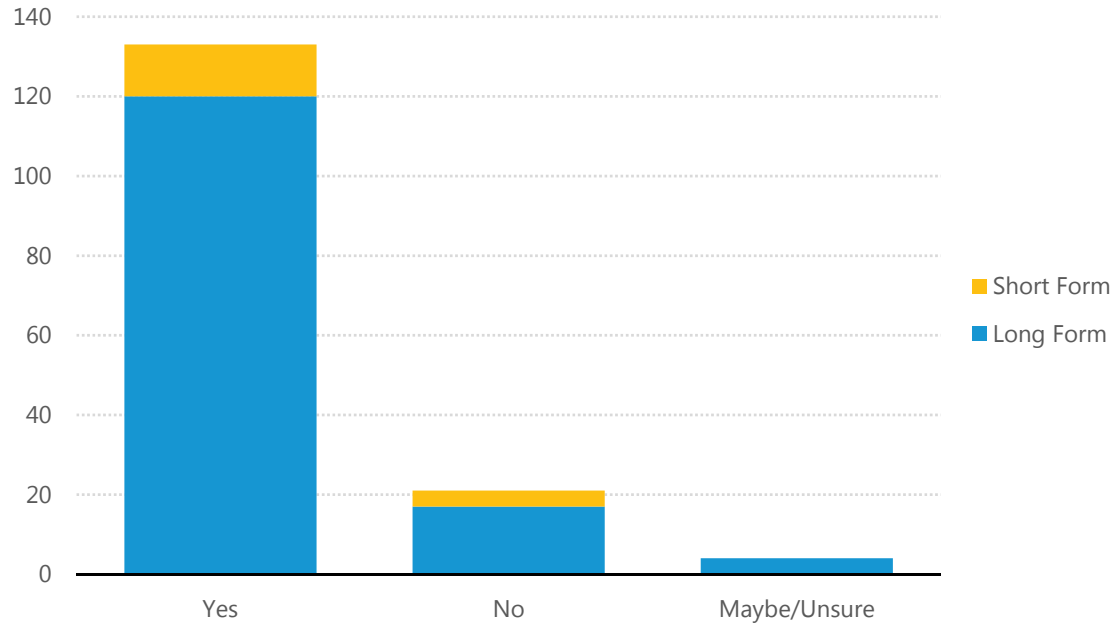
## Jurisdiction Size



99,999 or less	38
100,000 to 249,999	36
250,000 to 499,999	31
500,000 to 999,999	28
More than 1 million	25
<b>Total</b>	<b>158</b>

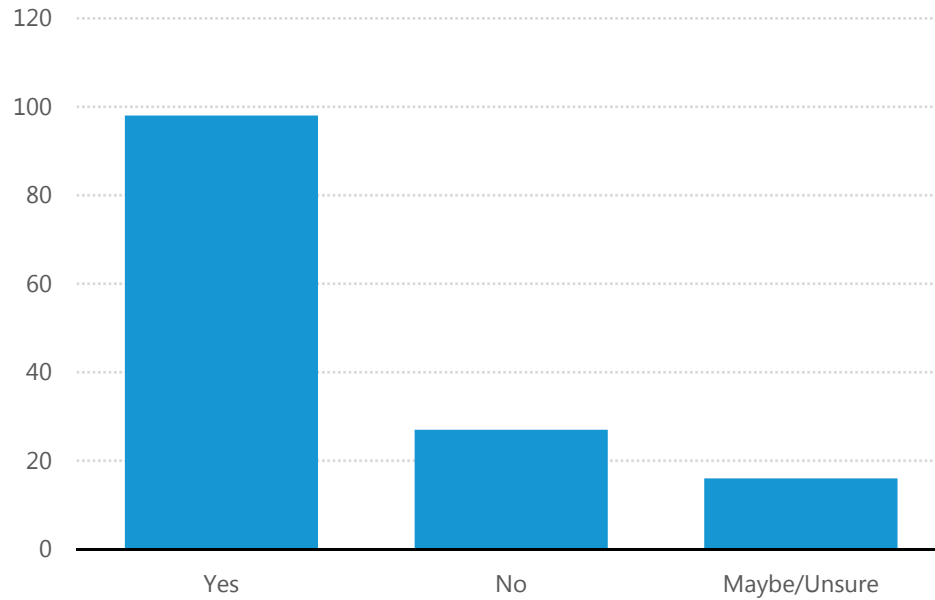
*Note: Sizes are based on 2016 U.S. Census numbers and might not necessarily match the office's answer to the survey question, "As best you know, what is the population of the jurisdiction your office serves?"*

1. Does your office have data or records regarding the **number of cases referred (submitted to your office for investigation and possible prosecution) to the prosecutor's office?**



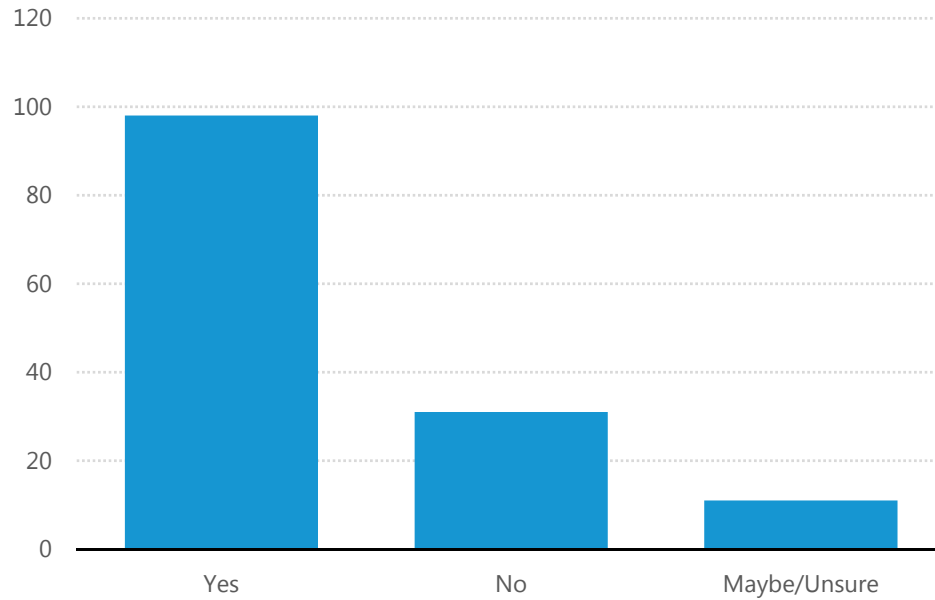
<i>Total Respondents</i>	141	17	158
Yes	120	13	133
No	17	4	21
Maybe/Unsure	4	0	4

2. Does your office have data or records regarding the **number of charges per case at arrest and/or the number of charges at initial charging?**



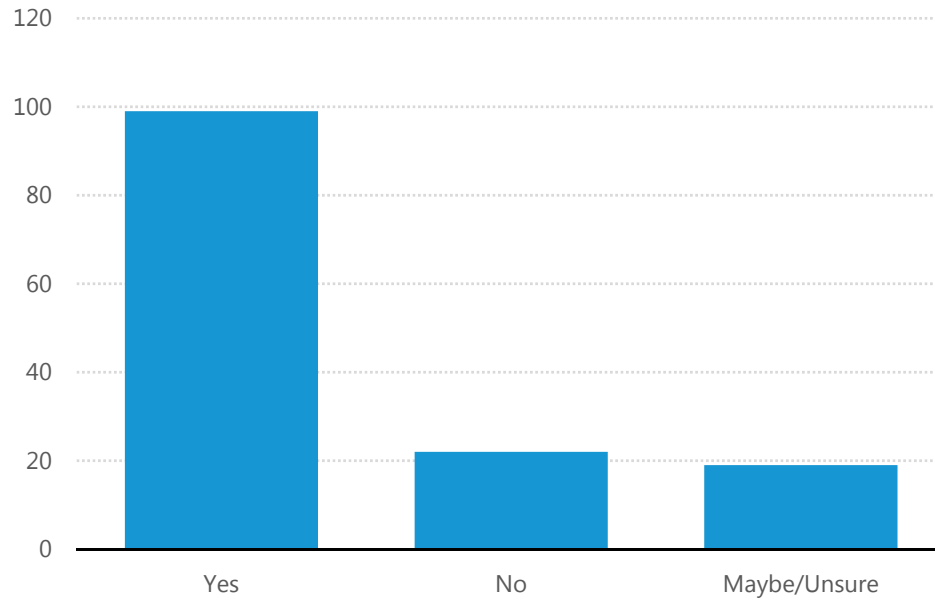
<i>Total Respondents</i>	<i>141</i>
Yes	98
No	27
Maybe/Unsure	16

3. Does your office have data or records regarding the **number of cases declined for prosecution at screening** and/or **the number of cases where charges were filed**?



<i>Total Respondents</i>	<i>140</i>
Yes	98
No	31
Maybe/Unsure	11

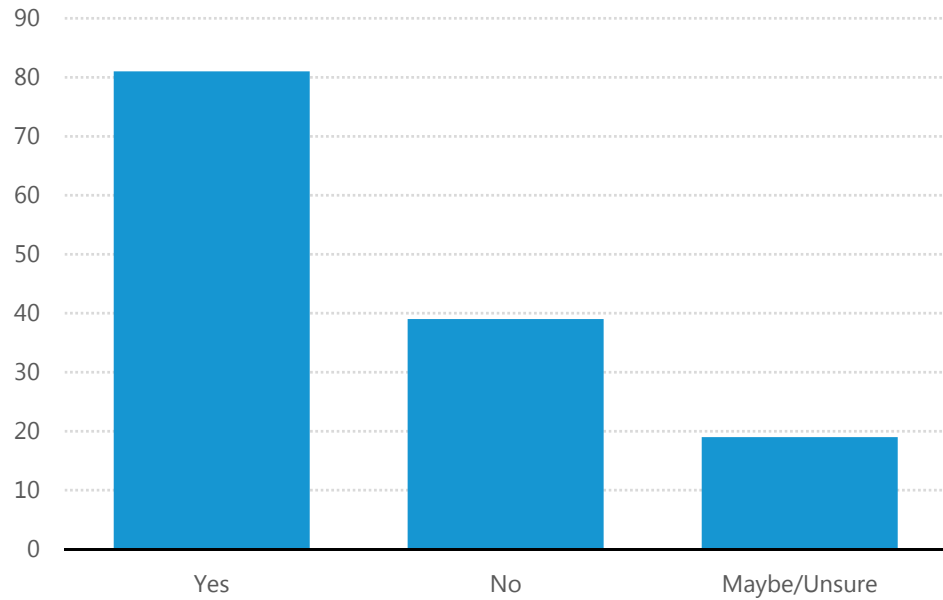
4. Does your office have data or records regarding the **number of juvenile cases filed in adult/criminal court?**



<i>Total Respondents</i>	<i>140</i>
Yes	99
No	22
Maybe/Unsure	19

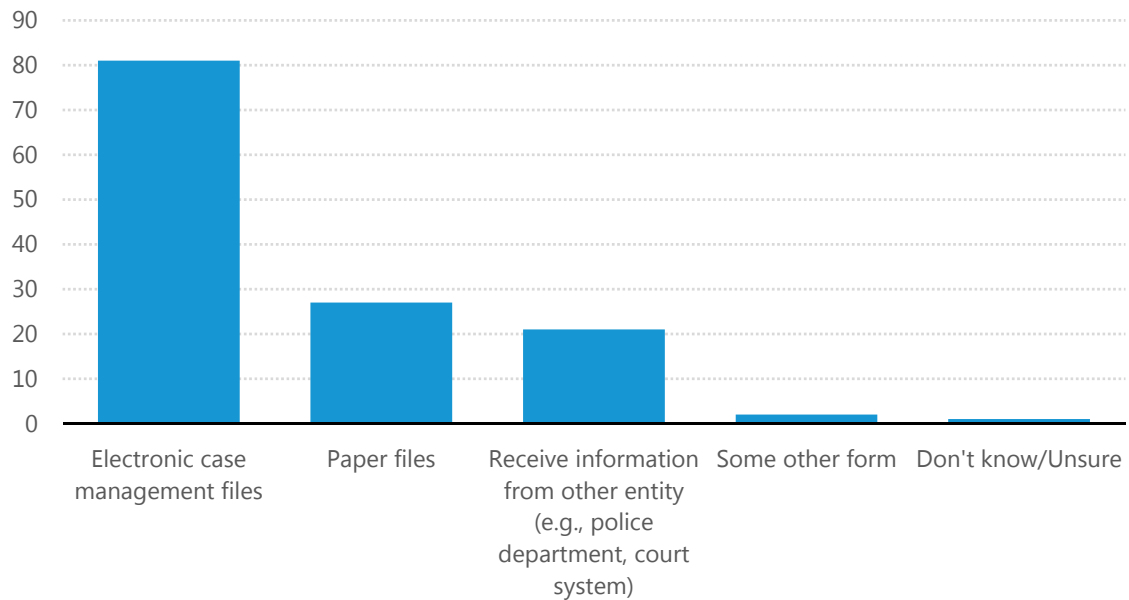


5. Does your office have data or records regarding the **number of cases that included any enhancement charges** (e.g., habitual offender)?



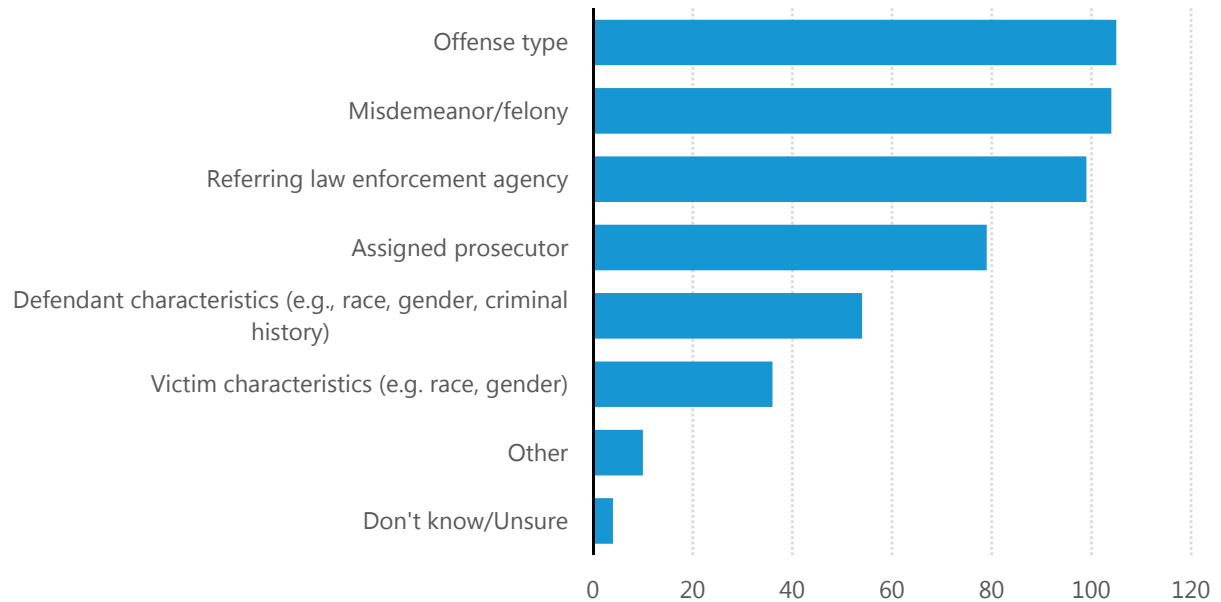
<i>Total Respondents</i>	139
Yes	81
No	39
Maybe/Unsure	19

6a. For any questions 1-5 above about screening and charging decisions for which the answer was "yes", in what form does your office **mainly** collect this information: *[select the one that is most representative]*



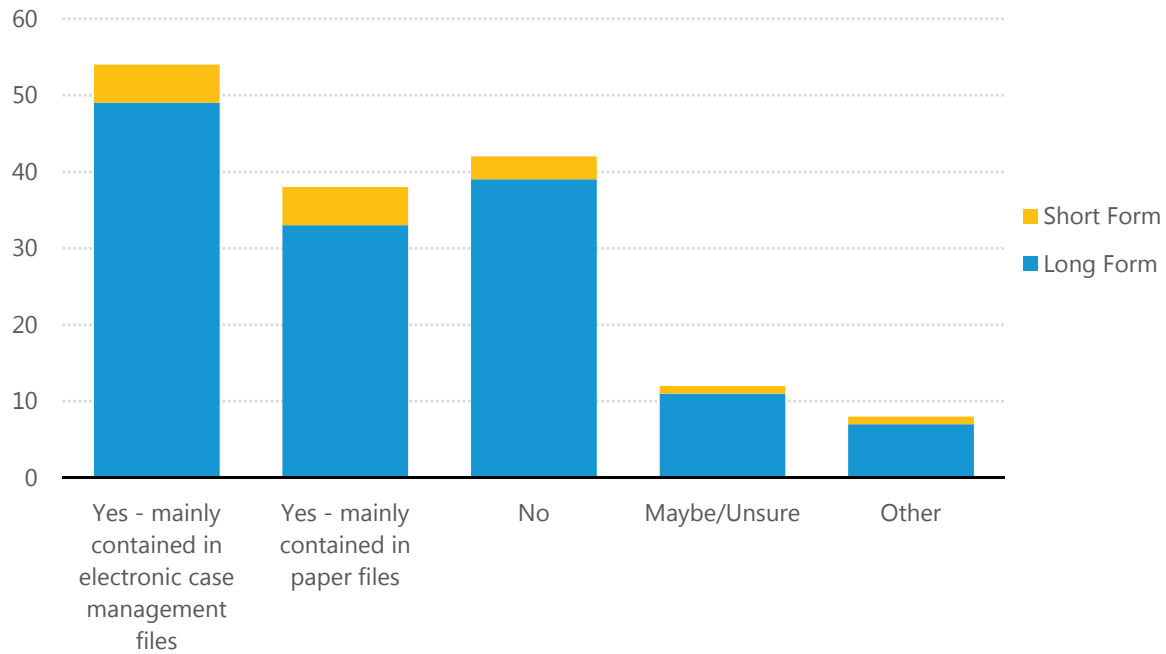
<i>Total Respondents</i>	<i>132</i>
Electronic case management files	81
Paper files	27
Receive information from other entity (e.g., police department, court system)	21
Some other form	2
Don't know/Unsure	1

6c. For any questions 1-5 above about screening and charging decisions for which the answer was "yes", does your office collect this information by any of the following: *[check all that apply]*



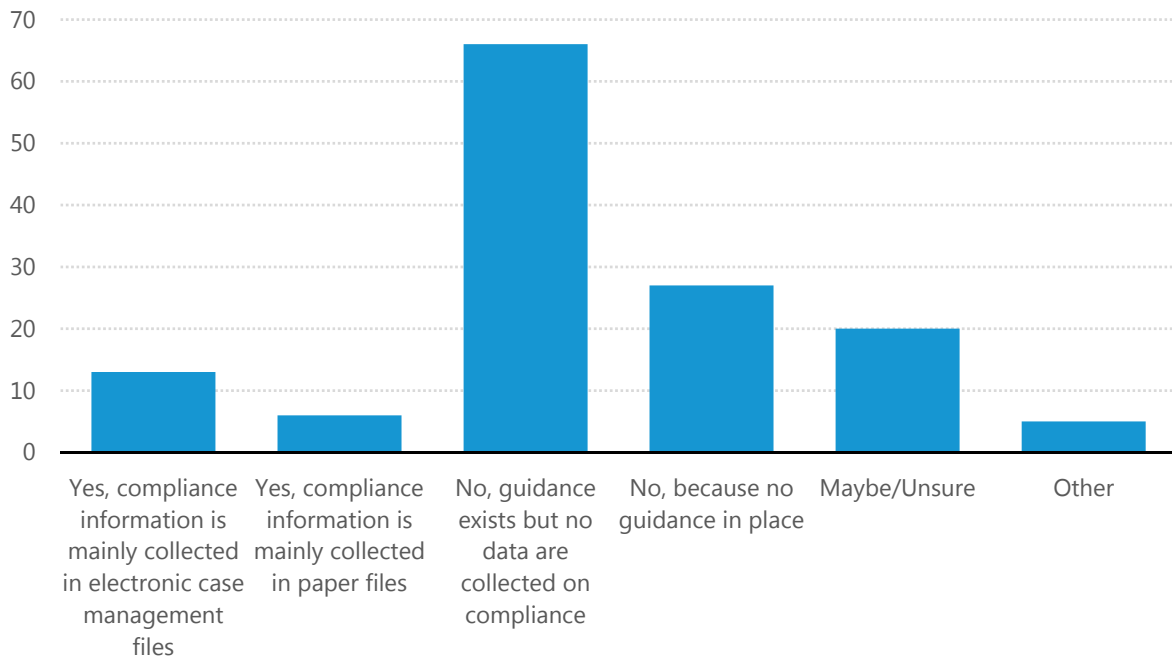
<i>Total Respondents</i>	129
Offense type	105
Misdemeanor/felony	104
Referring law enforcement agency	99
Assigned prosecutor	79
Defendant characteristics (e.g., race, gender, criminal history)	54
Victim characteristics (e.g. race, gender)	36
Other	10
Don't know/Unsure	4

7. Does your office collect information on the **reasons for declinations** (e.g., strength of evidence, witness credibility, seriousness of arrest, risk assessment, internal intelligence database/information)?



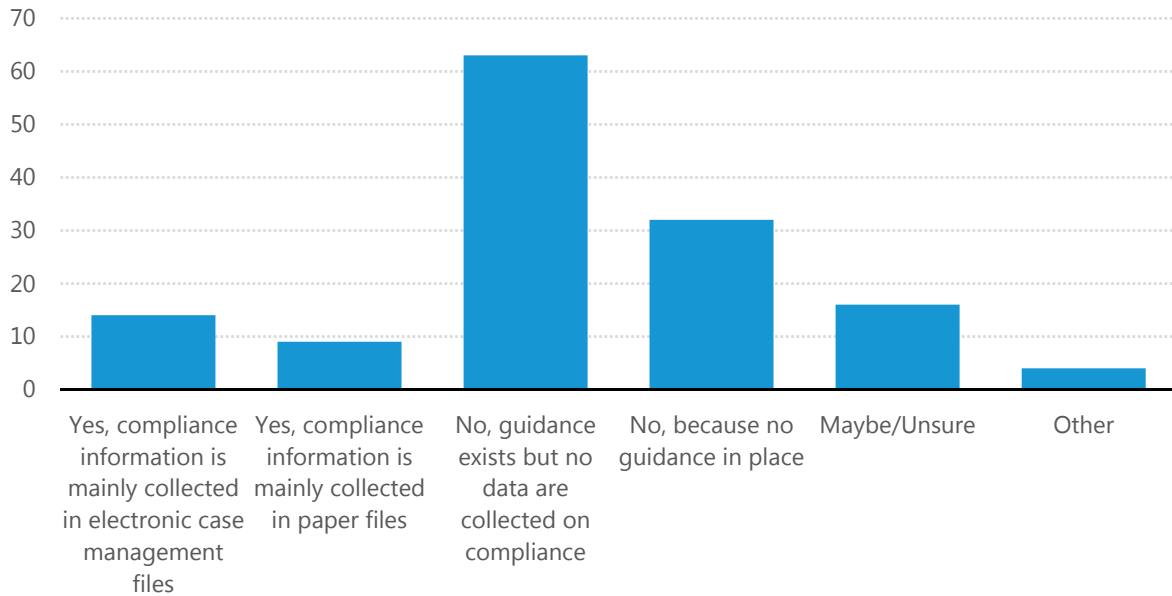
<i>Total Respondents</i>	139	15	154
Yes - mainly contained in electronic case management files	49	5	54
Yes - mainly contained in paper files	33	5	38
No	39	3	42
Maybe/Unsure	11	1	12
Other	7	1	8

8. Does your office collect information on the **compliance with guidance or office policies regarding the decision to file or not file charges?**



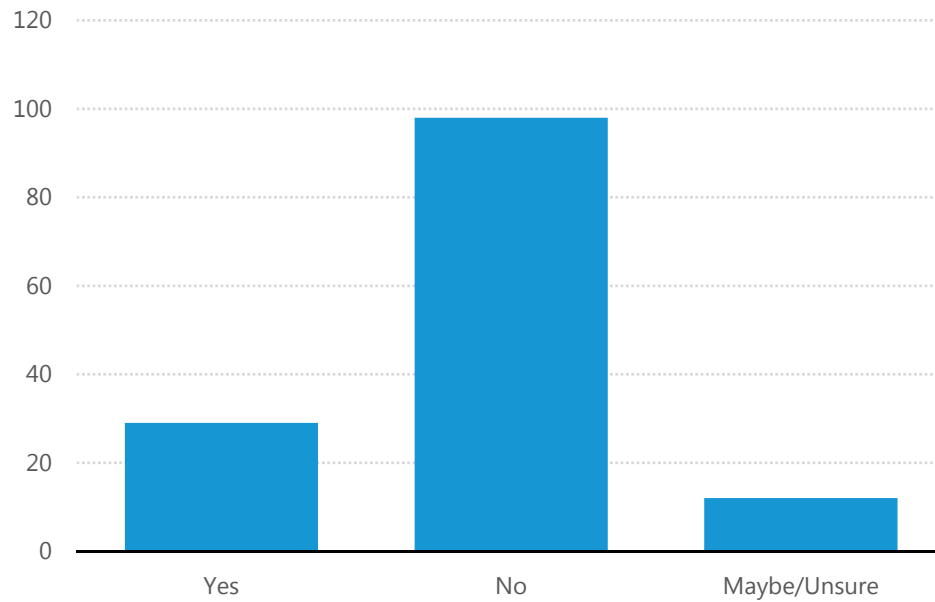
<i>Total Respondents</i>	<i>137</i>
Yes, compliance information is mainly collected in electronic case management files	13
Yes, compliance information is mainly collected in paper files	6
No, guidance exists but no data are collected on compliance	66
No, because no guidance in place	27
Maybe/Unsure	20
Other	5

9. Does your office collect information on the **compliance with guidance regarding the type, level, or number of charges that are filed in a case?**



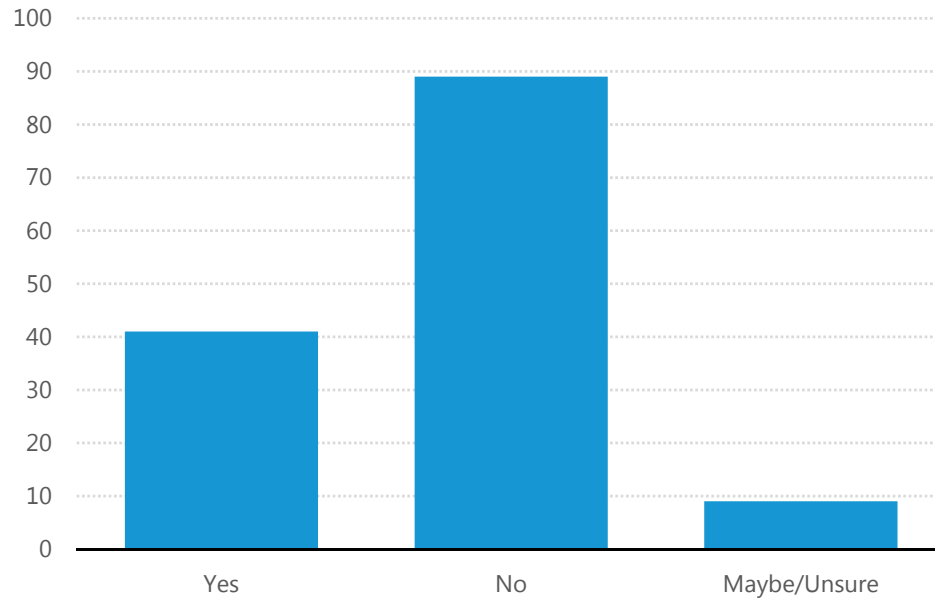
<i>Total Respondents</i>	<i>138</i>
Yes, compliance information is mainly collected in electronic case management files	14
Yes, compliance information is mainly collected in paper files	9
No, guidance exists but no data are collected on compliance	63
No, because no guidance in place	32
Maybe/Unsure	16
Other	4

10. Does your office have data or records regarding the **number of cases where the prosecutor recommended own/personal recognizance (nonmonetary release), bail/bond, or no bail for pretrial release?**



<i>Total Respondents</i>	139
Yes	29
No	98
Maybe/Unsure	12

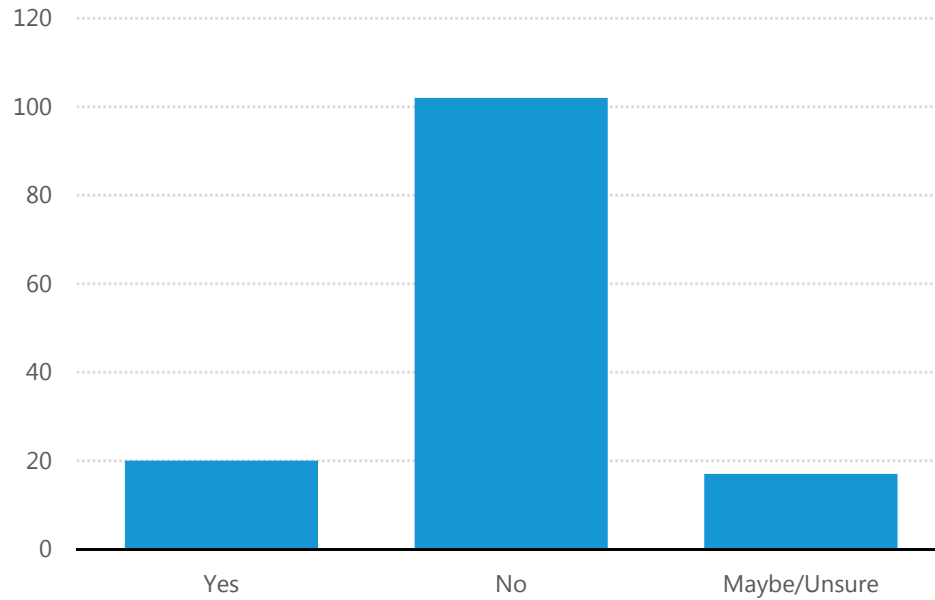
11. Does your office have data or records regarding the **number of cases where the prosecutor recommends pretrial supervision?**



<i>Total Respondents</i>	139
Yes	41
No	89
Maybe/Unsure	9

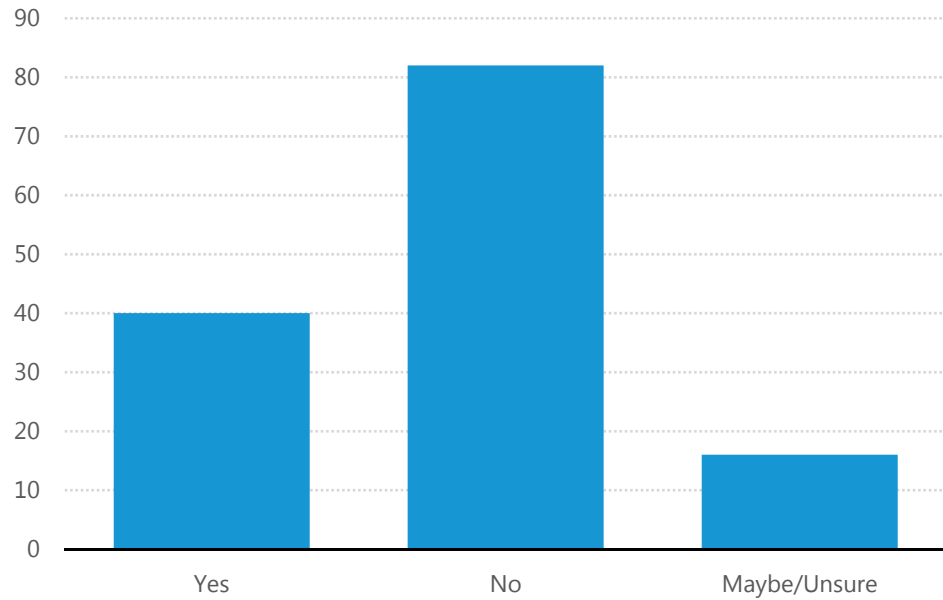


12. Does your office have data or records regarding the **number of cases where the judge deviates from the prosecutor's pretrial release recommendation?**



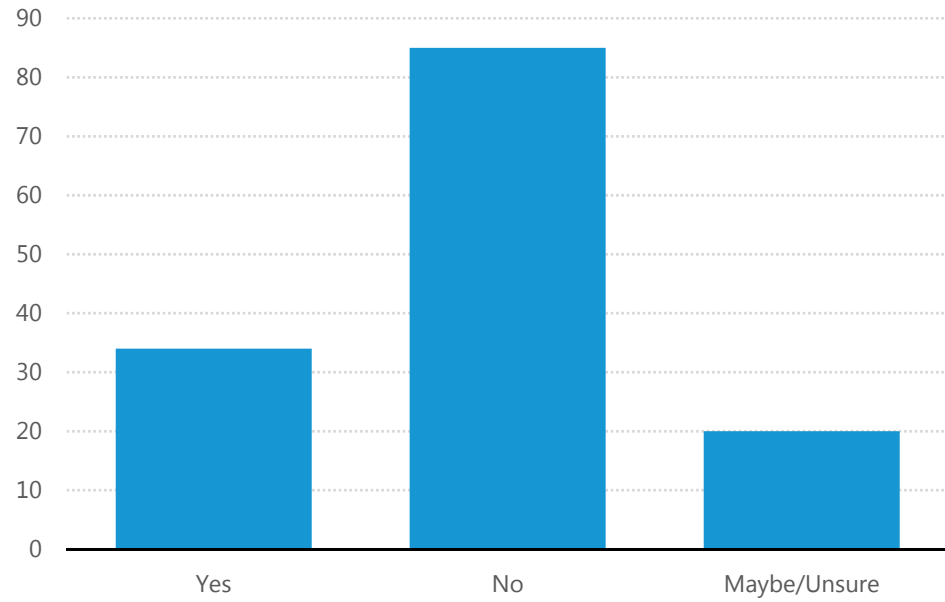
<i>Total Respondents</i>	139
Yes	20
No	102
Maybe/Unsure	17

13. Does your office have data or records regarding the **number of defendants held in pretrial detention between arraignment and sentencing**?



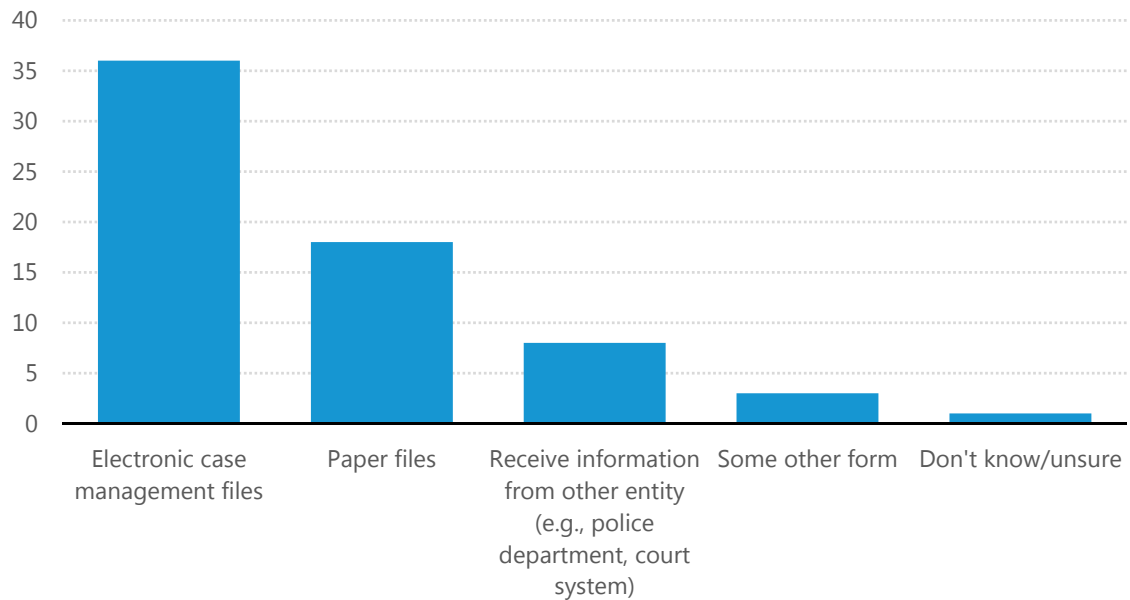
<i>Total Respondents</i>	138
Yes	40
No	82
Maybe/Unsure	16

14. Does your office have data or records regarding the **number of defendants on pretrial supervision**?



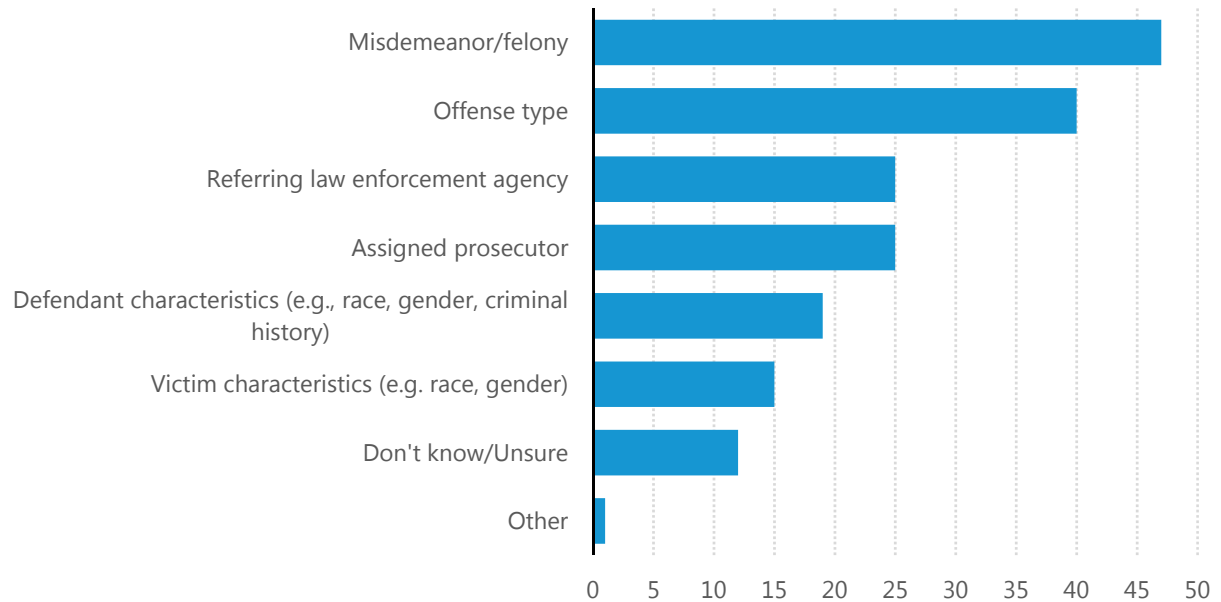
<i>Total Respondents</i>	139
Yes	34
No	85
Maybe/Unsure	20

15a. For questions 10-14 above about pretrial release decision-making for which the answer was "yes", in what form does your office **mainly** collect this information: *[select the one that is most representative]*



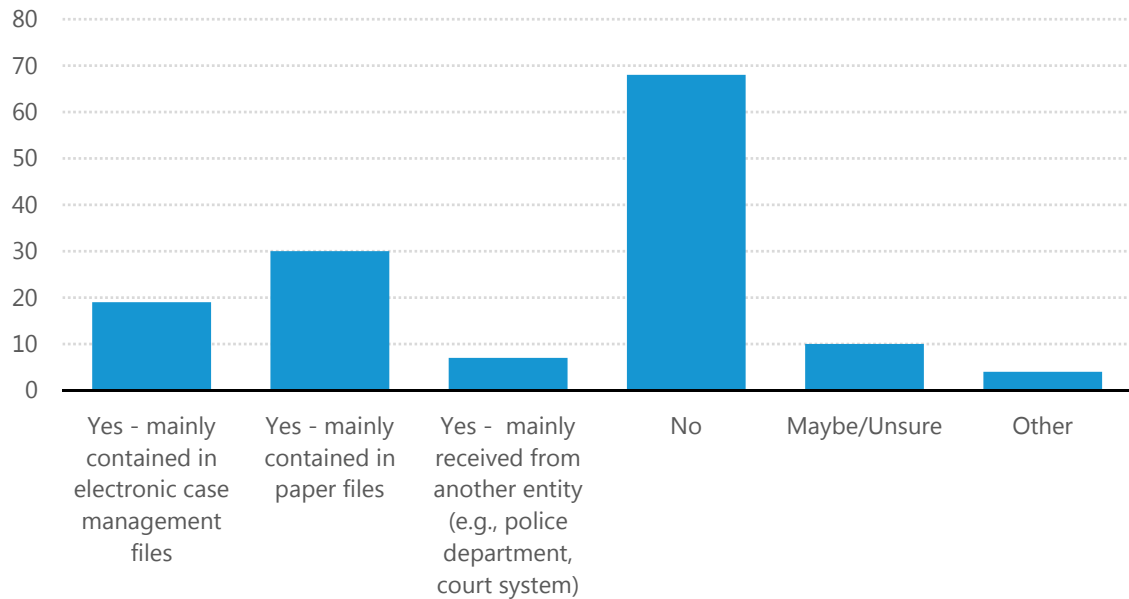
<i>Total Respondents</i>	66
Electronic case management files	36
Paper files	18
Receive information from other entity (e.g., police department, court system)	8
Some other form	3
Don't know/unsure	1

15c. For any questions 10-14 above about pretrial release decision-making for which the answer was "yes", does your office collect this information by any of the following: *[check all that apply]*



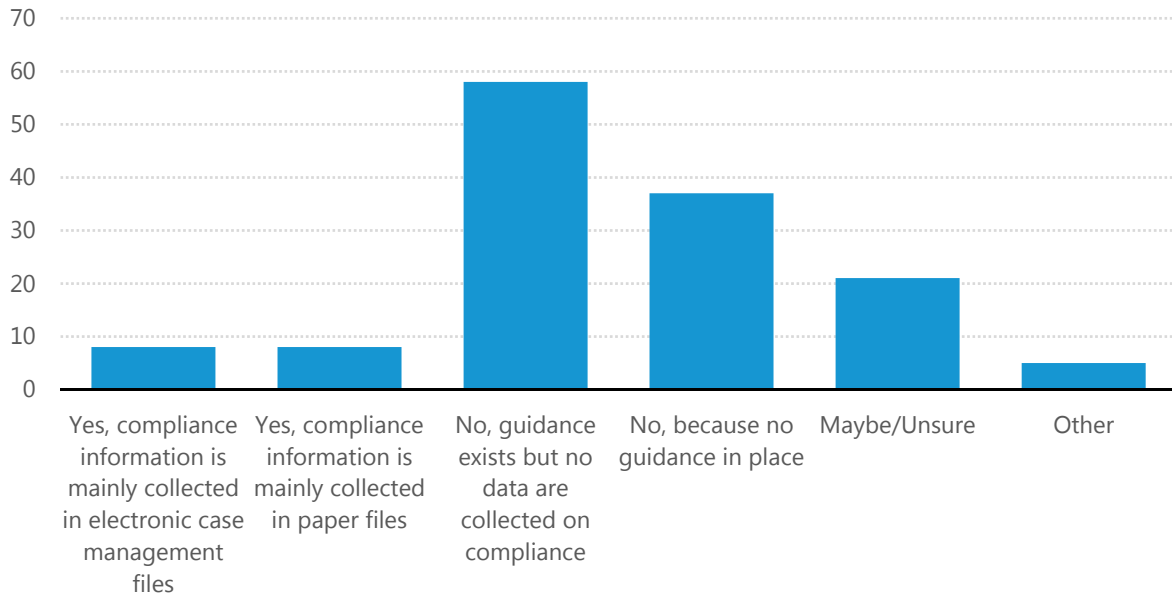
<i>Total Respondents</i>	60
Misdemeanor/felony	47
Offense type	40
Assigned prosecutor	25
Referring law enforcement agency	25
Defendant characteristics (e.g., race, gender, criminal history)	19
Victim characteristics (e.g. race, gender)	15
Don't know/Unsure	12
Other	1

16. Does your office collect information on the **reasons for a bail recommendation**?



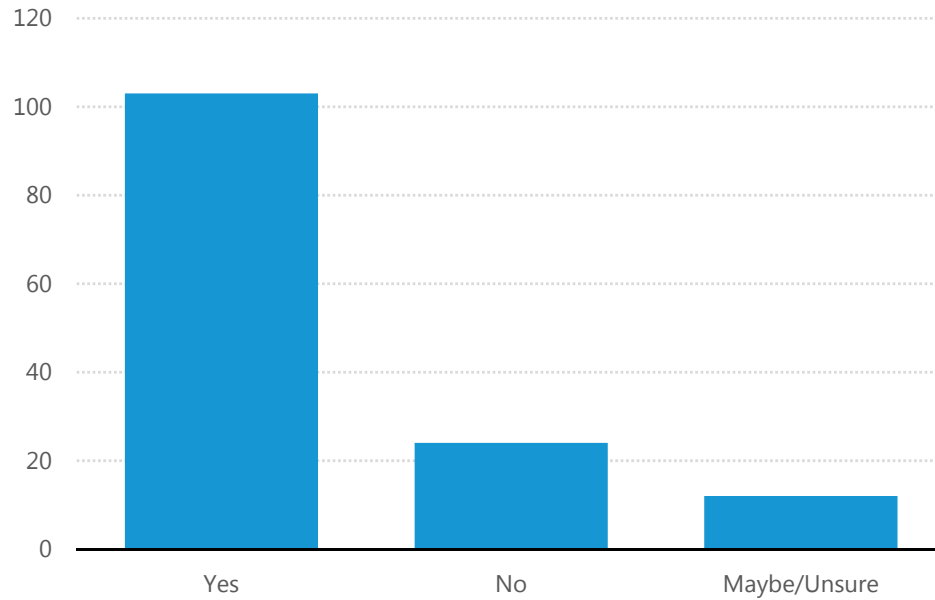
<i>Total Respondents</i>	138
Yes - mainly contained in electronic case management files	19
Yes - mainly contained in paper files	30
Yes - mainly received from another entity (e.g., police department, court system)	7
No	68
Maybe/Unsure	10
Other	4

17. Does your office collect information on the **compliance with guidance, tools, or other requirements about pretrial release decisions?**



<i>Total Respondents</i>	<i>137</i>
Yes, compliance information is mainly collected in electronic case management files	8
Yes, compliance information is mainly collected in paper files	8
No, guidance exists but no data are collected on compliance	58
No, because no guidance in place	37
Maybe/Unsure	21
Other	5

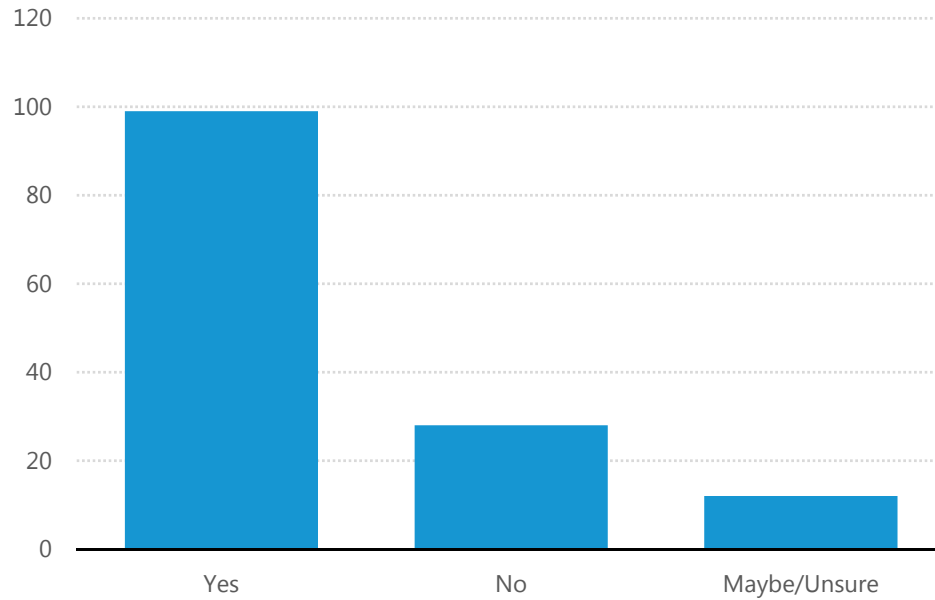
18. Does your office have data or records on the **number of cases disposed to diversion programs**?



<i>Total Respondents</i>	139
Yes	103
No	24
Maybe/Unsure	12

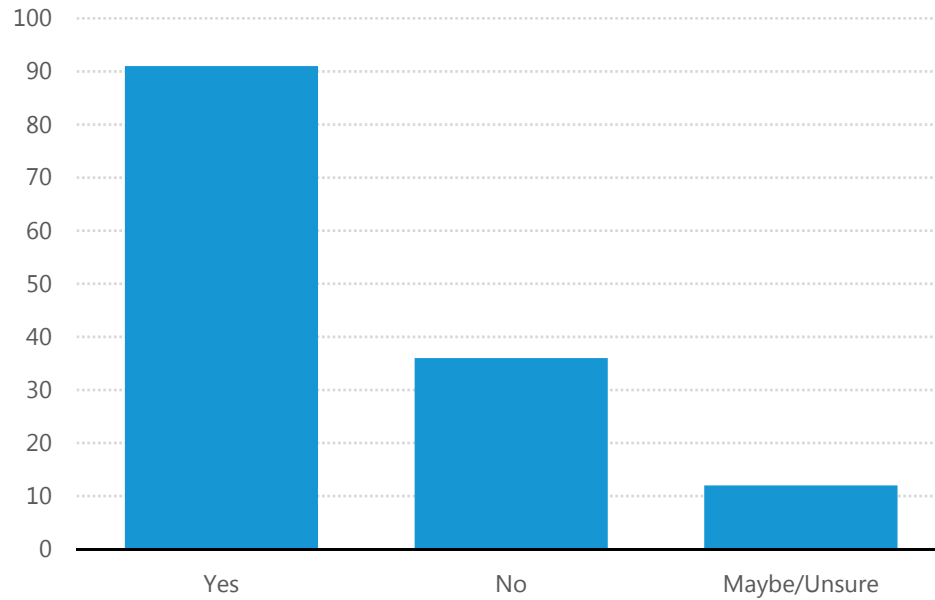


19. Does your office have data or records on the **number of cases handled by alternative or problem-solving courts** (e.g., drug courts, mental health courts, veterans courts)?



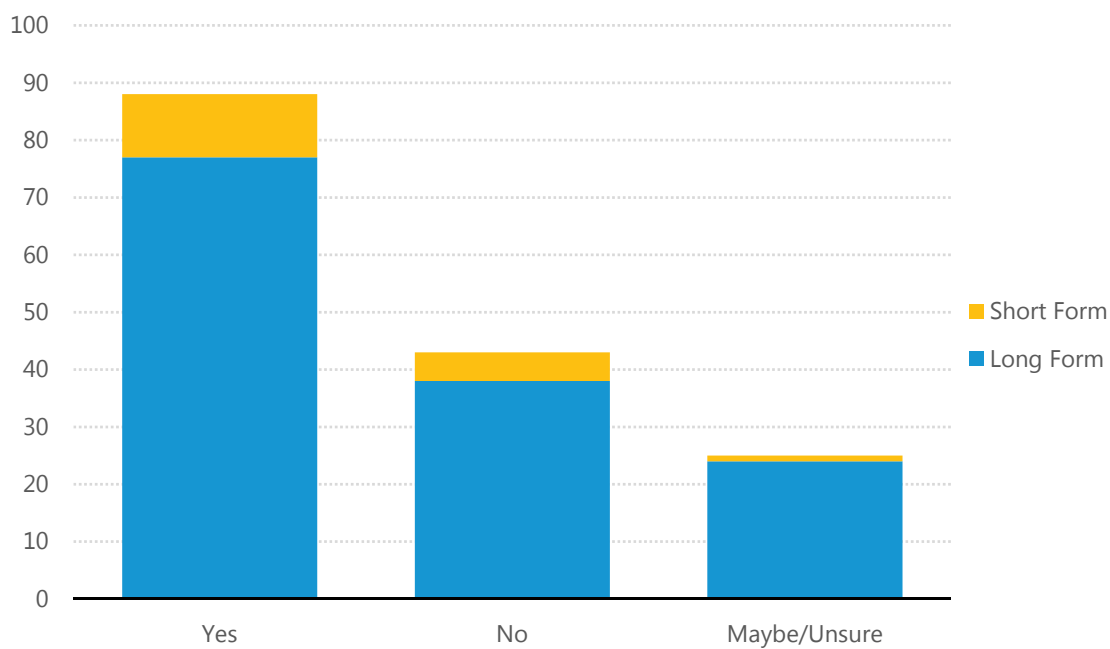
<i>Total Respondents</i>	139
Yes	99
No	28
Maybe/Unsure	12

20. Does your office have data or records on the **number of cases deferred**? This could include cases categorized as “deferred prosecution” and/or “deferred adjudication.”



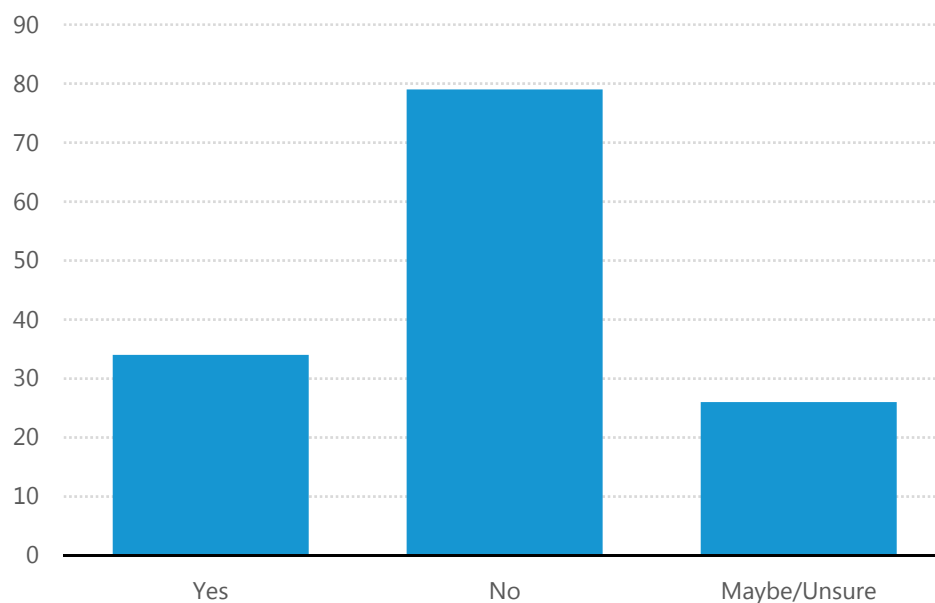
<i>Total Respondents</i>	<i>139</i>
Yes	91
No	36
Maybe/Unsure	12

21. For any of these alternative options, does your office have data or records on the **number of cases that end with successful or unsuccessful completion of the diversion, problem-solving court, or deferred option?**



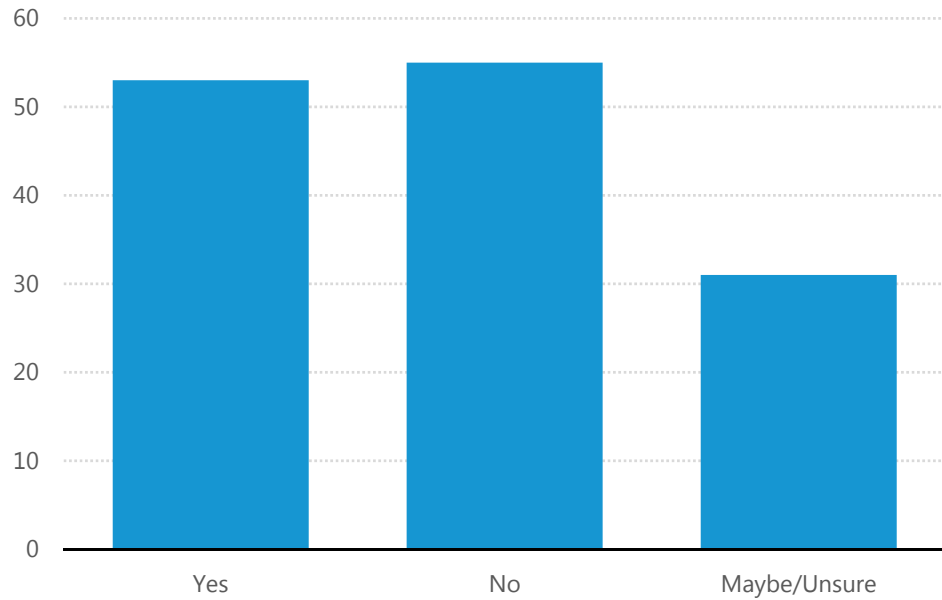
	Long Form	Short Form	Total
<i>Total Respondents</i>	139	17	156
Yes	77	11	88
No	38	5	43
Maybe/Unsure	24	1	25

22. For any of these alternative options, does your office have data or records on the **average time elapsed between the decision to impose an alternative option and the completion of that alternative option**? This could include the average time between the decision to defer prosecution and the dismissal of a case; the average length of diversion programs; or the average length of time spent in a problem-solving court.



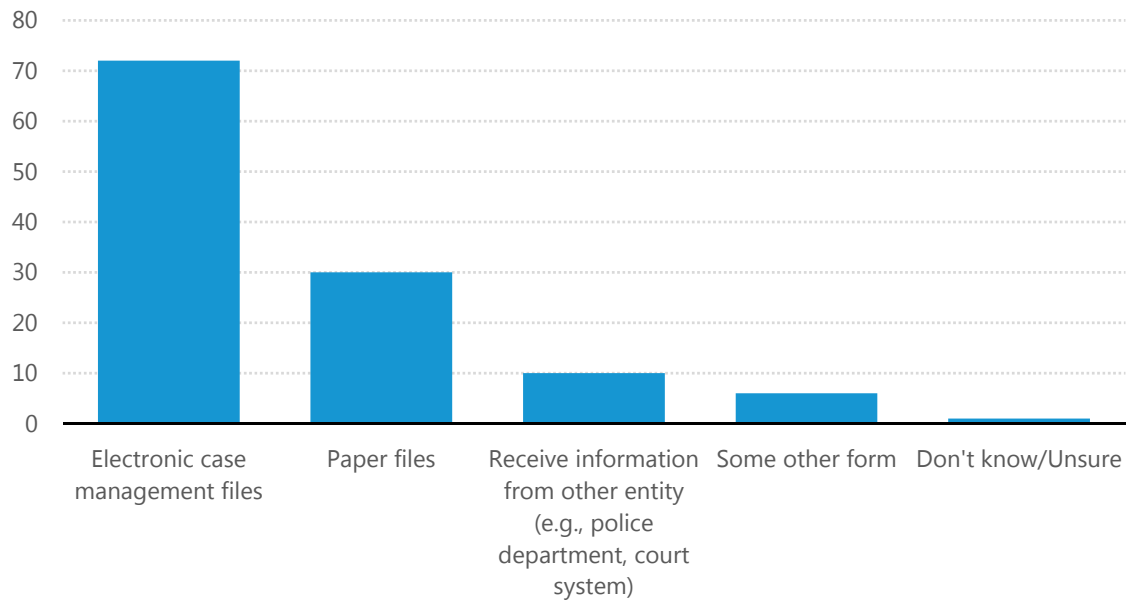
<i>Total Respondents</i>	139
Yes	34
No	79
Maybe/Unsure	26

23. Does your office have data or records on the **case dispositional outcomes** (e.g., incarceration, probation, sentence length) **for cases where the alternative option was not successfully completed?**



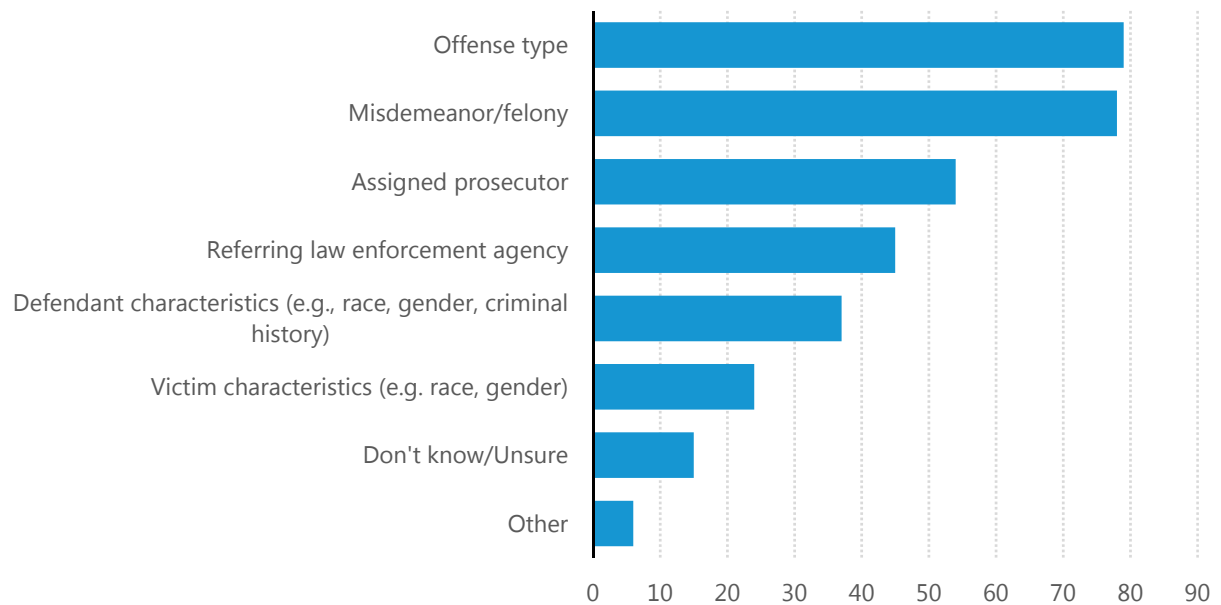
<i>Total Respondents</i>	<i>139</i>
Yes	53
No	55
Maybe/Unsure	31

24a. For any questions 18-23 above about alternative option decisions for which the answer was "yes", in what form does your office **mainly** collect this information: *[select the one that is most representative]*



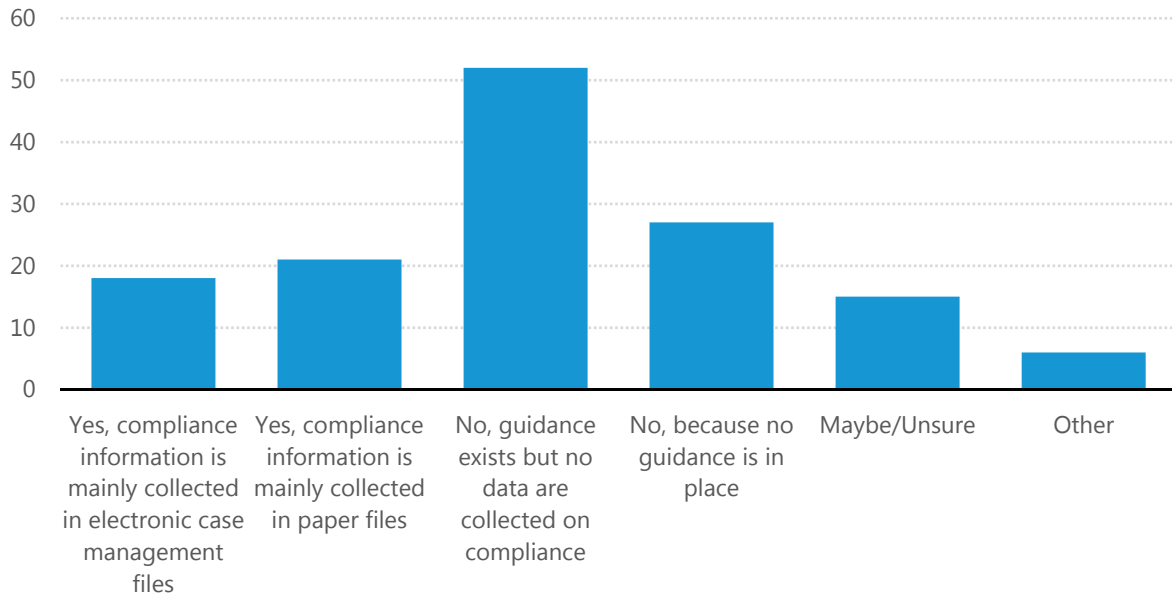
<i>Total Respondents</i>	<i>119</i>
Electronic case management files	72
Paper files	30
Receive information from other entity (e.g., police department, court system)	10
Some other form	6
Don't know/Unsure	1

24c. For any questions 18-23 above about alternative option decisions for which the answer was "yes", does your office collect this information by any of the following: *[check all that apply]*



<i>Total Respondents</i>	<i>111</i>
Offense type	79
Misdemeanor/felony	78
Assigned prosecutor	54
Referring law enforcement agency	45
Defendant characteristics (e.g., race, gender, criminal history)	37
Victim characteristics (e.g. race, gender)	24
Don't know/Unsure	15
Other	6

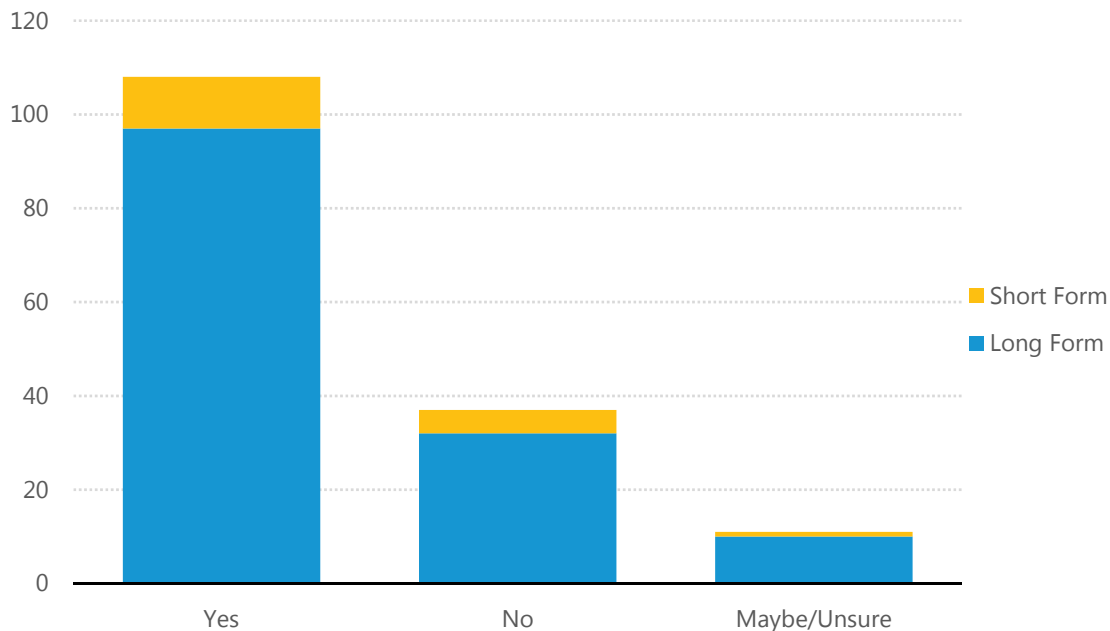
25. Does your office have information on **compliance with prosecution agency criteria that inform which cases should be diverted, referred to a problem-solving court, or deferred?**



<i>Total Respondents</i>	<i>139</i>
Yes, compliance information is mainly collected in electronic case management files	18
Yes, compliance information is mainly collected in paper files	21
No, guidance exists but no data are collected on compliance	52
No, because no guidance is in place	27
Maybe/Unsure	15
Other	6

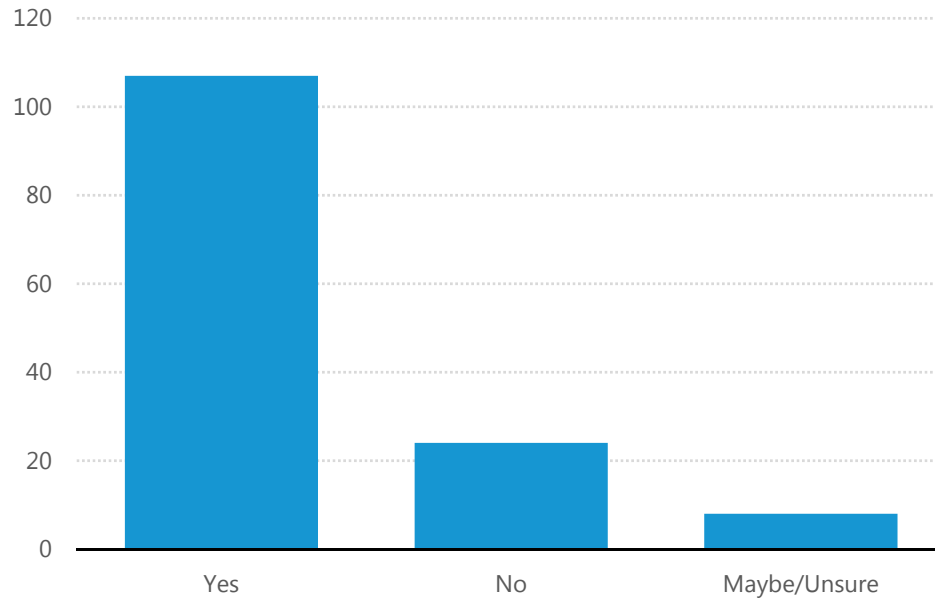


26. Does your office have data or records on the **number of cases resolved by all charges being dismissed by the prosecutor**? *Note: "dismissed by the prosecutor" includes cases that are formally dismissed as well as those officially designated as "no action taken."*



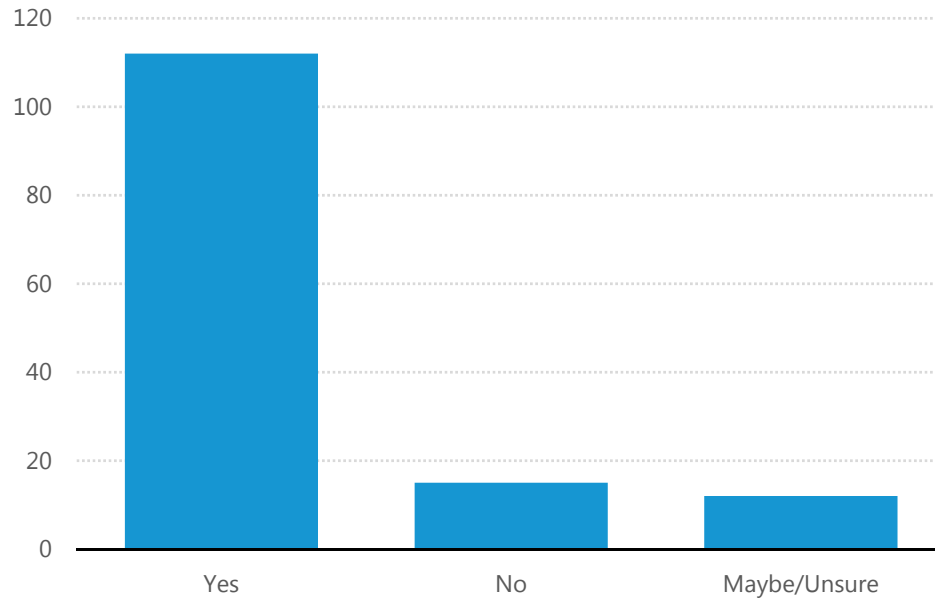
	Long Form	Short Form	Total
Total Respondents	139	17	156
Yes	97	11	108
No	32	5	37
Maybe/Unsure	10	1	11

27. Does your office have data or records on the **number of cases resolved by guilty or no contest plea on at least one charge?**



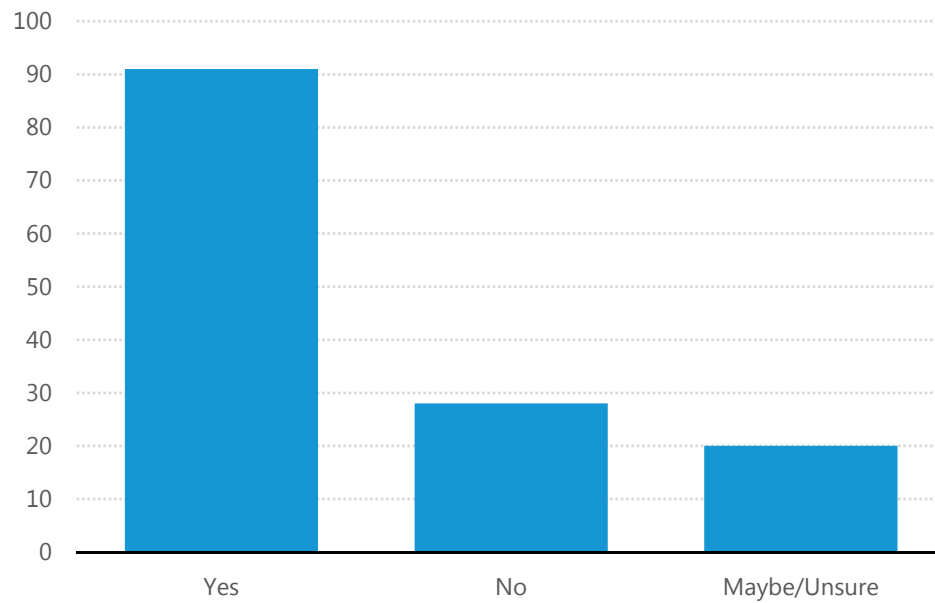
<i>Total Respondents</i>	<i>139</i>
Yes	107
No	24
Maybe/Unsure	8

28. Does your office have data or records on the **number of cases that go to trial and the subsequent disposition**?



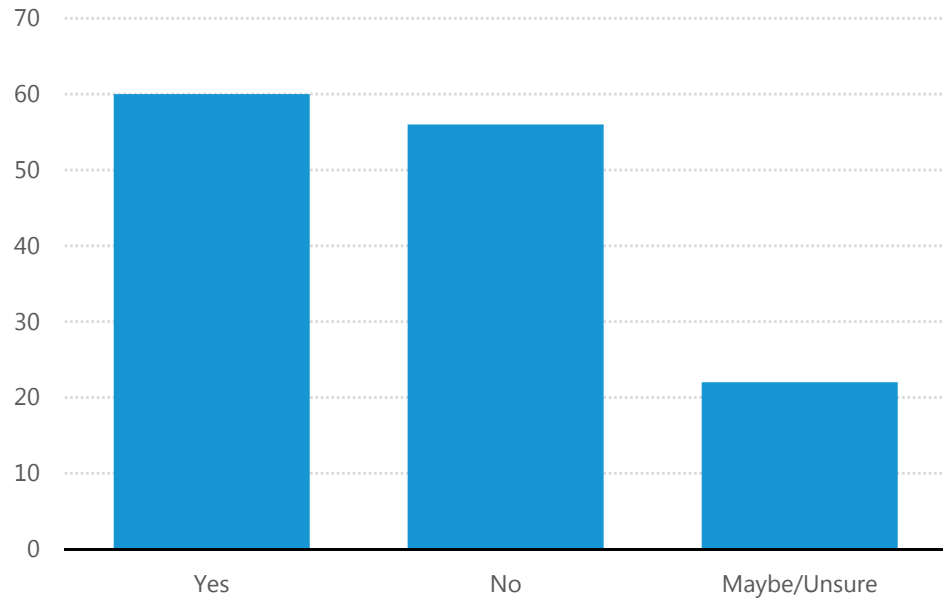
<i>Total Respondents</i>	<i>139</i>
Yes	112
No	15
Maybe/Unsure	12

29. Does your office have data or records on the **final number of charges at disposition**?



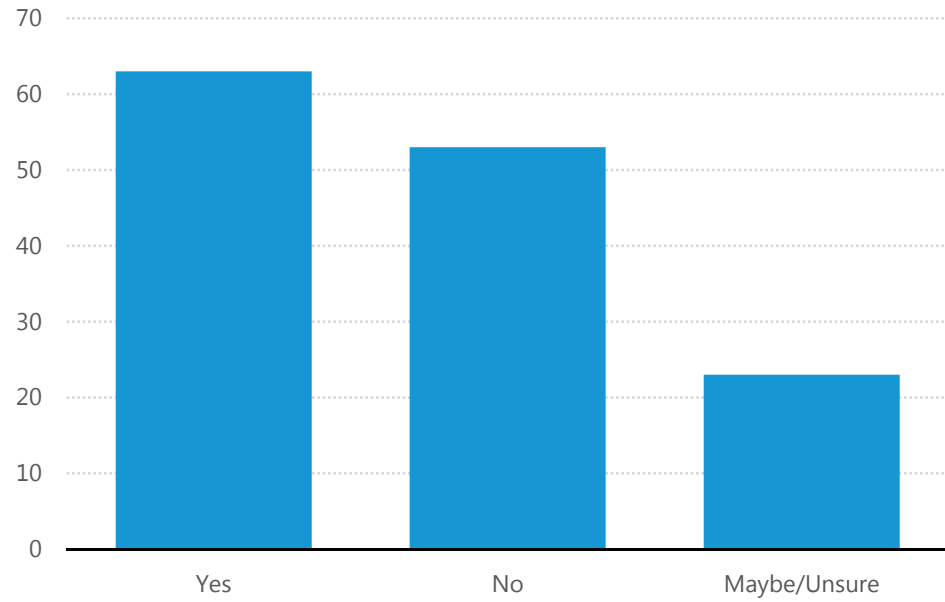
<i>Total Respondents</i>	<i>139</i>
Yes	91
No	28
Maybe/Unsure	20

30. Does your office have data or records on the **number of cases that are recommended for incarceration or probation?**



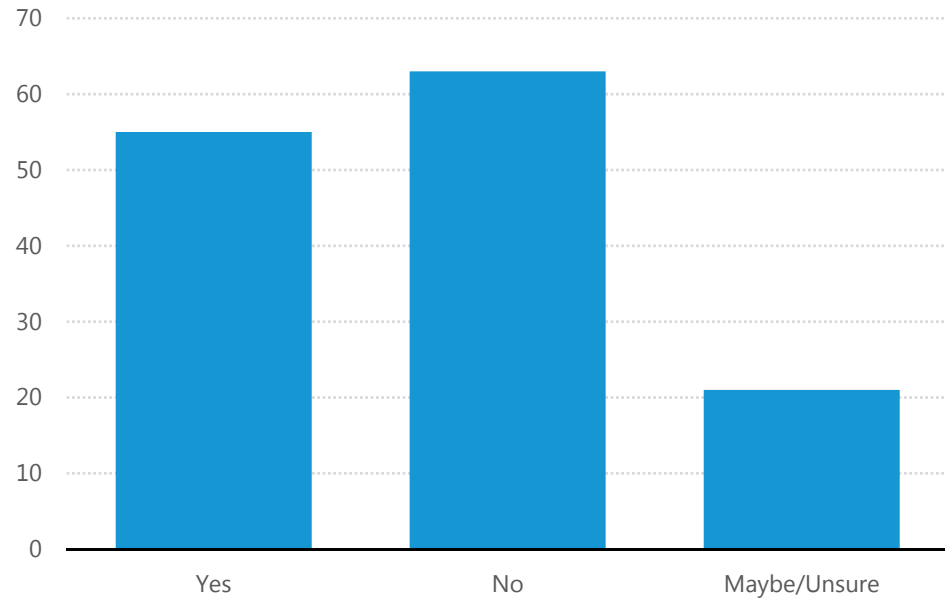
<i>Total Respondents</i>	<i>138</i>
Yes	60
No	56
Maybe/Unsure	22

31. For the cases recommended for incarceration, does your office have data or records on the **recommended sentence length**?



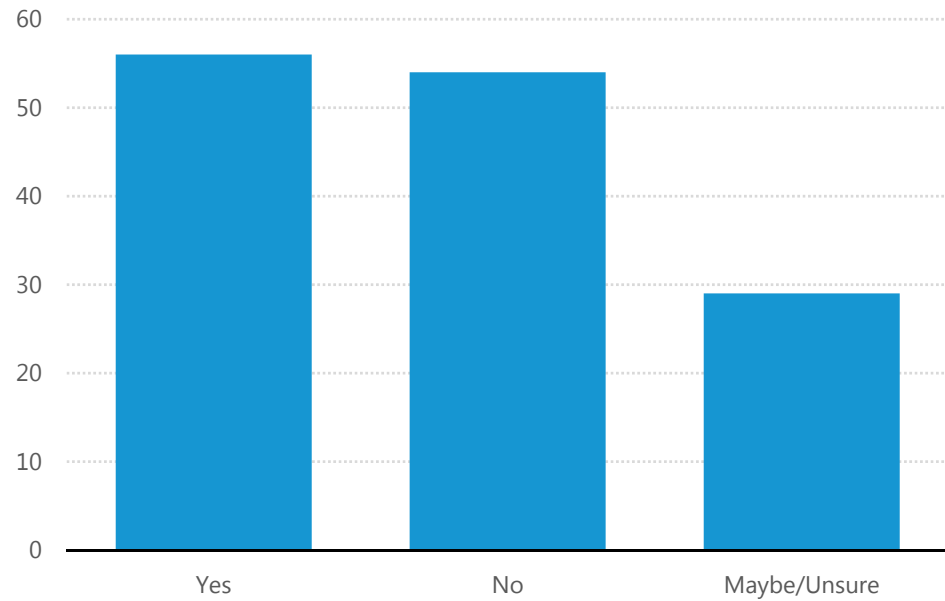
<i>Total Respondents</i>	<i>139</i>
Yes	63
No	53
Maybe/Unsure	23

32. Does your office have data or records on the **fines recommended as part of the case resolution**?



<i>Total Respondents</i>	<i>139</i>
Yes	55
No	63
Maybe/Unsure	21

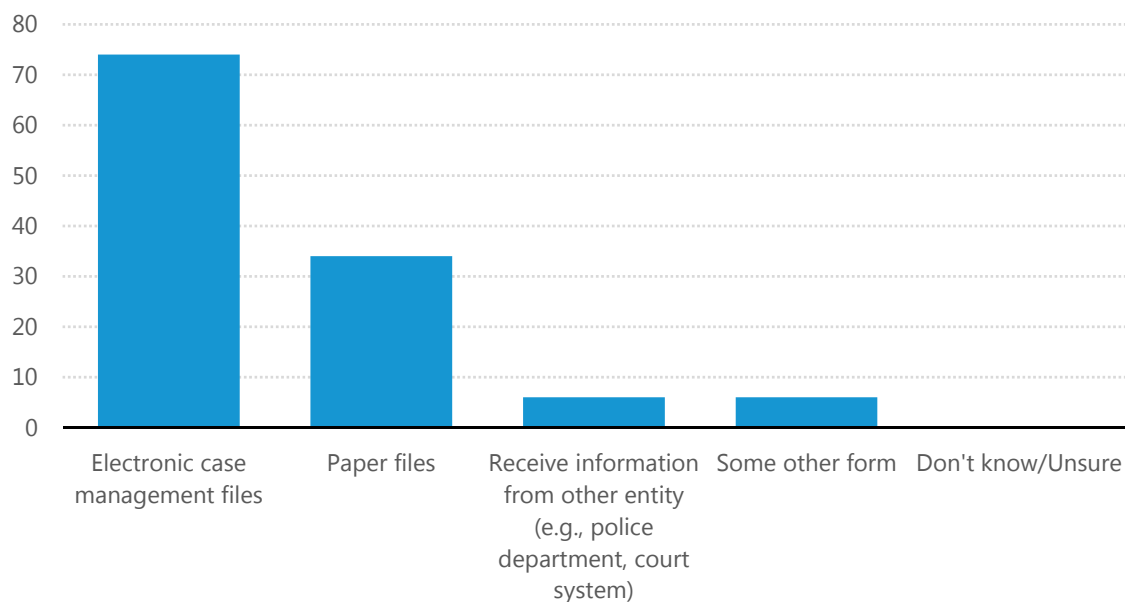
33. Does your office have data or records on the **number of convictions overturned**?



<i>Total Respondents</i>	139
Yes	56
No	54
Maybe/Unsure	29

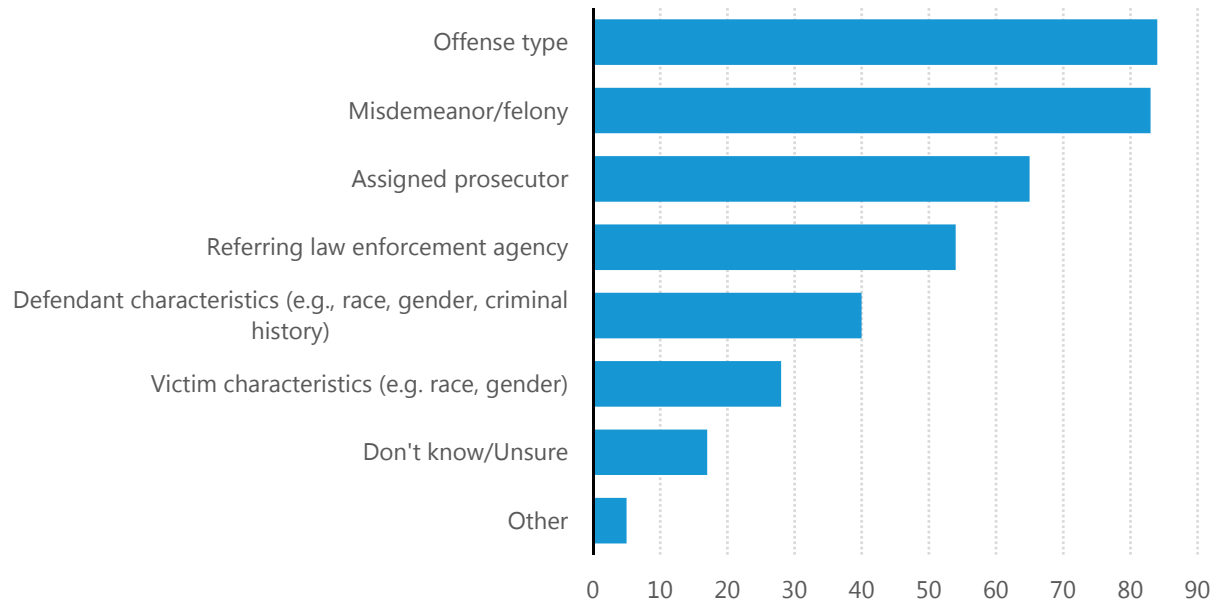


34a. For any questions 26-33 above about plea bargaining or sentencing decisions for which the answer was "yes", in what form does your office **mainly** collect this information: *[select the one that is most representative]*



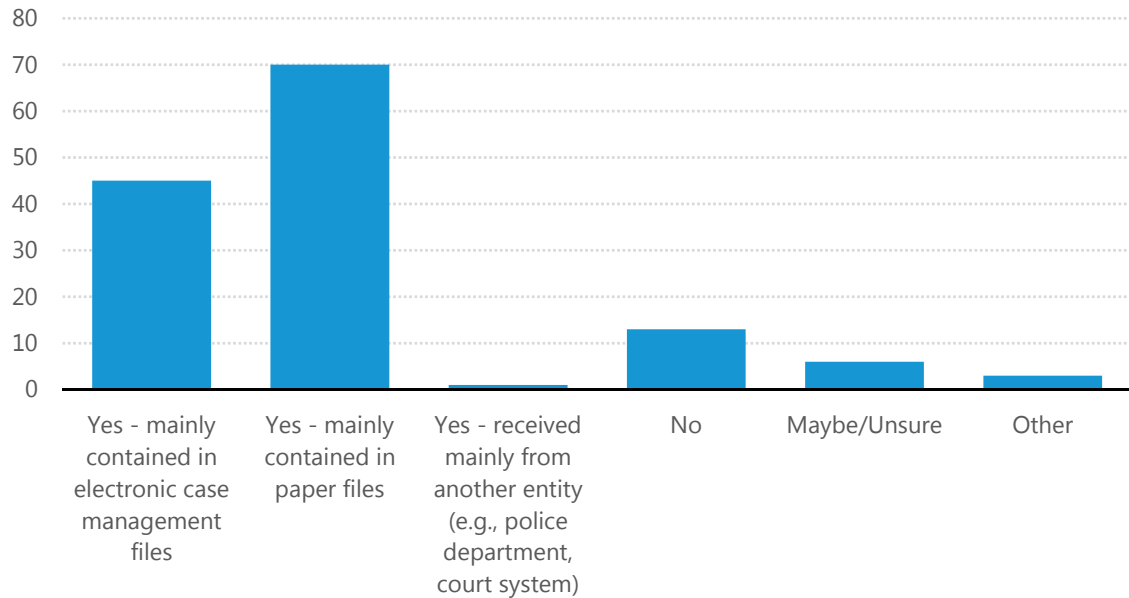
<i>Total Respondents</i>	<i>120</i>
Electronic case management files	74
Paper files	34
Receive information from other entity (e.g., police department, court system)	6
Some other form	6
Don't know/Unsure	0

34c. For any questions 26-33 above about plea bargaining or sentencing decisions for which the answer was "yes", does your office collect this information by any of the following: *[check all that apply]*



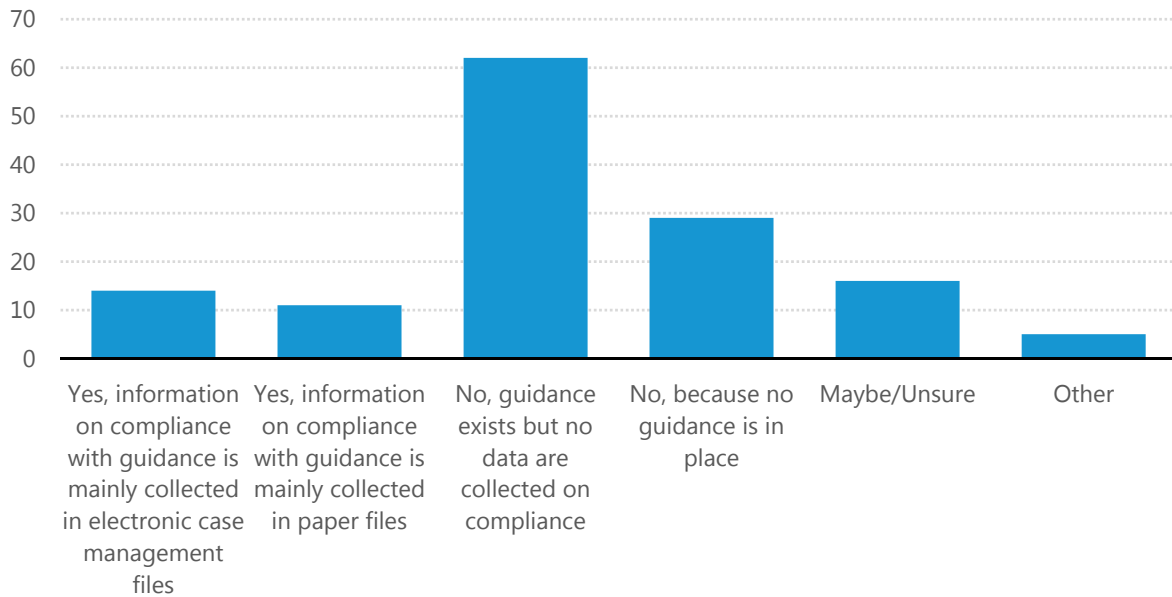
<i>Total Respondents</i>	<i>113</i>
Offense type	84
Misdemeanor/felony	83
Assigned prosecutor	65
Referring law enforcement agency	54
Defendant characteristics (e.g., race, gender, criminal history)	40
Victim characteristics (e.g. race, gender)	28
Don't know/Unsure	17
Other	5

35. Does your office have information on the **reasons for dismissal of any/all charges by the prosecutor?**



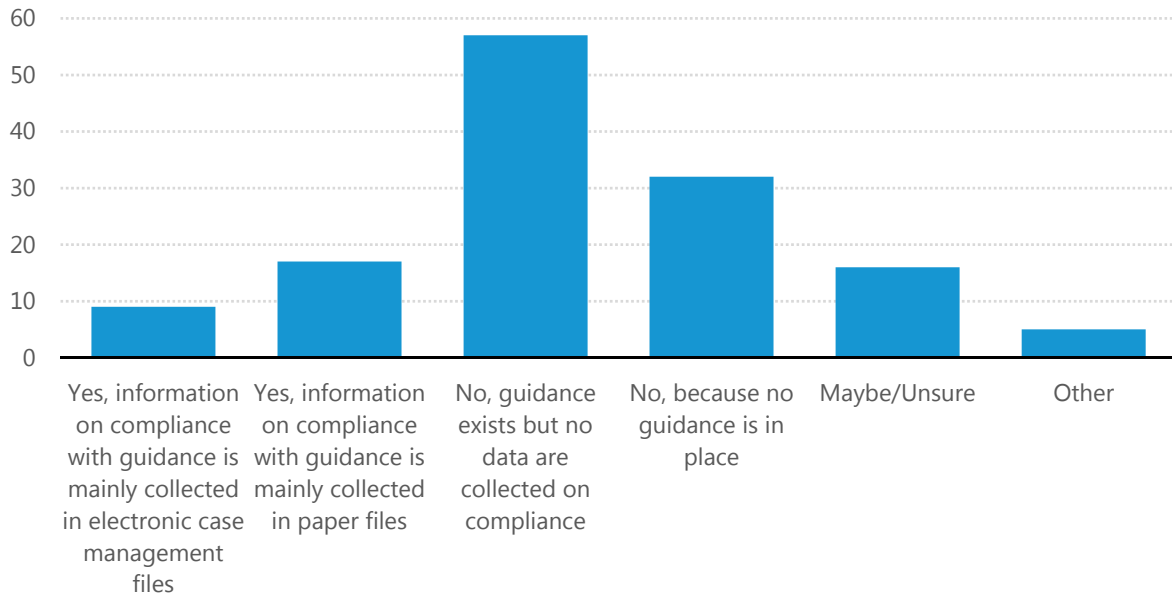
<i>Total Respondents</i>	138
Yes - mainly contained in electronic case management files	45
Yes - mainly contained in paper files	70
Yes - received mainly from another entity (e.g., police department, court system)	1
No	13
Maybe/Unsure	6
Other	3

36. Does your office have information on **compliance with plea bargaining guidance**?



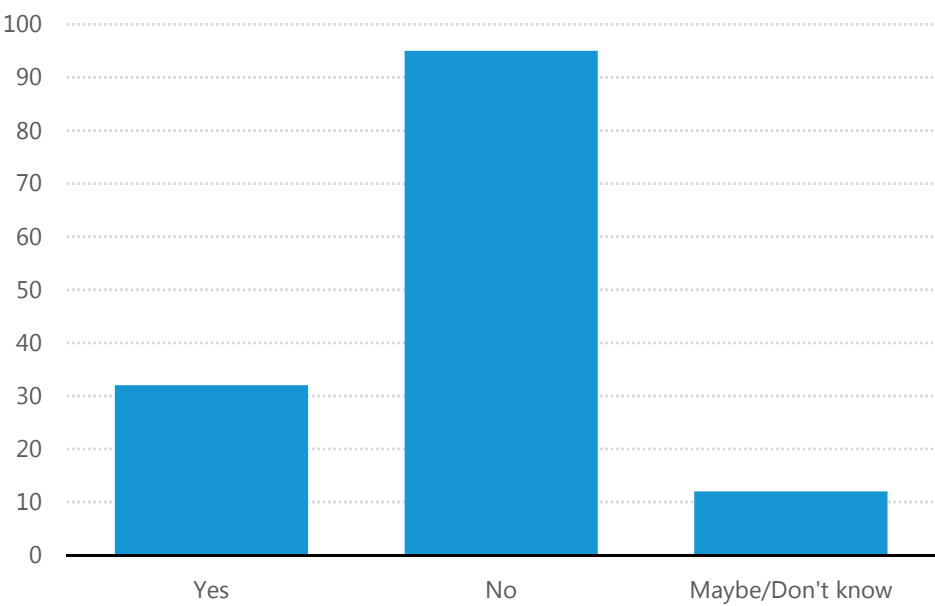
<i>Total Respondents</i>	<i>137</i>
Yes, information on compliance with guidance is mainly collected in electronic case management files	14
Yes, information on compliance with guidance is mainly collected in paper files	11
No, guidance exists but no data are collected on compliance	62
No, because no guidance is in place	29
Maybe/Unsure	16
Other	5

37. Does your office have information on **compliance with guidance on the incarceration, probation, or fine recommendations made by your office as part of the sentencing process?**



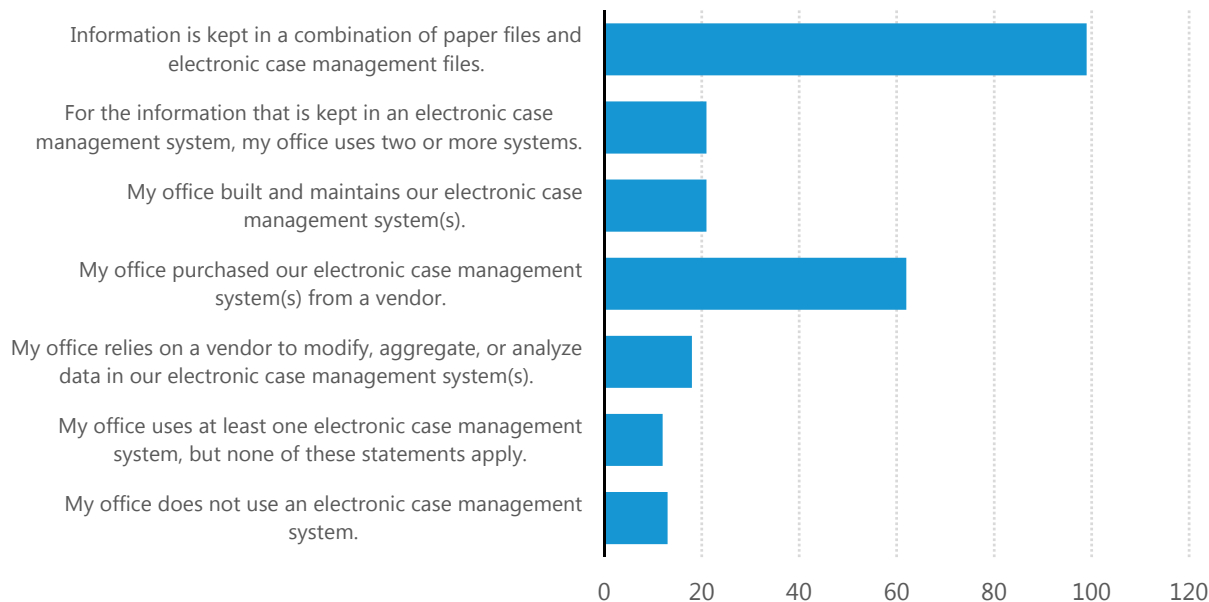
<i>Total Respondents</i>	<i>136</i>
Yes, information on compliance with guidance is mainly collected in electronic case management files	9
Yes, information on compliance with guidance is mainly collected in paper files	17
No, guidance exists but no data are collected on compliance	57
No, because no guidance is in place	32
Maybe/Unsure	16
Other	5

38. Does your office use dashboards or other management approaches that rely on data to measure or assess staff performance?



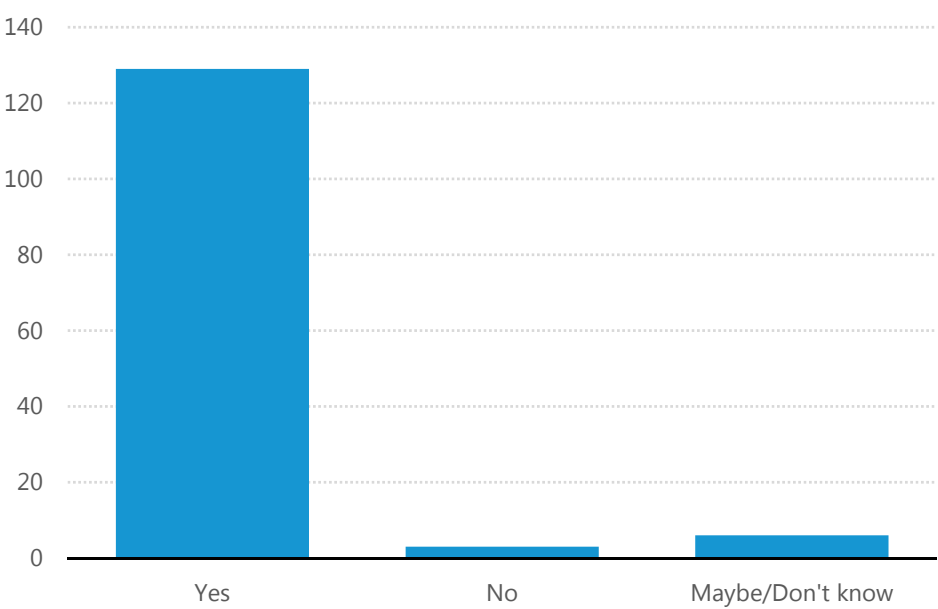
Total Respondents	139
Yes	32
No	95
Maybe/Don't know	12

39. If your office uses at least one electronic case management system, which of the following statements are true for your office? *[check all that apply]*



<i>Total Respondents</i>	<i>137</i>
Information is kept in a combination of paper files and electronic case management files.	99
For the information that is kept in an electronic case management system, my office uses two or more systems.	21
My office built and maintains our electronic case management system(s).	21
My office purchased our electronic case management system(s) from a vendor.	62
My office relies on a vendor to modify, aggregate, or analyze data in our electronic case management system(s).	18
My office uses at least one electronic case management system, but none of these statements apply.	12
My office does not use an electronic case management system.	13

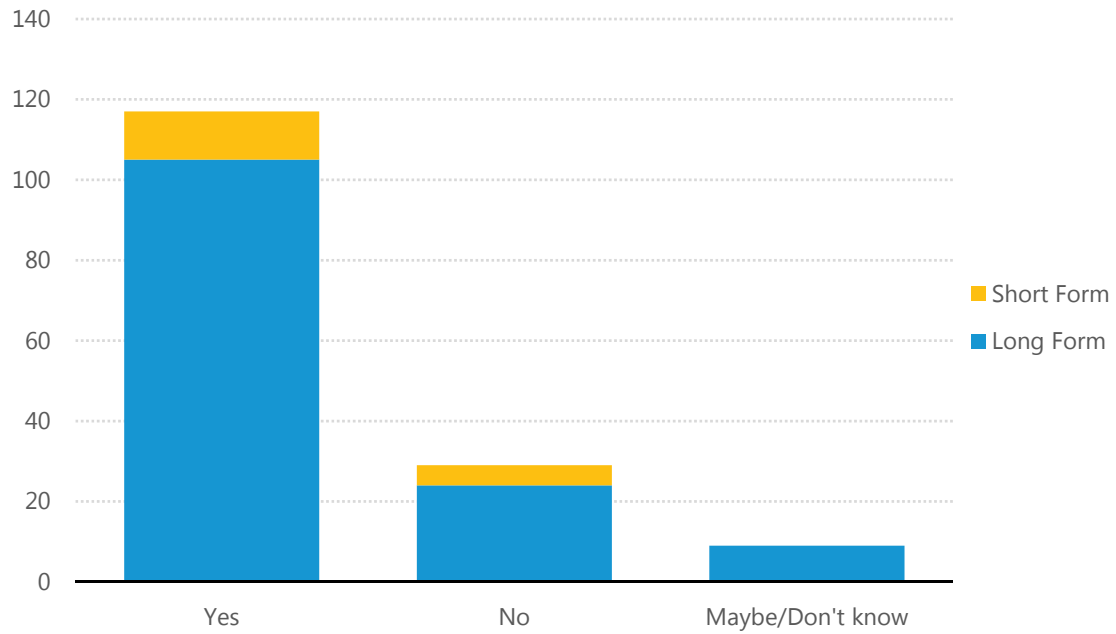
40. Does your office have access to data or records from past years?



<i>Total Respondents</i>	138
Yes	129
No	3
Maybe/Don't know	6

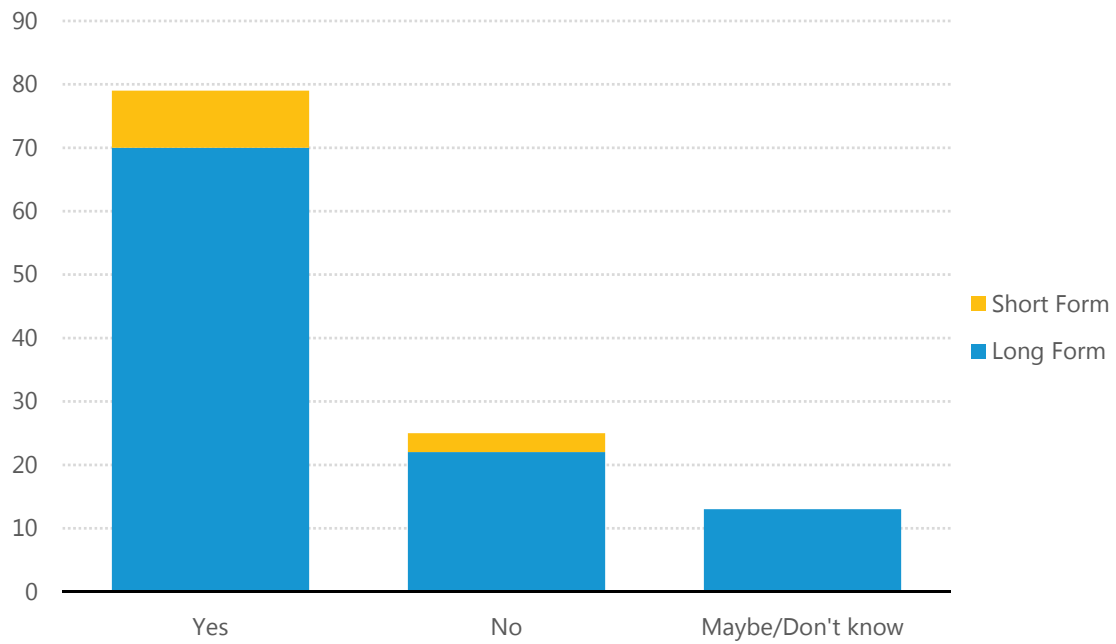


41. Does your office have access to, receive, or use data or records collected and maintained by other criminal justice agencies (e.g., police agencies, corrections agencies, or court systems)?



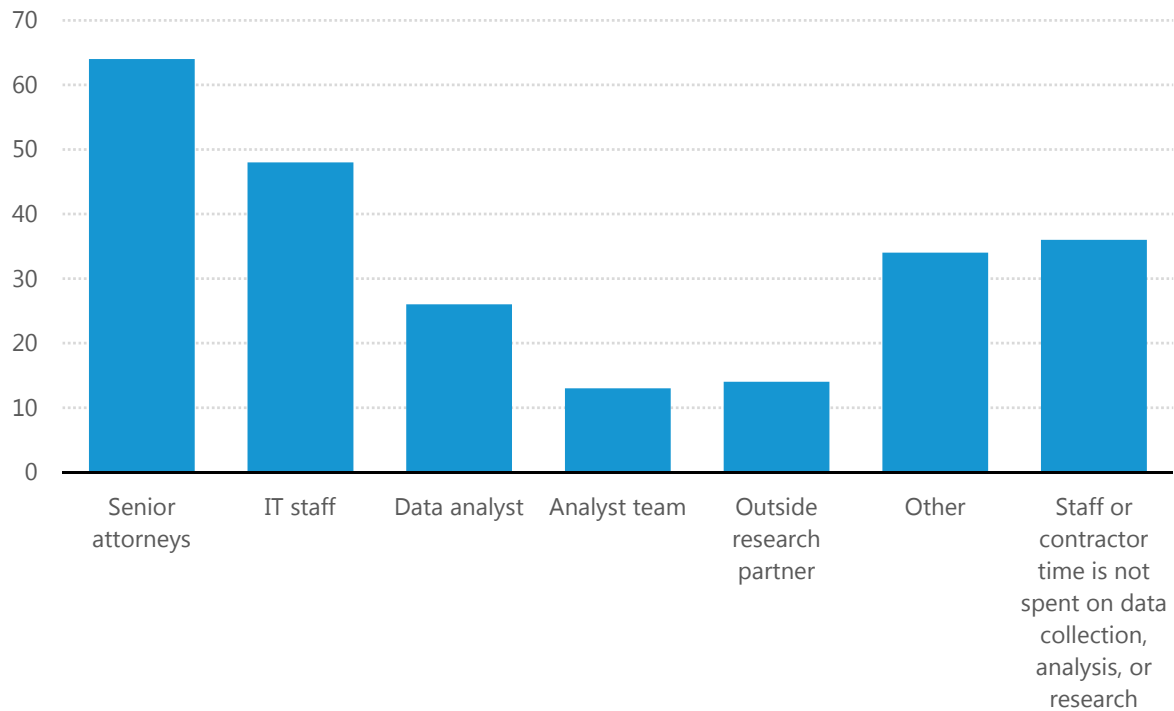
<i>Total Respondents</i>	<i>138</i>	<i>17</i>	<i>155</i>
Yes	105	12	117
No	24	5	29
Maybe/Don't know	9	0	9

41a. Is the data you receive from other agencies easy to interpret or use?



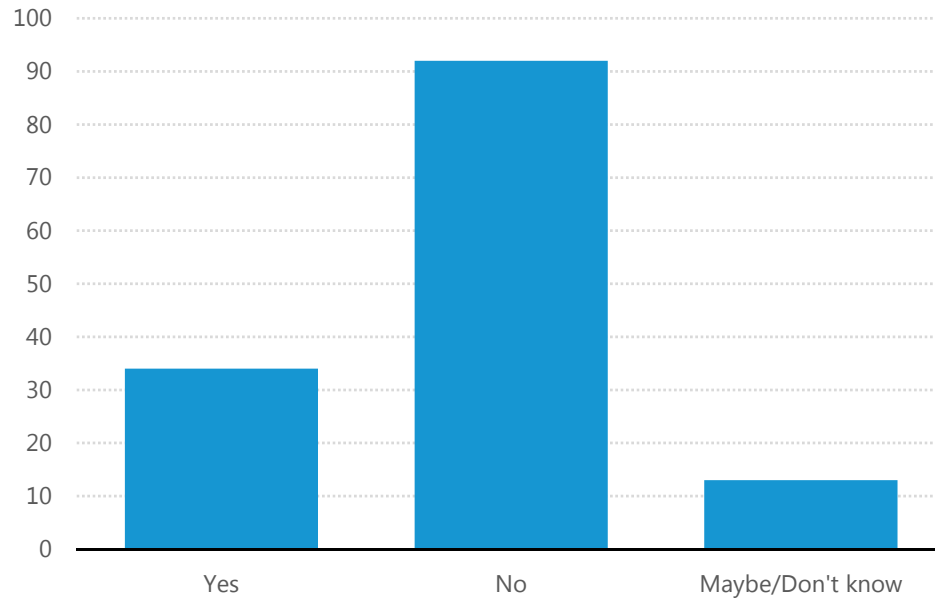
<i>Total Respondents</i>	105	12	117
Yes	70	9	79
No	22	3	25
Maybe/Don't know	13	0	13

42. What attorneys, staff, or contractors spend time on data collection, analysis, or research?  
*[check all that apply]*



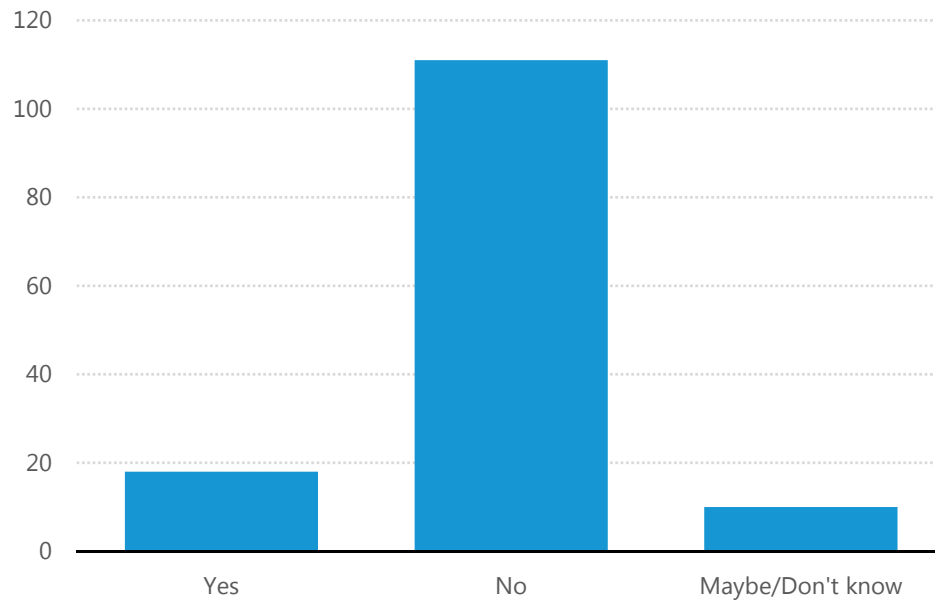
<i>Total Respondents</i>	<i>136</i>
Senior attorneys	64
IT staff	48
Data analyst	26
Analyst team	13
Outside research partner	14
Other	34
Staff or contractor time is not spent on data collection, analysis, or research	36

43. Does your office publicly publish analyses (including, but not limited to, summary numbers) based on data collected?



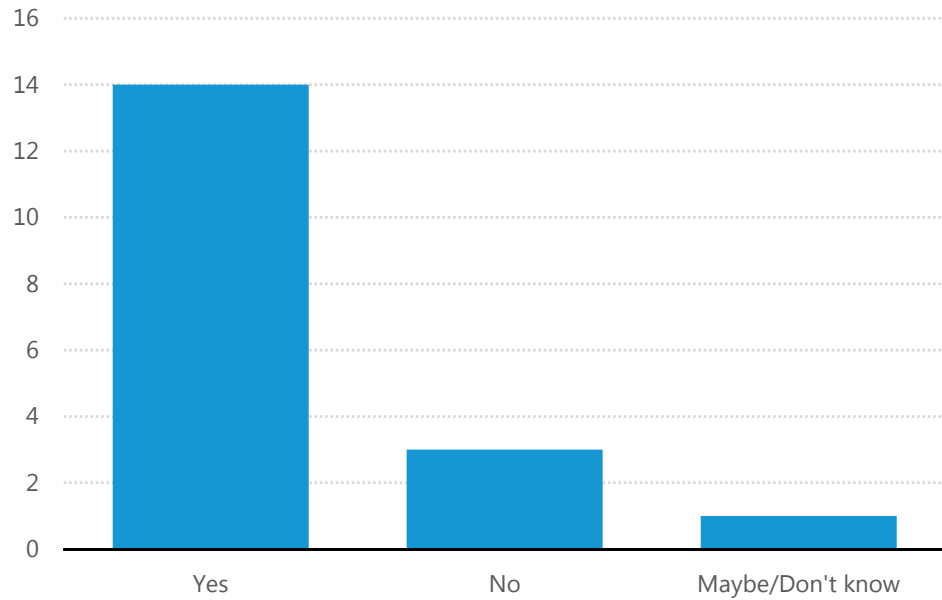
<i>Total Respondents</i>	<i>139</i>
Yes	34
No	92
Maybe/Don't know	13

44. Does your office collect data on time spent processing a case (e.g., the time spent deciding on charges or exploring diversion opportunities, and/or the time elapsed between when charges are filed and disposition)?\*



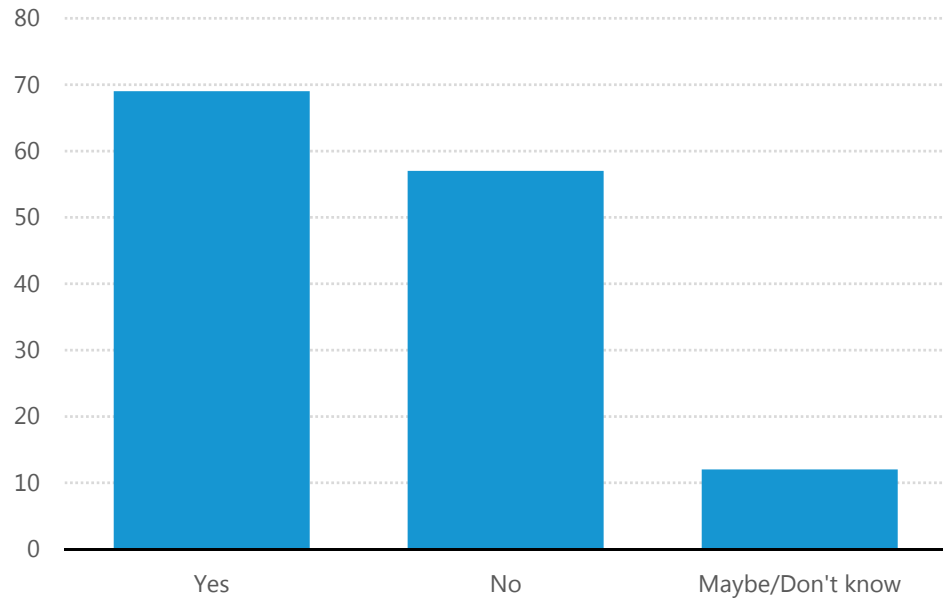
<i>Total Respondents</i>	<i>139</i>
Yes	18
No	111
Maybe/Don't know	10

44a. For the data collected on time used to process a case, does your office collect this by the outcome of the case (e.g., diversion, probation, incarceration, dismissal)?



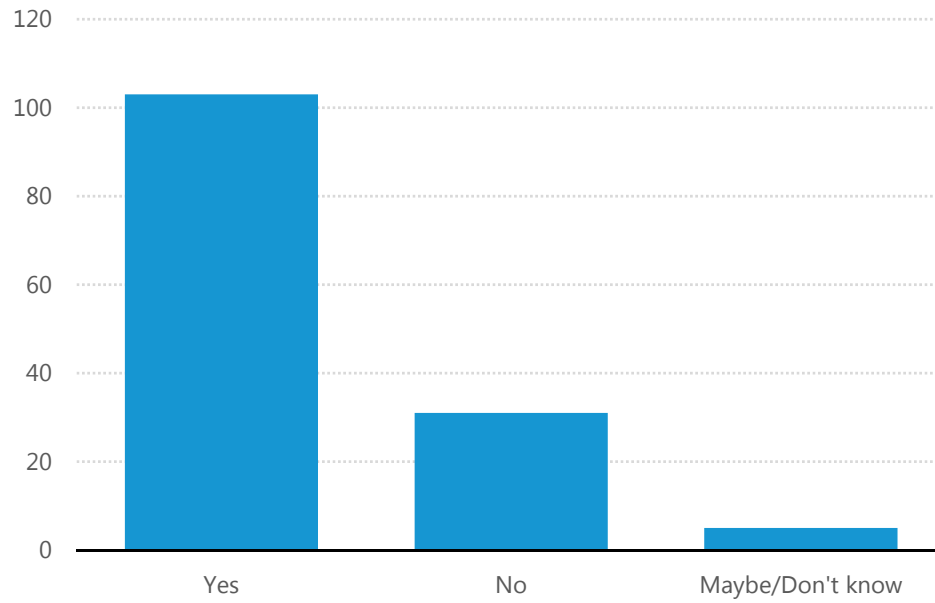
<i>Total Respondents</i>	<i>18</i>
Yes	14
No	3
Maybe/Don't know	1

45. Does your office encourage and solicit input and/or collaboration with residents and community groups (e.g., through community or victim surveys)?



<i>Total Respondents</i>	<i>138</i>
Yes	69
No	57
Maybe/Don't know	12

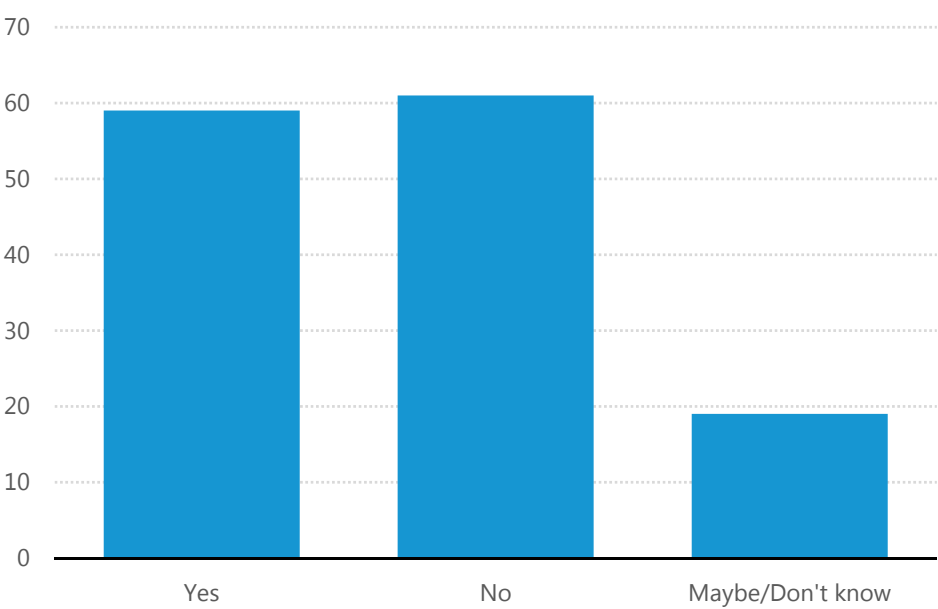
46. Does your office collect information on caseloads per prosecutor?\*



<i>Total Respondents</i>	139
Yes	103
No	31
Maybe/Don't know	5

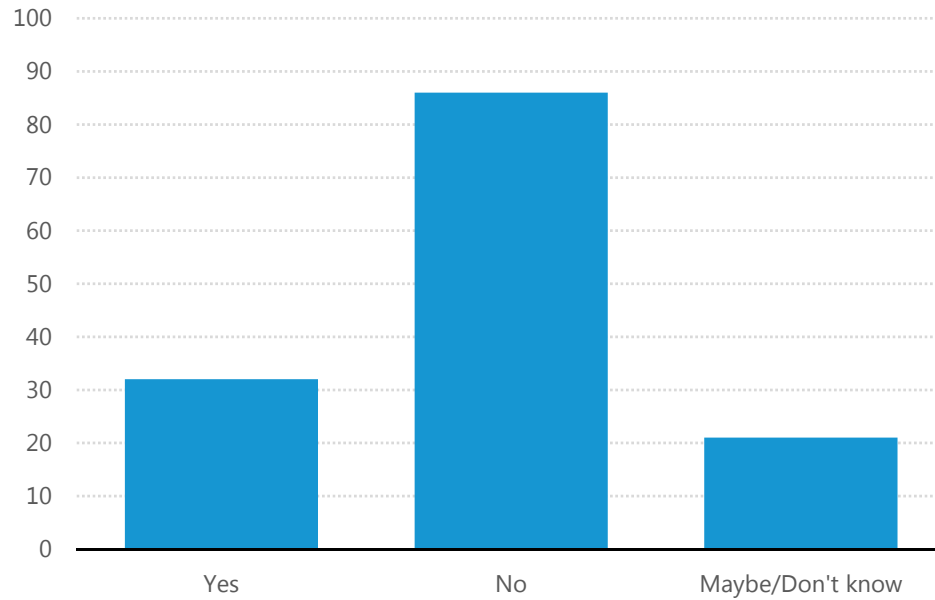


47. Does your office collect information on turnover of staff?\*



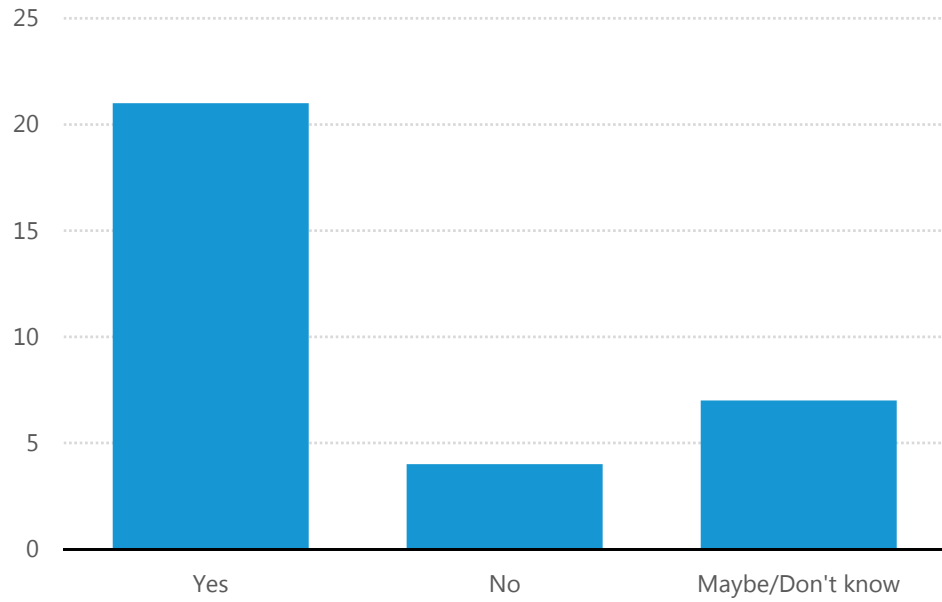
<i>Total Respondents</i>	139
Yes	59
No	61
Maybe/Don't know	19

48. Does your office collect data on recidivism results (such as re-arrest, re-conviction, probation violations) for cases?\*



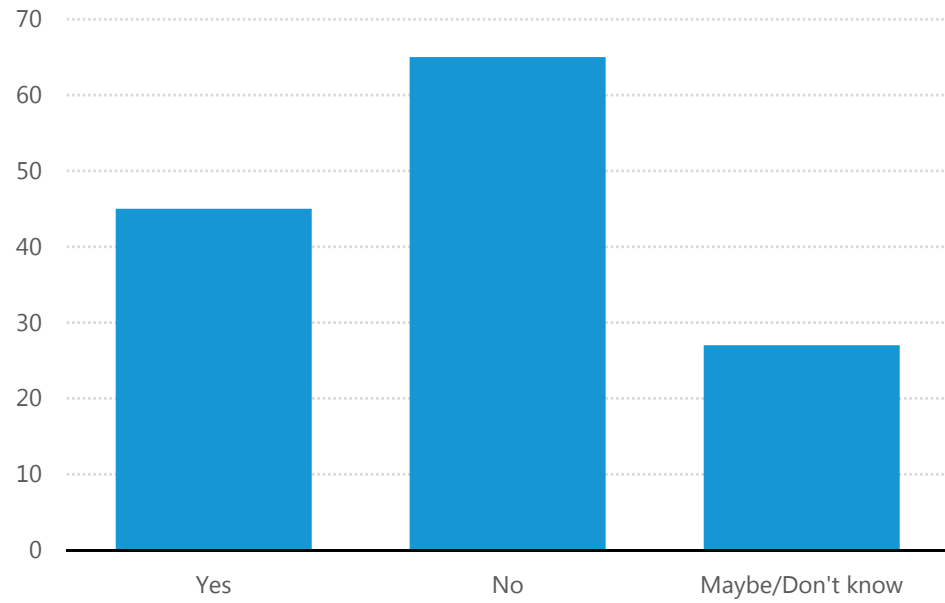
<i>Total Respondents</i>	<i>139</i>
Yes	32
No	86
Maybe/Don't know	21

48a. For data collected on recidivism results, does your office collect this by the outcome of the case (e.g., diversion, probation, incarceration, dismissal)?



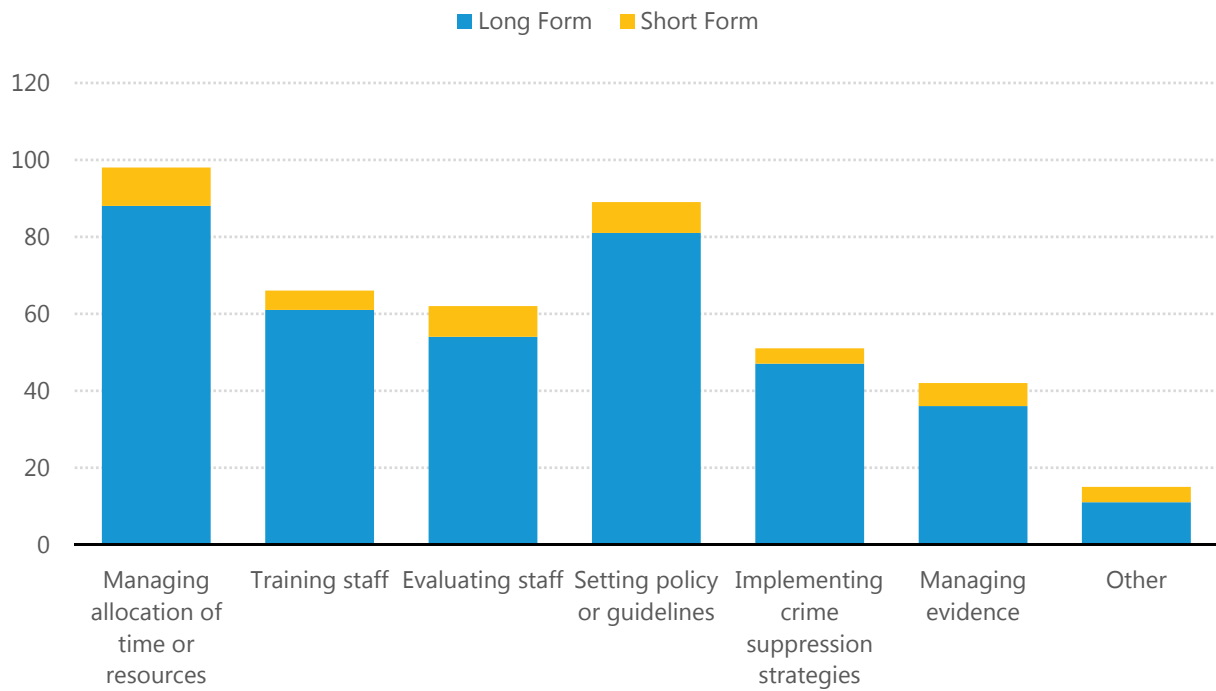
<i>Total Respondents</i>	32
Yes	21
No	4
Maybe/Don't know	7

49. Does your office collect data or records on allegations of prosecutorial misconduct?\*



<i>Total Respondents</i>	<i>137</i>
Yes	45
No	65
Maybe/Don't know	27

50. How does your office generally use data in decision-making? *[check all that apply]*



	Long Form	Short Form	Total
<i>Total Respondents</i>	122	15	137
Managing allocation of time or resources	88	10	98
Training staff	61	5	66
Evaluating staff	54	8	62
Setting policy or guidelines	81	8	89
Implementing crime suppression strategies	47	4	51
Managing evidence	36	6	42
Other	11	4	15

## Appendix C: Survey Instrument

# 2018 National Survey of State Prosecutors' Offices

Thank you in advance for your candid responses. **Your responses will be anonymous. Neither your name nor your jurisdiction will be publicly associated with your responses.** The results from this survey will be used to describe publicly the state of data collection capabilities in prosecutors' offices around the country, benefiting your office and the prosecutorial field by describing current data collection efforts and by identifying areas where gaps in resources and capacities might prevent data collection. **Recommendations emerging from the survey could lead to additional tools and documentation of common practice that could enhance the operations and performance of prosecutors' offices.**

This survey starts with a brief set of introductory questions and then asks what data your office collects. Data includes any individual case records your office has as well as summaries or analyses of those individual records. The survey asks about the following decision points during the prosecution of a crime in adult criminal court:

1. Screening and charging
2. Pretrial release decision-making
3. Alternative options: diversion, problem-solving courts, and deferred prosecution/adjudication
4. Plea bargaining and sentencing

The survey will also ask some overall questions about data capacity. At the end, you will have the chance to offer feedback or additional information that was not addressed in the questions. **The survey does not ask you to report any actual data or statistics from your office,** but it does ask a series of questions such as, "Does your office collect data or information about how many cases are referred to your office each year?"

We acknowledge that there are differences between prosecutors' offices across the country, and while the language in this survey attempts to be universal, there may be instances where the language used does not apply to your office. **Please answer each question as best you can, and feel free to contact us if you have any questions.**

Responding to this survey is voluntary, and you can opt out at any time. Your decision to participate or not participate will neither help nor harm you. **We assure you that your name and contact information will be confidential and will only be used to contact you to clarify or follow up on any of the information provided.** By answering the first question of the survey, you are providing consent to participate in the survey.

The survey may be accessed online at the following link:

[https://urban.qualtrics.com/jfe/form/SV\\_eW2SQOhcuxU6BKt](https://urban.qualtrics.com/jfe/form/SV_eW2SQOhcuxU6BKt)

Please enter the following information about yourself/the person answering the questions in this survey. Anyone in your office is authorized to respond to the survey. The elected official, an assistant chief, IT staff, data analysts, research staff, or someone else may be best positioned to respond.

For the questions below where yes/no/maybe are the options, please select "yes" if your office collects data for at least some cases that fit the description in the question.

**Name** \_\_\_\_\_  
\_\_\_\_\_

**Title** \_\_\_\_\_  
\_\_\_\_\_

**Work email address** \_\_\_\_\_

**Work phone number** \_\_\_\_\_

**Work address**  
Number and Street  
\_\_\_\_\_  
  
City, State, and Zip Code  
\_\_\_\_\_

---

Please answer all questions with reference to the prosecutor's office where you currently work. The survey will take approximately 20-30 minutes to complete.

If you have questions or concerns, or if you need assistance in completing the survey, please contact Chloe Warnberg at [CWarnberg@urban.org](mailto:CWarnberg@urban.org) or 202-261-5869.

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What is the name of your office (e.g., Lancaster County (NE) County Attorney's Office)?

\_\_\_\_\_

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As best you know what is the population of the jurisdiction your office serves?

- ☐ More than 1 million
- ☐ 500,000 to 999,999
- ☐ 250,000 to 499,999
- ☐ 100,000 to 249,999
- ☐ 99,999 or less



## Screening and Charging

*Note: For the purposes of this survey, a case means a set of all charges against a single defendant that are handled as part of a single matter.*

1. Does your office have data or records regarding the **number of cases referred (submitted to your office for investigation and possible prosecution) to the prosecutor's office?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

2. Does your office have data or records regarding the **number of charges per case at arrest and/or the number of charges at initial charging?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

3. Does your office have data or records regarding the **number of cases declined for prosecution at screening** and/or the **number of cases where charges were filed?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

4. Does your office have data or records regarding the **number of juvenile cases filed in adult/criminal court?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

5. Does your office have data or records regarding the **number of cases that included any enhancement charges** (e.g., habitual offender)?

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

6a. For any questions 1-5 above about screening and charging decisions for which the answer was "yes", in what form does your office **mainly** collect this information: *[select the one that is most representative]*

- ☐ Paper files
- ☐ Electronic case management files
- ☐ Receive information from other entity (e.g., police department, court system)
- ☐ Some other form
- ☐ Don't know/Unsure

6b. If you selected "some other form" or have further explanation to add, please describe:

6c. For any questions 1-5 above about screening and charging decisions for which the answer was "yes", does your office collect this information by any of the following: *[check all that apply]*

- ☐ Offense type
- ☐ Misdemeanor/felony
- ☐ Defendant characteristics (e.g., race, gender, criminal history)
- ☐ Victim characteristics (e.g. race, gender)
- ☐ Referring law enforcement agency
- ☐ Assigned prosecutor
- ☐ Other
- ☐ Don't know/Unsure

6d. If you selected "other" or have further explanation to add, please describe:

7. Does your office collect information on the **reasons for declinations** (e.g., strength of evidence, witness credibility, seriousness of arrest, risk assessment, internal intelligence database/information)?

- ☐ No
- ☐ Yes - mainly contained in paper files
- ☐ Yes - mainly contained in electronic case management files
- ☐ Other
- ☐ Maybe/Unsure

7a. If you selected "other" or have further explanation to add, please describe:

8. Does your office collect information on the **compliance with guidance or office policies regarding the decision to file or not file charges?**

- ☐ No, because no guidance in place
- ☐ No, guidance exists but no data are collected on compliance
- ☐ Yes, compliance information is mainly collected in paper files
- ☐ Yes, compliance information is mainly collected in electronic case management files
- ☐ Other
- ☐ Maybe/Unsure

8a. If you selected "other" or have further explanation to add, please describe:

9. Does your office collect information on the **compliance with guidance regarding the type, level, or number of charges that are filed in a case?**

- ☐ No, because no guidance in place
- ☐ No, guidance exists but no data are collected on compliance
- ☐ Yes, compliance information is mainly collected in paper files
- ☐ Yes, compliance information is mainly collected in electronic case management files
- ☐ Other
- ☐ Maybe/Unsure

9a. If you selected "other" or have further explanation to add, please describe:

---

## Pretrial Release

10. Does your office have data or records regarding the **number of cases where the prosecutor recommended own/personal recognizance (nonmonetary release), bail/bond, or no bail for pretrial release?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

11. Does your office have data or records regarding the **number of cases where the prosecutor recommends pretrial supervision?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

12. Does your office have data or records regarding the **number of cases where the judge deviates from the prosecutor's pretrial release recommendation?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

13. Does your office have data or records regarding the **number of defendants held in pretrial detention between arraignment and sentencing?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

14. Does your office have data or records regarding the **number of defendants on pretrial supervision**?

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

15a. For questions 10-14 above about pretrial release decision-making for which the answer was "yes", in what form does your office **mainly** collect this information: *[select the one that is most representative]*

- ☐ Paper files
- ☐ Electronic case management files
- ☐ Receive information from other entity (e.g., police department, court system)
- ☐ Some other form
- ☐ Don't know/unsure

15b. If you selected "some other form" or have further explanation to add, please describe:

15c. For any questions 10-14 above about pretrial release decision-making for which the answer was "yes", does your office collect this information by any of the following: *[check all that apply]*

- ☐ Offense type
- ☐ Misdemeanor/felony
- ☐ Defendant characteristics (e.g., race, gender, criminal history)
- ☐ Victim characteristics (e.g., race, gender)
- ☐ Referring law enforcement agency
- ☐ Assigned prosecutor
- ☐ Other
- ☐ Don't know/unsure

15d. If you selected "other" or have further explanation to add, please describe:

16. Does your office collect information on the **reasons for a bail recommendation**?

- ☐ No
- ☐ Yes - mainly contained in paper files
- ☐ Yes - mainly contained in electronic case management files
- ☐ Yes - mainly received from another entity (e.g., police department, court system)
- ☐ Other
- ☐ Maybe/Unsure

16a. If you selected "other" or have further explanation to add, please describe:

17. Does your office collect information on the **compliance with guidance, tools, or other requirements about pretrial release decisions**?

- ☐ No, because no guidance in place
- ☐ No, guidance exists but no data are collected on compliance
- ☐ Yes, compliance information is mainly collected in paper files
- ☐ Yes, compliance information is mainly collected in electronic case management files
- ☐ Other
- ☐ Maybe/Unsure

17a. If you selected "other" or have further explanation to add, please describe:

---

## Alternative Options: Diversion, Problem-Solving Courts, and Deferred Prosecution/Adjudication

18. Does your office have data or records on the **number of cases disposed to diversion programs**?

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

19. Does your office have data or records on the **number of cases handled by alternative or problem-solving courts** (e.g., drug courts, mental health courts, veterans courts)?

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure



20. Does your office have data or records on the **number of cases deferred**? This could include cases categorized as "deferred prosecution" and/or "deferred adjudication."

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

21. For any of these alternative options, does your office have data or records on the **number of cases that end with successful or unsuccessful completion of the diversion, problem-solving court, or deferred option**?

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

22. For any of these alternative options, does your office have data or records on the **average time elapsed between the decision to impose an alternative option and the completion of that alternative option**? This could include the average time between the decision to defer prosecution and the dismissal of a case; the average length of diversion programs; or the average length of time spent in a problem-solving court.

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

23. Does your office have data or records on the **case dispositional outcomes** (e.g., incarceration, probation, sentence length) **for cases where the alternative option was not successfully completed**?

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

24a. For any questions 18-23 above about alternative option decisions for which the answer was "yes", in what form does your office **mainly** collect this information: *[select the one that is most representative]*

- ☐ Paper files
- ☐ Electronic case management files
- ☐ Receive information from other entity (e.g., police department, court system)
- ☐ Some other form
- ☐ Don't know/Unsure

24b. If you selected "some other form" or have further explanation to add, please describe:

24c. For any questions 18-23 above about alternative option decisions for which the answer was "yes", does your office collect this information by any of the following: *[check all that apply]*

- ☐ Offense type
- ☐ Misdemeanor/felony
- ☐ Defendant characteristics (e.g., race, gender, criminal history)
- ☐ Victim characteristics (e.g., race, gender)
- ☐ Referring law enforcement agency
- ☐ Assigned prosecutor
- ☐ Other
- ☐ Don't know/Unsure

24d. If you selected "other" or have further explanation to add, please describe:

25. Does your office have information on **compliance with prosecution agency criteria that inform which cases should be diverted, referred to a problem-solving court, or deferred?**

- ☐ No, because no guidance is in place
- ☐ No, guidance exists but no data are collected on compliance
- ☐ Yes, compliance information is mainly collected in paper files
- ☐ Yes, compliance information is mainly collected in electronic case management files
- ☐ Other
- ☐ Maybe/Unsure

25a. If you selected "other" or have further explanation to add, please describe:

---

## Plea Bargaining and Sentencing

26. Does your office have data or records on the **number of cases resolved by all charges being dismissed by the prosecutor?** *Note: "dismissed by the prosecutor" includes cases that are formally dismissed as well as those officially designated as "no action taken."*

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

27. Does your office have data or records on the **number of cases resolved by guilty or no contest plea on at least one charge?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

28. Does your office have data or records on the **number of cases that go to trial and the subsequent disposition?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

29. Does your office have data or records on the **final number of charges at disposition?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

30. Does your office have data or records on the **number of cases that are recommended for incarceration or probation?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

31. For the cases recommended for incarceration, does your office have data or records on the **recommended sentence length?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

32. Does your office have data or records on the **finest recommended as part of the case resolution?**

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

33. Does your office have data or records on the **number of convictions overturned**?

- ☐ Yes
- ☐ No
- ☐ Maybe/Unsure

34a. For any questions 26-33 above about plea bargaining or sentencing decisions for which the answer was "yes", in what form does your office **mainly** collect this information: *[select the one that is most representative]*

- ☐ Paper files
- ☐ Electronic case management files
- ☐ Receive information from other entity (e.g., police department, court system)
- ☐ Some other form
- ☐ Don't know/Unsure

34b. If you selected "some other form" or have further explanation to add, please describe:

34c. For any questions 26-33 above about plea bargaining or sentencing decisions for which the answer was "yes", does your office collect this information by any of the following:  
*[check all that apply]*

- ☐ Offense type
- ☐ Misdemeanor/felony
- ☐ Defendant characteristics (e.g., race, gender, criminal history)
- ☐ Victim characteristics (e.g., race, gender)
- ☐ Referring law enforcement agency
- ☐ Assigned prosecutor
- ☐ Other
- ☐ Don't know/Unsure

34d. If you selected "other" or have further explanation to add, please describe:

35. Does your office have information on the **reasons for dismissal of any/all charges by the prosecutor**?

- ☐ No
- ☐ Yes - mainly contained in paper files
- ☐ Yes - mainly contained in electronic case management files
- ☐ Yes - received mainly from another entity (e.g., police department, court system)
- ☐ Other
- ☐ Maybe/Unsure

35a. If you selected "other" or have further explanation to add, please describe:

36. Does your office have information on **compliance with plea bargaining guidance**?

- ☐ No, because no guidance is in place
- ☐ No, guidance exists but no data are collected on compliance
- ☐ Yes, information on compliance with guidance is mainly collected in paper files
- ☐ Yes, information on compliance with guidance is mainly collected in electronic case management files
- ☐ Other
- ☐ Maybe/Unsure

36a. If you selected "other" or have further explanation to add, please describe:

37. Does your office have information on **compliance with guidance on the incarceration, probation, or fine recommendations made by your office as part of the sentencing process**?

- ☐ No, because no guidance is in place
- ☐ No, guidance exists but no data are collected on compliance
- ☐ Yes, information on compliance with guidance is mainly collected in paper files
- ☐ Yes, information on compliance with guidance is mainly collected in electronic case management files
- ☐ Other
- ☐ Maybe/Unsure

37a. If you selected "other" or have further explanation to add, please describe:

---

## Overall Use of Data in the Office

38. Does your office use dashboards or other management approaches that rely on data to measure or assess staff performance?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know

39. If your office uses at least one electronic case management system, which of the following statements are true for your office? *[check all that apply]*

- ☐ Information is kept in a combination of paper files and electronic case management files.
- ☐ For the information that is kept in an electronic case management system, my office uses two or more systems.
- ☐ My office built and maintains our electronic case management system(s).
- ☐ My office purchased our electronic case management system(s) from a vendor.
- ☐ My office relies on a vendor to modify, aggregate, or analyze data in our electronic case management system(s).
- ☐ My office uses at least one electronic case management system, but none of these statements apply.
- ☐ My office does not use an electronic case management system.

40. Does your office have access to data or records from past years?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know



41. Does your office have access to, receive, or use data or records collected and maintained by other criminal justice agencies (e.g., police agencies, corrections agencies, or court systems)?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know

41a. Is the data you receive from other agencies easy to interpret or use?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know

42. What attorneys, staff, or contractors spend time on data collection, analysis, or research?  
*[check all that apply]*

- ☐ Senior attorneys
- ☐ IT staff
- ☐ Data analyst
- ☐ Analyst team
- ☐ Outside research partner
- ☐ Other
- ☐ Staff or contractor time is not spent on data collection, analysis, or research

42a. If you selected "other" or have further explanation to add, please describe:

43. Does your office publicly publish analyses (including, but not limited to, summary numbers) based on data collected?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know

44. Does your office collect data on time spent processing a case (e.g., the time spent deciding on charges or exploring diversion opportunities, and/or the time elapsed between when charges are filed and disposition)?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know

44a. For the data collected on time used to process a case, does your office collect this by the outcome of the case (e.g., diversion, probation, incarceration, dismissal)?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know

45. Does your office encourage and solicit input and/or collaboration with residents and community groups (e.g., through community or victim surveys)?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know

46. Does your office collect information on caseloads per prosecutor?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know

47. Does your office collect information on turnover of staff?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know

48. Does your office collect data on recidivism results (such as re-arrest, re-conviction, probation violations) for cases?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know

48a. For data collected on recidivism results, does your office collect this by the outcome of the case (e.g., diversion, probation, incarceration, dismissal)?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know

49. Does your office collect data or records on allegations of prosecutorial misconduct?

- ☐ Yes
- ☐ No
- ☐ Maybe/Don't know

50. How does your office generally use data in decision-making? *[check all that apply]*

- ☐ Managing allocation of time or resources
- ☐ Training staff
- ☐ Evaluating staff
- ☐ Setting policy or guidelines
- ☐ Implementing crime suppression strategies
- ☐ Managing evidence
- ☐ Other

50a. If you selected "other" or have further explanation to add, please describe:

## Open-Ended Questions

51. Please provide examples of how your office successfully uses data in decision-making.

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52. Do you think it's important for your office to collect and use data in decision-making?  
Why or why not?

53. What do you think are concerns and challenges associated with using data in decision-making?

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54. What data infrastructure (e.g., software, hardware, data entry protocols) do you find most helpful in your office? What data infrastructure is problematic? What infrastructure would be helpful to have?

---

55. Is there anything else you'd like to share?

## Appendix D. Assessing Data Collection in Your Office

*Which of the following metrics does your office collect? Check all that apply.*

### Screening and Charging

- ☐ Number of cases referred to your office
- ☐ Number of charges per case at arrest and/or the number of charges at initial charging
- ☐ Number of cases declined for prosecution and/or the number of cases where charges were filed
- ☐ Number of juvenile cases filed in adult/criminal court
- ☐ Number of cases that included any enhancement charges (e.g. habitual offender)

### Pretrial Release

- ☐ Number of cases where the prosecutor recommended own/personal recognizance (nonmonetary release), bail/bond, or no bail for pretrial release
- ☐ Number of cases where the prosecutor recommended pretrial supervision
- ☐ Number of cases where the judge deviates from the prosecutor's pretrial release recommendation
- ☐ Number of defendants held in pretrial detention between arraignment and sentencing
- ☐ Number of defendants on pretrial supervision

### Alternative Options: Diversion, Problem-Solving Courts, Deferred Prosecution/Adjudication

- ☐ Number of cases disposed to diversion programs
- ☐ Number of cases handled by alternative or problem-solving courts
- ☐ Number of cases deferred
- ☐ Number of cases that end with successful or unsuccessful completion of the diversion, problem-solving court, or deferred option



- ☐ Average time elapsed between decision to impose an alternative option and the completion of that alternative option
- ☐ Case dispositional outcomes (e.g. incarceration, probation, sentence length) for cases where the alternative option was not successfully completed

### **Plea Bargaining and Sentencing**

- ☐ Number of cases resolved by all charges being dismissed by the prosecutor
- ☐ Number of cases resolved by guilty or no contest plea on at least one charge
- ☐ Number of cases that go to trial and the subsequent disposition
- ☐ Final number of charges at disposition
- ☐ Number of cases recommended for incarceration or probation
- ☐ Recommended sentence length
- ☐ Fines recommended as part of the case resolution
- ☐ Number of convictions overturned

### **Other**

- ☐ Time spent processing a case (e.g. the time spent deciding on charges and/or the time elapsed between when charges are filed and disposition)
- ☐ Caseloads per prosecutor
- ☐ Information on turnover of staff
- ☐ Recidivism results (such as re-arrest, re-conviction, or probation violations)
- ☐ Allegations of prosecutorial misconduct

*Add up the total number of metrics collected and record it here: \_\_\_\_\_*

*Use your score to classify your office as one of the following:*

0 to 11 metrics .....	low collector
12 to 18 metrics .....	medium collector
19+ metrics .....	high collector

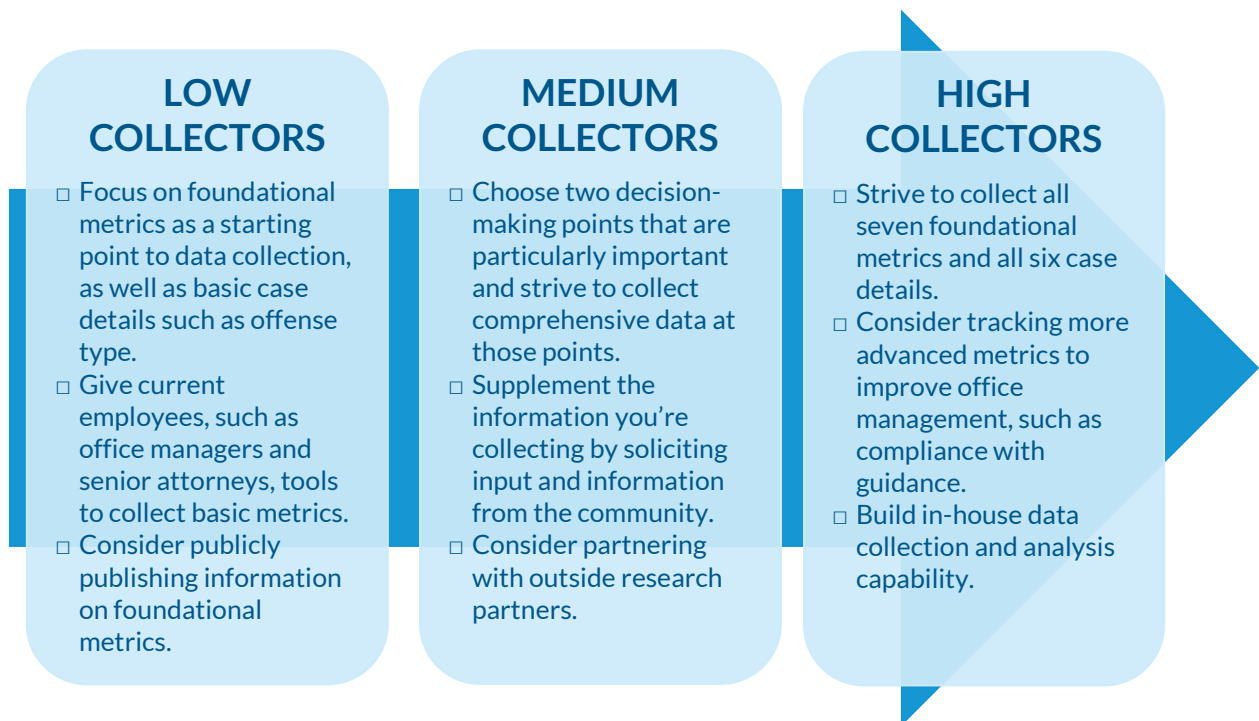
Based on your office's classification, use the following steps to improve data collection:

- ☐ Ensure your office is collecting foundational information that describes case flow.
- ☐ Ensure your office is collecting relevant case details.
- ☐ Consider collecting at least one metric at each stage of the decisionmaking process.
- ☐ Improve the ability of staff to collect and analyze data and take advantage of outside resources where possible. Invest in resources such as staff training and technology to make data entry less burdensome.
- ☐ Take steps to strengthen technology infrastructure that would improve data collection.
- ☐ Learn from peers to implement innovative approaches, such as dashboards, to track and respond to changes in trends and operational metrics.
- ☐ Solicit information from your local community and, in turn, share your findings with the community.

FOUNDATIONAL METRICS		
1. Cases referred	4. Cases declined	7. Cases that go to trial
2. Cases at arrest	5. Cases dismissed	
3. Final charges	6. Cases resolved by plea	

CASE DETAILS	
1. Offense type	4. Assigned prosecutor
2. Misdemeanor/felony	5. Defendant characteristics
3. Referring agency	6. Victim characteristics

STAGES OF DECISIONMAKING	
1. Screening and charging	3. Alternative options
2. Pretrial release	4. Plea bargaining and sentencing

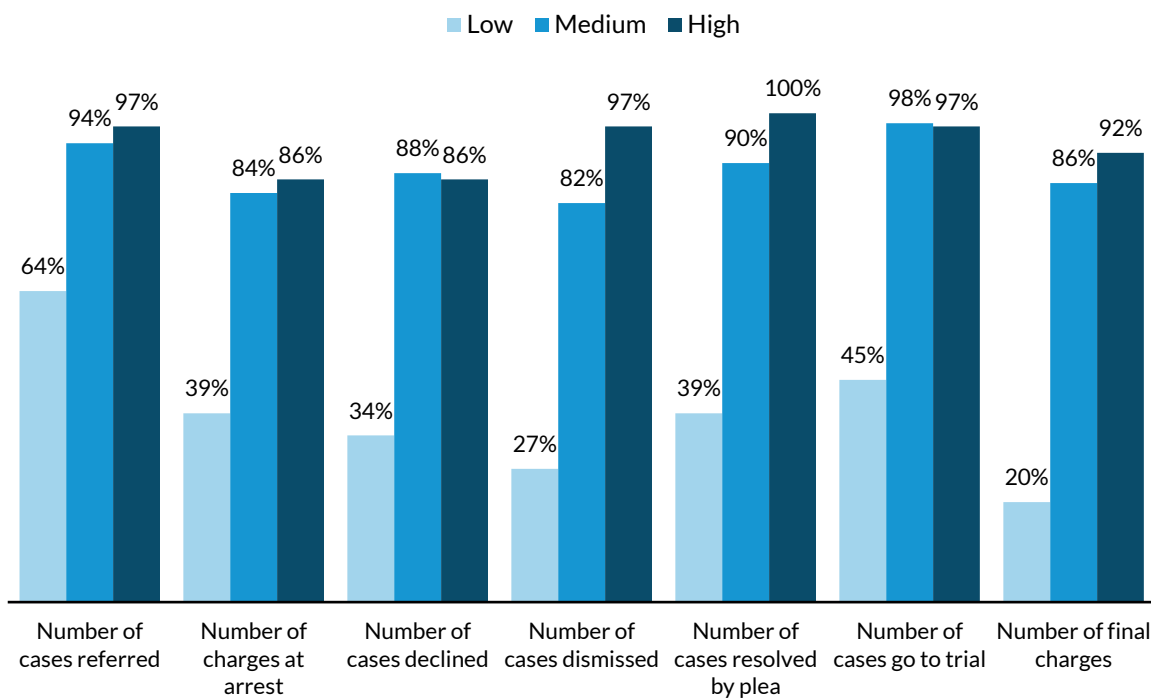


## Appendix E. Analysis of Low, Medium, and High Collectors

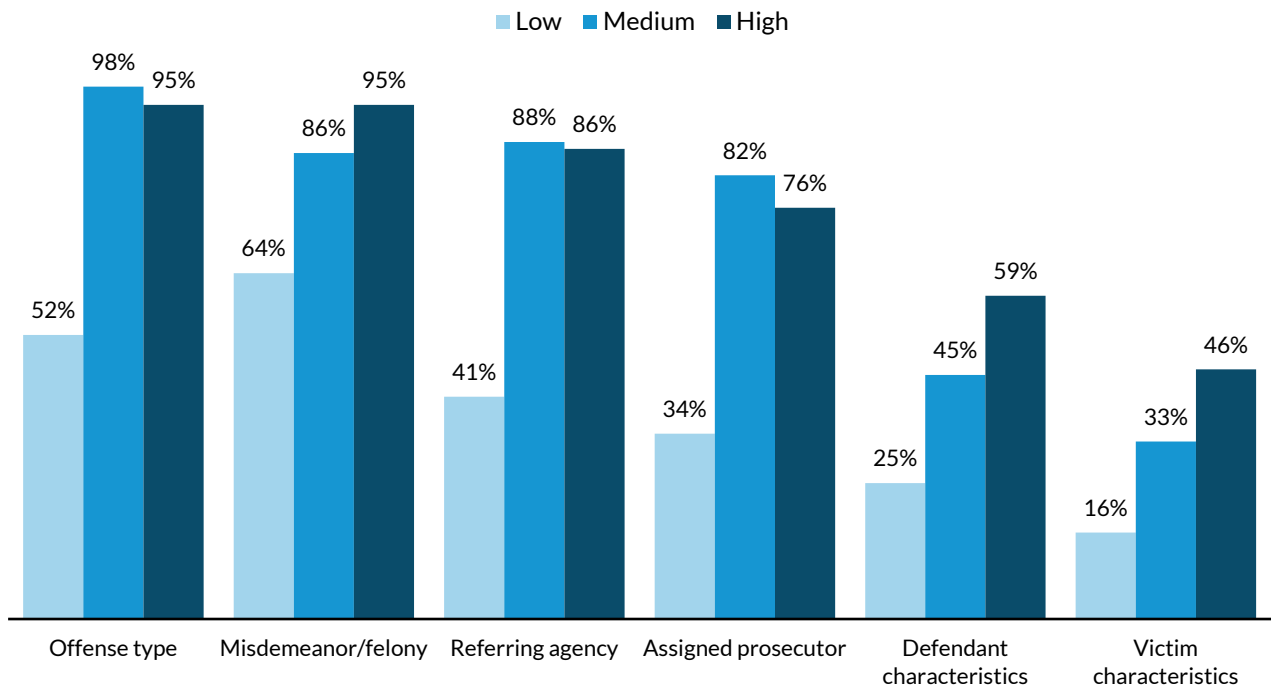
Urban researchers analyzed responses to identify practices associated with each level of collecting (low, medium, and high). The recommendations centered on seven areas: foundational metrics, case details, decision-making points, staff capabilities, technology infrastructure, dashboards, and collecting information from and sharing information with the community. The analysis in each of these areas was used to identify practices that offices in each category could implement to move up to a higher collecting category.

The associated analysis for each area of the recommendations is presented below.

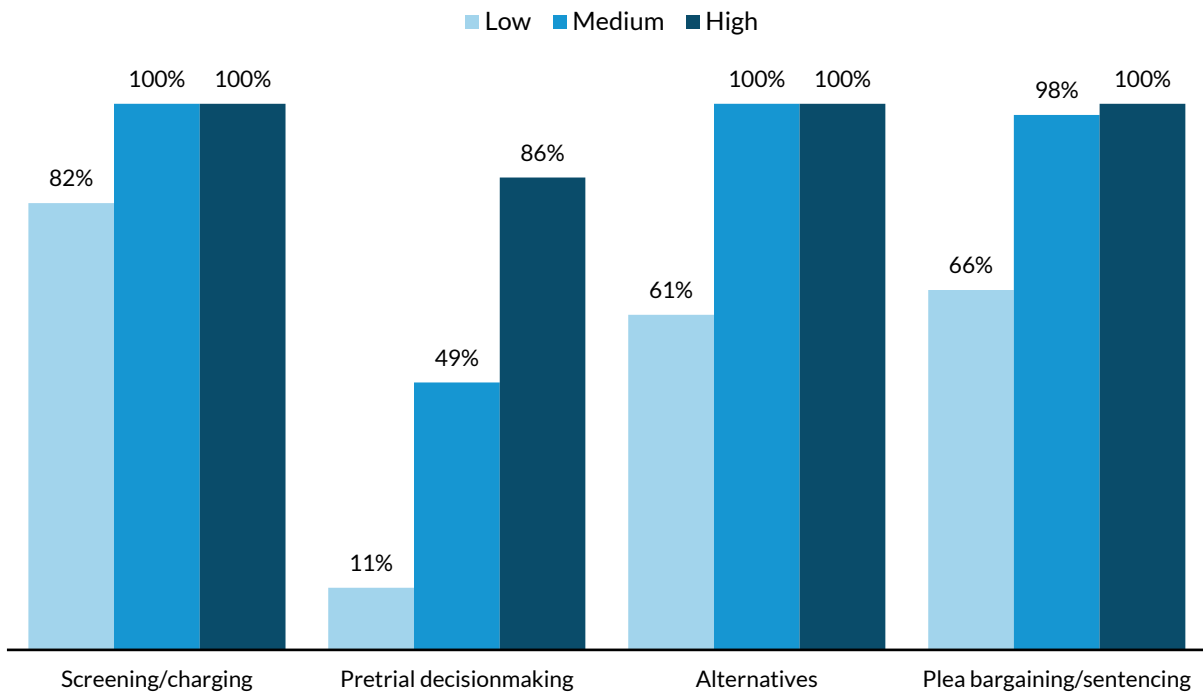
### Foundational Metrics Most Likely to Be Collected by Each Category of Office



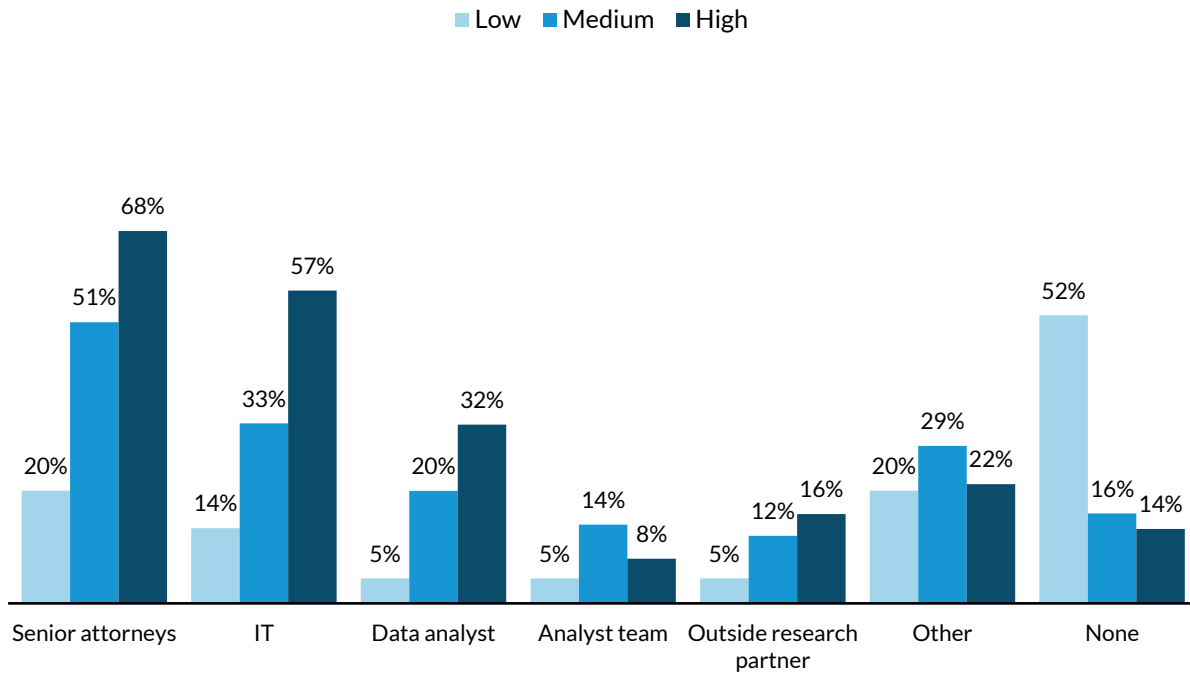
### Case Details Most Likely to Be Collected by Each Category of Office



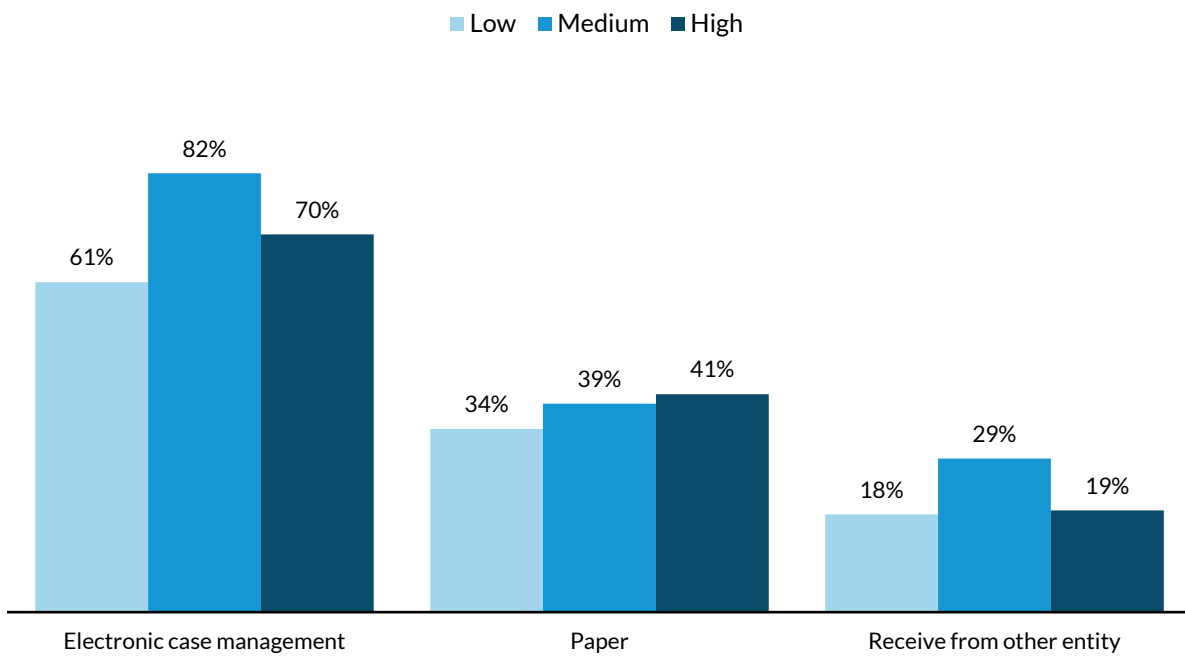
### Decisionmaking Points at Which Each Category of Office Is Most Likely to Collect at Least One Metric



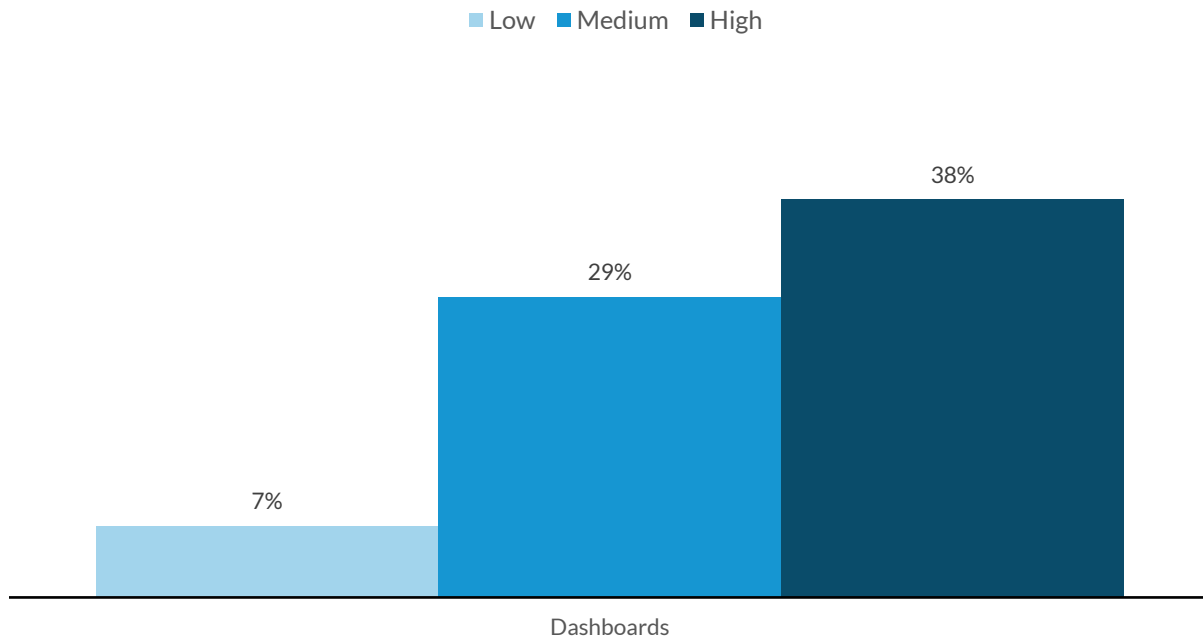
### Staff Time Spent on Data in Each Category of Office



### Primary Data Source for Each Category of Office



### Use of Dashboards by Each Category of Office:



### How Likely Each Category of Office Is to Collect Information from and Provide Information to the Community

