

IX. COMPARING THE DEMONSTRATION JURISDICTIONS

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In Secs. VI and VII, we addressed Multnomah and Dade Counties as individual jurisdictions and attempted to show, primarily by statistical measures, how the performance of each in selected groups of felony proceedings may have changed between two periods of operations. Here we draw upon information that we collected in Multnomah and Dade Counties and then analyzed in Secs. VI and VII, and offer a number of quantitative comparisons of the two jurisdictions in 1974. The comparisons are guided by the views expressed in App. C on interjurisdictional statistical performance measures. This section thus extends the summary descriptions given in Sec. V of the two demonstration jurisdictions and their felony proceedings.

BACKGROUND DATA ON POPULATION, ARRESTS, AND POLICE MANPOWER

Table 9.1 gives readily available data (for 1972) on population, arrests, offenses, and police manpower for the principal city and its police force, for the county areas served by the sheriff's department, and for the two combined. The total population of Multnomah County given by the 1970 Census was 557,000; Dade County's population was given as 1,268,000. Thus, the circuit court in Dade County served a population roughly twice that served by the circuit court in Multnomah County.¹

We observe in Table 9.1 that arrests per offense are quite similar in Multnomah and Dade. Offenses per 100,000 population for robbery only seem significantly higher in Dade. And while arrests per policeman are higher for all Part I Offenses and for burglary only in Multnomah, this measure favors Dade for robbery only.

SELECTED COMPARISONS FROM THE STATISTICAL OVERVIEWS

For brevity, we do not attempt an exhaustive catalogue of similarities and differences between Multnomah and Dade Counties but compare selected information drawn from the statistical overviews given in Secs. VI and VII for Multnomah and Dade. The remainder of this section will be devoted to comparisons of the issues for which we performed analyses in our study.

Table 9.2 compares the number of felony cases filed and pending in the circuit courts of the two jurisdictions in the recent past. The table discloses the greater severity of the backlog problem in Dade, where the number of cases pending approxi-

¹ Note that the "combined" entries in Table 9.1 for Dade County cover a population of only 586,000—there being nine incorporated cities other than Miami that are not included. But we know of no reason why the rates shown in Table 9.1 are not representative of the entire population of Dade County.

Table 9.1

POPULATION, ARRESTS, OFFENSES, AND POLICE MANPOWER

Category	Multnomah			Dade		
	Portland	County ^a	Combined ^b	Miami	County ^a	Combined ^b
	Change Since 1971 1972 (%)	Change Since 1971 1972 (%)	Change Since 1971 1972 (%)	Change Since 1971 1972 (%)	Change Since 1971 1972 (%)	Change Since 1971 1972 (%)
Population (000)	384	163 ^c	547	343	243 ^c	586
Offenses						
Number reported						
Part I ^d	35,848	9,558	45,406	28,644	35,555	64,199
Robbery only	1,715	191	1,906	2,555	1,829	4,384
Burglary only	1,134	3,031	4,165	8,294	10,062	18,356
Per 100,000 population						
Part I	9,335 -6	5,874 -4	8,217 -5	8,349 -10	6,068 -11	6,910 -11
Robbery only	447 -5	117 +20	349 -2	745 -10	312 -2	504 -5
Burglary only	2,873 +2	1,863 +6	2,572 +3	2,417 -11	1,717 -9	1,975 -10
Arrests						
Total number						
Part I	5,246	1,600	6,846	3,634	5,847	9,481
Robbery only	307	39	346	451	400	851
Burglary only	816	832	1,198	633	1,637	2,270
Police manpower						
Police officers	723	224	947	734	1,199	1,933
Total employees	933	832	1,315	936	1,597	2,533
Arrests per offense						
Part I	0.14	0.17	0.15	0.13	0.16	0.15
Robbery only	0.18	0.20	0.18	0.18	0.22	0.19
Burglary only	0.07	0.13	0.11	0.08	0.16	0.12
Arrests per policeman						
Part I	7.26	7.14	7.23	4.95	4.88	4.91
Robbery only	0.42	0.17	0.36	0.61	0.33	0.44
Burglary only	1.13	1.71	1.26	0.86	1.37	1.18

SOURCES: Federal Bureau of Investigation/Uniform Crime Reports data and the U.S. Census.

^a Entries apply to the sheriff's department only.^b Entries are the sums of numbers or the weighted average of ratios in the city and county columns.^c Population entry obtained by subtracting the population of the principal city and of all incorporated places known to have police departments from the total population of the county.^d Part I (UCR) offenses are homicide, rape, robbery, felonious assault, burglary, larceny, and auto theft.

Table 9.2

COMPARISON OF NUMBER OF CRIMINAL CASES
FILED AND PENDING IN CIRCUIT COURT

Caseload Measures	Multnomah County ^a	Dade County
Number of filings		
FY 1973-74	3,250	
FY 1974-75	3,657	
CY 1974		10,552
CY 1975		12,200 (est.)
Number of cases pending ("backlog")		
December 1974	774	9,202
November 1975	1,008	10,512

^aIncludes criminal appeals from the lower court in addition to felony filings.

mates an entire year's filings. By comparison, the number pending in Multnomah, which has been rising, still does not exceed three to four months' filings.

Table 9.3 contains a comparison of the distribution of felony cases by offense type in the two jurisdictions, based on random samples of 100 cases processed in 1974. The differences between the two jurisdictions in the table that are statistically significant do not include robbery and burglary (or breaking and entering), the exemplary offenses of this study.

When the selected characteristics of felony defendants are compared, as in Table 9.4, we find the age distribution to be similar in the two jurisdictions; a significantly higher proportion of blacks present among Dade defendants; roughly the same proportion of transient defendants occurring in the two locales; a significantly larger fraction of defendants with less than a high school education being prosecuted in Dade; a significantly greater proportion of defendants having no prior record in Multnomah, but also a greater proportion of defendants having prison records in that jurisdiction;² a greater proportion of defendants being represented by the public defender in Dade (because the Dade public defender's office handles virtually all the indigent cases whereas in Multnomah the public defender's office handles only a portion); and about the same proportion of defendants benefiting from pretrial release in the two counties.

Table 9.5 compares some gross attributes of felony proceedings in Multnomah and Dade Counties.

The significant or nearly significant differences between the two jurisdictions shown in Table 9.5 are in the pretrial dismissal rate, the plea rates (both to original charges and to lesser charges), the proportions receiving jail incarceration and the proportions receiving prison incarceration, and the median elapsed times. (Although differences in the trial measures are large, they are not statistically significant

² Note that if the categories "none" and "minor" are combined and similarly the categories "major" and "prison," then the distribution of defendants is nearly the same in the two jurisdictions.

Table 9.3

DISTRIBUTION OF FELONY CASES BY TYPE
OF OFFENSE, 1974
(Percent of all cases)^a

Offense Type	Multnomah County	Dade County
Offenses against persons	20	30
Robbery	11	8
Other	9	22+
Offenses against property	37	48
Burglary (breaking and entering)	16	18
Theft	13	22
Other	8	18+
Drug offenses	38	21+
All other felony offenses	5	1

^aThe symbol "+" denotes, here and in the following tables, a difference between the two counties of a statistically significant magnitude--i.e., the likelihood is 5 percent that a difference of this size (positive or negative) or greater would occur by chance if there is actually no difference between the counties.

Table 9.4

SELECTED CHARACTERISTICS OF FELONY DEFENDANTS, 1974
(Percent of all defendants)

Defendant Characteristics	Multnomah County	Dade County
Age ^a		
Under 21	46	47
21-29	39	41
30 and over	15	12
Ethnic group ^a		
Blacks	30	54+
Spanish surname	0	12
Other minorities	13	0
Nonminority	57	34+
Transient (less than 2 years in county) ^a	11	15
Less than high school education ^a	50	73+
Prior record ^a		
None	52	30+
Minor	12	32+
Major	19	28+
Prison	17	10+
Type of defense attorney ^b		
Public defender	33	67+
Private (court-appointed and defendant-retained)	67	33+
Pretrial custody status ^b		
In jail (or combination of jail and nonjail status)	30	28
Free on bail or O.R.	70	72

NOTE: "+" denotes statistically significant difference between counties.

^aFrom exemplary offense samples, totaling approximately 400 cases.

^bFrom general samples, totaling approximately 200 cases.

Table 9.5

DISPOSITIONS, SENTENCES, AND DELAYS IN FELONY
PROCEEDINGS, 1974
(Disposition and sentence entries in percent)

Type of Disposition, Sentence, and Delay	Multnomah County	Dade County
Dispositions ^a		
Pretrial dismissal rate	38	9+
For insufficient evidence	8	3
For other reasons	30	6+
Not-pros plus diversion rate	--	6
Trial rate	7	12
Court	2	5
Jury	5	7
Trial conviction rate ^b	12	59
Trial acquittal rate ^b	14	34
Other trial outcome rate ^b	14	7
Pretrial plea of guilty rate	53	63
To original charges	19	53
To lesser charges	34	10
Overall conviction rate	58	69
Sentences ^c		
Suspended	0	2
No incarceration imposed	61	60
Incarceration imposed	39	40
Jail (plus any other punishment)	28	13+
Prison (plus any other punishment)	11	27+
Median elapsed time (days)		
From arrest to trial	84	119
From arrest to final disposition	77	109
From arraignment to final disposition	63	83

NOTE: "+" denotes statistically significant difference between counties.

^aBased on a sample of 94 dispositions in Multnomah County and 98 in Dade County.

^bBased on a sample of 7 trials in Multnomah County and 12 in Dade County.

^cBased on a sample of 57 sentencings in Multnomah County and 70 in Dade County.

because of the small number of trials in the cases making up our general samples.) The differences in gross dispositional measures undoubtedly reflect the contrasting nature of the proceedings in the two systems, particularly as to screening and plea bargaining, but possibly reflect other factors as well. But we must look to more detailed analyses for explanations. The differences in the proportions given one type of incarceration rather than another may be caused by the differences in the correctional situations in the two counties and states, as well as by disparities in judicial views toward sentencing. The differences in median elapsed times are a product of the more serious caseload situation in Dade.

Table 9.6 assesses the two jurisdictions in terms of a list of "comparability features" relevant to the selected areas in felony proceedings. The purpose and use of this list is explained in App. C; here we use the list simply to enrich our presentation of background information characterizing Multnomah and Dade Counties.

Table 9.6
ASSESSMENT OF COMPARABILITY FEATURES FOR MULTNOMAH AND DADE COUNTIES

I. Case processing efficiency and delay		III. Prosecutorial screening ^a	
A. Practitioner productivity		1. Charging or filing standards	
1. Differences in procedural steps	1. x	2. Police arrest and screening practices	2. u
2. Pretrial motion practices	2. ✓	3. Procedure for nolle prosequi	3. x
3. Conduct of jury voir dire	3. u	4. Existence and nature of time-limit standards; power to refile	4. x
4. Use of commissioners for judicial functions	4. ✓	5. Availability and nature of pretrial diversion programs	5. x
5. Method of assigning prosecutors or public defenders to cases	5. x	6. Availability of pre-charging conference	6. x
6. Court calendaring system	6. x	7. Organization of prosecutor's office	7. x
7. Caseload mix (by offense category)	7. x		
8. Use of court coordinators	8. ✓	IV. Plea bargaining	
B. Witness use		1-7. As above in III.	
1. Court calendaring system	1. x	8. Statutory sentencing structure	8. x
2. Continuance policy and procedure	2. x	9. Liberality of pretrial discovery	9. x
3. Availability rules (e.g., "on call" system)	3. ✓	10. Availability and nature of preliminary hearing	10. x
C. Juror use		11. Probation policy	11. x
1. Conduct of jury voir dire	1. u	12. Judicial involvement	12. x
2. Policy on jury pool size	2. x	13. Jury or judge sentencing	13. ✓
D. Delay		14. Method of providing defense counsel	14. ✓
1. Court calendaring system	1. x	15. Jail conditions	15. x
2. Continuance policy and procedure	2. x	16. Caseload and backlog	16. x
3. Differences in procedural steps	3. x	V. Sentencing variation	
4. Availability of interlocutory appeals	4. u	1. Statutory sentencing structure	1. x
5. Liberality of pretrial discovery	5. ✓	2. Probation policy	2. x
6. Existence and nature of time-limit standards; power to refile	6. x	3. Plea bargaining practices	3. x
7. Caseload mix (by offense category)	7. x	4. Charging or filing standards	4. x
8. Scale of court system (i.e., size relative to load)	8. x	5. Parole eligibility and practice	5. x
II. Evenhandedness		6. Public attitudes toward gravity of various offenses and appropriate sentences	6. u
1. Police arrest and screening policies	1. u	7. Availability of sentence review	7. ✓
2. Bail and O.R. policies	2. x	8. Method of filling judgeships	8. ✓
3. Jury selection and composition	3. u	9. Post-sentencing powers of trial judge	9. ✓
4. Judicial selection and composition	4. ✓	10. Availability of pre-sentence reports	10. x
5. Payment system for defense counsel	5. ✓	11. Overcrowding of correctional facilities	11. x
		12. Jury or judge sentencing	12. ✓
		13. Availability of alternatives to sentencing	13. x

NOTE: "✓" denotes similarity between the two jurisdictions; "x" denotes dissimilarity; "u" means undetermined by us.

^aCase screening in Dade County is largely a judicial function.

CASE SCREENING

Appendix C distinguishes between two purposes of interjurisdictional comparisons by means of statistical performance measures. On the one hand, we may be interested in certain outputs of court systems that are important to the community without regard to the institutional machinery that produced them. For example, the percent of felony suspects whose cases are not prosecuted after arrest and booking seems to have this "independent" significance. On the other hand, we may be interested in direct comparisons of the operations per se of criminal court systems in different jurisdictions, assessed in terms of the outputs, both intermediate and final, of felony proceedings. Given the latter purpose, the following question arises: *Do the jurisdictions to be compared differ so fundamentally that using statistical performance measures to make these comparisons is misleading?* As mentioned above, App. C contains a set of "comparability features" that helps to assess how severe the "apples and oranges" problem is in an interjurisdictional application of performance measures. This list is applied to Multnomah and Dade Counties in Table 9.6.

As applied to case screening, the list underscores the differences between Multnomah and Dade Counties. The scope of our study did not include police arrest policies; also, we cannot readily compare detailed charge filing standards, since neither jurisdiction documents them systematically. These two features aside, the two demonstration jurisdictions differ markedly in who screens cases and how they are screened (see especially Sec. V). These differences should not determine outcome in cases that are clearly strong or clearly weak. But in cases where the evidence is marginal as well as the cases in which nonevidentiary policy factors are prominent, they may have considerable effect. The dependence of screening results on the "quality" of the case flow should be kept in mind when one considers how noncomparability in the screening function may vitiate comparisons of screening performance measures.

The Charging Threshold

As mentioned in the example above, comparisons of the effect of the charging threshold seem meaningful despite profound differences in screening procedures between Multnomah and Dade Counties. Table 9.7, drawing from information presented in Secs. VI and VII, gives a gross portrayal of the operation of the screening threshold in the two jurisdictions in 1974.

Table 9.7 shows a statistically significant difference between the two jurisdictions in the proportion of robbery prosecutions rejected (as well as in the corresponding proportion of robbery cases filed as felonies). We shall not speculate on the possible explanation for differences between the jurisdictions because we were unable to collect adequate data on "rejection reasons" in Dade.

Charging Accuracy

Criminal proceedings tend to be self-correcting when charging inaccuracies are initially present—dismissals, amendments, nolle prosequi, plea agreements, acquittals, convictions at lesser levels, etc. all may serve to redress charging inaccuracy. But how and when these events occur in the proceedings depend on features of the court system that may differ markedly, as many do between Multnomah and Dade

Table 9.7

COMPARISON OF CASE SCREENING FOR EXEMPLARY OFFENSE BOOKINGS, 1974
(Entries in percent)

Gross Screening Outcome	Multnomah County		Dade County	
	Burglary I	Robbery I	B&E Offenses	Robbery
Not held to answer	32	51+	30	38+
Reduced to misdemeanor and so filed	6	3	1	2
Filed on felony charges	62	46+	69	60+

NOTES: Based on exemplary offense samples numbering roughly 100 cases for each offense in each jurisdiction. "+" denotes statistically significant difference between counties.

Counties. Furthermore, when using dispositional measures as bases for inferences about charging accuracy, we must bear in mind that they are more or less ambiguous for this purpose, as we have discussed in Sec. IV. For simplicity, therefore, we confine ourselves to the two dispositional measures that best reveal charging accuracy performance—the proportion of defendants convicted of all charges as originally filed and the proportion of defendants not convicted (excluding those diverted). These two types of dispositions are less affected by plea bargaining, which tends to obscure the statistical effects of inaccurate charging. Table 9.8 displays these two dispositional measures for the two demonstration jurisdictions in 1974, again applying only to the exemplary offenses on which this study focuses.

If a relatively high rate of conviction on charges as originally filed and a relatively low rate of failure to convict imply relatively high accuracy of charging, then Multnomah performance in charging the Impact offenses of Dwelling Burglary I and Robbery I excelled that of Dade in 1974 for the comparable offenses. Multnomah did significantly worse in terms of these measures for the non-Impact offense of Nondwelling Burglary I than did Dade for Nondwelling B&E offenses. Thus, these results seem to express the special handling that Multnomah gave Impact crimes involved in the district attorney's experiment, beginning with arrest and screening and continuing throughout the proceeding. We should not, however, draw inferences about the relative overall screening performances of the two jurisdictions without considering other classes of dispositions, at a level of detail sufficient to reveal the dependence of dispositions on screening accuracy. As discussed elsewhere (see, for example, App. D), we failed to collect adequate "reasons" data to perform this more complete dispositional analysis.

PLEA BARGAINING

We are unable to make enlightening comparisons of plea bargaining between Multnomah and Dade Counties by means of statistical performance measures. Although our demonstration analysis in Multnomah County was quite revealing in the area of plea bargaining, we could not statistically demonstrate the nature and effects of plea bargaining to any great extent in Dade. Except for sentence agreements (or

Table 9.8

COMPARISON OF SELECTED DISPOSITIONAL MEASURES RELATED
TO CHARGING ACCURACY, 1974
(Percent of all dispositions)

Disposition	Multnomah County			Dade County		
	Burglary I		Robbery I	B&E Offenses		Robbery
	Dwelling	Non-dwelling		Dwelling	Non-dwelling	
Convicted of all charges as filed	79	26	67	46+	54+	33+
By plea	67	23	54	42+	45+	41+
By trial	12	3	13	4	9	3+
Not convicted	5	44	24	26+ ^a	21+	32 ^a
Pretrial dismissal	5	38	12	11	7+	16
Other ^b	0	6	12	15	14	16
Sample size (number of dispositions)	56	32	86	55	44	98

NOTE: "+" denotes statistically significant difference between counties.

^aExcludes 2 percent of dispositions involving pretrial intervention.

^bIncludes acquittal, nolle prosequi (Dade), mistrial.

assurances), plea agreements in Dade were uncommon. But sentence agreements, which were said to be quite frequent, were not recorded in case folders or other available files.

To the extent that we could calculate plea bargaining performance measures for plea agreements in Dade, we display comparisons with overall Multnomah results. But the Dade results do not fairly characterize the full plea bargaining situation in that jurisdiction. Furthermore, if one reviews the list of 16 comparability factors given in Table 9.6 for the plea bargaining area, one finds that many differ markedly for Multnomah and Dade Counties. These disparities impose further constraints on statistically based inferences about the relative plea bargaining performance of the two counties.

Table 9.9 compares gross results of plea bargaining for the exemplary offenses between the two jurisdictions in 1974. Since we could not ascertain whether a Dade straight plea was "pure" or involved a sentence agreement (or perhaps an agreement to drop another pending case), it seems appropriate to compare the Multnomah combined straight plea and straight plea plus agreement levels with the Dade straight plea entries. For robbery, the result is similar (88 percent versus 80 percent) for the two counties. The Multnomah combined straight plea rate for Dwelling Burglary I, an Impact offense, is significantly larger than Dade's straight plea rate for Dwelling B&E offenses (82 percent versus 68 percent). This may be attributable to the district attorney's experiment in Multnomah. This inference is strengthened by the observation that the Nondwelling B&E straight plea rate in Dade is significantly larger (69 percent versus 47 percent) than the Nondwelling Burglary I (a non-Impact offense) combined straight plea rate in Multnomah. At the next lower plea level, the fairly large entries for Dade (20 to 27 percent) compared

Table 9.9

COMPARISON OF GROSS RESULTS OF PLEA BARGAINING, 1974
(Percent of all pleas in case sample)

Level of Plea	Multnomah County			Dade County ^a		
	Robbery I	Burglary I		Robbery	B&E Offenses	
		Dwelling	Non-dwelling		Dwelling	Non-dwelling
Straight plea (to all original charges and multiple counts)	43	30	27	} 80	68+	69+
Straight plea plus sentence or other agreements	<u>45</u>	<u>52</u>	<u>20</u>			
Total	88	82	47			
Plea to at least one count of most serious charge but with charge or count reductions	6	2	0	20+	26+	27+
Plea to charges less serious than original	6	16	53	0	6	4+
Total number of guilty pleas in sample (N)	50	34	29	53	46	16
Gross plea rate (N ÷ number of dispositions)	61	82	50	61	65+	70+

NOTE: "+" denotes statistically significant difference between counties.

^aSentence agreement data not available.

with those for Multnomah (0 to 2 percent) for burglary offenses might be related to a greater propensity to file related charges (e.g., loitering, malicious destruction, possession of burglary tools, larceny). The differences between jurisdictions at the lowest plea level shown in Table 9.9 are readily interpreted. They attest both to the strong policy in Dade opposing charge-reduction plea agreements regardless of offense type and to the limited policy in Multnomah against such agreements in Impact offenses covered by the district attorney's experiment.

Elements on the other side of the plea bargain exchange (or balance) are shown in Table 9.10. These measures of operational impacts on the court system are illustrative of many which help to capture the effects of the plea negotiation process.

The entries for the dispositional measures in Table 9.10, which are based on our exemplary offenses samples, disclose no significant differences between the two jurisdictions, notwithstanding the contrasts in the plea bargaining picture. And while the percent incarcerated is also not significantly different between the two systems for the exemplary offenses, sentences are moderately less severe in Dade. One may speculate that sentence bargaining in Dade (upon which we were unable to collect data) helps to explain the difference in sentence severity, especially in robbery cases for which statutory maxima are higher in Dade. Finally, the substan-

Table 9.10

**COMPARISON OF MEASURES REFLECTING THE EFFECTS OF
PLEA BARGAINING IN EXEMPLARY OFFENSES, 1974**

Dispositions, Sentences, and Delays	Multnomah County		Dade County	
	Robbery I	Burglary I	Robbery	B&E Offenses
Dispositional measures (%)				
Dismissal rate ^a	12	17	18	19
Trial rate	27	13	20	12
Guilty plea rate	61	70	62	69
Overall conviction rate	77	80	67	76
Sentence severity measures				
Percent incarcerated	87	64	80	61
Sentence severity imposed				
(Index A score)	26.5	16.9	19.3	13.1
(Index B score)	43.9	20.4	32.1	14.6
(Index C score)	61.2	23.9	44.8	16.2
(Index D score)	116.5	47.0	86.3	23.4
Median elapsed time measures (days)				
Arraignment to guilty plea	21	29	116	73
Arraignment to trial	52	76	124	73
Arraignment to final dis- position	64	66	126	90

^a Includes, in Dade, nol-prossed and diverted cases.

tial differences in median elapsed times shown by our case samples from the two counties could be interpreted as evidence of operational "penalties" incurred by Dade for its reluctance to use plea bargaining more frequently to alleviate its serious case congestion.

SENTENCE VARIATION

Viewed specifically in terms of the comparability factors listed in Table 9.6 for sentence variation, Multnomah and Dade Counties are dissimilar. One expects to find that the nature and the variability of imposed sentences were observably different between them—in particular, that they differ for offenses for which statutory definitions and punishment structure are not the same in Oregon and Florida.³ The dissimilarities of Multnomah and Dade felony proceedings further imply that differences in sentence variation shown by statistical performance measures must be cautiously interpreted.

To present illustrative comparisons of the nature of sentence variation in Multnomah and Dade Counties and of the statistical explanations we were able to develop, we draw from tabulations given in Secs. VI and VII. Tables 9.11 and 9.12 indicate (for robbery and burglary offenses) how sentences varied in type and sever-

³ See Secs. V, VI, and VII for statutory definitions and punishment limits applying to the exemplary offenses.

Table 9.11

**COMPARISON OF THE DISTRIBUTION OF IMPOSED SENTENCE TYPE AND
AMOUNT OF PUNISHMENT BY LEVEL OF CONVICTION FOR ROBBERY CASES, 1974**
(Percent of all convicted at given level)

Sentence Type	Amount of Punishment	Level of Conviction							
		Multnomah County				Dade County			
		Felony A (N=59)	Felony B (N=2)	Felony C (N=2)	Misdemeanor (N=0)	1° Felony (N=48)	2° Felony (N=3)	3° Felony (N=3)	Misdemeanor (N=5)
Probation only	< 2 yr	--	--	--	--	--	33	--	--
	2-4 yr	--	--	--	--	--	--	--	--
	≥ 5 yr	--	--	--	--	8	--	--	--
Probation and other	< 2 yr	--	--	--	--	--	--	50	--
	2-4 yr	2	--	--	--	2	--	--	--
	≥ 5 yr	5	100	--	--	--	--	--	--
Jail alone and jail + other	≤ 6 mo	2	--	--	--	--	--	--	80
	7-11 mo	2	--	--	--	2	--	--	--
	≥ 12 mo	9	--	50	--	13	33	50	20
Prison alone and prison + other	≤ 2 yr	--	--	--	--	2	--	--	--
	3-4 yr	2	--	--	--	12	33	--	--
	5-10 yr	44	--	50	--	27	--	--	--
	11-20 yr	32	--	--	--	19	--	--	--
	≥ 21 yr	2	--	--	--	15	--	--	--
Sentence severity score-- Index A									
	Mean	26.8	10.0	22.5	--	22.0	11.9	9.0	4.5
	Standard deviation	10.9	--	0.7	--	13.9	3.9	7.1	5.0

ity at different levels of conviction in the 1974 exemplary offenses samples of our study. Table 9.11 reveals that most robbery convictions in either jurisdiction were at the highest level and produced substantial prison terms (more than five years). At the highest level of conviction, the sentence severity score for Index A is modestly higher for Multnomah, by a statistically significant amount. Table 9.12 shows that B&E convictions in our Dade sample were preponderantly at the second most serious level (second degree felony, 15-year maximum prison term), with roughly one-third of these second degree felony convictions receiving prison terms. In Multnomah, convictions were predominantly at the highest level (felony A), with roughly one-half receiving prison terms. Again, the sentence severity score (which is dominated by cases at a single level of conviction in each county) is higher for Multnomah by a statistically significant amount. The relatively greater use of probation in Dade in these case samples helps to explain this difference in Index A scores, which weights probation relatively higher than Indices B, C, and D. (See Secs. VI and VII.)

Table 9.13 exhibits results from our analytical attempt to account for sentence variation by means of selected "legitimate" and "illegitimate" factors. (The term "illegitimate" connotes that these factors ought significantly affect neither the outcome of a felony proceeding nor the severity of the sentence if the defendant is convicted.) The equations used to estimate the sentence severity score for Index A

Table 9.12

COMPARISON OF THE DISTRIBUTIONS OF IMPOSED SENTENCE TYPE AND AMOUNT OF PUNISHMENT BY LEVEL OF CONVICTION FOR BURGLARY AND B&E CASES, 1974
(Percent of all convicted at given level)

Sentence Type	Amount of Punishment	Level of Conviction							
		Multnomah County				Dade County			
		Felony A (N=52)	Felony B (N=3)	Felony C (N=7)	Misdemeanor (N=4)	1° Felony (N=2)	2° Felony (N=54)	3° Felony (N=14)	Misdemeanor (N=3)
Probation only	< 2 yr	--	--	--	--	--	2	14	--
	2-4 yr	2	--	--	--	50	25	21	--
	≥ 5 yr	8	--	14	--	--	9	14	--
Probation and other	< 2 yr	--	--	--	25	--	--	--	--
	2-4 yr	--	--	43	50	--	4	--	--
	≥ 5 yr	11	33	--	--	--	2	7	--
Jail alone and jail + other	< 6 mo	6	33	43	25	--	9	--	100
	6-11 mo	--	--	--	--	--	--	--	--
	≥ 12 mo	21	33	--	--	--	15	15	--
Prison alone and prison + other	≤ 2 yr	--	--	--	--	--	6	15	--
	3-4 yr	10	--	--	--	--	8	7	--
	5-10 yr	36	--	--	--	--	18	7	--
	11-20 yr	6	--	--	--	--	2	--	--
	≥ 21 yr	--	--	--	--	50	--	--	--
Sentence severity score-- Index A									
	Mean	19.3	9.6	9.2	4.3	25.7	13.4	12.6	2.0
	Standard deviation	9.0	9.3	4.0	2.4	27.9	8.5	8.2	1.7

succeeded in explaining over 60 percent of the variance in Multnomah Robbery I sentences, nearly 40 percent in Multnomah Burglary I sentences, nearly 40 percent in Dade B&E sentences, but essentially none in Dade robbery sentences. In the three instances where this analysis was productive, we observe the illegitimate factors selected were only minor contributors to sentence variation in both jurisdictions. The nature of the criminal conduct (as reflected in the charges and counts) was the strongest explanatory factor in both jurisdictions, with prior criminal record also tending to be consequential in both jurisdictions. Overall, to the extent that our case samples permitted this more refined statistical analysis, highly unusual differences in explanatory factors between Multnomah and Dade Counties were not disclosed.

EVENHANDEDNESS

Our conceptual approach to the measurement of evenhandedness performance has been presented in Sec. IV, and its application to Multnomah and Dade Counties given in Secs. VI and VII. Our analysis was primarily concerned with the effects that ethnicity, pretrial custody status, and type of defense counsel (the illegitimate fac-

Table 9.13

COMPARISON OF EFFECTS OF SELECTED FACTORS ON SENTENCE SEVERITY,
EXEMPLARY OFFENSES, 1974

(Percent of accountable variance in sentence score (Index A))^a

Factors Influencing Sentencing	Multnomah County		Dade County	
	Robbery I	Burglary I	Robbery	B&E Offenses
"Legitimate" factors				
Age	6	3	NS	NS
Prior criminal record				
Minor	NS	1	NS	2
Major	11	NS	NS	9
Prison	9	5	NS	3
Community ties (index)	4	4	NS	NS
Nature of charges or counts	<u>18</u>	<u>15</u>	<u>NS</u>	<u>13</u>
Total variance explained	48	28	--	27
"Illegitimate" factors				
Minority status				
Black	NS	NS	NS	2
Other	NS	--	NS	3
Pretrial custody status				
In jail	5	NS	NS	1
Released (bail, O.R.)	3	NS	NS	NS
Defended by private counsel				
Defendant-retained	NS	NS	NS	1
Court-appointed	NS	NS	NS	1
Convicted at trial				
Court	NS	1	NS	NS
Jury	NS	0	NS	NS
Proxy for calendar crowding or corrections crowding	<u>3</u>	<u>6</u>	<u>NS</u>	<u>(b)</u>
Total variance explained	11	7	--	8
Total variance explained (including that from nonsignificant variables and the constant term)	61	38	--	38

^aEntries made only for variables in regression equations that were statistically significant at the 95 percent level and in which the regression coefficient on that variable was statistically significant at the 50 percent level; otherwise, NS (not significant) is indicated.

^bSignificant, but very small (< 1 percent).

tors) have on dispositions and on the severity of sentences imposed. Selected results from Secs. VI and VII are shown below as a basis for comparing the two jurisdictions on this issue.

Dispositional Measures

Tables 9.14, 9.15, and 9.16 are cross-tabulations that exhibit the dependence of various dispositional measures upon pretrial custody status, type of defense counsel, and ethnicity, respectively. The entries are based upon the 1974 exemplary offenses samples from the two counties, containing roughly 400 cases.

The distribution dispositions by jail, bail, and O.R. pretrial custody status, as shown in Table 9.14 (note the magnitudes of N in the final row), generally preclude clear findings about the relative effects of pretrial custody status between the two jurisdictions. For robbery, the conviction by bargained plea rate in Multnomah was significantly lower than in Dade for defendants who remained incarcerated during their proceedings. In both Multnomah and Dade, the distribution of robbery defendants was skewed, with most sampled cases involving a defendant who was not free during the proceeding. There is a (not statistically significant) reduction in the conviction rate between defendants in jail and those freed on bail. In both jurisdictions, the less gross measures show that robbery defendants at liberty tended to fare better than those who remained in jail, but the results are not statistically significant because of the small samples involved.

For burglary, the conviction rate in Multnomah shows no consistent dependence on pretrial custody status, and the differences that are present are not statistically significant. However, a difference in the Dade straight plea rate for B&E offenses between jailed defendants and those on bail (55 percent versus 35 percent) leads to a difference in the overall conviction rate (85 percent versus 70 percent). But the other measures do not reinforce this indication of a lack of evenhandedness in Dade for B&E defendants, related to their pretrial custody status.

In sum, we cannot infer any clear distinction between Multnomah and Dade Counties on the basis of Table 9.14. If pretrial custody status had an important effect on disposition of defendants charged with the exemplary offenses, our samples were not sufficiently large to reveal it reliably.

Table 9.15, which concerns the effect of type of defense counsel on disposition, reveals that public defenders appear to defend their clients slightly more effectively in Multnomah County for both exemplary offenses. No such effect is observed in the Dade measures. We may infer that a slight distinction between the two counties exists as to the advantage gained by the defendant in being represented by the public defender.

Our attempt to compare Multnomah and Dade on the basis of Table 9.16, which relates dispositions to defendant ethnicity, is hampered by the small number of cases in our Multnomah samples that gave ethnic information. We cannot rely on the differences among ethnic categories, as shown by Table 9.16, as being indicative of any concrete relationships between outcomes and race in Multnomah. For Dade, Table 9.16 shows differences between the black and majority categories in the two types of plea rates for robbery and the pretrial dismissal rate for B&E offenses. This is at most a very limited indication that blacks may, in some circumstances, fare better than others in Dade proceedings. But the sparseness of the Multnomah data precludes our contrasting this Dade effect of ethnicity.

Table 9.14

**EVENHANDEDNESS: COMPARISON OF THE RELATIONSHIP BETWEEN PRETRIAL CUSTODY STATUS
AND DISPOSITIONAL MEASURES IN ROBBERY AND BURGLARY (OR B&E) CASES, 1974**
(Percent of all defendants in a given pretrial custody status)

Dispositional Measure	Multnomah County						Dade County					
	Robbery 1			All Burglary 1			Robbery			B&E Offenses		
	Jail	Bail	O.R.	Jail	Bail	O.R.	Jail	Bail	O.R.	Jail	Bail	O.R.
Not convicted	17	28	31	19	38	14	30	62	0	15	30	25
Pretrial dismissal	7	14	20	17	25	14	6	12	0	6	13	6
Not-pros, diversion	NA	NA	NA	NA	NA	NA	10	12	0	6	13	19
Trial acquittal, mis-trial, dismissal	10	14	13	2	13	0	14	38	0	3	4	0
Convicted (conviction rate) ^a	83	72	67	81	62	86	70	38	100	85	70	75
By straight plea ^b	59	58	47	46	50	58	45	25	0	55	35	44
By bargained plea ^b	9	14	0	25	0	12	22+	0	100	24	27	19
Gross plea rate ^c	68	72	47	71	50	75	67	25	100	79	62	63
At trial	15	0	20	10	12	11	3	13	0	6	8	12
Trial conviction rate ^d	60	0	60	83	48	100	20	25	0	67	67	100
Number of dispositions (N)	58	7	15	40	8	36	83	8	2	33	48	16

NOTE: "t" denotes statistically significant difference between counties.

^aNumber of convictions ÷ number of dispositions.^bCharges or counts reduced.^cNumber of pleas ÷ number of dispositions.^dNumber of convictions at trial ÷ number of trials (no tests of significance).

Table 9.15
EVENHANDEDNESS: COMPARISON OF THE RELATIONSHIP BETWEEN TYPE OF
DEFENSE COUNSEL AND DISPOSITIONAL MEASURES IN ROBBERY
AND BURGLARY (OR B&E) CASES, 1974
(Percent of all defendants with a given type of defense counsel)

Dispositional Measure	Multnomah County						Clatsop County					
	Robbery I			All Burglary I			Robbery			B&E Offenses		
	PD	CA	DR	PD	CA	DR	PD	CA	DR	PD	CA	DR
Not convicted	30	20	12	27	15	10	30	83	25	22	0	35
Pretrial dismissal	12	13	12	NA	15	10	6	0	8	12	0	0
Nol-pros, diversion	NA	NA	NA	NA	NA	NA	9	33	17	9	0	25
Trial acquittal, mis-trial, dismissal	18	7	0	5	0	0	15	50	0	1	0	10
Convicted (conviction rate) ^a	70	80	88	73	85	90	70	17	75	78	100	65
By straight plea	51	60	38	49	49	60	42	27	42	46	50	30
By bargained plea ^b	54	7	25	10	18	20	23+	0	25	24	50	25
Gross plea rate ^c	56	67	63	68	67	80	65	17	67	70	100	55
At trial	14	13	25	5	18	10	5	0	8	8	0	10
Trial conviction rate ^d	44	65	100	50	100	100	25	0	100	86	0	50
Number of dispositions (N)	43	30	8	41	33	10	79	6	12	76	2	20

NOTES: "+" denotes statistically significant difference between counties. Key: PD = public defender; CA = court-appointed private counsel; DR = defendant-retained private counsel.

^aNumber of convictions ÷ number of dispositions.

^bCharges or counts reduced.

^cNumber of pleas ÷ number of dispositions.

^dNumber of convictions at trial ÷ number of trials (no tests of significance).

Table 9.16
 EVENHANDEDNESS: COMPARISON OF THE RELATIONSHIP BETWEEN ETHNICITY
 AND DISPOSITIONAL MEASURES IN ROBBERY AND BURGLARY (OR B&E) CASES, 1974
 (Percent of all defendants in a given ethnic group)

Dispositional Measure	Multnomah County						Dade County					
	Robbery I			All Burglary I			Robbery			B&E Offenses		
	Maj.	Black	Other Minor.	Maj.	Black	Other Minor.	Maj.	Black	Other Minor.	Maj.	Black	Other Minor.
Not convicted	28	50	0	25	25	100	33	33	37	20	26	31
Pretrial dismissal	5	50	0	25	25	100	5	4	25	3	16	0
Nol-pros, diversion	NA	NA	NA	NA	NA	NA	19	12	0	14	8	23
Trial acquittal, mis-trial, dismissal	23	0	0	0	0	0	9	17	12	3	2	8
Convicted (conviction rate) ^a	72	59	100	75	75	0	67	67	63	80	74	69
By straight plea ^b	58	50	50	50	37	0	57	36	38	41	43	46
By bargained plea ^c	5	0	0	8	25	0	5	25	25	28	25	15
Gross plea rate ^c	63	50	50	58	62	0	62	61	63	69	68	61
At trial	9	0	50	17	13	0	5	6	0	11	6	8
Trial conviction rate ^d	28	0	100	100	0	0	50	25	0	80	75	50
Number of dispositions (N)	22	6	2	12	8	1	21	69	8	36	49	13

^aNumber of convictions ÷ number of dispositions.

^bCharges or counts reduced.

^cNumber of pleas ÷ number of dispositions.

^dNumber of convictions at trial ÷ number of trials.

Sentence Severity Measures

In Secs. VI and VII we address the magnitude and direction of the change in average sentence severity score (for Index A) associated with a change in each of the specified illegitimate factors. Table 9.17 compares the results of our analysis of the 1974 scores for Index A, based on the exemplary offenses samples. Are the two counties revealed to be different in evenhandedness performance by these results? We observe in Table 9.17 that no significant independent effects are shown in the scores for robbery convictions in Dade; and none for Burglary I convictions in Multnomah, save for a slight increase as the result of being convicted at trial rather than pleading. By contrast, pretrial custody status has a marked effect on Index A scores for 1974 Robbery I convictions in Multnomah; inexplicably, both those defendants who remained in jail and those who remained at liberty received significantly heavier sentences than those with mixed pretrial custody status. The only other notable effect on Multnomah Robbery I defendants was a slight easing of punishment for those convicted at trial rather than pleading, an unexpected direction of change. Finally, we see that the strongest evidence of a lack of evenhandedness is in the sentences of Dade defendants convicted of B&E offenses, where, for example, the sentence severity score increased by over 50 percent for other minorities (mainly Cuban) relative to majority defendants.

Viewing Table 9.17 as a whole, we cannot conclude that either jurisdiction showed a consistent lack of evenhandedness in 1974. The contrast between the two with respect to sentencing severity for the exemplary offenses is at best inconclusive.

HOW THE COURT SYSTEM TREATS DEFENDANTS WITH PRIOR RECORDS

The fact that a defendant has a prior criminal record may affect a felony proceeding in various ways and at a number of points. The police may be prompted to make a more thorough investigation of the offense; the charging may be performed with greater care; the defendant may be more likely to remain in jail during the proceeding because of ineligibility for O.R. release or inability to meet a higher bail requirement; the defendant may elect not to testify because of his vulnerability to impeachment by evidence of his prior record; the sentencing judge may be strongly influenced by the defendant's history of criminal conduct. These and other effects could lead to an outcome significantly different from that for a defendant with no prior record.

Table 9.18 extracts some results from Secs. VI and VII where we discussed our attempt to illuminate the role of prior record in the exemplary offenses samples from the demonstration jurisdictions. The 1974 dispositional measures for both Multnomah and Dade Counties, as displayed in Table 9.18, indicate no consistent relationship between the degree of prior record and the defendant's disposition; this was true for all of the exemplary offenses. Where a difference between entries is significant—for example, 83 percent for the conviction rate in Multnomah applying to Robbery I defendants with no record, and 58 percent for those with minor records—it strengthens the impression that past record was not a governing factor in the pattern of dispositions in either county, where the expected relationship would be

Table 9.17

EVENHANDEDNESS: THE INDEPENDENT EFFECT OF ILLEGITIMATE FACTORS
ON SENTENCE SEVERITY IMPOSED, 1974
(Percent change in average sentence severity score (Index A)
with a change in a given factor)^a

Illegitimate Factor	Multnomah County		Dade County	
	Robbery I	Burglary I	Robbery	B&E Offenses
Ethnicity ^b				
Black	NS ^c	NS	NS	+22
Other minorities	NS	NS	NS	+51
Pretrial custody status ^d				
In jail	+39	NS	NS	+26
Freed on bail or O.R.	+50	NS	NS	NS
Defended by private attorney ^e				
Defendant-retained	NS	NS	NS	+26
Court-appointed	NS	NS	NS	(f)
Convicted at trial ^g	-9	+8	NS	(f)

^aSee Table 6.21 for additional notes.

^bMeasured against majority status.

^cNot significant (NS). See note to Table 6.21 for definitions of significance.

^dMeasured against mixed pretrial custody status.

^eMeasured against representation by the public defender.

^fOmitted because of the rarity of the event in the case samples.

^gMeasured against straight-plea conviction. Entries computed from matching pairs of defendants and cases are similar in essential respects, except that one defendant was convicted at trial and the other of the matched pair pled guilty to all original charges.

just the reverse. So we are unable to distinguish usefully between the performance of these two court systems by the results in Table 9.18.

Table 9.19 explores the relationship between Index A scores and the degree of prior record, again for 1974 exemplary offenses. Multnomah County in both offenses and Dade County in B&E offenses show roughly the expected trend of increasing sentence severity score as the degree of prior record increases. We have no information to explain the failure of the robbery cases in our 1974 Dade sample to exhibit the same dependence.

DELAY

The contrast between Multnomah and Dade Counties with respect to the duration of felony proceedings is so marked that we need comment little about the specific differences shown in Table 9.20 based on results discussed in Secs. VI and

Table 9.18
EVENHANDEDNESS: COMPARISON OF THE RELATIONSHIP BETWEEN PRIOR
RECORD AND DISPOSITIONAL MEASURES IN ROBBERY AND BURGLARY
(OR B&E) CASES, 1974
(Percent of all defendants in a prior record category)

Dispositional Measure	Multnomah County					Dade County				
	Robbery I		All Burglary I			Robbery		B&E Offenses		
	No Record	Minor Major Prison	No Record	Minor Major Prison	No Record	No Record	Minor Major Prison	No Record	Minor Major Prison	No Record
Not convicted	17	42 18 17	19	14 11 36	45	25 18 43	14	20 6 33		
Pretrial dismissal	12	21 9 6	17	14 11 27	9	11 0 0	0	13 0 33		
Nol-pros, diversion	NA	NA NA NA	NA	NA NA NA	9	3 18 0	9	7 5 0		
Trial acquittal, mis-trial, dismissal	5	21 9 11	2	0 0 9	27	11 0 43	5	0 0 0		
Convicted (conviction rate) ^a	83	58 82 83	81	86 89 64	55	75 82 57	86	79 94 67		
By straight plea ^b	65	37 82 55	52	43 66 28	94	54+ 55+ 43+	49+	33+ 78+ 50+		
By bargained plea ^c	6	7 0 11	21	14 17 27	27	21 27 14	24	33 16 17		
Gross plea rate ^c	71	44 82 66	73	57 83 55	36	75 82 57	72	66 94 67		
At trial	12	14 0 17	8	29 6 9	19	0 0 0	14	13 0 0		
Trial conviction rate ^d	67	40 -- 60	80	100 -- 50	40	0 -- 0	75	0 -- --		
Number of dispositions (N)	34	14 11 18	48	7 18 11	11	28 11 7	21	15 18 6		

NOTES: "4+" indicates that the difference between counties of the weighted average of the straight-plea conviction rate in the "no record" and "minor" categories is significant at the 95 percent level for robbery and also for burglary (or B&E). The same is true for the weighted average of the straight-plea conviction rate in the "major" and "prison" categories. In addition, the difference between the straight-plea conviction rates in the two counties for the "minor" category is significant.

^aNumber of convictions ÷ number of dispositions.

^bCharges or counts reduced.

^cNumber of pleas ÷ number of dispositions.

^dNumber of convictions at trial ÷ number of trials.

Table 9.19

COMPARISON OF THE INDEPENDENT EFFECT OF PRIOR CRIMINAL RECORD
ON SENTENCE SEVERITY SCORE, 1974
(Percent change in sentence severity score (Index A)
associated with a given category of prior record)

Prior Record	Multnomah County		Dade County	
	Robbery I	Burglary I	Robbery	B&E Offenses
Minor	NS ^a	+19	NS	+30
Major	+54	NS	NS	+65
Prison	+45	+59	NS	+65

^aNot significant (NS). See note to Table 6.23 for definition of significance.

VII. The median number of days from arrest to various points in the proceeding tended to be 1.5 to 2.0 times as large in Dade as in Multnomah, with some exceptions for Nondwelling Burglary (or B&E) cases. The most time-consuming cases in Dade were roughly twice as long in Dade as in Multnomah. The same story obtains when the consumption of time is measured from arraignment rather than arrest. These results simply underscore the more serious problem of court congestion in Dade. However, if we refer speediness performance in Multnomah Circuit Court to the statutory standard that the period from arrest to initiation of trial (if any) should not exceed 60 days and performance in Dade Circuit Court to the court-imposed rule that this period should not exceed 180 days, Table 9.20 indicates that, in 1974, Dade met its standard in a greater proportion of cases than Multnomah met its standard.

Continuances are both a cause and a result of delays in felony proceedings. Table 9.21 discloses gross differences in continuance practices between the two jurisdictions. Whether a case is contested (i.e., involves a trial) or uncontested, the frequency of continuances in Multnomah proceedings is sharply less than in Dade, and the average length of Multnomah continuances is much shorter than those of Dade. To the extent that the movant for a continuance could be identified in our case samples, it was the defense alone and the prosecution alone in a greater proportion of cases in Multnomah than in Dade.

Table 9.22 presents a comparison of the results of our effort to identify the magnitude and direction of the independent effect of various hypothesized factors on the duration of proceedings. We observe that there is more consistency than not in the pattern of effects shown for the two jurisdictions. The change in elapsed time associated with a change in pretrial custody status is remarkably similar between Multnomah and Dade. In Multnomah, having private attorney representation tended to introduce more delay in felony cases in general but less delay in robbery cases; in Dade, type of counsel had no effect on delay. The direction of effects associated with the type of disposition is generally consistent between the two jurisdictions, but the magnitude of the effects is usually greater in Multnomah. We have no explanation for the disparity between the two court systems concerning the change in average elapsed time when robbery conviction was by bargained plea rather than

Table 9.20

COMPARISON OF MEASURES OF ELAPSED TIME IN FELONY PROCEEDINGS, 1974
(Some entries omitted because of smallness of sample)

Type of Disposition	Multnomah County				Dade County			
	All Felonies	Robbery I	Dwelling Burglary I	Non-dwelling Burglary I	All Felonies	Robbery	Dwelling B&E	Non-dwelling B&E
Median number of days from arrest to:								
Dismissal	41	26	47	71	88	119	116	118
Guilty plea	51	54	51	82	109	123	76	95
Trial	84	81	93	118	131	119	109	72
Final disposition	77	86	97	97	109	124	90	103
Minimum number of days in longest 10 percent of cases from arrest to:								
Dismissal	154	--	--	--	214	--	--	--
Guilty plea	93	--	--	--	299	--	--	--
Trial	149	--	--	--	246	--	--	--
Final disposition	151	--	--	--	270	--	--	--
Percent of cases exceeding 60 days (Multnomah) or 180 days (Dade) from arrest to:								
Dismissal	38	38	--	55	12	23	0	50
Guilty plea	44	34	44	63	17	23	3	17
Trial	100	69	83	--	8	33	0	0
All cases ^a	46	42	46	61	15	23	2	18
Median number of days from arraignment to:								
Dismissal	46	--	--	84	58	100	89	171
Guilty plea	29	21	31	21	67	91	47	57
Trial	49	52	79	72	106	103	91	45
Final disposition	63	64	68	61	83	99	62	74
Minimum number of days in longest 10 percent of cases from arraignment to:								
Dismissal	110	--	--	--	187	--	--	--
Guilty plea	82	--	--	--	237	--	--	--
Trial	92	--	--	--	198	--	--	--
Final disposition	130	--	--	--	205	--	--	--
Median number of days from conviction to sentencing	34	35	33	31	4	4	4	1

^aTime between conviction and sentencing excluded.

Table 9.21

COMPARISON OF MEASURES OF CONTINUANCE PRACTICES, 1974

Continuance Measure	Multnomah County	Dade County
For uncontested cases:		
Number of cases continued ÷ number of cases	31%	67%
Number of continuances ÷ number of cases (number of continuances per case)	0.59	2.3
Number of days continued ÷ number of con- tinuances (number of days per continuance)	16	42
Number of days continued ÷ number of cases, (number of days continued per case)	9	97
Number of cases (N)	80	86
Percent of the number of continuances attributed to:		
defense	49%	9%
prosecution	15%	7%
court and other ^a	36%	84%
For contested cases:		
Number of cases continued ÷ number of cases	60%	92%
Number of continuances ÷ number of cases	1.4	4.3
Number of days continued ÷ number of continuances	9	42
Number of days continued ÷ number of cases	13	149
Number of cases (N)	15	12
Percent of the number of continuances attributed to:		
defense	29%	12%
prosecution	19%	5%
court and other ^a	52%	83%

^a Attributed to the court alone, defense and prosecution jointly, and unidentified attribution.

straight plea—+110 percent in Multnomah versus -42 percent in Dade. And it is noteworthy that the hypothesized factors explained considerably more of the variability (i.e., variance) of elapsed time in Dade than in Multnomah.

USE OF VICTIMS, OTHER WITNESSES, AND JURORS

As explained in Secs. VI and VII and App. D, we were largely unable to obtain the data sought on lay participants directly from court records in either jurisdiction. As an expedient, we used the responses to our mail surveys of lay participants in the two counties as the primary data source. Our comparison of Multnomah and Dade in their use of lay participants reflects the recalled experiences of the surveyed participants.

Table 9.23 applies to the use of victims and other witnesses. The assessment of the participants as to their own cooperativeness seems reasonably alike in the two locales. We observe that the average number of appearances made by a witness other than a victim is twice as large in Dade as in Multnomah. Given the nature of the continuance practices in Dade, as shown above, this difference is expected. In

Table 9.22

COMPARISON OF THE INDEPENDENT EFFECT OF HYPOTHESIZED INFLUENCES
ON AVERAGE ELAPSED TIME FROM ARRAIGNMENT TO FINAL DISPOSITION, 1974
(Percent change in average elapsed time associated
with a change in a given factor, measured against
reference condition)

Influence on Elapsed Time	Multnomah County		Dade County	
	All Felonies	Robbery I	All Felonies	Robbery
Pretrial custody status ^a				
In jail	NS ^b	+44	NS	+39
Freed on bail or O.R.	NS	+88	NS	+39
Defended by private attorney ^c	+48	-37	NS	NS
Type of disposition ^d				
Dismissal	-93	-66	-18	-30
Conviction by bargained plea	-68	+110	-33	-42
Conviction by trial	+51	+98	+54	+32
Proxy for court calendar crowding	+5	+98	+54	+32
Percent of variance explained by above factors	18	33	37	52

^aMeasured against mixed pretrial custody status.

^bSee Table 6.26 for notes on the definition of statistical significance.

^cMeasured against representation by the public defender.

^dMeasured against conviction by straight plea.

consequence, the average number of appearances of other witnesses per disposition is also much larger in Dade. It is not clear why victim appearances fail to follow this pattern. There is fairly good agreement shown in Table 9.23 for the distribution of appearance duration and its average, given the crude data.

Table 9.24, which applies to the use of jurors, reflects a surprising degree of agreement between the two jurisdictions, given the significant differences between the court systems and the crude data. It is noteworthy that in both jurisdictions, jurors spend nearly half their time waiting to perform their duties.

SUMMARIZING THE COMPARISONS

Multnomah and Dade Counties and their circuit courts differ in many essential respects. This is the thrust of the descriptive information we have presented in Sec. V, in this section, and at various other points in this report. It is clear that the comparison of these two jurisdictions ought not to be approached as if one were assessing a competition between two similar entities operating in like environments and seeking to achieve well-defined, common goals. When we observe differences in

Table 9.23

COMPARISON OF MEASURES OF THE USE OF VICTIMS AND OTHER WITNESSES

Type of Response from Lay Participants	Multnomah County		Dade County	
	Victim	Other Witness ^a	Victim	Other Witness ^a
Cooperativeness (%)				
Cooperative	89	93	90	88
Uncooperative	6	3	6	10
Not asked for cooperation	5	4	4	2
Number of responses (N)	(105)	(89)	(101)	(100)
Average number of appearances per victim or other witness (per disposition)	2.5	1.9	2.2	4.0
Average number of victim or other witness appearances per disposition (estimated)	2.5 ^b	2.9 ^c	2.2 ^d	5.6 ^e
Length of appearance of victim or other witness (%)				
Less than one hour	24	14	10	6
Two-three hours	30	48	45	44
Three hours (half-day)	21	34	43	41
Six hours (full-day)	5	4	2	9
Number of responses (N)	(93)	(85)	(88)	(79)
Average time per appearance (hr)	1.8	1.9	2.1	2.5

SOURCE: Responses of victims and other witnesses to Rand mail surveys except for number of witnesses appearing per trial.

^aNearly all witnesses surveyed were called by the prosecution.

^bCalculated as the product of one victim per disposition and 2.5 victim appearances per disposition.

^cCalculated as the product of 1.5 other witnesses per disposition (estimated from case records) and 1.9 appearances per other witness.

^dCalculated as the product of one victim per disposition and 2.2 victim appearances per disposition.

^eCalculated as the product of 1.4 other witnesses per disposition (estimated from case records) and 4.0 appearances per other witness.

Table 9.24

COMPARISON OF MEASURES OF THE USE OF JURORS TIME
(Percent of time spent)

Activity	Multnomah County						Dade County					
	Percent of Jurors Responding					Average Percent of Time Spent	Percent of Jurors Responding					Average Percent of Time Spent
	Less Than None	25-25	50-49	75-74	100-100		Less Than None	25-25	50-49	75-74	100-100	
Waiting in jury room or elsewhere (N=163) ^a (N=160) ^b	0	29	37	26	8	41	1	23	31	26	19	47
Criminal jury selection (N=159) (N=161)	0	70	24	3	3	22	3	60	27	5	4	25
In criminal trial (N=173) (N=154)	6	46	31	12	5	28	9	29	30	20	12	38

^aUpper N is number of responses in Multnomah County.

^bLower N is number of responses in Dade County.

the results of applying the same performance measures to the two jurisdictions, our interpretation of these differences must necessarily be cautious, for the differences may reflect disparities in the nature of the two systems and not their relative effectiveness.

The comparisons that have been made in this section were based largely on data obtained from the 1974 exemplary offenses case samples—that is, from four samples each roughly numbering 100 cases that involve the two exemplary offenses in the two jurisdictions. In summary, drawing upon the analyses described in Secs. VI and VII, we observed the following.

The Statistical Overview

- Felony case input is several times as large in Dade as in Multnomah, and the case backlog problem in Dade is correspondingly more severe. Annual felony caseload per prosecutor assigned to felonies in Dade is more than twice that in Multnomah; the comparable caseload ratio for public defenders is slightly higher in Dade than in Multnomah. (This gross type of comparison cannot be made for judges since we were unable to allocate the time for Multnomah trial judges accurately between civil and criminal matters.)
- There were significant differences in the distribution of felony cases by offense type between the two counties, but the incidence of the exemplary offenses was fairly similar (in 1974).

- Among the characteristics of felony defendants examined, the most significant differences between Dade and Multnomah Counties were the higher proportion of ethnic minorities, the lower educational level, and the higher proportion represented by the public defender among the Dade defendants in the cases sampled.

Case Screening

- The operation of the charging threshold in the two court systems gave rise to a mixed comparison for the 1974 exemplary offenses bookings. On the one hand, comparing Burglary I cases in Multnomah (some of which were Impact offense cases and some not) and B&E cases in Dade, we found the gross screening output to be similar. On the other hand, the screening results of robbery bookings were significantly different between the two jurisdictions, with the rejection rate being markedly higher in Multnomah.
- Since charging accuracy could not be fully assessed by means of dispositional measures (see discussion in Sec. IV), we were able to gain only fragmentary impressions of this aspect of case screening. Cases involving Impact offenses (Robbery I and Dwelling Burglary I) seemed to be more accurately charged in Multnomah than were cases involving similar offenses in Dade. At the same time, we found indications that this would not be the general finding for other types of cases.

Plea Bargaining

- Only limited comparisons of plea bargaining performance were possible, primarily because sentence agreements are the predominant type of bargain in Dade and no written record of such agreements was contained in the case files. In particular, it was not possible to make an adequate comparison of the sentence severity concessions embodied in the plea agreements of the two jurisdictions.
- A high rate of straight pleas (i.e., to all charges and counts as originally filed, but possibly with tacit sentence agreements) characterized both counties in the cases involving the Impact offenses in Multnomah and the comparable offenses in Dade. But for cases in which the other offense type (Nondwelling Burglary or B&E) analyzed in this study was charged, there was a significant difference between the two counties—Multnomah engaged in charge and count bargains far more frequently.

Sentence Variation

- The pattern of sentencing for robbery convictions was similar in the two jurisdictions—conviction usually being at the highest level and a substantial prison term then being imposed. On the average, the sentence severity score was moderately higher in Multnomah for robbery convictions.
- By contrast, the pattern of sentencing differed between the counties for convictions on Burglary I or B&E charges. In Multnomah, convictions were predominantly at the highest level (felony A), and prison terms were imposed in roughly one-half of the sampled cases. In Dade, convictions were

mostly at the second most serious level (second degree felony), and roughly one-third of the defendants were given prison terms. Again the average sentence severity score turned out to be higher in Multnomah.

- Little of the sentence variation in exemplary offenses cases in either jurisdiction was accounted for by the set of illegitimate factors we hypothesized. But the legitimate factors of the nature of the defendant's criminal conduct and his prior record did account for most of the sentence variation that we could explain statistically.

Evenhandedness

- To distinguish the evenhandedness of dispositions between Multnomah and Dade Counties, we attempted to relate the nature of a defendant's disposition to his pretrial custody status, type of defense counsel, and ethnic group, but we found no clear distinctions on this basis (except that the defendant appeared to gain a small advantage in being represented by the public defender in Multnomah but not in Dade).
- Sentence severity scores also manifested no consistent patterns that enabled us to distinguish between the two jurisdictions. But there was evidence of a lack of evenhandedness in specific circumstances in both court systems—more severe sentences for B&E convictions in Dade were associated with minority status, retained counsel, and pretrial jail confinement; pretrial custody status was correlated with the severity of robbery sentences in Multnomah.

The Role of Prior Record

- Judged by comparison of dispositional measures, prior criminal record did not turn out to be a governing factor in the dispositions of the 1974 exemplary offenses cases either in Multnomah or Dade.
- Prior criminal record appeared to affect sentence severity scores consistently in both Robbery I and Burglary I cases in Multnomah and in B&E cases in Dade, but it did not significantly affect these scores in Dade robbery cases. We cannot explain the latter difference, and therefore we cannot infer that it reflects an essential distinction between the two counties.

Delay

- The clearest distinction between the two jurisdictions appeared to be in the duration of felony proceedings. Much less time generally elapsed between stages of the proceedings in the Multnomah court system.
- However, a smaller proportion of cases in Dade exceeded the court-imposed 180-day standard for the maximum time between arrest and trial than exceeded the statutory 90-day standard for this maximum time in Multnomah. (This was also true for the periods from arrest to dismissal, to guilty plea, or to final disposition).
- Statistical performance measures attested to the marked difference in continuance practices between the two jurisdictions (e.g., the average number

of continuance days per case was over ten times greater in Dade than in Multnomah).

- There was no significant difference between Multnomah and Dade in the pattern of effects on case processing time attributable to the factors we hypothesized as being influential. However, these factors accounted for substantially more of the variation in case processing time in Dade than they did in Multnomah.

Use of Victims, Other Witnesses, and Jurors

- The average number of appearances per witness, the average number of appearances by all witnesses per disposition, and the average time per witness appearance all tended to be higher in Dade, most likely a by-product of the differences observed in the length of proceedings and in the continuance practices in the two counties. On the average, victims devoted about 4.5 hours of their time per disposition in both jurisdictions, but other witnesses spent about 14 hours per disposition in Dade compared with 5.5 hours in Multnomah.
- The pattern of juror activities appeared not to differ materially between the two counties. Jurors were idle somewhat less than half of their tour of duty in both systems.

Overall Performance

- We find it infeasible to compare "overall" performance between the two court systems for a variety of reasons. Even if it were possible to devise an acceptable composite performance measure that would reflect the importance of one activity (say, screening) relative to another (say, case processing delay), we would be defeated here by the inadequacy of the data available in Dade.
- We do have a "collective" impression of the relative performance in the several issue areas. In some—e.g., sentence variation, evenhandedness in disposition and sentencing—the two jurisdictions performed similarly. In others—e.g., charging accuracy, case processing delay—one jurisdiction seemed to do better than the other. In still others—e.g., applying the charging threshold, the plea bargaining balance—our data do not suffice for a judgment.

X. GENERAL PROCEDURES AND RESULTS OF THE SURVEYS OF LAY PARTICIPANTS

Sandra Berry and Stephen Klein

OVERVIEW OF APPROACH

This section describes the procedures and results of a mail survey of jurors, victims, and other witnesses from Multnomah and Dade Counties. The methods used and the data obtained from a small set of interviews of defendants at these two sites are also presented.

The primary purpose of the mail survey was to gather data regarding juror, victim, and other witness attitudes about the court system and to analyze these data to determine the factors that may have influenced these attitudes. Data from the mail survey, particularly the use of lay participant time, also were used in presenting and interpreting some of the findings that have been discussed in Secs. VI, VII, and IX. The survey procedures involved randomly selecting approximately 200 persons from each of the three groups at each site and then sending to them a questionnaire that plumbed their attitudes toward and experiences with court processes. Questionnaires were returned from 85 percent of the jurors, 62 percent of the victims, and 66 percent of the other witnesses (the latter group is hereafter referred to simply as "witnesses"). These data were then analyzed to identify similarities and differences between groups and between sites as well as to determine the magnitude of the relationships between attitudes, experiences, and potentially relevant background characteristics of the respondents.

In this section we describe the general procedures used in the survey work, the results obtained, and their implications. Appendix F presents a detailed description of the mail survey procedures, App. G contains copies of representative mail questionnaires and related materials, and App. H consists of a tabulation of the results of the basic statistical analyses that were conducted of mail survey responses.

The defendant study was undertaken in order to pilot test an interview schedule that could be used in surveying defendant attitudes about and experiences with the court system. A total of 19 defendants in Multnomah County and 26 in Dade County were interviewed for this purpose. Appendix I contains a copy of the questionnaire and a tabulation of the defendant responses.

MAIL SURVEY PROCEDURES

Sample

The names of 206 jurors, 200 victims, and 206 witnesses from Dade County were obtained from records in the office of the circuit court clerk. In Multnomah County, the names of 247 jurors were obtained from the office of the court administrator and the names of 214 victims and 217 witnesses were drawn from the files of the office of the district attorney. At both sites, an attempt was made to screen out persons

who were likely to be "professional" witnesses by excluding anyone in the sample who had a title in front of his name, such as Dr. or Sgt. A more complete description of the sample selection procedures appears in App. F.

Questionnaires

A separate questionnaire was developed for each group, however, many questions were repeated across instruments so as to facilitate comparisons between groups. Spanish language versions of witness and victim instruments were developed for those individuals in the sample who were identified as potentially Spanish speaking in Dade County.

Distribution and Follow-Up

A questionnaire was mailed to each individual in the sample. If a person was identified as potentially Spanish speaking, both English and Spanish language versions were mailed. Individuals not identified as Spanish-surname were sent a notice indicating that a Spanish version of the questionnaire was available.

A postcard reminder to complete the questionnaire was sent several days after the initial mailing. If a questionnaire was not returned within two weeks, a second questionnaire and cover letter were mailed. An attempt also was made to contact all nonrespondents by phone to encourage them to return their completed questionnaire booklets. Although the phone follow-up was costly, it did appear to substantially increase the number of questionnaires returned, especially from victims and witnesses (see App. F for a more complete discussion of this matter). The table below summarizes the return rates for each group at each site after individuals whose questionnaires were classified by the post office as being "undeliverable" ($N = 123$ of 1221) were deleted from the sample.

Group	Percentage of Questionnaires Returned		
	Multnomah County	Dade County	Total
Jurors	86	85	85
Victims	66	58	62
Witnesses	70	62	66
Total	75	71	73

DESCRIPTION OF THE ANALYSES

Four types of analyses were conducted. The first set of analyses examined the *typical (average) response* to each of the questionnaire items in order to determine prevailing attitudes and experiences in each jurisdiction and within each group. The focus of these analyses was on how the answers of the sites and groups were similar and in the overall level of response. For instance, did witnesses have a generally positive or negative attitude toward the quality of the court system in their community?

The second set of analyses investigated whether there were *differences between jurisdictions* in how each group responded. For example, were the jurors in Multnomah County more or less willing to cooperate again than the jurors in Dade

County? The third set of analyses probed whether there were any *differences between groups* within sites, such as the attitudes of jurors versus witnesses regarding the degree to which they felt that justice was done in Dade County. An examination also was made of the extent to which there might be possible interactions between sites and groups, such as witnesses in Multnomah County having a better impression of the quality of the lawyers and judge(s) than did victims, with perhaps the reverse being true in Dade County.

The fourth set of analyses measured the degree to which the respondents' experiences and attitudes were associated with their overall assessment of the quality of the system and their willingness to cooperate again. These *correlational analyses* were focused primarily on the kinds of relationships that did or did not exist between attitudes and variables that might be changed by policy, i.e., on the kinds of problems and experiences that the three types of lay participants may have encountered. No attempt was made to estimate the independent or *unique* impact of each policy variable because of the frequently high correlations among them and the questionable direction of causality. For example, did parking problems cause negative attitudes, or did negative attitudes lead a participant to feel that he/she experienced a parking problem, or did some third variable (such as losing time from work) condition responses to both kinds of variables, or were all of these influences operating simultaneously? Any attempt to separate such factors was well beyond the scope and resources of this study.

A given question did not necessarily appear in the same ordinal position across survey instruments and some items were unique to just one or two instruments. A variable number was therefore assigned to each item and a summary of the items is presented in the tables in App. H. Table H.12 contains a cross-referencing of the item(s) in each survey instrument that corresponds to each variable number. Appendix H also describes the procedures used in computing certain composite variables as well as a brief discussion of the factors that were considered in preparing the data for analysis.

ANALYSIS OF TYPICAL (MEAN) RESPONSE IN EACH GROUP ACROSS SITES

Tables H.1 to H.5 present the average score on each variable examined at each site for each group. These tables contain the range of possible scores for each variable so the reader has an accurate frame of reference for interpreting each group's average. By comparing the obtained average on a given variable with the possible score range, one can determine whether this average lies near the low, middle, or high end of the measurement scale. The range of choices for the question below illustrates how a scale of measurement was constructed for each item.

Based on your recent court experience as a, what is your overall opinion of the court system you were involved in?

- (1) Very Poor
- (2) Poor
- (3) Neutral
- (4) Good
- (5) Very Good

The possible range of scores on this item is from one to five. Thus, if a group had an average score of 4.0 on this variable, it would mean that the respondents generally had a favorable attitude toward the court system. If the average were 2.0, then the group would be said to have a generally unfavorable (but not *very* unfavorable) attitude.

An inspection of Tables H.1 to H.5 reveals a generally high degree of similarity between a group's response in Dade County with the corresponding group's response in Multnomah County. Because it would thus be repetitious to discuss each group's results at each site separately, we will concentrate first on the ways in which the sites and groups were similar, and then describe the major ways in which they differed.

Similarities Across Groups and Sites

There were a few variables on which all three groups at both sites had comparable average scores. One such variable was socioeconomic status as measured by the respondents' education, income, and current employment level. On a scale of 4 to 24 (variable #8), the groups at each site had an average of about 15 points. This would place them at about the middle level of the socioeconomic status hierarchy. A close inspection of the data reveals, however, that this similarity was largely due to a relatively depressed employment level for jurors (variable #7). Jurors also are more likely to be older (variable #3) and therefore more likely to be retired. Thus, the composite variable representing overall socioeconomic status probably underestimated the average level for jurors.

In terms of attitudes, 90 percent or more in each group at each site indicated that they would be willing to cooperate again with the court system (variable #13). However, this finding must be interpreted with caution for victims and witnesses because less than 70 percent of them returned their questionnaires; i.e., those who actually participated in the survey may have been more favorably disposed toward the court system than those who did not "cooperate" as evidenced by their unwillingness to take the 20 minutes necessary to complete and return their questionnaires. The only other attitudinal variable on which the groups showed such unanimity was with respect to plea bargaining. In general, all the participants were negatively disposed to this practice (variable #57) although they tended to agree that it "saves time and money by avoiding trials" (variable #53). In terms of actual case experiences, the groups were more likely to be involved in cases in which "something was stolen" (variable #19) than with any other kind of crime (variables #20 to #26). For example, usually more than 60 percent of the respondents indicated that their cases dealt with stolen goods whereas usually only 10 to 20 percent said that they participated in cases involving escape from jail, possession of weapons, fraud or bad checks, or possession or sale of drugs.

Although there were some differences between groups and sites with respect to the severity of the problems they encountered in participating in the court system, there was one problem that almost everyone noted: spending time waiting (variable #29). Losing time from work and parking or transportation problems were also high on the list for victims and witnesses (variables #28 and #30). For example, the average scores for variables dealing with time were generally twice the magnitude of those dealing with places to eat, concern for safety near the courthouse, and care for family.

Similarities Between Jurors Across Sites

Jurors tended to have favorable to very favorable attitudes toward the quality of the court system (variables #9 to #11); e.g., most said that they were satisfied with their experience and that their cases were interesting (variable #45). They also shared similar beliefs about the court system, e.g., that it does a good job of protecting a defendant's rights (variable #48). Jurors at both sites reported that they spent about 50 percent of their time waiting in the jury room. They further indicated that they neither made nor lost money as a result of their participation (see Table H.20; Item B, 13).¹ Nearly all of them said that they understood the court system better now (variable #12) and that they had a more favorable impression now than previously about the way juries arrive at a verdict (Item B, 14). This is highly consistent with the fact that 85 percent of them said that their participation helped bring about justice (variable #44).

Similarities Between Victims Across Sites

Victims generally had a neutral attitude toward the overall quality of the court system (variables #9, #10, and #12). They also felt that the crime perpetrated against them was of average² seriousness and that the case itself was neither interesting nor dull (variables #27 and #45, respectively). As might be suspected, victims felt strongly that the court system was too easy on defendants (variable #49). One particularly interesting finding was that victims had a tendency to have been victimized more than once previously (variable #17). Victims also tended to indicate some concern about the defendant "getting back at them" (variable #35) and the honesty of court officials (variable #50), especially compared to other groups at the same site.

Similarities Between Other Witnesses Across Sites

Other witnesses did not show quite the same consistency in responses across sites as did victims or jurors. Thus, more will be said later about witnesses in the discussion of site differences. However, witnesses responded in the same general fashion as did victims with respect to both attitudes and experiences, and the next portion of this section discusses these similarities. There were a few variables unique to witnesses that showed consistency across sites. For example, 90 percent of the witnesses at both sites were witnesses for the prosecution. This fact may help explain the close correspondence between their responses and those of victims. About 70 percent of the witnesses saw the crime being committed and 65 percent knew the victim. Very few witnesses at either site knew the defendant.

Similarities Between Victims and Other Witnesses Across Sites

As noted above, victims and witnesses generally responded in the same fashion to the questionnaire items. Both groups appeared neutral with respect to the overall quality of the system and whether they felt that justice was done (variables #9 and

¹ This result might have been attributable to the fact that although some jurors lost pay on net, others who were unemployed or retired experienced a gain in income (from jury compensation).

² The mean response was in the category "somewhat serious."

#10). However, they tended to place themselves toward the dissatisfied end of the scale in response to the question: "Looking back on your experience in this case, how do you feel?" (variable #11). About 60 percent said that they understood the court system better as a result of their participation (variable #12). But, given some of their attitudes toward various facets of the court system, the word "understand" may not necessarily have positive connotations.

About 70 percent of the participants in these two groups felt that their participation helped bring about justice (variable #44) and most were neutral regarding whether the case was interesting or dull (variable #45). The groups also were quite similar in their attitudes about the fairness and efficiency of the court process (variables #46 to #51). For instance, they tended to feel that it was "too slow and wastes a lot of time," that it was "too easy on defendants," and that it did a good job of "protecting a defendant's rights."

In terms of actual case experiences, only 20 percent indicated that they did not cooperate every time they were asked to appear. Although 65 percent said they were generally notified in advance of any rescheduling or postponements, only about 50 percent were ever told the reason for this change (variables #68 and #69). Inadequate dissemination of information was evident in other areas as well. For instance, about 50 percent of these participants at both sites either never found out what happened in the case or found out from a friend (variables #78 to #80). About 35 percent never found out what sentence (if any) the defendant received (variable #84). This last finding is probably consistent with the fact that victims and most other witnesses in this survey were asked to testify by the prosecution.

The three biggest problems encountered by these two groups at both sites were losing time from work, parking or transportation, and spending time waiting (variables #28 to #30). Finally, with respect to one other potential source of problems that might influence attitudes, most, but certainly not all, participants in these two groups indicated that they had a chance to tell their own story (variable #81).

DIFFERENCES BETWEEN SITES AND WITHIN GROUPS

This discussion is only of those variables that showed substantial differences in average scores between sites within each group. For example, the only background characteristic that was systematically different between the sites was that there were more minority group members in Dade County than in Multnomah County (variable #3), reflecting the differences between sites in the proportion of minorities in the general population. The only other difference between sites that was consistent across all three groups was that those in Dade County said they experienced more problems associated with their participation (variables #28 to #36).

Differences Between Sites for Jurors

Multnomah County jurors had a somewhat more positive overall attitude toward the court process after their experience (variables #9 and #51), but they also had a more favorable attitude prior to this experience (variable #14). These results may have been influenced in part by the fact that the Multnomah jurors were more likely to have served as a juror previously (variable #15). On the other hand, Dade jurors were more likely to have a better impression of the attorneys and judges

involved in their cases (variable #43), although they were also *relatively* more inclined to believe that many court officials and judges in the nation were dishonest (variable #50). Dade jurors felt that the cases they were involved in were more serious (variable #27) even though jurors in Multnomah County were more likely to sit on cases involving physical attack than were Dade jurors (variable #23). Despite the fact that both sets of jurors felt that plea bargaining does not occur frequently,³ jurors in Dade County indicated that they thought it happened more often than did jurors in Multnomah County (variable #52).

An inspection of the results in Table H.6 in App. H reveals a number of differences between sites on responses to questions asked only of jurors. For example, Multnomah jurors spent on the average almost three times as many total days at the court building as did jurors in Dade County, because of the difference in length of jury terms between the counties. This may or may not be related to the fact that Dade jurors tended to gain a slightly more favorable impression of the way juries arrive at a verdict as a result of their recent service (i.e., serving shorter jury terms may reduce the intensity of reactions to problems.)

Differences Between Sites for Victims

There were extremely few highly significant differences between sites for victims. In fact, the only major difference was that 60 percent of the victims in Multnomah County reported that something was done to make up for the loss or harm they suffered compared to only 40 percent in Dade County (see Table H.7).

Differences Between Sites for Witnesses

Multnomah County witnesses tended to be more positive after their participation about the court system than did witnesses in Dade County (variables #9 to #11). Witnesses in Dade County were more likely to have had prior experience in the courts (variables #15 to #17) and to have a slightly less favorable opinion of the quality of the attorneys and judge(s) in the case(s) in which they served as a witness (variables #43, #50, and #51). Dade witnesses reported that they had their cases rescheduled or postponed more often (variable #67) and were involved with the cases for a longer period of time (variable #74); both of these findings are consistent with the delay and continuance findings from the statistical performance measures analyses (see Secs. VI, VII, and IX.) They are also consistent with the fact that witnesses in Multnomah County were more inclined to believe their cases took a reasonable amount of time to settle (variable #76).

In Dade County, 30 percent of the witnesses said that they knew the defendant, whereas only 10 percent of the witnesses in Multnomah County knew the defendant (see Table H.8).

DIFFERENCES BETWEEN GROUPS ACROSS SITES

We attempted to include as many common items as possible in the different

³ Of course, jurors, unlike victims and other witnesses, are unlikely to directly observe cases in which the disposition is by pretrial pleas of guilty.

questionnaires to permit comparisons between groups. Large differences between groups emerged as discussed below. For instance, jurors tended to be older than victims, who in turn tended to be older than witnesses (variable #2). Jurors also were more likely to be married (variable #5) and less likely to be fully employed (variable #7).

The single most pervasive difference between groups was that jurors tended to be more satisfied and have a more favorable opinion (about almost anything) than did victims or witnesses (e.g., variables #9 to #14; #44 to #51). For example, jurors were more apt to agree that justice was done, that the court professionals were effective, and that the system was fair to all. Similarly, they reported 20 percent fewer problems associated with their participation than did victims or witnesses (variable #36). Jurors tended to report that the cases with which they were involved were more serious (especially in Dade County) as well as more interesting (variables #27 and #45). Jurors were *less* inclined to believe that plea bargaining happens frequently (variable #52). As noted previously, most witnesses were called by the prosecution; thus, it is not surprising that compared to jurors, they were more likely to believe that the court system was too easy on defendants (variable #49).

The only major differences between victims and witnesses were that the former group was more concerned about the defendant getting back at them and were more often involved in cases in which something was stolen or in which there was a threat of violence. Witnesses indicated that they were more likely to have had a prior experience as a witness, especially in Dade County (variable #16). An inspection of the distribution of responses on prior participation indicates that the reason for this high average among witnesses was that a few of them at each site had rather extensive witness experience. In Dade County, for instance, six of the 104 witnesses indicated that during the preceding five years, they had been a witness more than 100 times! Since the sampling procedures attempted to eliminate such "professional" or "perennial" witnesses, their presence in the surveyed group was apparently due to exogenous factors. For example, one witness worked as a counselor at a high school and had to testify every time "one of his boys" appeared in court. Other "professional" witnesses may have included police officers and psychiatrists or other physicians who did not have titles appearing in front of their names in the prosecutor's case files or court case file from which we drew witness names and thereby passed through the screening in the sample selection process. An examination of the median (rather than the average) response at each site indicated the extreme nature of this skewness in that the median numbers of times a witness had had prior witness experience were 1.1 and 1.2 in Multnomah and Dade Counties, respectively. Thus, the two sites were actually comparable with respect to this variable. Even with this adjustment, however, it is clear that witnesses had far more prior experience with the court system than one might expect; i.e., more than 50 percent of the witnesses at both sites had been a witness at least once during the past five years.⁴

Interactions Between Sites and Groups

In general, the pattern of average response between groups at one site was consistent with the pattern at the other site. There were, however, a few instances

⁴ The possible inclusion among the witness respondents of, for example, merchants in high crime neighborhoods, could explain this result.

in which differences were manifested. One such interaction is presented below for the item dealing with overall opinion of the court system (variable #9). An inspection of these data

Overall Opinion of Court System		
County	Victims	Witnesses
Multnomah	2.8	3.2
Dade	2.9	2.6

indicates that while witnesses in Multnomah County had a more positive attitude than did victims, the reverse was true in Dade County.

A second type of interaction occurred between groups in terms of the change in their attitudes toward the court system as a result of their participation (variables #9 and #14), as seen in the table below.

Item	Change in Attitude Toward Court System					
	Multnomah County			Dade County		
	Jurors	Victims	Witnesses	Jurors	Victims	Witnesses
Attitude before	3.5	3.2	3.3	3.2	3.1	3.0
Attitude after	3.8	2.8	3.2	3.6	2.9	2.6
Change	+0.3	-0.4	-0.1	+0.4	-0.2	-0.4

These data indicate that, in general, *jurors improved in their attitudes whereas victims and witnesses generally reported poorer attitudes after their experience.*⁵

CORRELATION ANALYSES AND THEIR POLICY IMPLICATIONS

An analysis of the data indicated a very high degree of relationship among the various measures of overall attitude toward the court system. The results of this analysis are presented in Tables H.9 to H.11 in App. H and indicate consistent relationships at both sites for all three groups. On the strength of these systematic relationships and the fact that the participants' experiences, characteristics, and other attitudes exhibited comparable patterns of relationships with all of the indices of the overall quality of the court system, we decided to report correlation analysis results for only a few of these outcome indices. These results are presented in Table 10.1 for jurors, victims, and witnesses.

The only correlations reported in Table 10.1 are for those potentially causative variables that showed a statistically significant relationship with at least one of the following three attitudinal variables:

- Present overall opinion of the court system (variable #9).
- Feeling that they now have a better understanding of the court system (variable #12).
- Willingness to cooperate again (variable #13).⁶

⁵ These results may be due to the fact that while the victims and witnesses tended to be "prosecution-oriented" and defendants are often not punished, jurors tend to have a more neutral attitude toward case outcomes.

⁶ Correlations with this variable tended to be low because of the lack of variance in participants' responses; i.e., almost all said they would cooperate again.

Table 10.1

**SUMMARY RESULTS OF CORRELATIONS BETWEEN INDEPENDENT AND DEPENDENT
VARIABLES**

Item or Variable Number	Independent Variables	Dependent Variables								
		Overall Opinion of the Court System			Better Understanding of the Court System			Willingness to Cooperate Again		
		J	V	W	J	V	W	J	V	W
	Overall opinions of court system									
14	Before your recent experience, what was your overall attitude toward the court system in your community?	.38	.25	.55		.15				.20
43	Overall quality of judges, lawyers, etc.	.31	.36	.42		.18	.19	.21	.20	.20
51	What is your overall attitude toward the court system in the United States?	.41	.39	.52		.33	.23	.14		.14
57	Overall positive attitude toward plea bargaining; i.e., saves time, money, good way to decide cases, etc.	.13	.20	.19		.23	.24			
	Problems encountered in appearing									
28	Parking or transportation	-.11	-.17	-.25		-.16				
29	Spending time waiting	-.34	-.21	-.45	-.11			-.18	-.19	-.16
30	Losing time from work		-.23	-.35		-.15		-.20		-.22
36	All of the above plus other problems combined	-.27	-.15	-.36				-.13		-.21
	General attitudes about case(s)									
44	Felt their own participation helped bring about justice	.56	.56	.50	.19	.42	.37	.38	.32	.29
45	Felt the case was interesting	.27	.23	.17	.20	.17	.34	.16		
	General treatment (Victims and Witnesses)									
68 & 69	Were you kept informed about reasons for postponements or changes in court proceedings?		.27	.31		.32				
81	Did you have a chance to tell your own story?		.36	.36		.29	.15		.24	
90	Were you treated with courtesy and respect by judges, lawyers, and other court officials?		.34	.38		.18	.22		.16	.24
92	How well were you kept informed of what happened in the case; e.g., sentence defendant received, outcome of case, etc.					.20	.29			
93	Were you told what was expected of you as a _____.		.15	.26			.16			

Table 10.1—continued

Item or Variable Number	Independent Variables	Dependent Variables								
		Overall Opinion of the Court System			Better Understanding of the Court System			Willingness to Cooperate Again		
		J	V	W	J	V	W	J	V	W
	Specific case experience: Items Unique to Victims and Witnesses									
66	On the average, how much time did each appearance take?			-.21						
67	How often were court pro- ceedings postponed or rescheduled?		-.24	-.25						
74	How long did the case take to settle?			-.24						
75	The defendant was found guilty		.21	.17		.24	.27			
76	Did the case take a reason- able (vs. too short or too long) time to settle?		.18	.41		.18				
91	Felt verdict and sentence (if any) was appropriate		.34	.37		.32			.27	.15
	Items Unique to Jurors									
B, 14	What is your opinion now of the ways juries arrive at a verdict?	.33						.20		
B,7	How much time did you spend:									
	Waiting in jury room?	-.19			-.13					
	At trial or deliberation for criminal cases?	.17								
	At trial or deliberation for civil cases?	.13								

As noted previously, questions such as, "Did you feel that justice was done?" (variable #10) were usually so highly correlated with overall opinion (variable #9) that it would be repetitious to report separately how such questions related to other variables examined in the survey.

Nonpolicy Variables

There were several variables related to a participant's overall opinion of the court system that are not likely to be directly influenced by policy decisions. For instance, more positive attitudes toward the courts were generally associated with the following:

- Having a prior positive attitude.
- Perceiving the lawyers and judges to be competent and fair.
- Having a positive attitude toward the court system in the United States (as distinct from the local jurisdiction).
- Being involved in an "interesting" case.
- Having the defendant found guilty.
- Feeling that the disposition (and sentence, if any) was appropriate.

(The latter two variables are only relevant to victims and witnesses.)

One variable that was very highly related to attitudes was whether the participant felt that his/her participation helped to bring about justice. While it is not immediately obvious how such feelings could be manipulated by policy decisions, it is conceivable that how lay participants are treated could have an impact on their feelings of their importance. In other words, if lay participants were given more acknowledgment regarding their central role in the court process, it might result in their developing more favorable attitudes toward the process in general.

Policy-Related Variables

There were several variables related to participant attitudes that are potentially manipulatable by policy decisions. These variables are:

- The fewer problems associated with their participation, the better the attitudes. While there may not be a practical solution to lay participants' complaints about losing time from work, it is entirely possible that something might be done about their time spent waiting and the parking and transportation problems. Several jurisdictions have implemented innovative projects that relieved some of these problems, particularly waiting time.
- The more victims and witnesses were kept informed about postponements and the reasons for them, the more likely they were to have positive attitudes toward the system. The court system could devise routine and inexpensive ways (as has already been done in several jurisdictions) to so inform them.
- The more victims and witnesses were treated with courtesy and respect by judges, lawyers, and court officials, the more likely these participants were to have positive attitudes toward the court system.

- More positive attitudes were associated with the respondent having a chance to tell his/her own story. It should be noted, however, that most respondents indicated that they either were given such a chance or they were not interested in telling their own story.
- The fewer the number of postponements or reschedulings, the more likely victims and witnesses were to have positive attitudes toward the court system.

FACTORS TO CONSIDER IN INTERPRETING RESULTS

By searching for differences between sites and groups over almost 100 variables, one is likely to occasionally obtain a "statistically significant difference" between two averages solely by chance. To help avoid falling prey to such false readings of significance, the preceding discussion focused on only those differences that gave a very strong indication that they were not due to chance. Further, the presence or absence of a *statistical* difference between two means may or may not have any *practical* importance. In short, even though the means may differ, the absolute (rather than the relative) nature of the participants' responses is what may be of central concern to specific readers. For instance, officials and practitioners in Dade County may not be interested in whether their participants encountered more problems than those in Multnomah County; rather, their attention may be focused solely on the problems which actually were indicated most frequently by lay participants in their jurisdiction. It was for this reason that we discussed major trends in the overall *levels* of responses prior to discussing differences, and that all the means for each site/group/variable combination are presented.

The correlational data posed several problems for interpretation. One was that the various outcome measures (such as overall attitude toward the system and attitudes regarding whether justice was done) were very highly correlated with one another. This seeming "halo effect" appeared to be due to the respondents' inability to distinguish these variables as separate dimensions and/or the high correspondence between them in the court system in both jurisdictions. It is evident, however, that the separate items used to measure these aspects of the system could be combined into a single highly reliable scale for the subsequent research in this field.

A second problem with the correlational data was that they did not lend themselves to a clear interpretation of the probable causal relationships among variables. For instance, it was not possible to determine whether the respondents' attitudes about the extent to which they felt that "justice was done" was influenced by the courtesy and respect shown to them, by how they were treated, or whether some other variable (such as how much time they spent waiting) colored their feelings about both the degree of justice and the amount of courtesy and respect shown. Further, relatively few of the outcome variables in Table 10.1 were related to the court procedures *per se* (i.e., over and above problems encountered in participating) and none were related to the participants' background characteristics or the nature of the case being tried. This situation suggests that the observed relationships were not likely to be due to extraneous factors that could be partialled out (i.e., held constant, such as was done by means of the multiple regression analyses described in Secs. VI and VII) and thereby change or clarify the unique influence of other

variables that did correlate with the outcome measures. In short, the nature of the relationships between variables in the present study is somewhat ambiguous.⁷

This interpretation dilemma is highly relevant to what would happen if a change in policy were to occur. For example, keeping victims and witnesses better informed about the reasons for postponements and reschedulings may not *necessarily* produce an improvement in their attitudes toward the quality of the court system. However, in the absence of any other data, the decisionmaker may have to rely on the correlational results as an indication of what is most likely to occur as a result of a change in policy as well as a guide to which policy variables are the ones most likely to affect participant attitudes.

EVALUATION OF THE SURVEY TECHNIQUE

The mail survey approach was certainly very fruitful for collecting data from jurors, and was adequate but less successful with witnesses and victims. The success achieved required a major (and expensive) effort to elicit a good response and minimize bias; it included translations of materials into Spanish and a phone operation to track down nonrespondents.

The most serious problem with the mail survey approach was not nonresponse but the limitations inherent in a mail survey technique. To achieve high response, mail surveys are designed to be short and simple. Unfortunately this simplicity, plus the lack of the possibility for probing responses, allows very little capability for exploring the complicated area of attitude formation. This problem can be mitigated somewhat by careful instrument development and pre-testing.

DEFENDANT INTERVIEWS

Purpose and Procedures

The defendant study was undertaken to pilot test a questionnaire that could be used in surveying defendant attitudes about and experiences with the court system. The focus of the study was, therefore, on field testing the instrument in order to uncover problems in contacting respondents and in wording and format of the questionnaire rather than the collection of data per se. It was also hoped that the data might provide an additional source of hypotheses about the nature of the defendant "experience."

The procedures were designed to obtain a simple pre-test of the questionnaire. In addition, we discovered some problems with sampling and contact procedures, as described below.

The Sample. The sample was obtained through informal methods and should

⁷ It is possible that background and/or case-specific factors could still be influencing the outcome measures despite their failure to correlate with them. This situation could arise if the case-specific variables were highly correlated with the background characteristics. For example, if one held constant the influence of the background factors on the case variables, a strong relationship between these case variables and the outcome measures might appear. Searching and analyzing the data in order to detect such indirect relationships (called "moderator" and "suppressor" variable studies) is a costly process that was beyond the resources available in the present research.

not be construed in any way as representative of defendants in general or of defendants in the two demonstration jurisdictions. It consisted, in each site, of two groups: incarcerated defendants and nonincarcerated defendants.

Most of the interviews were with incarcerated defendants who had been jailed following conviction for felony crimes. All were interviewed at the local county jail, although one had been sentenced to the state prison and was awaiting transportation from the jail. The defendants we spoke with were suggested by the commander of the jail as being nonviolent and close at hand, generally for some administrative reason (e.g., a defendant was in a holding cell following a visit from his lawyer). We spoke to 13 incarcerated defendants in Dade County, of whom none were on their way to state prison, and 13 in Multnomah County, of whom one was on his way to prison.

Nonincarcerated defendants presented serious problems. We attempted to find a sampling of persons who were acquitted, whose cases were dismissed, whose sentences were suspended following conviction, and who were on probation. It was very difficult to obtain the names of such respondents from the records which were available, and many names and addresses turned out to be false leads. In addition, people who had been accused and had not been jailed were reluctant to discuss their cases, or, seemingly, to even be reminded of them. As a result we obtained only 13 such cases in Dade County; three were dismissed, three were acquitted, and seven were on probation. We spoke with six in Multnomah County; two were dismissed, three were on probation, and one was not yet sentenced. Even these small numbers required large expenditures of man hours to obtain.

The Interview. The interview was designed with many open-ended questions to pick up responses we could not anticipate. We uncovered a few problems in the pre-test of this instrument.

The interview failed to accurately capture people who went to trial, but pled guilty during the trial, i.e., who changed their plea. The defendants were also justifiably confused by some of our questions about plea bargaining—those which asked them to differentiate between what they “got in return for pleading guilty” as part of the bargain and what they “gained” personally by pleading guilty.

On the whole, however, the survey was easy to administer, seemed to hold the respondents’ interest, and was understandable by interviewers and respondents.

Field Procedures. The interviews were administered by local students (law students and students of criminal justice administration) who were trained on site by a Rand staff member. Formal training took one day.

The interviewers then administered the questionnaires to respondents chosen as described above, checked them over, and returned them to Rand where they were edited and keypunched.

Evaluation. It seems that defendants can be interviewed using a standardized questionnaire and a staff without extensive training or experience, and that usable data can be obtained. This is particularly true if the population of interest is incarcerated defendants.

However, it will take a determined effort and considerable resources to interview an adequate group of nonincarcerated defendants for any real analysis. Careful thought must be given to obtaining accurate recent sample lists and contact strategies should be designed for maximum persuasive effect. Considerable nonresponse problems should be expected.

Data Analysis and Results

As noted previously, the persons interviewed at the two sites should not be considered as representative of defendants in general or even those who might be surveyed at these sites. Thus, no generalizations may be made from the data collected. In short, these data should be considered only as illustrative of the kind of data that might be gathered with the survey instrument.

To facilitate understanding of the data that were collected, the results for each question have been inserted into the interview schedule itself (see App. D). In general, these results take the form of a table in which the rows refer to the possible answers to each question and the first and second columns correspond to the data for convicted and not convicted defendants, respectively. The entries in the table are the percentage of total responses to the question. It should be noted that not all interviewees answered each question, especially because of the branching nature of the interview schedule. For instance, if the person was not involved in plea bargaining, certain questions were not relevant and therefore skipped. An example of this kind of table appears below for the number of persons interviewed at each site:

	Defendant Convicted	Defendant Not Convicted	Total
Multnomah	37.8	4.4	42.2
Dade	44.4	13.3	57.8
	82.2	17.8	NS (N=45)

An inspection of this table indicates that of the 45 persons interviewed, 37 defendants were convicted and 8 defendants were not convicted; i.e., 82.2 percent and 17.8 percent of the total sample interviewed, respectively. A total of 37.8 percent of this sample were convicted defendants in Multnomah County, 4.4 percent were not convicted defendants in Multnomah County, etc.

In the lower right-hand corner of the table is an indication of whether or not there were any significant differences in the data, i.e., convicted defendants responding to the question in a different fashion than non-convicted defendants. If there were no statistically significant differences as in the example above, the letters NS appear in the lower right-hand corner of the table. If there was a statistically significant difference, the probability of it occurring by chance are indicated in the lower right-hand corner of the table. For instance, the number .01 would appear if the probability were one in one hundred or less that the observed difference in percentages could have occurred by chance. Chi square and Fisher's exact test were used in determining these probabilities.

The type of data presentation described above was not appropriate for illustrating the data obtained on certain questions. More complete labeling is therefore provided with these other kinds of data displays.

In reviewing the results obtained, the reader is cautioned to keep in mind several factors. First, the persons interviewed were not necessarily representative of defendants at their respective sites or of defendants in general. Second, a very small number of defendants, especially those who were not convicted, were interviewed. And third, because of the very large number of statistical tests of differences conducted, some of them may have given a false reading of significance by chance. In short, if another group of defendants was surveyed at these two sites using the

same procedures as were employed in this study, markedly different results might be obtained.

For the reasons noted above, the authors have refrained from drawing any conclusions regarding what the obtained data "mean." Rather, such data should be viewed as stimuli for generating hypotheses that might be investigated in subsequent research. Within this context, then, we now summarize several of the findings from these limited interviews. Of the persons who were convicted and who answered questions #36 and #37, most felt that the sentence they received was "too harsh" and "harsher" than others received who had committed similar crimes and had comparable prior records. Only one convicted defendant felt that he got off easy. Similarly, convicted defendants were more likely to have engaged in plea bargaining than nonconvicted defendants (Item #24). Most defendants felt that it was better to have a private attorney (87 percent) rather than either a public defender or court-appointed lawyer (Item #55) although most (53 percent) were represented by a public defender (Item #49). Almost half of the defendants would want a different lawyer in the future, however, this trend appeared stronger for those who were convicted than for those who were not convicted (Item #54). Overall, the kind of attorney who represented the defendant was unrelated to whether the defendant was found guilty (Item #55), but this finding may have been influenced by the fact that convicted defendants were more likely to have had a prior record, and therefore, may have felt more compelled to hire a private attorney (Items #60 and #61).

XI. GENERAL FINDINGS AND IMPLICATIONS OF THE STUDY

Sorrel Wildhorn

A number of *general* findings and implications emerged from this study. They involve the potential benefits of an integrated performance measurement program, the problems of data availability and case sampling, the need for extensions to our demonstration work, and, most important, the relationships between the potential capabilities of existing or planned information systems and the more comprehensive approach outlined in this study for measuring the performance of prosecution, defense, and court agencies. In addition we present very gross cost estimates that bound the range of alternatives discussed in this study.

THE DESIRABILITY OF AN INTEGRATED PERFORMANCE MEASUREMENT PROGRAM (IPMP)

Our study has shown that there is a richness of court system performance information which, if the jurisdictions in which we worked are representative, is largely untapped. (We say this with the full understanding that the data elements recorded in the various agencies' files were by no means complete.) The careful collection of specified data elements, the computation, grouping, and cross-tabulation of performance measures, and the analysis (using multivariate statistical techniques) of what factors account for the variation in key performance measures can provide greatly strengthened informational bases for officials in court, prosecution, and public defender agencies to improve criminal proceedings.

The actions to be taken jointly by the court, prosecution, and public defender agencies in a jurisdiction to strengthen the informational and analytical base for measuring their performance may be visualized as an *integrated performance measurement program* (IPMP). A fairly comprehensive IPMP would consist of:

- An enumeration of required data elements (or categories) and performance measures.
- Standardized data collection and output forms for each policy issue area of interest (charging, plea bargaining, sentence variation, evenhandedness, delay, case processing efficiency (separately for each of the three agencies), or others of interest to particular jurisdictions).
- Flexible, modular, software (i.e., computer programs) packages for computing, displaying, and analyzing performance measures within each issue area—for example, for performing cross-tabulations and for applying multivariate regression models that help to explain conviction probability, delay, and sentence severity imposed.
- Guidelines for conducting case audits at each major decision point (screening, guilty plea, trial, sentencing) in the proceeding—using either outside practitioner-consultants or in-house supervisory personnel.

- The administration of sampling plans and standard mail survey questionnaires and the analysis of responses of victims, other witnesses, and jurors (using appropriate software packages).
- The administration of sampling plans and standard personal interview questionnaires and the analysis of responses of defendants (using appropriate software packages).

An IPMP can be designed for several uses: the routine retrospective monitoring of performance *within* a jurisdiction; the retrospective evaluation of policy, organizational, and procedural innovations *within* a jurisdiction;¹ and (to a lesser extent) the retrospective comparison of performance *between* jurisdictions. To the extent that the statistical models succeed in explaining and predicting conviction probability, delay, and sentence severity imposed, it may be possible to use them in a limited way to do *prospective* performance analysis, that is, to forecast some effects of planned policy or organizational changes or of anticipated changes in agency workloads. As visualized here, an IPMP would *not* be designed to track pending cases; other existing or planned information systems perform this function.

If data collection procedures and software packages were flexible and modular in design, the scale and scope of an IPMP could be tailored to individual jurisdictions. For example, the three agencies in a using jurisdiction could decide whether to embrace all elements (e.g., to include case auditing and defendant interviews) and whether to measure performance in all of the listed issue areas (e.g., to include the measurement of case processing efficiency in the prosecutor's and public defender's office, as well as in the court). What would be vital to proper tailoring is a clear enunciation by agency officials of the management and policy issues on which performance measurement should focus.

This study is a *first step* toward the design of an IPMP. We have enumerated required data elements and performance measures and, with varying degrees of success, have devised and applied statistical models to explain key performance measures. We have also designed and applied mail and personal interview questionnaires to the four classes of lay participants. More work needs to be done, however, and its nature is discussed below.

In this study we have *not* made a serious attempt to analyze the resource implications of inaugurating an IPMP. Later in this section, however, we make very rough cost estimates for two bounding cases, based on actual costs incurred in this study and on rough guesses of costs of activities not covered in this study. Actual costs would vary from jurisdiction to jurisdiction and would depend on the scale of performance measurement desired and the extent to which *existing* or *planned* information systems were used to measure performance as opposed to inaugurating a new and more comprehensive information system designed solely for an IPMP. In any event, the statistical analysis necessary (developing statistical models and applying techniques such as multivariate regression) for more fully explaining the factors associated with performance changes would require a competent statistician or econometrician (at least part-time) who has acquired detailed knowledge of criminal court systems.

¹ Examples of such innovations include altering the plea bargaining policy, shifting the charging threshold, introducing a program for the special handling of habitual offenders, changing the policy of case assignment to the public defender's office, modifying the court calendar system, and instituting arrangements for lessening unwarranted sentence variation.

In this study we have demonstrated that it was *feasible to apply* statistical performance measures in two jurisdictions. This demonstration was more successful in applying performance measures to certain policy issues than to others because of inherent differences in the precision of the performance measures (e.g., in those that measure charging threshold compared with those that measure delay) or because of differences in the availability of data (e.g., the availability of data on sentence agreements in Multnomah compared with its unavailability in Dade for measuring plea bargaining effects). Whether the institutionalization of an IPMP is *practical* and has *utility* (i.e., whether its benefits outweigh its incremental costs) is as yet undetermined. It would require a pilot demonstration in at least one jurisdiction over some period of time, after which officials in the using agencies would have to make their own judgments about practicality and utility.

DATA AVAILABILITY AND METHODOLOGY

Case Audits

Our pilot case auditing exercises (of cases in which there was a plea of guilty) in the demonstration jurisdictions strongly suggest that case auditing provides *complementary* information about qualitative factors that aid in the interpretations of the statistical performance measures. (By their very nature, case audits are much more expensive per case included than the data collection required to develop statistical performance measures. Thus, with limited resources, audit samples are inevitably too small to stand alone as a *substitute* for statistical performance measures.)

We believe that the average practitioner regards case auditing to be a natural and nontechnical way of revealing performance. His confidence in the correctness of what is shown by statistical performance measures is undoubtedly increased when the results of (even quite limited) case auditing confirm the statistical story. Another possible benefit of case auditing is that it may help reveal the explanations for the "behavior" of statistical indices. And, finally, it may considerably strengthen the credibility of *interjurisdictional* comparisons by means of statistical measures. It would appear that, in general, case audits would best be conducted in the *initial* phases of a project to measure court performance. (Our suggestions for broadening case auditing to test its value more fully are discussed below.)

Data Availability and Sampling Problems

A salient lesson in our attempt to demonstrate the application of performance measures in two selected jurisdictions was that many necessary or desirable data elements normally recorded in various files were missing from the customary records, and some were simply not recorded at all. And this is likely to be the situation in other jurisdictions as well.

Among the data elements that had been (at best) *incompletely recorded* and preserved were defendant-related characteristics such as ethnicity, prior criminal record, occupation and employment, family status, income, and transiency; the number of appearances per victim or other witness in the course of a proceeding; data describing how judges apportion their time among judicial tasks; and attribution of continuances to the responsible movant(s).

Among the data elements that were *not recorded* at all were the apportionment of time among the principal activities of prosecutors, public defenders, and jurors; background characteristics of suspects whose cases were screened out before arraignment on felony charges; full information on the outcome of plea bargaining, including the nature of any sentence agreement reached; judicial statements of the rationale for sentences in individual cases; detailed reasons for case dismissals in lower court; duration of appearances of victims and other witnesses; and information on the attitudes of lay participants and defendants toward their experiences and toward the performance of the court agencies.

Our demonstration work also imbued us with a deeper appreciation of the need to tailor case sampling to the type of the data element sought. Events of interest in the performance measurement of criminal proceedings differ dramatically in their expected frequency of occurrence. When data on rare events are required (e.g., data on the outcomes of jury trials for a specified offense wherein a minority defendant is represented by retained defense counsel), one must employ well-planned "over-sampling." Fortunately, many key events in court proceedings occur frequently enough that moderate (on the order of 100) case sample sizes suffice as a basis for reliable inferences.

DESIRABLE EXTENSIONS

We feel that a fuller foundation for the design of an operational IPMP would be provided by the following extensions in scope and in refinement in methodology to our demonstration work:

- Classes of data that were not recorded or were incompletely recorded in Multnomah and Dade counties should be collected and analyzed elsewhere. *Evenhandedness in screening* should be analyzed with a proper body of data containing appropriate defendant-related characteristics. The *allocation of prosecutors' and public defenders' time* to their various activities is another performance area warranting examination and would need a proper body of data.
- The assessment of case auditing should be broadened in the *screening area* (to include rejected cases) and also extended to the *trial area*, so that our inferences as to the value of case auditing as a complement to statistical performance measurement can be tested more fully.
- Improved statistical models should be constructed to help explain performance outcomes in criminal proceedings. Those we developed for explaining sentence outcomes and delay in proceedings worked fairly well but need further refinement. Because we were unsuccessful in explaining the determinants of conviction probability, we believe much more theoretical and empirical work is necessary. We speculate that data on the seriousness of the crime incident, on mitigating and exacerbating circumstances of the defendant and the crime incident, and on factors describing the strength of the case at the time of screening are relevant for constructing better conviction probability models.

POTENTIAL CAPABILITIES OF OTHER INFORMATION SYSTEMS FOR PERFORMANCE MEASUREMENT

A number of state and local agency level information systems already exist or will be installed soon in a number of state and local jurisdictions. Given the considerable resources that will be devoted to these systems, it is clearly important to indicate their potential capabilities for the kind of performance measurement envisaged for an IPMP. In particular, it is important to compare their potential performance measurement capabilities (e.g., how many issue areas can be analyzed and in what depth?) with an IPMP under two conditions: (1) if only those data elements already collected by these information systems are available; (2) if a modest, inexpensive extension in data collection is added.

Examples of current or planned information systems are:

- CCH (Computerized Criminal Histories): a component of the LEAA's Comprehensive Data System (CDS) Plan.
- OBTS (Offender-Based Transaction Statistics System): a component of LEAA's CDS Plan.
- SJIS (State Judicial Information System).
- PROMIS (Prosecutor's Management Information System).

All of these systems are designed to track defendants or cases through that part of the criminal justice system with which they are concerned and all rely on the local criminal justice agencies for input data. The first three are state-level or multistate systems, whereas the fourth is intended for use by local prosecutors' offices. CCH focuses on information concerning the identity location, characteristics, and description of the known criminal offender. OBTS is a statistical system describing the aggregate experiences of arrested individuals from their encounter with the police through court processing and entry into, and exit from, the correctional system. CCH and OBTS are components of LEAA's Comprehensive Data System Program. The relevant part of SJIS (i.e., the entry and passage of people and cases through courts of general jurisdiction) is designed to evaluate the organization, practice, and procedures of the courts in a state; assist with dispatch of judicial business; and facilitate technical assistance and long-range planning activities. The conditions for a state's participation in SJIS include a commitment for the state judicial system to provide the information needed for a "comprehensive criminal justice data system." As defined by LEAA guidelines, such a system must include a CCH file, an OBTS file, and a statistical analysis center.

PROMIS is designed to aid local prosecutors in identifying the more serious criminal cases to which prosecutorial priority should be given, to aid in controlling or eliminating impediments to effective prosecution, to aid in regulating the exercise of prosecutorial discretion so as to maintain evenhandedness and consistency, and to aid in conducting relevant analyses of screening and prosecution of criminal cases. PROMIS tracks the arrested person from arrest through processing and disposition in the lower and felony courts. As indicated at the outset, an IPMP would *not* track open cases, but is designed to do retrospective performance analysis.

Table 11.1 displays the data elements or categories collected by these four information systems that are relevant to the kind of performance measurement and analysis demonstrated in this study. For purposes of comparison, we also display

those data elements or data categories collected in our demonstration work, as well as those that *would* be collected if the desirable extensions to an IPMP, discussed above, were implemented. From Table 11.1 we observe that *none* of the existing or planned systems obtains data on lay participant attitudes and experiences, on how practitioner or lay participant time is used, or on all potentially relevant characteristics of defendants (e.g., CCH/OBTS and SJIS omit data on education, employment, transiency, family status, and income level, and PROMIS omits data on education, income, and family status. However, PROMIS is designed to collect data on *all* filed and final charges and counts and on other aspects of plea bargaining such as sentence bargaining. CCH/OBTS and SJIS do not collect data on rejection actions and their reasons, nor on the fact and nature of sentence bargaining.

Given these differences and similarities in data categories to be collected, what are the implications for performance measurement?² To answer this question, we consider four options for each of the following: the combined CCH/OBTS, SJIS (with CCH/OBTS), and PROMIS.

Option I: The basic system with existing data elements, assuming that a simple software package is available that can compute the values of performance measures and produce summaries and cross-tabulations.

Option II: Option I *plus a few added data elements* that can be collected inexpensively.

Option III: Option I *plus an additional software package* (e.g., statistical models and standard multivariate statistical analysis routines) for estimating the independent effect of important factors on delay and sentence severity. Additional research is needed to develop a similar package for explaining conviction probability.

Option IV: Option II plus Option III.

To our knowledge, more sophisticated statistical software packages (as in Options III and IV) are not planned for any of these systems; at best, simpler software packages of the Option I variety will be available.

Potential Capabilities of CCH/OBTS

Table 11.2 compares the potential capabilities of the four CCH/OBTS options with two versions of an IPMP. For a specified issue area, an entry of "No" indicates that the option cannot measure performance; an entry of "Partial" indicates that certain relevant data items are still needed or that cross-tabulations are the best available tool or both; and an entry of "Yes" indicates that the available data elements and the software packages are adequate for performance measurement.

This table is a means of showing that adding a few more data elements (listed

² The following comparisons of performance measurement capabilities of the various systems are viewed only in terms of the ensemble of issue areas we considered for an IPMP. There may be *other* issue areas (e.g., bail and O.R. policy) of interest to a jurisdiction, too; thus, comparisons among the systems might look different depending on whether or not an IPMP was designed to address these issues.

Table 11.1

**A COMPARISON OF DATA ELEMENTS AND CATEGORIES COLLECTED THAT ARE
RELEVANT TO PERFORMANCE MEASUREMENT^a**

Data Element or Category	Information System				
	CCH	OBTS	SJJS (with CCH/OBTS)	PROMIS (For filings and rejec- tions)	IPMP (as illustrated in this study) extensions (For filings and rejec- tions)
Defendant-related characteristics :					
Age	Yes	Yes	Yes	Yes	Yes
Ethnicity	Yes	Yes	Yes	Yes	Yes
Prior record	Yes	Yes	Yes	Yes ^b	Yes
Education	No	No	No	No	Yes
Income	No	No	No	No	Yes
Employment	No	No	No	Yes	Yes
Family status	No	No	No	No	Yes
Transiency (years living in jurisdiction)	No	No	No	Yes	Yes
Pretial custody status	No	Yes	Yes	Yes	Yes
Type of defense counsel	Yes	Yes	Yes	Yes	Yes
Date and nature of each major event from arrest through disposition (including sentencing, if applic- able)					
Most serious arrest offense	Yes	Yes	Yes	Yes	Yes
Full specification of arrest offenses	Yes	Yes	Yes	Yes	Yes
Factors describing the seriousness of the crime incident	No	No	No	Yes	Yes
Mitigating/exacerbating circumstances of defendant or crime	No	No	No	Yes	Yes
Strength of case at screening	No	No	No	Yes	Yes
Screening actions:					
Rejection	No	No	No	Yes	Yes
Reasons for rejection	No	No	No	Yes	Yes
Most serious charge filed	Yes	Yes	Yes	Yes	Yes
Full specifications of filed charges and counts	Yes	No	Yes	Yes	Yes
Final most serious charge	Yes	Yes	Yes	Yes	Yes
Full specifications of final charges and counts	Yes	No	Yes	Yes	Yes
Other types of bargain agreements:					
Fact of sentence assurance or agreement	No	No	No	Yes	Yes
Nature of sentence agreement	No	No	No	Yes	Yes
Agreement to drop other pending cases	No	No	No	Yes	Yes
Full specifications of sentence elements imposed	Yes	Yes, but fine ex- cluded	Yes	Yes	Yes

Continuances:									
Number per case	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes
Duration of each continuance	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes
Attribution to defense, prosecution, court, or joint	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes
Data elements required to estimate weighted caseload performance measures:									
Judge ^c	No	No	Yes (gross information only)	Partial ^d	Yes	Yes	Yes	Yes	Yes
Prosecutors									
Public defenders									
Use of lay participant time:									
Number of victim/witness appearances per disposition ^e	No	No	No	No	Yes ^f	Yes ^f	Yes ^f	Yes ^f	Yes ^f
Duration of victim/witness appearance ^e	No	No	No	No	No	No	No	No	No
Proportion of juror time spent:									
In idleness	No	No	No	No	No	No	No	No	No
In voir dire, criminal	No	No	No	No	No	No	No	No	No
In trial, criminal	No	No	No	No	No	No	No	No	No
In voir dire, civil	No	No	No	No	No	No	No	No	No
In trial, civil	No	No	No	No	No	No	No	No	No
Questions asked in defendant personal interview questionnaire and mail survey questionnaires for victims, other witnesses, and jurors^h									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes

SOURCES: We draw descriptive information and information on data elements collected by CCH, OBTs, and PROMIS from the National Advisory Commission on Criminal Justice Standards and Goals, *Criminal Justice System*, U.S. Government Printing Office, Washington, D. C. 1973, pp. 100-101, *PROMIS Briefing Series*, Institute for Law and Social Research, Washington, D. C., October 1974, especially No. 1, "Management Overview of PROMIS," and No. 17, "Interface with Other CJIS," and "Data Base and Data Element Dictionary" (App. D to Vol. 1 of the six volumes of PROMIS software documentation). Information on data elements to be collected by SIJS is drawn from *State Judicial Information System Project, Requirements Analysis Subcommittee Final Report*, The Institute of Judicial Administration, Inc., New York, April 1975.

^aThe entry indicates whether the data element is recorded.

^bArrests and convictions only, not sentences imposed.

^cSee Chap. 2 of R-1917-DOJ.

^dPROMIS contains the data elements associated with the computation of weighted caseload *except* for time data, that is, the time associated with each activity or proceeding connected with a case (letter from William Hamilton, President, Institute of Law and Social Research, April 30, 1976).

^eSeparately for victims and other lay witnesses.

^fBased on memories of victims, other witnesses, and jurors who responded to mail surveys.

^gThese data elements would be collected by personnel in prosecution, defense, and court agencies at the time when these lay participants appear.

^hSee the questionnaires in Apps. G and I.

at the bottom of Table 11.2) without adding a more sophisticated software package (Option II) would not appreciably improve the performance measurement capability. Adding *both* (Option IV) would (by design) clearly provide the most benefits. *Option IV would enable better analysis of the plea bargaining balance, the independent effects of important factors on delay, and the independent effects of legitimate and illegitimate factors on sentence severity imposed.* However, compared with an improved IPMP, none of the four options are capable of performance measurement in the following issue areas: charging threshold, evenhandedness in screening, the effect of legitimate factors on conviction probability, continuances, the use of practitioner and lay participant time, and the attitudes (and their determinants) of lay participants.

Potential Capabilities of SJIS

Because SJIS must include CCH/OBTS files, an inspection of Table 11.2 reveals that the capabilities of the various SJIS options (assuming the same added data elements for Options II and IV) would be nearly identical with the corresponding CCH/OBTS options, with only one major difference: The basic *SJIS is capable of very gross estimates of the use of judicial time.*

Potential Capabilities of PROMIS

The basic system (Option I) will have *better* potentialities for performance measurement than the basic CCH/OBTS (Option I), as shown in Table 11.3. In addition to all of the CCH/OBTS Option I capabilities, PROMIS Option I has a good capability in the charging threshold area and a partial capability in addressing evenhandedness in screening and the effects of legitimate factors on conviction probability. Adding only the additional data elements (Option II) listed at the bottom of Table 11.3 leads to no significant improvement. However, adding *both* additional data elements and software (Option IV) provides the most benefits. *Option IV would improve the capability to analyze evenhandedness in screening, the plea bargaining balance, the independent effects of important factors on delay, and the independent effects of legitimate and illegitimate factors on conviction probability and sentence severity imposed.* However, compared with an improved IPMP, none of the four options are capable of performance measurement in the following issue areas: the use of practitioner and lay participant time and the attitudes (and their determinants) of lay participants. However, because PROMIS already collects much of the data needed for estimating practitioners' weighted caseload, if practitioner time data associated with various activities and proceedings in each case were sampled outside PROMIS, any of the PROMIS options would be able to measure the use of practitioner time.

* * *

In summary, none of the existing or planned information systems would have the breadth and depth in performance measurement capabilities of an improved IPMP for two reasons: Many data elements are not collected and, to our knowledge, none of the existing and planned systems will have the full array of statistical models and software packages required for analyzing the independent effect of

Table 11.2
POTENTIAL PERFORMANCE MEASUREMENT CAPABILITIES OF CCH/OBTS

Issue Areas	Option, Data Elements Collected, Software Packages				Reference IPMP Options	
	I Existing Cross-Tabs Only	II Improved ^b Cross-Tabs Only	III Existing Cross-Tabs and Regression Models	IV Improved ^b Cross-Tabs and Regression Models	As Demonstrated in This Study	Improved with Extensions Specified Above
Charging threshold	No	No	No	No	Yes	Yes
Evenhandedness in screening	Yes	Yes	Yes	Yes	Yes	Yes
Effects and concessions in plea bargaining	No	No	No	No	No	Yes
Determinants of conviction probability:	Partial	Partial	Partial	Yes ^c	Yes	Yes
Legitimate factors	No	No	No	No	No	Yes
Illegitimate factors (evenhandedness)	Partial	Partial	Partial	Partial	Partial	Yes
Estimation of sentence variation	Yes	Yes	Yes	Yes	Yes	Yes
Determinants of sentence variation:						
Legitimate factors	Partial	Partial	Partial	Yes	Yes	Yes
Illegitimate factors (evenhandedness)	Partial	Partial	Partial	Yes	Yes	Yes
Estimation of delay	Yes	Yes	Yes	Yes	Yes	Yes
Determinants of delay	Partial	Partial	Yes	Yes	Yes	Yes
Analysis of continuances	No	No	No	No	Yes	Yes
The use of jurors' time	No	No	No	No	Yes	Yes
Duration and number of appearances of victims and witnesses	No	No	No	No	Yes	Yes
The use of practitioners' time:						
Judges	No	No	No	No	Partial	Yes
Prosecutors and public defenders	No	No	No	No	No	Yes
Attitudes of lay participants and their determinants	No	No	No	No	Yes	Yes

^aThe entries indicate the extent to which the specified option can measure performance in the indicated issue areas.

^bAdditional data elements that can be added inexpensively to those already specified in the existing system are:

- Defendant community ties (education, income, employment, family status, transiency).
- Other types of plea bargains: the fact and nature of sentence agreements; agreement to drop other pending cases.
- Time trend of inmate population in local jails and state prisons.

^cAn italicized entry indicates that the specified option improves performance measurement capability over Option I for the indicated issue area.

Table 11.3
POTENTIAL PERFORMANCE MEASUREMENT CAPABILITIES OF PROMIS
(WITH OR WITHOUT CCH/OBTS, SJIS)^a

Issue Areas	Option, Data Elements Collected, Software Packages				Reference IPMP Options	
	I Existing Cross-Tabs Only	II Improved ^b Cross-Tabs Only	III Existing Cross-Tabs and Regression Models	IV Improved ^b Cross-Tabs and Regression Models	As Demonstrated in This Study	Improved with Extensions Specified Above
Charging threshold	Yes	Yes	Yes	Yes	Yes	Yes
Charging accuracy	Yes	Yes	Yes	Yes	Yes	Yes
Evenhandedness in screening	Partial	Partial	Yes ^c	Yes	No	Yes
Effects and concessions in plea bargaining	Partial	Partial	Partial	Yes	Yes	Yes
Determinants of conviction probability:						
Legitimate factors	Partial	Partial	Yes	Yes	No	Yes
Illegitimate factors (evenhandedness)	Partial	Partial	Yes	Yes	Partial	Yes
Estimation of sentence variation	Yes	Yes	Yes	Yes	Yes	Yes
Determinants of sentence variation:						
Legitimate factors	Partial	Partial	Partial	Yes	Yes	Yes
Illegitimate factors (evenhandedness)	Partial	Partial	Partial	Yes	Yes	Yes
Estimation of delay	Yes	Yes	Yes	Yes	Yes	Yes
Determinants of delay	Partial	Partial	Yes	Yes	Yes	Yes
Analysis of continuances	Yes	Yes	Yes	Yes	Yes	Yes
The use of jurors' time	No	No	No	No	Yes	Yes
Duration and number of appearances of victims and witnesses	No	No	No	No	Yes	Yes
The use of practitioners' time:						
Judges	No	No	No	No	Partial	Yes
Prosecutors and public defenders	No	No	No	No	No	Yes
Attitudes of lay participants and their determinants	No	No	No	No	Yes	Yes

^aThe entries indicate the extent to which the specified option can measure performance in the indicated issue areas.

^bAdditional data elements that can be added inexpensively to those already specified in the existing system are:

- Sentences associated with prior convictions of defendant (if CCH unavailable).
- Data elements comprising the defendant community ties index that are not already collected in PROMIS, that is, education, income, and family status.
- Time trend of inmate population in local jails and state prisons.

^cAn italicized entry indicates that the specified option improves performance measurement capability over Option I for the indicated issue area.

important parameters on delay, dispositional, and sentence outcomes. Each basic system could function as a partial IPMP as is, and if upgraded (i.e., a few data elements are added for routine collection as well as the required software packages), their performance measurement capability could be substantially improved. In this connection, it appears that among the planned systems considered in this report (CCH/OBTS, SJIS, PROMIS), an upgraded PROMIS would have the most comprehensive performance measurement capability, primarily because it can address case screening issues as well as the issues that can be addressed by CCH/OBTS and SJIS.

Some Final Comments on Benefits, Costs, and Utility of Performance Measurement Systems

Given the preceding discussion on the potential capabilities of existing or planned systems, of planned systems that are upgraded in the ways we specified, and of an improved IPMP, how is a jurisdiction to decide which alternative to choose? The decision would depend on a variety of considerations: the availability of (and which) computerized information system is already installed or planned; the issue areas or policy issues of interest to court, prosecution, and public defender agencies; and the incremental costs and benefits of installing and operating CCH/OBTS, SJIS, and PROMIS, of upgrading these systems as we indicated, and of moving toward an improved IPMP.

Issue Areas of Interest to Agencies. We cannot generalize about which issue areas would be of greatest interest. However, in Sec. I we noted that the practitioner interviews confirmed their importance, and we can indicate how the agencies reacted in the two demonstration jurisdictions in which we worked. Officials there received early drafts of our reports and then were briefed and interviewed by a Rand team. In general, officials were enthusiastic and felt that there was great value in the application of performance measures, primarily as an objective way of demonstrating what was going on, how well certain well-defined objectives were being met (e.g., arrest to trial standards), and in explaining why performance measures varied. The chief judge and court administrator in one of the jurisdictions were particularly interested in the applications to charging accuracy, plea bargaining, sentence variation and evenhandedness, the use of lay participant time, and the relationships between lay participant attitudes and the problems they faced (that could be manipulated by policy changes). The court administrator in the other jurisdiction was particularly interested in delay, but indicated that almost all of the findings in our pilot application of performance measures were "new," since the few statistics they did produce had to be manually estimated (due to the lack of computerization). The prosecutors in both jurisdictions were particularly interested in applications to screening, plea bargaining, sentence variation, evenhandedness, treatment of "habitual" or "career" offenders, and the attitudes and problems of lay participants. The public defenders in both jurisdictions were particularly interested in their performance relative to private attorneys, defendant attitudes, evenhandedness, delay, and the tentative finding that trials seemed to involve little or no sentence penalty compared with straight pleas. (In one jurisdiction, the public defender's office was also very interested in other issue areas not demonstrated in our work, such as the use of public defender time, the attitudes of judges toward public defenders as opposed to retained counsel, and the utility of support staff.)

Incremental Costs. We stated at the outset that careful estimates of the incremental cost implications of upgrading the capabilities of existing or planned information systems or of implementing an improved IPMP from scratch were beyond the scope of this study. However, it may be useful to provide the reader with a breakdown of the resources we used in manual data collection (from agency case files), in computer processing and analysis of these data, in the administration of mail surveys (of victims, witnesses, jurors) and personal interviews (of defendants), and in the computer processing and analysis of these survey responses. Assuming that jurisdictions would be provided with the necessary standardized data collection forms, lay participant questionnaires, and the necessary software packages at no cost, the resources we allocated to the data acquisition, processing, and analysis can be viewed as a rough starting point for estimating the range of incremental costs that might be incurred by interested jurisdictions. We also include very approximate cost estimates for collecting and analyzing data necessary to analyze weighted caseloads in the court, the prosecutor's office, and the public defender's office; these estimates are based on telephone conversations with personnel from consulting firms that have implemented weighted caseload measurement systems in such local agencies, since we did not ourselves collect these data in this study.

We consider two bounding cases: (1) jurisdictions with access to a computer, but no existing or planned information system, wishing to measure performance in all issue areas covered by an improved IPMP, and (2) jurisdictions with a CCH/OBTS, SJIS, or PROMIS system wishing only to upgrade to Option IV. In both cases, the rough estimates are *annual* costs for measuring performance *once* per year, although the data collection may be intermittent or continuous over the year.³

Rough cost estimates are shown in Table 11.4 for these two cases. For a jurisdiction *without* an existing information system, but with access to a computer, Case I might cost on the order of \$50,000 per year to operate a full IPMP once it is set up. (First-year costs should be considerably higher, perhaps by 25 to 50 percent, because of nonrecurring setup costs.) This assumes that the software is made available free, that practitioner time devoted to data collection (e.g., having prosecutors fill out data sheets at each stage of the felony proceeding) is essentially "free,"⁴ and that the number and size of data samples collected and analyzed are similar to those we collected in this study. If a jurisdiction wished to draw *additional* case file samples (e.g., for more offense types and/or for oversampling trials), total costs for analyzing the case file data should not increase very much, because most of the additional cost would be in data collection (a small part of the total) and not in data processing, analysis, and interpretation. Costs would also rise if larger samples of defendants were interviewed or if larger samples of victims, witnesses, and jurors were surveyed. The largest fraction of the total operating costs of an IPMP may well be attributed to the analysis of the use of judicial, prosecutorial, and public defender time. However, we have limited confidence in the estimates shown in the table,

³ The issue of how often performance should be measured cannot be resolved in general terms. It would depend on the resources available to each agency, the issue area or policy issue under consideration, the agency's perceptions about the acuteness of their problems, and perceptions about the public's interests and attitudes toward the performance of the court system.

⁴ Experience with collecting PROMIS and judicial weighted caseload data suggests that a judge or prosecutor might spend only a small fraction of an hour per day (approximately 15 minutes) filling out data sheets.

Table 11.4

ROUGH COST ESTIMATES FOR PERFORMANCE MEASUREMENT

Case I: Implementing an IPMP from Scratch (assumes that software packages are provided free and that practitioners' time devoted to data collection is "free")	Approximate Range of Man-Months Required	Approximate Range of Direct ^a Dollar Cost
Case file data (three 100-case samples of filed cases, two 100-case samples of screening actions, two 100-case samples of rejection reasons, one 100-case sample of continuances and victim/witness appearances):		
Manual data collection (at \$3-\$5/hr)	1.5-2.0	1,000-2,000
Data cleaning, keypunching, and computer processing	—	10,000
Statistical analysis and interpretation (at \$10/hr)	2.0-3.0	3,000-5,000
Subtotal		14,000-17,000
Weighted caseload use of practitioner time (assumes 3 man-months of a coordinator-analyst required in each agency and that practitioner time for data input, coordination, etc., is "free"):		
Court (10-15 judge sample; 4-6 weeks each/year)	3	5,000-10,000
Prosecution (10-15 prosecutor sample; 4-6 weeks each/year)	3	5,000-10,000
Public defender (10-15 defender sample; 4-6 weeks each/year)	3	5,000-10,000
Subtotal		15,000-30,000
Mail surveys of 150-200 samples each of victims, witnesses, and jurors (assuming questionnaires are free):		
Administration (initial mailing, follow-up mailing, and telephoning)	2.5	5,000
Data cleaning, keypunching, and computer processing	1-2	1,500
Statistical analysis and interpretation	1-2	2,000-3,000
Subtotal		8,500-9,500
Defendant interviews (45 interviews) (assuming questionnaires are free):		
Administration		1,000-1,500
Computer processing		500
Subtotal		1,500-2,000
Report writing (one month per agency)	3	5,000
Grand total		44,000-64,000 (approx.)
Case II: Upgrading Existing or Planned Systems (CCH/OBTS, SJIS, PROMIS) to Option IV	Incremental ^b Man-Months Required	Incremental ^b Direct ^a Costs
Case file data (same data samples as Case I) (assumes that software packages are free and practitioners' time devoted to data collection is "free"):		
Data collection	Negligible	Negligible
Data cleaning and key punching	Negligible	Negligible
Computer processing	—	2,000
Statistical analysis and interpretation	1-2	2,000-3,000
Report writing (one month per agency)	3	5,000
Grand total		9,000-10,000 (approx.)

^aExcludes overhead and fringe benefit costs.^bOver and above Option I costs of existing or planned systems.

because we did not have first-hand experience in gathering and analyzing such data in this study.

For a jurisdiction *with* one of the information systems discussed, incremental annual costs of about \$10,000 might be incurred if it were upgraded to Option IV. Whichever alternative a jurisdiction chooses, a competent statistician or econometrician, who has acquired a detailed knowledge of criminal court systems, would be required (at least part-time) to perform the statistical analysis and interpretation.

We should emphasize that *all* of the estimated costs displayed in Table 11.4 are quite uncertain predictors of what jurisdictions would actually incur. Readers should view them only as very gross approximations. Given the probable low marginal costs associated with upgrading an existing or planned information system and its major benefits (an increased understanding of the independent effects of important factors on major performance measures of outcome), it is probably cost-effective for a jurisdiction to pursue this alternative. Whether a full IPMP is cost-effective is a judgment that can only be made by an implementing jurisdiction after such a system is installed and operated over several years and when its actual costs and benefits are assessed.

Appendix A

THE LINKS BETWEEN GOALS AND PERFORMANCE MEASURES OF THE CRIMINAL PROCEEDING

Sorrel Wildhorn

This appendix¹

- Presents a context and framework for measuring performance in criminal proceedings.
- Discusses preliminarily but substantively societal goals for the entire criminal justice system and for the criminal proceedings within the system, as well as individual² performance measures related to these goals.
- Explains how individual measures can be used to assess the attainment of goals and how criminal proceedings may cause variation in the magnitude of performance measures.
- Demonstrates the need for presenting performance measures in terms of key classifications (i.e., background or control factors) to illuminate important issues.

We first present the goals society expects of the criminal justice system. (These goals tend to conflict, as many have observed, when they are pursued jointly.) Next, for each of the system goals, we formulate one or more supportive goals (subgoals) of the criminal proceeding. Then, we explain how important and persistent issues impel the formulation of performance measures in terms of relevant background or control factors. In addition, we display a partially screened (as explained below) menu of individual performance measures for the criminal proceeding. Each of the latter measures is linked to a goal. That is, each measures a performance factor that affects the attainment of the goal. The nexus between factor and goal need not be one of cause and effect, but may be in the nature of a statistical covariation. A performance measure (for example, the relative frequency of acquittals), although linked to a goal-related factor, may not be exclusive to it. Several such factors (for example, charging accuracy, prosecutorial competence, defense counsel competence) and several goals (for example, controlling crime, exacting retribution, and promoting confidence in the criminal justice system) may all be reflected in a single performance measure. But undesirable breadth in a single performance measure can be compensated for by the use of sets of complementary measures.

A partially screened menu of individual performance measures for criminal proceedings means that we have applied only the first four of the following seven criteria in this appendix:³

¹ The material presented here is an initial step in an analytical approach to performance measures for the criminal proceeding—an approach we truncated in favor of another, less general one. We are publishing this material because the approach seems worthy of further pursuit at another time either by us or by others.

² We do not present candidate *sets* of performance measures here. They may be found in Sec. IV.

³ The final three of these criteria are applied in other sections of this report (see Secs. IV, VI, VII, and IX).

- Proximity to specified goals.
- Directness of linkage to these goals.
- Specificity and clarity.
- Applicability
 - To assessing performance in one jurisdiction at one point in time or over time.
 - To comparing performance among several jurisdictions at one point in time or over time.
 - To evaluating change or innovation in a jurisdiction.
 - To comparing the effects of similar innovations among different jurisdictions.
 - To comparing the performance of practitioner classes (e.g., public defenders versus retained counsel) within or among jurisdictions.
- Issues to which a measure is relevant.
- Complementarity and consistency within sets of measures.
- Implementability (i.e., the cost and availability of data).

SOCIETAL GOALS FOR THE CRIMINAL JUSTICE SYSTEM

Formulating and classifying societal goals for the criminal justice system may be done in various ways depending on one's purpose. Our purpose is to create a framework within which criminal justice issues can be readily understood and assessed. The utility of performance measures to be devised will be judged ultimately in terms of the issues themselves rather than by reference to the contextual framework; thus, the design we choose for the latter need not be regarded as crucial.

We perceive five broad societal goals, complementary and conflicting in varying degrees:

- *Control crime.*
- *Exact retribution* from criminals.
- *Accord fairness* to defendants, victims, and the public.
- *Conserve resources* both external and internal to the criminal justice system.
- *Promote public trust and confidence* in the system.

Further, as shown in Fig. A.1, we distinguish subgoals or different ways of furthering the broad goals.⁴

At least four ways of *controlling crime* are identified in the various theories of punishment:

- *Control criminals* (by using incarceration, pretrial diversion, probation supervision, parole supervision, etc.).
- *Achieve general deterrence* (by punishing criminal conduct and thereby deterring society from such conduct).
- *Achieve specific deterrence* (by convicting and punishing specific individuals and thereby deterring them from further criminal acts).
- *Rehabilitate* criminals.

⁴ Just as balances must be struck among the broad goals when they conflict, so too must balances be struck among subgoals in the attainment of a general goal.

GOALS OF THE CRIMINAL JUSTICE SYSTEM		GOALS IN THE CRIMINAL PROCEEDING
GENERAL GOALS	SUBGOALS	
CONTROL CRIME	Control criminals	<i>Certainty of conviction</i> <i>Swiftness of conviction</i> <i>Appropriate sentencing</i>
	Achieve general deterrence	<i>Certainty of conviction</i> <i>Swiftness of conviction</i> <i>Appropriate sentencing</i>
	Achieve specific deterrence	<i>Certainty of conviction</i> <i>Swiftness of conviction</i> <i>Appropriate sentencing</i>
	Rehabilitate criminals	<i>Appropriate sentencing</i>
EXACT RETRIBUTION		<i>Certainty of conviction</i> <i>Swiftness of conviction</i> <i>Appropriate sentencing</i>
ACCORD FAIRNESS	Provide accurate proceeding	<i>Accuracy of proceeding</i>
	Accord procedural due process	<i>Procedural due process</i>
	Administer justice evenhandedly	<i>Evenhanded treatment and outcomes</i>
	Redress victim injury	<i>Appropriate sentencing</i>
CONSERVE RESOURCES	Limit public spending	<i>Appropriate share to courts</i>
	Expend system resources efficiently	<i>Efficient use in court system</i>
	Use external resources efficiently	<i>Efficient handling of jurors, victims, and witnesses, both lay and police</i>
PROMOTE PUBLIC TRUST AND CONFIDENCE		<i>Appearance of effectiveness</i> <i>Actual progress toward goals</i>

Fig. A.1—A hierarchy of goals

These means of controlling crime are not mutually exclusive; for example, probation supervision may help to control an offender, to rehabilitate him, and to deter further criminal conduct.

Exacting retribution needs little elaboration. Its roots run deeply into history, although there is a modern tendency to disavow this goal. Nonetheless, some practitioners and much of the public still strongly embrace this aim for criminal justice.

According fairness is a fundamental principle of American jurisprudence, civil and criminal. Here the phrase subsumes the *accuracy* of criminal proceedings, *procedural due process*, *evenhandedness of outcomes*, and *redress of victim injury*. Thus, it relates to the defendant (and his counsel), to the public (and its legal representative, the prosecutor), and to the victim.⁵

Conserving resources is at least three-faceted. One subgoal is to limit overall public expenditures on criminal justice to a reasonable and appropriate level.⁶ Then, at this level of support, the criminal justice system should operate efficiently. This subgoal of internal efficiency implies that cost and inconvenience should be balanced among *all* elements of the system, i.e., one agency should not optimize its operations at the expense of the others. Finally, the system should use external resources efficiently, thereby minimizing its impact on those who are not part of the system but who must participate in the proceedings.

Promoting public trust and confidence, perhaps the most intangible of the five broad goals, is distinguished by its dependence on the achievement of the other four. This goal is weighted heavily in jurisdictions in which the principal practitioners are elected to office.

GOALS OF THE CRIMINAL PROCEEDING

In Fig. A.1 goals of the criminal proceeding are identified and linked to criminal justice system goals and subgoals. We cannot, however, demonstrate the degree to which the system goals and subgoals are affected by degrees of achievement of the criminal proceeding goals, either absolutely or compared with the achievement of the companion goals of police and corrections agencies. Some linkages shown in the figure are simply a matter of definition; others are founded on reasonable belief, e.g., that swiftness of conviction furthers specific deterrence. Also, in some instances the higher and lower goals are the same.

The criminal proceeding goals shown in Fig. A.1 are generally self-explanatory, but several deserve comment. *Accuracy* has two aspects: acquitting the legally innocent and convicting the legally guilty. In practice, these two aspects are not independent, for the higher the assurance demanded in convicting the legally guilty, the more likely it is that a legally innocent individual will be erroneously convicted; and conversely, the higher the assurance demanded in acquitting the legally innocent, the more likely it is that a legally guilty individual will escape conviction. Clearly,

⁵ Fairness to a victim implies restitution or compensation for the injury to his person or property. Restitution by the defendant may be part of the punishment imposed upon him; compensation may be drawn from public funds by legislative mandate. The first source of relief is within the scope of the court system; the second goes beyond.

⁶ Issues of allocating public resources among the criminal justice system and other governmental agencies are beyond the scope of this study.

there must be a balancing of the two demands, but as criminal proceedings attain greater accuracy, the balancing becomes less consequential.

We intend that the subgoal *use nonsystem resources efficiently* not be interpreted as a mandate to attempt to optimize the handling of lay persons who participate in the criminal proceeding. The goal, more correctly interpreted, is to balance cost and inconvenience between the resources external and internal to the system. For example, the operative principle in judicial administration is often that a judge's time is the dominant factor and therefore criminal proceedings should be scheduled to optimize his use of time. The result may be inefficient handling of lay participants. Another example is that continuances freely granted for the convenience of the prosecutor or defense counsel may create unreasonable inconvenience to lay participants. Few would dispute that a broader balancing is desirable; the issue is whether more complex scheduling considerations can be implemented.

The criminal proceeding goals purporting to advance the system goals of *promoting public trust and confidence* are to *present an appearance of effectiveness* and to *progress toward system goals*. In other words, the criminal proceeding is not likely to be held in public esteem if it doesn't "look good" as well as produce constructive results. We believe that the impressions formed by lay participants and the public are colored as much by the appearance of operations as by the outcomes. A judge who is technically competent and fair may nevertheless appear otherwise to the unenlightened layman; the role of defense counsel tends to be misunderstood by the public; prosecutorial functions are sometimes distorted in media reporting, and so on. And it is well-known that ill-conceived or misreported public statements by prominent practitioners, perhaps in the heat of political campaigns, significantly affect public trust and confidence in the criminal justice system.

DEFINING PERFORMANCE MEASURES IN TERMS OF BACKGROUND OR CONTROL FACTORS

Our study approach underscores the proposition that the utility of *gross* or *aggregate* performance measures is limited. While gross measures can serve as outwardly simple descriptors of criminal proceeding outputs, they may conceal more than reveal the underlying reasons why the outputs turned out as they did. Consider, for example, the relative frequency of dismissals as a gross performance measure. It describes the magnitude of one avenue of exit from the criminal proceeding, but it reveals nothing about who or what was responsible for the dismissals: On whose motion were they granted? Was inaccurate charging responsible? Did they occur because wrongful police practices caused suppression of essential evidence? Should the prosecutor be faulted for poor case preparation? Should defense counsel be credited with superior performance? Do affluent defendants gain an undue proportion of dismissals? How do blacks, recidivists, or women fare relative to others?

To reveal causes and illuminate issues, it is necessary to define and classify most performance measures in terms of background and control factors. The latter include, but are not limited to the following:

- Offense (or charge) type.
- Defendant's prior record, age, sex, ethnicity, economic status and community ties.

- Defendant's pretrial custody status:
 - In custody.
 - Free on bail.
 - Free on own recognizance (O.R.).
- Type of defense counsel:
 - Public defender (or legal-aid equivalent).
 - Court-appointed private counsel.
 - Defendant-retained private counsel.
- Measurement unit (and jurisdiction's definition thereof):
 - An individual defendant (whether or not charged multiply).
 - A charge (or count) against the defendant.
 - A case (including multiple defendants and charges).
- Characteristics (policy, procedural, or organizational) of the court system:
 - Prosecutorial charging policy.
 - Pretrial procedural stages.
 - Division of prosecutorial responsibility between felonies and misdemeanors.
 - Court calendaring system.
 - Degree of court consolidation.
 - Organization of prosecutor's office, etc.
- Salient features of substantive criminal law:
 - Offense definitions.
 - Habitual offender statutes.
 - Sentencing structure, etc.

With the exception of the following brief comments, no further discussion of these background factors will be given here. That discussion is more appropriate in the context of specific issues or classes of applications.

One way of making performance measures more meaningful is to define them in terms of offense (or charge) type. Two questions that arise in doing so are:

- In what detail should crime type be specified—by single type or by aggregation into classes of offenses?
- Should offense types be weighted by a *seriousness index*, e.g., as devised by Wolfgang-Sellin or as used in the PROMIS System (a management information system for prosecutors' offices)?

Another way of increasing meaningfulness is to define performance measures in terms of the defendant's attributes. Which items should be shown depends, of course, on the area of interest, e.g., ethnicity and economic status are almost always considered in assessing the evenhandedness of criminal proceedings. The processing of recidivists cannot be illuminated without the background factor of prior record. And many background factors must be made explicit when interjurisdictional comparisons are undertaken (see Sec. IX).

ASPECTS OF SPECIFIC PERFORMANCE MEASURES

Figure A.2 relates the goal structure given in Fig. A.1 to a partially screened collection of performance measures. Dots in appropriate boxes indicate where we

GOALS OF THE CRIMINAL JUSTICE SYSTEM			GOALS IN THE CRIMINAL PROCEEDING	PERFORMANCE MEASURES																		
GENERAL GOALS	SUBGOALS	Reported crime rate		Recidivism rate	Gross conviction rate	Gross complaint rate	Pretrial complaint rejection rate	Pretrial custody rates a	Pretrial diversion rate	Gross dismissal rate	Gross plea rate	Gross trial rate	Sentencing measure b	Swiftness measure c	Swiftness measure d	Resource measure e	Resource conservation measure f	Resource conservation measure g				
CONTROL CRIME	Control criminals	Certainty of conviction	•	•	•	•	•	•	•	•	•											
		Swiftness of conviction	•					•		•			•	•								
		Appropriate sentencing	•	•						•			•									
	Achieve general deterrence	Certainty of conviction	•	•	•	•	•	•	•	•		•										
		Swiftness of conviction	•				•			•			•	•								
		Appropriate sentencing	•							•			•									
	Achieve specific deterrence	Certainty of conviction	•	•	•	•	•	•	•	•		•										
		Swiftness of conviction	•	•			•			•			•	•	•							
		Appropriate sentencing	•	•						•			•									
	Rehabilitate criminals	Appropriate sentencing	•	•						•												
EXACT RETRIBUTION		Certainty of conviction			•	•	•	•	•	•		•										
		Swiftness of conviction						•		•			•	•								
		Appropriate sentencing								•			•									
ACCORD FAIRNESS	Provide accurate proceeding	Accuracy of proceeding				•	•	•	•	•	•		•									
	Accord procedural due process	Procedural due process					•				•	•										
	Administer justice evenhandedly	Evenhanded treatment and outcomes		•	•	•	•	•	•	•	•	•	•									
	Redress victim injury	Appropriate sentencing	•										•									
CONSERVE RESOURCES	Limit public spending	Appropriate share to courts				•	•	•	•	•	•			•		•	•	•				
	Expend system resources efficiently	Efficient use in court system				•	•	•	•	•	•	•		•		•	•	•				
	Use external resources efficiently	Efficient handling of jurors, victims, and witness, both lay and police				•	•	•	•	•	•	•	•	•	•	•	•	•				
PROMOTE PUBLIC TRUST AND CONFIDENCE		Appearance of effectiveness		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•				
		Actual progress toward goals		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•				

Fig. A.2--The links between goals and performance measures

NOTES:

^aBail release rate, O.R. release rate, in-custody rate, true skip rate, and technical skip rate.

^bRates by type and severity.

^cWeighted average time to disposition and average continuances per case.

^dAverage appearances per case and average time per appearance for victims and witnesses.

^eAverage time and monetary cost per case for practitioners.

^fAverage appearances per case, average time per appearance, and attitudes of victims and witnesses.

^gFraction of time active and attitudes of jurors.

believe significant linkage exists between a performance measure and a goal; absence of a dot implies slight if any linkage. We comment below on the nature of the connection between each listed performance measure and the various goals. Also, we touch upon what may be happening in the court system to account for the observed magnitudes of performance measures and for the changes in the magnitudes.

Reported Crime Rate

Reported crime rate is a widely cited measure, albeit ambiguous and often inaccurately calculated, that purports to assess the achievement of general deterrence. At least two of its shortcomings are widely recognized: that it fails to reflect unreported crime and hence measures the true crime rate (the victimization rate) poorly, and that it is distorted by wide disparities in police reporting practices, given victims' reports to them.

A fuller assessment of the crime picture is provided by a triplet of measures: the victimization rate, the victim reporting rate, and the police reporting rate. This full set would facilitate interjurisdictional comparisons. But the central question to us is: Does this set of measures assess the performance of the criminal justice system or, even more pointedly, the criminal proceeding?

Most observers feel that the crime rate is affected by a host of factors (economic, social, and psychological) outside of the criminal justice system. Acceptable models of the relationships between these extrinsic factors and the crime rate have not been developed nor are they likely soon to be. So, it is not possible to separate the causes of changes in crime frequency into those stemming from the criminal justice system and those extrinsic to the system. Therefore, crime rate (true or reported) is at best an unacceptably loose measure of criminal justice performance.

Notwithstanding, the reported crime rate is likely to remain in wide use as an expedient performance measure, so an understanding of its shortcomings is important. To the extent that reported crime rate has a deterrent effect, it fails to distinguish between general and specific deterrence. It does not inform the user, for example, that the public as a whole may be well deterred (the incidence of first offenses is low) but habitual offenders are undeterred, or, the reverse situation, the same reported crime rate may not be mainly attributable to habitual offenders. Reported crime rate also conceals, in its gross form, the possible dependence on offense type of the achievement of general versus specific deterrence. It would help to expose this dependence if reported crime rate were classified by offense type, and within offense type, by prior record of offenders. Difficulties would still remain, however, since data on a prior record would be available only for arrested offenders and not for all perpetrators of reported offenses. (A significant bias might thereby be introduced.)

The widely held belief that the criminal justice goals of swift justice, certain justice, and appropriate sentencing are connected to the reported crime rate is not an untenable one. But attempts by analysts to validate this belief by available data have been unconvincing, probably because their models are unable to incorporate the extrinsic factors properly. We therefore do not rely on these models to support the dependencies shown in Fig. A.2 between these goals and the reported crime rate.

Gross Recidivism Rate

Gross recidivism rate is a performance measure that has a number of connections with the listed goals. But it appears also to be strongly affected by extrinsic factors—one may reasonably suppose that an offender's tendency to repeat is markedly dependent on his personal circumstances upon regaining his liberty. In addition to these social and economic factors, the gross recidivism rate reflects the performance of the police and corrections agencies as strongly as it does the court system's performance. For example, one way in which police performance is coupled to this measure is through their arrest proficiency, i.e., offenses on which an arrest is not made do not affect the gross recidivism rate even if committed by a prior offender. And the rehabilitation performance of the correction system is (by definition) shown by the recidivism rate. This breadth of dependencies implies that the gross recidivism rate is a weak performance measure for the criminal proceeding by itself.

In looking at linkages between the recidivism rate and the listed goals, it is helpful to visualize three types of criminals: first offenders (potential recidivists), multiple offenders who are recidivists by preference (career criminals), and multiple offenders who are recidivists primarily by necessity rather than preference. Connections between recidivism rate and the listed goals might be significantly different for the three types. Ideally, one should measure their rate of recidivism separately, but it is doubtful, on the face of prior record alone, that recidivists by choice can be accurately distinguished from recidivists by necessity.

Recidivism rate tends to measure achievement of the system goals of controlling criminals, achieving specific deterrence, rehabilitating criminals, according fairness, and gaining public trust and confidence. A lower recidivism rate may indicate greater achievement of any one or more of these goals; a higher recidivism rate, the converse. The indicated criminal proceeding goal in controlling crime is appropriate sentencing. What is "appropriate" depends on the type of recidivist, e.g., the career criminal looks at his punishment as a cost of doing business, so the appropriate punishment for him underscores his separation from society rather than rehabilitation. The indicated criminal proceeding goals in achieving specific deterrence are certainty and swiftness of conviction and appropriate sentencing. Again, the implications differ depending on the type of recidivist. For example, certainty and swiftness of conviction may be largely irrelevant to the career criminal. The indicated criminal proceeding goal in rehabilitating criminals is again appropriate sentencing, depending on the type of recidivist, as noted above.

Generally, the greater the fairness with which a defendant is treated in the criminal proceeding and the more evenhanded his disposition, the less should be his propensity to recidivate. But this proposition may not be true for some criminals. A repeat offender, by reason of his experience with criminal justice processing, may be able to induce relatively favorable treatment for himself. Here recidivism leads to a lack of evenhandedness rather than the other way around.

Finally, there appears to be a strong connection between the trust and confidence that the public places in the criminal justice system and the rate at which criminals must be reprocessed through it. Even though this use may be simplistic, the gross recidivism rate is widely taken to be a leading failure measure for criminal proceedings and the criminal justice system.

Gross Conviction Rate

Gross conviction rate is customarily taken to include all guilty pleas (whether to original or modified charges), convictions resulting from trial, and findings of guilt produced by other adjudicatory mechanisms such as "submission on the transcript (SOT) of the preliminary hearing" available in California. This rate provides a measure of the certainty of conviction, given arrest and charging, and to the degree that the criminal proceeding is accurate, the gross conviction rate measures certainty of justice. It is thus linked to the system goals of achieving general and specific deterrence, controlling crime, and exacting retribution. Also, in a broad sense, gross conviction rate indicates the efficiency of resource use since improperly charging or ineffectually prosecuting a suspect, who then gains a dismissal or acquittal, is wasteful. Additional measures, such as the complaint rejection rate, the dismissal rate, the relative proportions of conviction by plea and conviction by trial, and so forth, are necessary for a fuller picture of system efficiency. The gross conviction rate is probably an important determinant of the trust and confidence the public accords to the criminal justice system, although this effect would be conditioned by the public's concurrent impression of the crime clearance rate.

Gross Complaint Rejection Rate

The *gross complaint rejection rate* is related to the goals of certainty and accuracy in criminal proceedings. We observe that a higher rejection rate implies dismissals and convictions of relatively fewer legally innocent defendants, prosecution of relatively fewer suspects, and conviction of a higher proportion of defendants. If charging policy remains constant and its application is consistent and accurate, then variations in the complaint rejection rate may be due to unevenness of police arrest practices. Arrest policies aside, one important property of the complaint rejection rate is that it indicates the willingness of the court system to forgo the prosecution of some legally guilty suspects, against whom the evidence is not conclusive, to obtain greater assurance that the legally innocent are not prosecuted.

We conjecture that the public tends to value certainty of conviction more than the accuracy of the proceeding, due to the high and increasing incidence of crime. If this is true, then a high rejection rate would diminish public trust and confidence unless police arrest practices were recognized as being unreasonable.

Proper interpretation of the complaint rejection rate as a performance measure requires, we reiterate, an examination of the consistency between arrest standards and charging standards. For example, an increase in the rejection rate over a period of time might reflect both a loosening of arrest standards by the police and a compensatory tightening of charging standards by the prosecutor.

Enlightened use of this measure necessitates departure from its gross form. Rejection data should be classified into outright rejections and rejections of a felony in favor of misdemeanor prosecution. Outright rejections should be classified by major reason for rejection, and at a minimum distinguish between "inadequate evidence" and "interests of justice."

Pretrial Custody Measures

Pretrial custody status, as measured by the bail release rate, O.R. release rate,

and in-custody rate, relates to several criminal proceeding goals. One is swiftness, for defense counsel commonly seeks to delay a case when the defendant is not in custody. Two others are certainty and accuracy; it is often asserted that defendants at liberty are better able to prepare their defense. Still another is according due process, since defendants in custody are more inclined to plead guilty.⁷ And since it is reasonable to believe that public trust and confidence are negatively correlated with crime-specific bail and O.R. release rates, pretrial custody measures are related to that goal.

Pretrial custody status measures have more significance for felony criminal proceedings than for misdemeanor proceedings. For the latter, many jurisdictions apply standard bail schedules, so release rates do not reflect discretionary bail decisions by judges. Felony pretrial release rates are far more informative when broken out by prior record and offense type, especially for assisting the interpretation of the "skip" rate. For measurement, skips should be separated into technical skips (unintentional failures to appear as a result of mistake, misunderstanding, or circumstances beyond the control of the released defendant) and true skips. To relate the true skip problem to the bail/O.R. decision, one should have more detail than is provided by a gross skip rate. Skip data should be classified by type of release, prior record, and offense type. Ideally, one would also want to track samples of true skips and ascertain the rearrest rate for crimes allegedly committed after release violation.

Gross Pretrial Diversion Rate

Connections between the *gross pretrial diversion rate* and criminal proceeding goals resemble those of the gross rejection rate. However, a presumption and implied admission of guilt accompany a pretrial diversion, which is technically a deferral of prosecution. Ultimately the outcome will be an outright release equivalent to rejection or, given a failure in the diversionary program, a belated filing. The gross pretrial diversion rate is inclined to mislead if defined as a proportion of all cases submitted by the police for charging; it is better expressed as a proportion of those suspects eligible for diversion (and accompanied by the eligibility rate).

The responsibility for the diversion decision is lodged differently among jurisdictions. In some, the prosecutor has the primary discretion; in others, the prosecutor only identifies those eligible under rule or statute, with the court making the diversion decision.⁸ Interjurisdictional comparisons should not be oblivious to these distinctions.

Gross Dismissal Rate

The *gross dismissal rate* bears upon the criminal proceeding goals of certainty, accuracy, efficiency, and promoting public trust and confidence. In its gross form, it has scant informational value because it fails to reveal who or what was responsible

⁷ A sample of 2600 theft defendants in 1970 in Los Angeles County revealed that 55 percent of those in custody pleaded guilty whereas 48 percent on bail release and 43 percent on O.R. release did so. P. W. Greenwood, S. Wildhorn, et al., *Prosecution of Adult Felony Defendants in Los Angeles County: A Policy Perspective*, The Rand Corporation, R-1127-DOJ, March 1973.

⁸ In at least one jurisdiction, a procedure known as deferred acceptance of a guilty plea has been used. A plea of guilty is taken but held in abeyance pending the outcome of the diversion program.

for the dismissals. One dismissal may be of a wrongly charged defendant; another may result from an unfavorable ruling on the admissibility of essential evidence; still another may reflect poor case preparation by the prosecutor or superior performance by defense counsel, and so forth.

Dismissals, in addition to making convictions less certain, may or may not make the proceeding more accurate, and they probably diminish public trust and confidence when the incidence of crime is high. Overall, the gross dismissal rate must be viewed as a highly ambiguous measure, save for one implication, namely, that almost all dismissals involve a waste of court resources. And the later the dismissal, the more the waste.

As a refinement of its gross form, the dismissal rate should be classified by the moving party, by the reason granted, and by the stage of proceeding at which it was granted.

Gross Plea Rate

In broadest terms, pleas of guilty are of two types, "straight" pleas and "negotiated" pleas. For nearly all purposes, it is important to distinguish between the two. *Gross plea rate* provides little informational value unless this minimal classification is made.

In most jurisdictions, plea negotiation is a key stage of the criminal proceeding. The incidence of negotiated pleas of guilty affects virtually all goals of the criminal justice system and the criminal proceeding, but particularly the swiftness and certainty of conviction and the conservation and efficient use of resources. Going beyond the mere rate of plea agreements to the substantive aspect of how deep a concession was made to the defendant, it is linked to the goals of accuracy, appropriate sentencing, and promoting public trust and confidence. And the manner in which plea bargaining is conducted impinges on the procedural due process goal.

Estimation of system resource conservation is facilitated if we know whether the plea is negotiated, and, if negotiated, the type of agreement (for example, charge reduction or sentence concession), and the type of offense to which the plea is made. To have a fuller appreciation of the effects of plea agreements, one should measure the depth of concessions made to the defendant. For this purpose, we visualize a measurement scheme which captures the degree to which *punishment* (rather than the charge) is changed by the plea agreement—with punishment being expressed in terms of a "sentence severity index." To construct and apply a sentence severity index in this way, we must overcome two difficulties—how to weight one kind of punishment relative to another and how to estimate what the punishment would have been if the defendant had instead gone to trial or made a straight plea to all charges and counts.

Gross Trial Rate

The *gross trial rate* (i.e., the number of trials divided by the sum of the number of trials, pleas, and diversions) measures the extent to which defendants avail themselves of the right to the full judicial process. If for no other reason than the greater visibility of trials compared with plea negotiation, public confidence should increase as the trial rate increases. The fundamental purpose of a trial is to make an accurate public determination of guilt or innocence by fair procedures; unless the trial pro-

cess is abused, it is to be expected that the higher the gross trial rate, the greater the accuracy and fairness of the criminal proceeding.

Gross trial rate bears on the conservation of resources and related efficiency goals, but by itself it tends mainly to show one type of resource demand. For many applications, this measure should have at least the added detail of trial type, i.e., bench or jury.

Gross Trial Acquittal Rate

The goals of accuracy and certainty are both reflected in the *gross trial acquittal rate*, although indirectly and incompletely. An unusually high acquittal rate may suggest the presence of overly aggressive arrest or prosecutorial policies, but it may alternatively indicate poor trial performance by the prosecutor (relative to that of defense counsel). In its gross form, this rate is *uninformative* for most applications. At the very least, it should be classified by type of trial; preferably type of offense and salient defendant characteristics should be included also. Needless to say, questions are raised when trial acquittal rates significantly differ between court and jury trials; when this situation arises, explanations usually must be sought in terms of disparities in acquittal rates for different classes of cases.

Gross trial acquittal rate is linked to the efficiency of the criminal proceeding. When this rate is high and the trial rate is also relatively high, then resources are being wasted. A high trial acquittal rate probably reduces public trust and confidence.

Sentencing Measures

The type and severity of sentences pertain to controlling criminals, achieving specific and general deterrence, and rehabilitating and exacting retribution from criminals. But the connection between the type and severity of sentences and the degree to which these goals are furthered or hindered is largely unknown and possibly unknowable.

One specific quality of sentencing more amenable to measurement and analysis is its evenhandedness. Lack of evenhandedness in sentencing is shown by the presence of disparities that are referred to as "illegitimate" or "suspect" factors. It is generally conceded that such factors might include: whether conviction on the specified charge is the result of a plea or a trial, the type of defense counsel representing the defendant, the defendant's ethnicity or economic status, his pretrial custody status, and the degree of crowding in correctional facilities. By contrast, factors that justifiably explain disparities in sentencing generally include: the gravity of the crime, the defendant's prior criminal record and age, mitigating and exacerbating factors surrounding the offense or the offender, and possibly, the judge's philosophy of treatment and punishment.

Given the inadequacy of theory and data about the relationship between sentencing and the goals of the system and the criminal proceeding, sentencing measures serve now mostly as descriptors that reveal the variation in sentencing and aid in identifying the factors associated with the observed variation. In grossest form they should show the relative frequencies of different types of punishment (for example, prison, jail, probation, probation and jail, fines, and restitution). At the next level of detail, these relative frequencies should be classified by factors such as

offense type, prior record, pretrial custody status, type of defense counsel, and the defendant's ethnicity. And, for some purposes, average imposed lengths of incarceration or a sentence severity index typify desirable sentencing measures.

Swiftmess Measures

The terms "delay" and "backlog" are commonly employed to characterize the swiftmess of justice. Delay implies some excess over a standard time between some initial event (generally arrest) and beginning of trial or final disposition—the standard time being defined by statute or court rule. Backlog, sometimes used as an indirect and gross measure of delay,⁹ is simply the cases not disposed of in the prior period plus the new cases filed in the present period less the cases disposed of in the present period.

A direct gross measure of swiftmess is the *time between arrest and final disposition*, averaged over all cases and types of disposition. However, for comparisons of court systems, one should account for the effect of differences in caseload level, differences in the distribution of offense types, and differences in the distribution of disposition types.

Measuring only elapsed times reveals little of who is responsible for delays and what are the implications for victim and witness participation in the proceeding. Therefore, measures such as the *number and duration of continuances granted per case*, broken out by offense type and the party on whose motion the action was granted; the *number of witness (victim) appearances per case*, possibly broken out by offense type; and the *average time per witness (victim) appearance*, again possibly broken out by offense type, are necessary to illuminate the delay picture.

Resource Conservation Measures

A leading measure of resource use and conservation is the *average time of each practitioner type consumed per case*. The calculation of this measure should reflect a weighting for the level of caseload, caseload composition by offense type and by method of disposition, and possibly other factors. Some management purposes would be served by combining these several time measures into an overall *monetary cost per case*. Other purposes would be served by calculating the average time of each practitioner consumed in separate stages of the criminal proceeding, then aggregating these component times into cost estimates for the different stages, possibly by offense type and by type of disposition. These stagewise costs could facilitate comparisons of proceeding costs in different jurisdictions in which criminal proceedings differed.

Revealing measures of the use of victims and witnesses appear to be the *average number of appearances per case*, the *average time per appearance*, and the *total victim or witness appearance hours per case*, distinguishing between police witnesses and lay witnesses. A measure of juror use (more precisely, a measure of juror oversupply) in the federal court system is the Juror Usage Index (JUI), defined as the available jurors per day (summed over a month) divided by the number of juries in trial per

⁹ Backlog may be transformed into a crude measure of delay by multiplying the number of cases backlogged by the average proceeding duration per case. But the more the case profile of the backlog differs from the profile of cases processed (because "tougher" cases tend to wait longer to begin), the cruder is this approximate delay measure.

day (summed over a month). Our view is that a more informative and direct measure (but one more costly in terms of data collection) is simply the *average fraction of time that a juror is active*, possibly broken out by time spent in voir dire and in trial. In general, interjurisdictional comparisons of the handling of victims, witnesses, and jurors should be made only when the utilization policies of these participants are similar.

Of course, survey questionnaires are another (usually) feasible approach to measuring the usage of lay participants in the criminal proceeding; questions deal with their impressions about the efficiency of their participation and their attitudes toward future involvement in the court system.

Appendix B

CRIMINAL JUSTICE PRACTITIONERS INTERVIEWED AND MEMBERS OF THE STUDY ADVISORY GROUP

ADVISORY GROUP MEMBERS

The names of the Advisory Group members are listed below:

Louis Bergna District Attorney, Santa Clara County San Jose, California	Sheldon Portman Public Defender, Santa Clara County San Jose, California
Professor Al Blumstein SUPA, Carnegie-Mellon University Pittsburgh, Pennsylvania	Harvey Solomon Executive Director, Institute for Court Management Denver, Colorado
Honorable Winslow Christian Justice of the California Court of Appeals First Appellate District San Francisco, California	Professor Harry Subin New York University Law School New York, New York
Harry F. Connick District Attorney New Orleans, Louisiana	Preston Trimble District Attorney, Cleveland County Norman, Oklahoma
John Flynn Attorney-At-Law Phoenix, Arizona	Honorable Ernst John Watts Dean, National Center for State Judiciary Reno, Nevada
Edward B. McConnell Director, National Center for State Courts Denver, Colorado	Jerry Wilson Chief, Metropolitan Police Department (Retired) Washington, D.C.

CRIMINAL JUSTICE PRACTITIONER INTERVIEWEES

The names of the practitioners interviewed are listed below.

Judges

The Honorable Richard Hayden Judge of the Los Angeles County Superior Court Los Angeles, California	The Honorable Horace W. Gilmore Judge of the Circuit Court (Wayne County) Detroit, Michigan
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The Honorable Leander J. Foley
Judge of the Circuit Court (Milwaukee
County)
Milwaukee, Wisconsin

The Honorable Charles W. Halleck
Judge of the Superior Court for the
District of Columbia

The Honorable Warren P. Cunningham
Judge of the District Court
Houston, Texas

The Honorable Lee Duggan, Jr.
Judge of the District Court
Houston, Texas

The Honorable Andrew L. Jefferson
Judge of the District Court
Houston, Texas

The Honorable Robert Jones
Judge of the Multnomah County Court
Portland, Oregon

The Honorable Clifford Olsen
Judge of the Multnomah County Court
Portland, Oregon

Court Administrators

Frank Zolin
Executive Officer
Los Angeles County Superior Court
Los Angeles, California

Francis K. Cholko
Director of Administrative Services
Los Angeles County Superior Court
Los Angeles, California

Wilbur S. McDuff
Court Executive Officer
Dade County Circuit Court
Miami, Florida

Jack E. Thompson
Court Administrator (Fulton County)
Atlanta, Georgia

Arnold Malech
Executive Officer, Superior Court
Washington, D.C.

Gordon W. Allison
Superior Court Administrator
Phoenix, Arizona

Lester Goodchild
Chief Executive Officer
Office of the New York City
Administrative Judge
New York City, New York

Dr. John Jennings
Director of Administrative Services
Office of the New York City
Administrative Judge
New York City, New York

James Murchison
Assistant Court Administrator (Multnomah
County Circuit Court)
Portland, Oregon

Defense

John Van de Kamp
Federal Public Defender
(Now District Attorney, Los Angeles
County)
Los Angeles, California

John Flynn, Esq.*
Attorney-At-Law
Phoenix, Arizona

C. Anthony Friloux, Esq.
Attorney-At-Law
Houston, Texas

Myzell Sowell
Chief Defender
Legal Aid and Defender Association
of Detroit
Detroit, Michigan

* Project Advisory Group Member

Norman Lefstein
Public Defender
Washington, D.C.

James Hennings
Public Defender (Multnomah County)
Portland, Oregon

Prosecutors

Dominick R. Carnovale
Chief, Criminal Division
Office of Prosecuting Attorney
(Wayne County)
Detroit, Michigan

Raymond Sinetar
Head, Planning and Training
Office of the Los Angeles County
District Attorney
Los Angeles, California

Barry Gross
Special Assistant to State's Attorney
Office of State's Attorney (Cook
County)
Chicago, Illinois

The Honorable Emmett Fitzpatrick
District Attorney
Philadelphia, Pennsylvania

The Honorable Harl Hass
District Attorney (Multnomah County)
Portland, Oregon

Gary McClain
Chief Deputy District Attorney for
Criminal Matters (Multnomah County)
Portland, Oregon

The Honorable Roger Rook
District Attorney (Clackamas County)
Oregon City, Oregon

Academicians

Harry Subin*
Professor of Law, New York University
(Formerly Office of U.S. Attorney,
Washington, D.C.)

Michael Lightfoot
Professor of Law, Loyola University
(Former Public Defender, Federal
Public Defender's Office, Los
Angeles; former Assistant U.S.
Attorney, Los Angeles)

* Project Advisory Group Member

Appendix C
INTERJURISDICTIONAL COMPARISONS BY MEANS OF
STATISTICAL PERFORMANCE MEASURES

Marvin Lavin

There is a strong and widely distributed inclination to compare the performance of criminal court systems among different jurisdictions. Statistical performance measures might be used for this purpose, but questions of validity arise in such use. Mechanical comparisons may always be made, but whether one can compare the magnitudes of a performance measure in different jurisdictions is an issue to be seriously considered.

Among the 50-plus major jurisdictions in this country, codes of criminal law differ widely. Criminal procedure and court rules are similarly disparate. Relationships between the police and the courts and between the courts and the correctional system vary from one locality to another. Law enforcement policies are necessarily adapted to local conditions, and these adaptations are not consistent over wide areas.

Some degree of uniformity certainly exists, and the trend is toward its increase. This movement reflects such developments as the Supreme Court's enunciation and clarification of constitutional rights, the growing adoptions of model codes and uniform laws, the pervasive influence of federal rules and practices, the publication of ABA standards and similar efforts, the educational and training programs conducted by professional societies and institutes, etc. Nevertheless, criminal justice systems can be strikingly different, particularly if they do not operate in the same state.

When are interjurisdictional comparisons of criminal court systems meaningful? We do not undertake to answer this question broadly but instead offer two instances when comparisons by means of statistical performance measures can be meaningful.

In the first instance, one may be addressing certain outputs of the court system that in a *societal* sense are significant independently of the institutional machinery that produced them. For example, the size of prison populations is societally significant of itself, independently of the details of the judicial process that sends people there. It may therefore be argued that a related measure such as *the rate at which prison sentences are imposed (and not suspended)* permits meaningful comparison among different court systems even though they may differ in important respects.

In the second instance, one may be able to identify the "comparability" features that are significant to performance of a court system in a specified province of operations. Presumably, a comparison of these features in two jurisdictions would provide the necessary appreciation of how meaningful would be a comparison of statistical performance measures in this province of operations. And it would provide the qualifications that should be articulated in presenting inferences from the comparison of measures. A provisional list of comparability features, keyed to the five issue areas of this study, follows. Those items to which the symbol "★" is

prefixed were added at the suggestion of practitioners whom we interviewed. (See Table 9.6 for an application of this list to the comparison of Multnomah and Dade Counties.)

Comparability Features for Five Issue Areas

I. CASE PROCESSING EFFICIENCY AND DELAY

A. Practitioner productivity

1. Differences in procedural steps or disposition points
2. Pretrial motion practices (e.g., delaying such motions until trial)
3. Conduct of jury voir dire
4. Use of commissioners for judicial functions
5. Method of assigning prosecutors and public defenders to cases
6. Court calendaring system
7. Caseload mix (by offense category)
8. Backlog of pending cases
- ★ 9. Use of court coordinators

B. Witness use

1. Court calendaring system
2. Continuance policy and procedure
3. Availability rules (e.g., "on call" system)

C. Juror use

1. Conduct of jury voir dire
2. Policy on jury pool size

D. Delay

1. Court calendaring system
2. Continuance policy and procedure
3. Differences in procedural steps or disposition points
4. Availability of interlocutory appeals
5. Liberality of pretrial discovery
6. Existence and nature of time-limit standards; power to refile
7. Caseload mix (by offense category)
8. Scale of court system and backlog of pending cases

II. EVENHANDEDNESS

1. Police arrest and screening policies
2. Bail and O.R. policies
3. Jury selection and composition
4. Judicial selection and composition
5. Payment or fee compensation system for defense counsel

III. PROSECUTORIAL SCREENING

1. Charging or filing standards

2. Police arrest and screening policies
3. Procedure for nolle prosequi (on motion or by court)
4. Existence and nature of time-limit standards; power to refile
5. Availability and nature of pretrial diversion programs
6. Availability of pre-charging conference
7. Organization of prosecutor's office

IV. PLEA BARGAINING

- 1-7. As above in III.
8. Statutory sentencing structure
9. Liberality of pretrial discovery
10. Availability and nature of preliminary hearing
11. Probation policy
12. Judicial involvement in plea bargaining
- ★ 13. Jail conditions
- ★ 14. Caseload and backlog
- ★ 15. Jury or judge sentencing
- ★ 16. Method of providing defense counsel

V. SENTENCING VARIATION

1. Statutory sentencing structure
2. Probation policy
3. Plea bargaining practices
4. Charging or filing standards
5. Parole eligibility and practice
6. Public attitudes toward gravity of various offenses and appropriate sentences for them
7. Availability of sentence review
8. Overcrowding of correctional facilities
- ★ 9. Method of filling judgeships
- ★ 10. Post-sentencing powers of trial judge
- ★ 11. Availability of pre-sentence reports
- ★ 12. Judge or jury sentencing
- ★ 13. Availability of alternatives to sentencing

Appendix D

DATA COLLECTION IN THE DEMONSTRATION JURISDICTIONS: METHODS AND SOURCES

Gerald Sumner and Marvin Lavin

DATA COLLECTION ACTIVITIES IN MULTNOMAH COUNTY, OREGON

To serve the demonstration purposes of this study, data concerning Multnomah County felony proceedings were collected by a team composed of three law students, two court administration students, and a Rand staff member who supervised their efforts. Major items of information elicited from various source files were the following:

- Felony case information from samples of case folders as follows:
 - 200 cases representative of all felony types (the general sample).
 - 200 cases in which (at least one count of) Burglary I (dwelling or non-dwelling type) was the most serious initially charged offense.¹
 - 200 cases in which (at least one count of) Robbery I was the most serious initially charged offense.²
- Defendant-related (biographic and prior record) information, some of which was often missing from the above 400 exemplary offenses (Burglary I and Robbery I) case folders.
- *Charges at police booking versus charges at DA filing* for 400 cases in which one or more counts of Burglary I or Robbery I were included in the booked charges.
- Reasons given for declining to prosecute cases involving (dwelling only) Burglary I and Robbery I charges (for all such cases within the two periods studied).
- Names and addresses of lay participants for survey purposes—the samples being 200 jurors, 200 victims, and 200 witnesses.
- Number of lay witnesses per trial in a sample of roughly 100 trials among three courtrooms.
- Frequency and duration of continuances in a sample of 200 felony proceedings.
- Type and duration of judicial activities.

¹ Under Oregon Statutes (ORS 164.225), burglary, which is committed when one enters or remains unlawfully in a building with the intent to commit a crime therein, becomes of the first degree when the building is a dwelling; or the offender is armed with a burglar's tool or a deadly weapon; or the offender causes or attempts to cause physical injury or uses or threatens the use of a dangerous weapon.

² Under Oregon Statutes (ORS 164.395, 164.405, 164.415), robbery is committed if one, when committing or attempting a theft, uses or threatens the use of physical force upon another person (with defined types of intent). It is of the first degree if the offender is armed with a deadly weapon, or uses or attempts to use a deadly weapon, or causes or attempts to cause serious physical injury.

More detailed descriptions of the nature and sources of each of these bodies of data are given below, concluding with a recapitulation of the available data.

Felony Case Information

Multnomah Circuit Court case folders are filed in a criminal records office in numerical (roughly chronological) order for each calendar year. A registration card is completed for each case, and these cards, which identify the charges and important dates in the cases, are maintained as a separate file. For purposes of our demonstration phase, six samples (each numbering 100 registration cards) were drawn:

- *The first-period general sample:* drawn from all closed felony cases that were filed February through December 1973.
- *The second-period general sample:* drawn from all closed felony cases that were filed February through December 1974.
- *The first-period Burglary I sample:* drawn from closed cases of the first period in which the most serious charges included at least one count of Burglary I.
- *The second-period Burglary I sample:* as above for the second period.
- *The first-period Robbery I sample:* drawn from closed cases of the first period in which the most serious charges included at least one count of Robbery I.
- *The second-period Robbery I sample:* as above for the second period.

General Samples. We sought case samples that were uniformly distributed in time within the two selected periods of court operations. Given that the above-described registration cards were filed in nearly the chronological order of the cases, we obtained the two samples by performing a systematic sampling of the card file, with sampling intervals of 36 and 37 cards, respectively, for the first (1973) and second (1974) periods. A chronologically adjacent case was substituted if the one originally selected had its folder missing, or had not yet been closed, or involved a fugitive arrested on the basis of a warrant from another jurisdiction, or had not advanced to the circuit court from the district (lower) court.

The recording form for the items of information we desired to obtain from the case folders of the general samples is given on pp. 288-293.³ The date of arrest often had to be derived by inference because Multnomah case folders did not give it except for cases initiated by secret indictment. Our assumption was that the arrest date could be taken as two days prior to the date of first appearance, for first appearances were almost invariably made within 24 hours of arrest on weekdays and within at most 72 hours of arrest on weekends or holidays.

The collection team maintained sampling control forms which contained the following information for each selected case: its sample sequence number, its docket number, the docket number of the substituted case (if any), the identification of the responsible team member, and an indicator for showing that the recording form had been "cleansed"—i.e., reviewed for legibility, completeness, and absence of logical and methodological errors.

³ Of the four unspecified auxiliary spaces (items 9-12) in the form, one (12) was used to report the following disposition information: (1) plea of "no contest," with conviction indicated in item 3; (2) plea of not guilty by reason of insanity, with conviction indicated in item 3; and (3) mistrial.

Burglary I Samples. Again, a distribution of sample cases uniform over time within the two selected periods was sought. This was obtained by allocating a quota of case files to each month of the 11-month periods, then scanning the case files for each month in numerical order, and finally selecting those cases containing Burglary I charges until the quota was met for the month. Substitutions were sometimes required for selected cases, for reasons described above; the substituted cases were obtained by extending the selection process further into the case file for that month. Sampling control sheets were maintained as described for the general samples.

The information form used by the data collection team for these (exemplary offense) samples is given on pp. 294-304. (The same form served both for the Burglary I and for the Robbery I samples.) The four auxiliary response items (items 33-36) at the end of the information form were used in Multnomah as follows:

ITEM 33: What was the nature of sentence suspension, if any?⁴

- (01) Entire sentence suspended.
- (02) Only incarceration suspended.
- (03) Only fines suspended.
- (04) Both incarceration and fines suspended.
- (05) Suspensions other than above.

ITEM 34: Were the following prosecutorial concessions contained in the plea agreement?

- (01) DA agreed not to prosecute other pending cases against this defendant.
- (02) DA agreed to make sentence recommendation or not to oppose defense's sentence recommendation.
- (03) Both of above.

ITEM 35: Was burglary of a *dwelling* charged?

Affirmative shown by entry of symbol D.

ITEM 36: Did the case disposition reflect one of the following?

- (01) Plea of "no contest," with conviction indicated in item 15.
- (02) Plea of not guilty by reason of insanity, with conviction indicated in item 15.
- (03) Mistrial.

Robbery I Samples. The selection procedures for the Robbery I samples were identical to these for the Burglary I samples. The sample for the second period is virtually exhaustive because of the relatively few closed 1974 Robbery I cases at the time of our data collection. Item 35, given above, was the only inapplicable information item for the Robbery I samples.

Defendant Biographic and Prior Record Information. If present in the sampled case folders, the "Recognizance Sheet" served to provide biographic and prior record information. But this item was frequently missing. If the public defender had represented the defendant, the desired information could be obtained from

⁴ Information given in items 19 through 32, which relate to elements of the imposed sentence, applies prior to any suspension of punishment.

that office.⁵ The information could also be derived from a pre-sentence investigation report (PSI), provided the defendant had been convicted, a pre-sentence investigation was conducted, and the judge in whose files the report was held was not absent during the period of our data collection.

Charges at Police Filing versus Charges at DA Filing. The performance of prosecutorial screening in Multnomah County could be better evaluated, we felt, if the charges at police booking were compared with the filed charges in samples of cases appropriate to our study emphases. To this end, we set out to obtain four samples each of 100 cases—one sample for each time period with at least one count of Burglary I included in the booking charges of every case and, similarly, one sample for each time period for Robbery I charges. The sampling source was the daily summary of police bookings, a storage file which was available at the Rocky Butte Jail. Included in each entry of a daily summary was the defendant's name, race, sex, age, date of booking, and *booked offenses*. Unfortunately, nearly one-half of the 1973 (first-period) summaries were missing; consequently, only 58 cases with Robbery I charged at booking were available for this period. For the other three samples, the desired number of 100 cases (distributed uniformly within the time periods) was obtained again by assigning case quotas for each month of the period, scanning the case bookings in order of booking date, and selecting appropriate cases until each month's quota was filled.

The Multnomah County District Attorney's Office maintained a case card file in which disposed cases were filed in alphabetical order of defendants' surnames. In addition to the defendant's name, each card contained the filed charges, the dates of important case events, and the ultimate disposition. The cases sampled from the booking summaries could thus be matched, by means of defendant surnames, with a file record containing the results of prosecutorial screening. If no card corresponding to a sampled booking was present, we assumed that the district attorney had declined to file charges in that arrest.

Reasons for Declining to Prosecute. To further reveal prosecutorial screening performance, we sought to ascertain the reasons for declining to prosecute in all cases within the two selected periods wherein the charges at booking included at least one count of Robbery I or (dwelling only) Burglary I. When a case submitted by the police was rejected by the district attorney's office, a "prosecution declined" memorandum was customarily prepared. The reasons for rejection would not always be explicitly articulated in this memorandum, but could be inferred by the collection team head (with occasional assistance from DA personnel). These memoranda were available in two locations. For the first period, the file was located in the Prosecution Intake Office housed in the police headquarters building. The supervising prosecutor provided all rejected cases involving Robbery I and (dwelling only) Burglary I charges from this file. For the second period (because Robbery I and (dwelling only) Burglary I were "Impact" offenses), the rejection memoranda were maintained in a file in the district attorney's Impact Office in another location. The collection team head drew all relevant memoranda from this file to ascertain the rejection reasons.

Identification of Lay Participants. Samples of 200 jurors, 200 victims, and 200 witnesses were desired for the purposes of a mail survey described in App. F and

⁵ The Metropolitan Public Defender, a private nonprofit corporation, defends (under contract) nearly one-half of the felony cases in Multnomah County. Data collectors were required to subscribe to a confidentiality of information release form.

G. The juror sample was identified by means of records kept by the payroll department of the circuit court for the month of June 1975. Names and addresses came from these records. Telephone numbers were obtained from a separate file of "Jury Certificates."

Names and addresses of victims and witnesses were obtained from closed felony case folders available in the district attorney's records office. Our procedure was to begin with August 1974 cases and work backward in time, recording the names and addresses of victims and witnesses until samples of the requisite size had been identified. It turned out that the earliest cases represented in the sample were dated March 1974.

Number of Lay Witnesses per Trial. The court clerks in individual trial courtrooms of the Multnomah County Circuit Court maintain "Jury Books" which contain the names of all persons who participate in cases that come before the court. These records were the source of a sample of approximately 100 criminal trials (eventuating in a judgment) from which the number of lay witnesses per trial could be estimated. Three judges of the circuit court were selected at random. Counts of witnesses were made for each completed criminal trial conducted by them from June 1974 through May 1975, during which approximately 100 such trials were held. These witnesses also included victims because the latter were not specifically identified in the records. A witness was counted once, regardless of the number of his appearances.

Frequency and Duration of Continuances. Information on continuances is essential to an understanding of the observed duration of criminal proceedings. These data could be obtained from a card file maintained by the clerk of the chief criminal court. Using the same monthly case quota procedure described earlier, we obtained a sample of 100 cases distributed uniformly in time within each of two periods selected for our study. These cases reflected both dispositions in the chief criminal court (mostly dismissals and guilty pleas) and dispositions in the trial courts. For each case, we collected the following continuance information: the number of continuances; the duration in days for each continuance; the movant (requestor) for each continuance, identified as defense counsel, prosecutor, both defense counsel and prosecutor, or the court; and whether or not the case went to trial.

Type and Duration of Judicial Activities. The need for data on judicial activities arose from our wish to demonstrate the application of the judicial efficiency measure described in Sec. IV, namely, the so-called weighted caseload measure (the number of weighted caseload processed per available judge-year). Calculating this performance measure entails the decomposition of proceedings into elemental judicial activities, estimating the average duration (in judicial time) of each of these activities, and also estimating the frequency with which each activity occurs per proceeding. Each judicial activity generally reflects the consumption of time both on the bench and in chambers.

The problem of collecting data on the use of judicial time markedly differs between the chief criminal court and the trial courts. The chief criminal judge is wholly involved with criminal matters and he has little occasion to work in chambers. Trial judges in the circuit court conduct both civil and criminal proceedings and spend a significant amount of time working in chambers. Data of the type needed for weighted caseload analyses are not routinely collected in Multnomah County, but we hoped that our team might itself collect the requisite data applying

to at least a sample of judges for a one or two month period. However, the resistance of the judges to our logging their activities compelled us to seek other data sources.

The daily schedule prepared for the chief criminal court reveals each activity occurring in that court. It would be an adequate record of the chief criminal judge's activities (since the court is nearly always in session) but for the fact that it provides *scheduled* durations of activities rather than *actual*. (Although it gives defendant and attorney identities and the case number, the schedule does not show the charges in the case before the court. Thus, a further data source must be used if the weighted caseload measure is to be calculated separately by class of offense. The tentative court appearances schedule prepared in the district attorney's office provides this information on charges, after cases have been matched to the court schedule on the basis of defendants' names.)

Inferences about the allocation of trial judges' time *while sitting on the bench* after June 1975 could be made from court clerk logs kept as part of a current effort by the circuit court to justify the need for the current complement of court clerks. The clerks were required daily to log the time consumed in each of their activities and identify whether related to a civil or a criminal matter. One could ascertain from these logs the periods when the judge was on the bench and in what activities engaged. (Again, the DA's tentative court appearances schedule could be employed to identify the charges in the criminal matters shown in the court clerks' logs.)

As an expedient, we attempted to calculate the weighted caseload measure for July 1975 on the basis of information available in the schedules of the chief criminal court, the district attorney's schedules of appearances, the court clerk logs, and the monthly criminal statistics prepared by the clerk of the chief criminal court (which provided the number of dispositions). The crude assumption was made that trial judges used their time in chambers in proportion to the use of their time while on the bench. We obtained the chief criminal court schedule and the DA's appearances schedule for each judicial day of July, but found trial court clerk logs to be available for only 119 of the 185 judge-days during that month. The latter logs were also quite variable in detail and completeness and, despite our follow-up efforts, over 20 percent of the trial judges' courtroom time remained unidentifiable. Nevertheless, we proceeded with calculations of the weighted caseload measure separately for the chief criminal court and the trial courts, for felonies as a whole, and for each of four felony types.⁶

The results of the calculations are displayed in Sec. VI and illustrate the serious inconsistencies; they serve mainly to show that the above-described indirect sources of information on judicial activities were too incomplete and inaccurate.

Recapitulation of Data Availability.

- Felony case information (from case folders):
 - Virtually all dispositional data were present in the case folders of the general and exemplary offenses samples.
 - Virtually all sentencing data were available in the case samples.
 - Dates of proceeding steps were fairly complete, but one or more were missing in some individual cases.

⁶ Court activities in criminal proceedings were aggregated into seven types: arraignments, motion hearings, plea hearings, other hearings, bench trials, jury trials, and sentencing hearings.

- Defendant-related data (partly from case folders and partly from other sources) (see Table D.1).
- Charges at police booking versus charges at DA filing:
 - Only 58 cases with Robbery I booking charges available in police booking file for first period.
 - 100-case sample available for Robbery I in second period; for Burglary I in both periods.
 - Absence of case in DA file assumed to be due to rejection.
- Reasons for declining to prosecute:
 - For Robbery I, a sample of 13 rejected cases in the first period and 48 rejected cases in the second period exhausted the district attorney's file.
 - For (dwelling only) Burglary I, a sample of 27 rejected cases exhausted the file for the first period; a sample of 80 cases was drawn from the second-period file.
- Frequency of witnesses per trial:
 - Data available in the sample of approximately 100 trials among three courtrooms.
- Continuances:
 - Data on frequency and duration of continuances and the identity of the movant available in a sample of 100 cases from each period.
- Type and duration of judicial activities:
 - Fragmentary and inaccurate data available from indirect sources only (see above discussion).

Table D.1

PERCENTAGE OF SAMPLED CASES FOR WHICH DEFENDANT DATA WERE
AVAILABLE, BURGLARY I AND ROBBERY I, MULTNOMAH COUNTY

Item	1973 Samples		1974 Samples	
	Burglary I	Robbery I	Burglary I	Robbery I
Age	97	80	94	94
Ethnicity	25	36	24	36
Transiency	87	72	70	66
Occupation	58	60	45	67
Income	6	5	2	5
Education	71	57	83	69
Marital status	79	69	85	84
No. dependents	80	69	78	78
Prior record	94	77	95	91
Pretrial custody	95	92	97	93
Type of attorney	95	95	95	94
No. in sample	97	95	88	86

DATA COLLECTION ACTIVITIES IN DADE COUNTY, FLORIDA

Data collection in Dade County for the demonstration phase of this study was performed by a team of six; five were local law students, and one was a member of the Florida Bar. Their efforts were directed at obtaining the following bodies of data:

- Felony case information from the following samples:
 - 200 cases representative of all felony types (the general sample).
 - 200 cases in which some type of breaking and entering (B&E) felony offense was initially charged.⁷
 - 200 cases in which robbery was initially charged.⁸
- Defendant-related (biographic and prior record) information in the above 400 cases involving either robbery or breaking and entering charges.
- Dispositions in the magistrate's division of the county court (the lower court) for a sample of 400 cases involving either robbery or breaking and entering booking charges.
- Reasons given for "no information" actions by the state attorney on all available robbery or B&E cases in the two periods studied.
- Names and addresses of lay participants for survey purposes—the samples being 200 jurors, 200 victims, and 200 witnesses.
- Number of lay witnesses per case and number of witness (or victim) appearances per case in the general sample of 200 cases.
- Type and duration of judicial activities.

The nature and sources of these data are described below, followed by a recapitulation of the available data.

Felony Case Information

Felony case folders are filed in the office of the clerk of the criminal division in numerical (roughly chronological) order within each year. Open and closed case folders are filed together. Each case folder has a "control" card, on which is recorded the defendant's name, the charges, and the important case dates. Control card files are separate for open and closed cases. For our purposes, six samples (each numbering 100 control cards) were drawn, as follows:

- *The first-period general sample:* drawn from all closed felony cases that were filed during December 1973 through May 1974.

⁷ Florida Substantive Laws, Chapter 810, *Burglary*, defines the following breaking and entering felony offenses (among others):

810.01—Breaking and entering a dwelling house (felony of first degree if armed or assault committed; otherwise, second degree).

810.02—Breaking and entering other buildings, ship or vessel (generally of second degree unless high explosive used).

810.03—Entering without breaking (generally of third degree).

810.05—Breaking and entering with intent to commit a misdemeanor (a felony of the third degree).

810.051—Breaking and entering or entering without breaking a vehicle (a felony of the third degree).

⁸ All robberies fall under FSL 813.011 which defines them to be felonies of the first degree punishable by life imprisonment or any lesser term of years.

- *The second-period general sample:* drawn from all closed felony cases that were filed during December 1974 through May 1975.
- *The first-period B&E sample:* drawn from first-period closed cases whose most serious charges included breaking and entering felony offenses.
- *The second-period B&E sample:* as above for the second period.
- *The first-period robbery sample:* drawn from first-period closed cases whose charges included robbery.
- *The second-period robbery sample:* as above for the second period.

General Samples. Systematic sampling of the control card file, with an interval of 30 cards, was used to provide a sample of case folders distributed uniformly in time over the two selected periods. (For each of the first five months, sampling was discontinued after the eighteenth case selection of the month; for the final month (May) of each period, 10 cases were sampled.) If the sampled case proved to be open rather than closed, or had a missing case folder, or involved an arrest on a writ, then we substituted a case obtained by searching the file in reverse chronological order for the first appropriate case preceding the inappropriate one. Some selected cases had been combined with another case against the same defendant, in which instance the latter case entered the sample.

Sample control sheets were maintained, as described above in the discussion of Multnomah County data collection procedure.

The first annexed information form served to record case data for the Dade general samples as well as those for Multnomah. The four auxiliary response spaces (items 9-12) were employed in Dade as follows: (01) was entered in item 9 if the case was nol-prossed—the date for this event being entered in item 8-H; the number of lay witness depositions was entered in item 10; the number of defendants was entered in item 11; and (01) was entered in item 12 if the defendant pleaded not guilty for reason of insanity. An alphanumeric code was devised to enable two symbols to suffice for the total number of days consumed in continuances for item 7-E, which sometimes exceeded two digits.

B&E Samples. The 100-case sample for each of the two periods was obtained by selecting the first 18 cases containing B&E felony charges in each of the first five months of a period and 10 cases in the final month (May). Case substitutions were necessary for some of these selections, for reasons noted above; the substituted case was drawn from the same month as the inappropriate case. Sampling control was maintained as described above.

The second annexed information form served to record the case data for the B&E samples. Here the four auxiliary response items were employed as follows:

ITEM 33: What was the nature of sentence suspension, if any?

- (01) Entire sentence suspended.
- (02) Only incarceration suspended.
- (03) Only fines suspended.
- (04) Both incarceration and fines suspended.
- (05) Suspensions other than above.

ITEM 34: What type of case dismissal?

- (01) Nolle prosequi.
- (02) Other.

ITEM 35: Was B&E of a dwelling charged?

Affirmative shown by entry of symbol D.

ITEM 36: How many defendants in the case?

Because little information was found in the case folders pertaining to the defendant's prior record (item 11) and biography (items 1-10), a separate sampling effort was made to fill this gap as described below.

Robbery Samples. The selection procedures for the robbery samples were the same as for the B&E samples. Because of a paucity of closed robbery cases from the latter part of the second period (at the time of the data collection), the second-period robbery sample is more concentrated in the first three months of the period.

The optional response items of the second annexed information form were used as described above, with the exception that item 35 did not apply.

Defendant Biographic and Prior Record Information. Given the lack of biographic and prior record data in the 400 exemplary offenses folders sampled from the court clerk's files, we sought alternative sources for this information. Biographic data turned out to be obtainable from three sources. For the second period, the Pretrial Release Program produced records with (defendant-provided) biographic data on defendants eligible for pretrial release. While this was the most comprehensive source for the second period, it provided no coverage of the first. Another source of biographic data was the Dade County Public Defender's Office, which maintained case folders on defendants represented by that office. And a third source was pre-sentence reports (which are prepared for youthful or first-time offenders, unless waived). The most available file of these reports was found in the offices of the Probation and Parole Commission, provided the defendant was not currently on active probation. Some pre-sentence reports were available in the files of the sentencing judges.

Defendants' rap sheets would have been the most reliable source of prior record information, but they were not easily accessible. Contrary to expectations, case folders maintained in the state attorney's office turned out generally to lack these rap sheets. The police department was said to keep a rap sheet file on all defendants, but access would have required formal approval by law enforcement agencies. As an expedient, we turned to the sources used for biographic data, although recognizing that these prior record data are not as accurate as would be found on rap sheets.

Dispositions in the Magistrate's Division. To better understand the effect of judicial screening that occurs in the magistrate's division of the Dade County court system, we took four samples of cases to show how suspects fared at that stage of the proceedings, i.e., to show the proportions of cases filed as a felony, filed as a misdemeanor, dismissed (by the magistrate), or "no information" by the state attorney. Two samples were composed of B&E cases from the two periods studied, respectively; two were of robbery cases from the two periods, respectively. Each sample numbered about 100 cases, with 18 cases coming from each of the first five months of a period and 10 from the final month. The sampling was performed by means of a computer listing of cases produced by the court clerk's office. The listing provided for each case: the offenses charged, the defendant's name, the date of the magistrate's hearing, and the case disposition as defined above.

Reasons for "No Information." We had anticipated sampling 400 cases to reveal the reasons given by the state attorney for his decision not to file an informa-

tion against a B&E or robbery suspect. A convenient source for this data was the monthly summary of cases, prepared by the state attorney's office. It turned out, however, that only 43 of these B&E and robbery cases arose from December 1973 to May 1975. And the reason given for "no information" in a majority of these cases was pretrial intervention (i.e., diversion).

Identification of Lay Participants. A sample of 200 jurors who served in criminal trials during a three-week period in June 1975 was obtained from venire sheets. The addresses of the selected jurors were taken from a payroll list.

Closed case folders in the county clerk's office were the source of victim and witness samples numbering 200 each. Beginning March 30, 1975, and working backward in time, we drew the names of victims and witnesses from all case folders where such names (and the corresponding addresses) were shown, but excluding cases designated as "nol-prossed," "no information," "absentee docket," or "information dismissed."

Number of Witnesses per Case and Number of Witness Appearances per Case. We sought to draw data concerning the number of witnesses per case and the number of witness appearances per case from the general sample of 200 case folders (all felony offenses). Unfortunately, a high proportion of this information was not obtainable from the materials within the folders.

Type and Duration of Judicial Activities. Our plans to demonstrate an application of the weighted caseload measure were preempted by a weighted caseload study that the circuit court had itself recently completed, as part of a statewide effort mandated by the Florida supreme court. We have not been able to gain access to this information, so the topic is not included in the coverage of this report on Dade County.

Recapitulation of Data Availability

- Felony case information (from case folders):
 - Virtually all dispositional data were present in the case folders of the general and exemplary offenses samples.
 - Virtually all sentencing data were available in the case samples.
 - Dates of proceeding steps were fairly complete, but one or more were missing in some individual cases.
- Defendant-related data (generally from sources other than case folders) (see Table D.2).
- Dispositions in the magistrate's division:
 - Data available for four samples of 100 cases each (respectively for the exemplary offenses, both periods).
- Reasons for "no information:"
 - The state attorney elected to "no information" only 43 cases involving the exemplary offenses during the two periods studied (the majority being for reasons of pretrial intervention). Our sample was of all 43.
- Number of witnesses per case and number of witness (or victim) appearances per case:
 - Data were obtainable from only 14 cases (nine trial and five nontrial) of the 100-case general sample for the first period.
 - Data were obtainable from only six cases (three trial and three nontrial) of the 100-case sample for the second period.

Table D.2

PERCENTAGE OF SAMPLED CASES FOR WHICH DEFENDANT DATA WERE
AVAILABLE, B&E AND ROBBERY, DADE COUNTY

Item	1974 Samples		1975 Samples	
	B&E	Robbery	B&E	Robbery
Age	100	100	99	98
Ethnicity	99	100	97	100
Transiency	58	51	72	70
Occupation	72	72	70	65
Income	24	32	34	40
Education	59	50	55	64
Marital status	66	56	75	78
No. dependents	64	53	74	77
Prior record	61	58	75	75
Pretrial custody	98	95	95	95
Type of attorney	99	99	97	97
No. in sample	99	99	99	100

INFORMATION FORM
GENERAL CASE SAMPLE - ALL OFFENSE TYPES

Jurisdiction _____

Period Covered _____

Recorded by _____

Date Recorded _____

CASE INFORMATION

01/ <input type="text"/>	02/ <input type="text"/>	03-04/ <input type="text"/>	05-07/ <input type="text"/>
SITE	PERIOD	FORM	QX #

CARD 01										08-09/
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	10-19/
DOCKET #										

1. Indicate most serious original charge (SPECIFY):

(CODERS ONLY)

<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------

20-22/

2. Offender's pre-trial custody status (CIRCLE ONE):

Out on bail or O.R..... 1 23/
 In jail..... 2
 Combination of above..... 3

3. Outcome of trial (CIRCLE ONE):

Convicted...(CIRCLE AND GO TO QX.4)..... 1 24/
 Acquitted...(CIRCLE AND GO TO QX.5)..... 2
 Dismissed...(CIRCLE AND GO TO QX.5)..... 3
 Other: e.g. mistrial, hung jury...(CIRCLE AND
 GO TO QX.5)..... 4

4. If convicted, indicate on what charge (CIRCLE ONE):

Most serious original..... 1 25/
 Lesser..... 2

5. Category of sentence imposed (CIRCLE ALL THAT APPLY):

Probation..... 1 26/
 Fine..... 2 27/
 Jail Term..... 3 28/
 Prison Term..... 4 29/
 Suspended..... 5 30/
 Other..... 6 31/

6. Lay participant called at hearings and trial: (ENTER TOTALS)

Type Lay Participant	Tally Sheet	Total No. Called	Tally Sheet	Total No. Of Separate Appearances
A. Victims		32-33/		38-39/
B. Witnesses (Non-expert)		34-35/		40-41/
C. Defendants		36-37/		42-43/

7. Continuances Requested: (ENTER TOTALS)

Requestor	Tally Sheet	Total No. Called	Tally Sheet	Total Day Involved
A. Defense		44-45/		54-55/
B. Prosecution		46-47/		56-57/
C. Court		48-49/		58-59/
D. Reported As Combination		50-51/		60-61/
E. Unidentified Requestor		52-53/		62-63/

8. Indicate the dates at which any of the following occurred.

CARD 02

A. Arrest.....

MO.		DAY		YR.

 10-15

B. Charging or indictment (enter earliest).....

MO.		DAY		YR.

 16-21/

If charged, record the name of the prosecutor involved (LAST NAME FIRST):

PROSECUTOR: 22-34/

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

 (Last Name) 35-40/

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

 (First Name)

C. First appearance (lower court),.....

MO.		DAY		YR.

 41-46/

D. Preliminary hearing (lower court).....

MO.		DAY		YR.

 47-52/

E. Arraignment.....

MO.		DAY		YR.

 53-58/

F. Transfer to another Jurisdiction.....

MO.		DAY		YR.

 59-64/

G. Diversion.....

MO.		DAY		YR.

 65-70/

H. Pre-trial Dismissal.....

MO.		DAY		YR.

 71-76/

If dismissed, indicate the reason. (CIRCLE ONE):

CARD 03

Insufficient evidence..... 1 13/
Search and seizure..... 2
Other...(including interest of justice) or..... 3
Unspecified..... 4

I. Pre-trial of guilty.....

MO.		DAY		YR.

 14-19/

If pre-trial plea, indicate charge pled to; (CIRCLE ONE):

Most serious original charge(s)/count(s)..... 1 20/
Lesser charge(s)/count(s)..... 2

J. Indicate type of trial

Court..... 1 21/
 Jury..... 2
 Other..... 3

1. Enter date(s) of trial:

MO.		DAY		YR.	
(Began)					

 22-27/

MO.		DAY		YR.	
(Ended)					

 28-33/

2. Record the following names (LAST NAME FIRST):

a. Judge 34-46/ 47-52/

--	--	--	--	--	--	--	--	--	--	--	--

 (Last Name)

--	--	--	--	--	--	--	--

 (First Name)

b. Prosecutor at trial or
 who negotiated guilty plea 53-65/ 66-71/

--	--	--	--	--	--	--	--	--	--	--	--

 (Last Name)

--	--	--	--	--	--	--	--

 (First Name)

c. Defense Counsel 13-25/ 26-31/

--	--	--	--	--	--	--	--	--	--	--	--

 (Last Name)

--	--	--	--	--	--	--	--

 (First Name)

CARD 04

Indicate type of defense counsel. (CIRCLE ONE):

Public Defender..... 1 32/
 Private (Court-appointed,
 defendant-retained)..... 2

K. Sentence handed down

--	--	--	--	--	--

 33-38/

If sentenced, record the name of the judge involved (LAST NAME FIRST):

JUDGE: 39-51/ 52-57/

--	--	--	--	--	--	--	--	--	--	--	--

--	--	--	--	--	--	--	--

L. Was this case appealed?

NO..... 1 58/
 YES..... 2

Additional Information

9.

--	--

59-60/

10.

--	--

61-62/

11.

--	--

63-64/

12.

--	--

65-66/

INFORMATION FORM
SPECIFIED OFFENSE CASE SAMPLE

Jurisdiction _____
Period Covered _____
Offense Type _____

Recorded By _____
Date Recorded _____

OFFENDER INFORMATION

1/ SITE	2/ PERIOD	3-4/ FORM	5-7/ QX #	CARD 01	8-9/ 10-19/
DOCKET #					

BIOGRAPHIC INFORMATION

1. Age of offender:

YEARS

--	--

20-21/

2. Race/Ethnic (CIRCLE ONE):

- Black..... 1 22/
 Spanish surname..... 2
 American Indian..... 3
 Oriental..... 4
 Other..... 5
 Unspecified..... 6

3. How long living in jurisdiction:

YEARS

--	--

23-24/

4. Did offender have regular employment?

- NO..... 1 25/
 YES..... 2

IF YES: How long last job?

MONTHS

--	--

26-27/

5. Usual occupation (SPECIFY):

--	--

28-29/

6. Estimated annual income.

\$, 30-35/

7. Now attending school?

NO..... 1 36/
YES..... 2

8. Number of school years completed.

YEARS 37-38/

9. Ever married?

NO..... 1 39/
YES..... 2

10. Number of dependent minor children (under 18).

40-41/

PRIOR RECORD

11. Indicate status of prior record (CIRCLE ONE).

No prior record..... 1 42/
(less than 3 prior arrests and no convictions)
Minor prior record..... 2
(3 or more arrests or some convictions but
none carrying more than 90 days jail or 2
years probation)
Major prior record..... 3
(any convictions carrying more than 90 days
jail or 2 years probation but no prison
commitments)
Prison record..... 4
(any prison commitments)

PRE-TRIAL CUSTODY STATUS

12. Indicate pre-trial custody status (CIRCLE ONE):

In jail.....	1	43/
Out on bail.....	2	
Out on O.R.....	3	
Combinations of jail and bail or OR.....	4	

DEFENSE COUNSEL

13. Indicate type of defense counsel (CIRCLE ONE):

Public Defender.....	1	44/
Court Appointed.....	2	
Defendant-retained.....	3	
Other.....	4	

14. Indicate the dates at which any of the following occurred.

A. Arrest.....

MO.	DAY	YR.		

 45-50/

If charged, record the name of the prosecutor involved (LAST NAME FIRST):

51-63/												64-69/				
LAST NAME												FIRST NAME				

B. Charging or Indictment (enter earliest).....

MO.	DAY	YR.	

 70-75/

C. First appearance (lower court).....

MO.	DAY	YR.	

 13-18/

D. Preliminary hearing (lower court).....

MO.	DAY	YR.	

 19-24/

E. Arraignment.....

MO.		DAY		YR.

25-30/

F. Transfer to another jurisdiction.....

MO.	DAY	YR.	

31-36/

G. Diversion.....

MO.	DAY	YR.
-----	-----	-----

37-42/

H. Pre-trial dismissal.....

MO.		DAY		YR.	

43-48/

If dismissed, indicate the reason: (CIRCLE ONE):

Insufficient evidence..... 1 49/

Search and seizure..... 2

Other (including interest
of justice)..... 3

I. Pre-trial plea of guilty.....

J. 1) Enter date(s) of trial:

MO.	DAY	YR.
-----	-----	-----

(Began)

56-61/

MO.	DAY	YR.	62-67/
(Ended)			

2) Record the following names (LAST NAME FIRST):

CARD 03

a. Judge 13-25/

[illegible]

26-31/

--	--	--	--	--	--

FIRST NAME

b. Prosecutor at trial or
who negotiated guilty plea 32-44/

[illegible]

45-50/

FIRST NAME					

c. Defense Counsel 51-63/

[illegible]

64-69/

--	--	--	--	--	--

FIRST NAME

K. Sentence handed down.....

MO.	DAY	YR.
-----	-----	-----

70-75/

If sentenced, record the name of the judge involved (LAST NAME FIRST):

CARD 04

JUDGE: 13-25/

LAST NAME											
-----------	--	--	--	--	--	--	--	--	--	--	--

26-31/

FIRST NAME					

15. ORIGINAL CHARGES AND DISPOSITIONS

SPECIFICATIONS				DROPPED		PRE-TRIAL PLEA		COURT TRIAL		JURY TRIAL		OTHER CONTESTED DISPOSITIONS METHOD	
# SPECIFY	CODE ONLY	Enter # of Counts	CHARGES (Circle One)	Enter # of Counts	CHARGES (Circle One)	Enter # of Counts	CHARGES (Circle One)	Enter # of Counts	CHARGES (Circle One)	Enter # of Counts	CHARGES (Circle One)	Enter # of Counts	
1	32-	34/	35/	36/	37/	38/	39/	40/	41/	42/	43/	44/	
	No.... 1		Guilty....1		Convict...1		Convict...1						
			Yes... 2		Not Guilty..2		Acquit...2		Acquit...2		Acquit...2		
							Dismiss...3		Dismiss...3		Dismiss...3		
							Other.....4		Other.....4		Other.....4		
2	45-	47/	48/	49/	50/	51/	52/	53/	54/	55/	56/	57/	
	No.... 1		Guilty....1		Convict...1		Convict...1						
			Yes... 2		Not Guilty..2		Acquit...2		Acquit...2		Acquit...2		
							Dismiss...3		Dismiss...3		Dismiss...3		
							Other.....4		Other.....4		Other.....4		
3	58-	60/	61/	62/	63/	64/	65/	66/	67/	68/	69/	70/	
	No.... 1		Guilty....1		Convict...1		Convict...1						
			Yes... 2		Not Guilty..2		Acquit...2		Acquit...2		Acquit...2		
							Dismiss...3		Dismiss...3		Dismiss...3		
							Other.....4		Other.....4		Other.....4		
CARD 05	13-	15/	16/	17/	18/	19/	20/	21/	22/	23/	24/	25/	
	No.... 1		Guilty....1		Convict...1		Convict...1						
			Yes... 2		Not Guilty..2		Acquit...2		Acquit...2		Acquit...2		
							Dismiss...3		Dismiss...3		Dismiss...3		
							Other.....4		Other.....4		Other.....4		
5	26-	28/	29/	30/	31/	32/	33/	34/	35/	36/	37/	38/	
	No.... 1		Guilty....1		Convict...1		Convict...1						
			Yes... 2		Not Guilty..2		Acquit...2		Acquit...2		Acquit...2		
							Dismiss...3		Dismiss...3		Dismiss...3		
							Other.....4		Other.....4		Other.....4		
1	39-	40/	41/		42/		43/		44/		45/		
	No.... 1		Guilty....1		Convict...1		Convict...1						
			Yes... 2		Not Guilty..2		Acquit...2		Acquit...2		Acquit...2		
							Dismiss...3		Dismiss...3		Dismiss...3		
							Other.....4		Other.....4		Other.....4		
2	46-	47/	48/		49/		50/		51/		52/		
	No.... 1		Guilty....1		Convict...1		Convict...1						
			Yes... 2		Not Guilty..2		Acquit...2		Acquit...2		Acquit...2		
							Dismiss...3		Dismiss...3		Dismiss...3		
							Other.....4		Other.....4		Other.....4		
3	53-	54/	55/		56/		57/		58/		59/		
	No.... 1		Guilty....1		Convict...1		Convict...1						
			Yes... 2		Not Guilty..2		Acquit...2		Acquit...2		Acquit...2		
							Dismiss...3		Dismiss...3		Dismiss...3		
							Other.....4		Other.....4		Other.....4		

16. Were any charges amended? (CIRCLE ONE)

CARD 06

NO... (GO TO Q.18)..... 1 13/

YES... (GO TO Q.17)..... 2

17. AMENDED CHARGES AND DISPOSITIONS

OTHER CONTESTED DISPOSITIONS METHOD												
SPECIFICATIONS			DROPPED		PRE-TRIAL PLEA		COURT TRIAL		JURY TRIAL		OTHER CONTESTED DISPOSITIONS METHOD	
#	SPECIFY	CODER ONLY	Enter # of Counts	CHARGES (Circle One)	Enter # of Counts	CHARGES (Circle One)	Enter # of Counts	CHARGES (Circle One)	Enter # of Counts	CHARGES (Circle One)	Enter # of Counts	CHARGES (Circle One)
1		14-15/	16/	17/ No.... 1 Yes... 2	18/	19/ Guilty....1 Not Guilty..2	20/	21/ Convict...1 Acquit...2 Dismiss...3 Other....4	22/	23/ Convict...1 Acquit...2 Dismiss...3 Other....4	24/	25/ Convict...1 Acquit...2 Dismiss...3 Other....4
2		27-28/	29/	30/ No.... 1 Yes... 2	31/	32/ Guilty....1 Not Guilty..2	33/	34/ Convict...1 Acquit...2 Dismiss...3 Other....4	35/	36/ Convict...1 Acquit...2 Dismiss...3 Other....4	37/	38/ Convict...1 Acquit...2 Dismiss...3 Other....4
3		40-41/	42/	43/ No.... 1 Yes... 2	44/	45/ Guilty....1 Not Guilty..2	46/	47/ Convict...1 Acquit...2 Dismiss...3 Other....4	48/	49/ Convict...1 Acquit...2 Dismiss...3 Other....4	50/	51/ Convict...1 Acquit...2 Dismiss...3 Other....4
4		53-54/	55/	56/ No.... 1 Yes... 2	57/	58/ Guilty....1 Not Guilty..2	59/	60/ Convict...1 Acquit...2 Dismiss...3 Other....4	61/	62/ Convict...1 Acquit...2 Dismiss...3 Other....4	63/	64/ Convict...1 Acquit...2 Dismiss...3 Other....4
5		66-67/	68/	69/ No.... 1 Yes... 2	70/	71/ Guilty....1 Not Guilty..2	72/	73/ Convict...1 Acquit...2 Dismiss...3 Other....4	74/	75/ Convict...1 Acquit...2 Dismiss...3 Other....4	76/	77/ Convict...1 Acquit...2 Dismiss...3 Other....4
CARD 07		13-14/		15/ No.... 1 Yes... 2		16/ Guilty....1 Not Guilty..2		17/ Convict...1 Acquit...2 Dismiss...3 Other....4		18/ Convict...1 Acquit...2 Dismiss...3 Other....4		19/ Convict...1 Acquit...2 Dismiss...3 Other....4
2		20-21/		22/ No.... 1 Yes... 2		23/ Guilty....1 Not Guilty..2		24/ Convict...1 Acquit...2 Dismiss...3 Other....4		25/ Convict...1 Acquit...2 Dismiss...3 Other....4		26/ Convict...1 Acquit...2 Dismiss...3 Other....4
3		27-28/		29/ No.... 1 Yes... 2		30/ Guilty....1 Not Guilty..2		31/ Convict...1 Acquit...2 Dismiss...3 Other....4		32/ Convict...1 Acquit...2 Dismiss...3 Other....4		33/ Convict...1 Acquit...2 Dismiss...3 Other....4

18. Was the subject convicted on any charge?

NO...(END SURVEY)..... 1 34/
YES..... 2

19. Was a probation sentence imposed?

NO...(GO TO Q.22)..... 1 35/
YES, ONE CHARGE ONLY..... 2
YES, MORE THAN ONE CHARGE,
CONCURRENT..... 3
YES, MORE THAN ONE CHARGE,
CONSECUTIVE..... 4

20. What was aggregate time on probation?

If definite probation time imposed, enter same # in both places.

A. MINIMUM # OF MONTHS

--	--	--

36-38/

B. MAXIMUM # OF MONTHS

--	--	--

39-41/

21. Was probation supervised?

NO..... 1 42/
YES..... 2

22. Was a jail sentence imposed?

NO...(GO TO Q.25)..... 1 43/
YES, ONE CHARGE ONLY..... 2
YES, MORE THAN ONE CHARGE,
CONCURRENT..... 3
YES, MORE THAN ONE CHARGE,
CONSECUTIVE..... 4

23. What was the aggregate time of the jail sentence? If a definite jail sentence was imposed, enter the same number in both places:

A. MINIMUM # OF MONTHS

a

--	--	--

44-46/

B. MAXIMUM # OF MONTHS

--	--	--

47-49/

24. Was the presentence time served credited against the jail sentence?

NO..... 1 50/
YES..... 2

25. Was a prison sentence imposed?

NO...(GO TO Q.28)..... 1 51/
YES, ONE CHARGE ONLY..... 2
YES, MORE THAN ONE CHARGE
CONCURRENT..... 3
YES, MORE THAN ONE CHARGE,
CONSECUTIVE..... 4

26. What was the aggregate time of the prison sentence?

If a definite prison sentence was imposed, enter the same number in both places.

A. MINIMUM # OF YEARS

--	--	--

52-54/

B. MAXIMUM # OF YEARS

--	--	--

55-57/

27. Was the presentence time served credited against the prison sentence?

NO..... 1 58/
YES..... 2

28. Was a fine imposed?

NO...(GO TO Q.20)..... 1 59/
YES, ONE CHARGE ONLY..... 2
YES, MORE THAN ONE CHARGE.... 3

29. What was the aggregate amount of the fine?

\$

--	--	--	--

 60-63/

30. Was a sentence of restitution imposed?

NO..... 1 64/
YES..... 2

31. Was a sentence of community service imposed?

NO..... 1 65/

YES..... 2

32. Was a sentence of special rehabilitation in an institution or
hospital imposed?

NO..... 1 66/

YES..... 2

ADDITIONAL INFORMATION

33.

--	--

67-68/

34.

--	--

69-70/

35.

--	--

71-72/

36.

--	--

73-74/

Appendix E

DESCRIPTIONS OF VARIABLES AND RESULTS OF STATISTICAL ANALYSES

Anthony Pascal

In this appendix we define all of the variables used in the multivariate regression equations, present the means and standard deviations for all variables, and indicate the results of the multivariate analysis for conviction probability, sentence severity, and case duration. A final subsection presents the formulas used to evaluate the statistical significance of differences between means and proportions for tables in the text.

DEFINITION OF VARIABLES

Table E.1 describes each of the variables used and indicates how each was constructed. It will be noted that most independent variables were transformed into dichotomous zero/one dummies. We experimented with a community ties index to measure how established a defendant was in the local community, which we hypothesized would influence the sentence imposed on him as well as other outcomes. Its construction is explained in Note a to Table E.1. Methods used to collect the samples and definitions of the offense classification are given in App. D.

MEANS AND STANDARD DEVIATIONS OF VARIABLES

Tables E.2 through E.5 contain the means (μ) and standard deviations (σ) of all variables utilized in the multivariate analysis by jurisdiction and year. A dash (—) or a blank indicates that the variable did not apply (e.g., OFF. IN DWELL. for robberies), or that information was not available (e.g., SENT. BARG. in Dade County) or was not collected (e.g., ORIG. A(1st) CHGS. for all felonies). A single zero (0) indicates that the event did not occur in that particular sample (e.g., JURY TRIAL in Dade County B&E offenses, 1975). Statistics for a subsample of convictees only (by plea of guilty or by trial) are shown for the exemplary offenses since the sentence severity equations were estimated for these defendants only.

RESULTS OF THE MULTIVARIATE ANALYSES

Tables E.6 through E.25 present the results for the multivariate regression equations using ordinary least squares estimation. All variables were run in their linear forms since we had no theoretical justification for transforming them.

The column headings indicate the regression coefficient and its T value. η is the elasticity, evaluated at the mean, and shows for each variable the percentage change

Table E.1
DEFINITION OF VARIABLES

Abbreviation	Description	Construction
COM. TIES INDEX	A proxy variable constructed to reflect the strength of the defendant's community ties	Adjusted score based on a principal components analysis of variables reflecting defendant's socioeconomic and family attributes ^a
AGE	Age of defendant	Less than 20 yr = 0 20-30 yr = 1 Over 30 yr = 2
BLACK	Race of defendant	Other = 0 Black = 1
OTHER MINORITY	Ethnic category of defendant	Anglo, black = 0 Spanish surname, Asian, American Indian = 1
MIN. P.R. ^b	Defendant has minor prior criminal record	No record, major or prison record = 0 Minor record = 1
MAJ. P.R. ^b	Defendant has major prior criminal record	No record, minor or prison record = 0 Major record = 1
PRIS. P.R. ^b	Defendant has prison prior criminal record	No record, minor or major record = 0 Prison record = 1
JAIL CUSTODY	Defendant was confined to jail prior to case disposition	Bail, O.R. or combination of bail/O.R. and jail = 0; Jail = 1
BAIL ^c	Defendant was out on bail prior to case disposition	O.R., jail or combination of bail/O.R. and jail = 0; O.R. = 1
O.R. ^c	Defendant was out on own recognizance prior to disposition	Bail, jail or combination of bail/O.R. and jail = 0; O.R. = 1
CT. APP. COUN. ^d	Defendant was represented by counsel appointed by the court	Public defender or defendant-retained counsel = 0 Court-appointed counsel = 1
DEF. RET. COUN. ^d	Defendant was represented by counsel he retained himself	Public defender or court-appointed counsel = 0 Defendant-retained counsel = 1
ORIG. A(1°) CHGS.	A level (Multnomah) or first degree (Dade) charges originally filed against defendant	Total number of counts at that level
ORIG. B(2°) CHGS.	B level (Multnomah) or second degree (Dade) charges originally filed against defendant	Total number of counts at that level

Table E.1—continued

Abbreviation	Description	Construction
ORIG. C(3°) CHGS.	C level (Multnomah) or third degree (Dade) charges originally filed against defendant	Total number of counts at that level
ORIG. MISD. CHGS.	Misdemeanor charges originally filed against defendant	Total number of misdemeanor counts
OFF. IN DWELL.	Burglary (Multnomah) or breaking and entering offense (Dade) took place in a dwelling	Not in dwelling = 0 In dwelling = 1
CHG. RED. BARG.	Charge(s) upon which the defendant was convicted by plea (or at trial) was at a level or a degree lower than that at which he was originally charged	Convicted on all charges or at same level (degree) as original charges or not convicted = 0 Convicted at reduced charge level (degree) = 1
COUNT. RED. BARG.	Defendant was convicted by plea (or at trial) on fewer total counts than originally filed against him but at the same level (degree) as the original charges	Convicted on all charges or at a reduced charge level or not convicted = 0 Convicted on fewer counts, same level (degree) = 1
SENT. BARG. ^e	Defendant negotiated an agreement on or was given an assurance as to his sentence in return for a plea; or prosecutor agreed not to oppose a sentence recommendation made by defense	Did not get sentence bargain = 0 Did get sentence bargain = 1
DROP OTH. CASE BARG. ^e	Prosecutor agreed to drop other pending case(s) against defendant in return for a guilty plea in this case	Had no other cases dropped = 0 Had other cases dropped = 1
COURT TRIAL	Defendant was tried by judge (i.e., no jury)	Did not have court trial = 0 Had court trial = 1
JURY TRIAL	Defendant was tried by jury	Did not have jury trial = 0 Had jury trial = 1
MO. FIN. DISPO. ^f	Month of final disposition of case	Numbered sequentially by month beginning January 1973
PUB. DEFDR. ^g	Defendant was represented by the public defender	Was not represented by public defender = 0 Was represented by public defender = 1

Table E.1—continued

Abbreviation	Description	Construction
NO. DEFS. ^{g,h}	Number of defendants involved in case	Total number
PROP. OFF. ^g	Felony offenses against property (e.g., theft, larceny, burglary)	Offense against person, ⁱ involving drugs, or other offense type = 0 Offense against property = 1
DRUG OFF. ^g	Felony offense involving sale or possession of drugs	Offense against person, property, or other offense type = 0 Offense involving drugs = 1
OTH. OFF. ^g	All felony offenses other than against persons, property, or involving drugs (e.g., flight to avoid prosecution, bribery, etc.)	Offense against persons, property, or involving drugs = 0 Other offenses = 1
CONV. ON ALL CHGS. AND COUNTS	Defendant was convicted on all charges and counts originally filed against him	Convicted on reduced charges or fewer counts or not convicted = 0 Convicted on all charges and counts = 1
CONV. ON FEWER COUNTS	See COUNT RED. BARG. variable	
CONV. ON RED. CHGS.	See CHG. RED. BARG. variable	
DISM. AND TRI. ACQ.	Defendant was dismissed, not-prossed, or diverted before trial; or trial ended in acquittal, mistrial, or dismissal	Defendant was convicted = 0 Defendant was not convicted = 1
SSI A ^j	Score for defendant on Sentence Severity Index A	Value of score
SSI B ^j	Score for defendant on Sentence Severity Index B	Value of score
SSI C ^j	Score for defendant on Sentence Severity Index C	Value of score
SSI D ^j	Score for defendant on Sentence Severity Index D	Value of score
ELT:AFD	Duration of case	Number of days elapsed from arraignment in circuit court to final disposition (e.g., dismissal, acquittal, sentencing)

Table E.1—continued

NOTES TO TABLE E.1

a. A principal components analysis was performed to devise a variable that would reflect the strength of the defendant's ties to the community in which he lived. The variables included in the analysis were:

Variable	Construction
Transiency	Less than 2 years residence in county = 0 2 or more years residence = 1
Occupation and employment	Unemployed, disabled, ill, out of labor force = 0 Operative, laborer, service worker = 1 Sales, craftsman and foreman, operative, student, armed forces = 2 Professional, technical, manager, official, proprietor = 3
Estimated annual income	0-\$4,999 = 0 \$5,000-\$9,999 = 1 \$10,000 and over = 2
Education	Not a high school graduate = 0 High school graduate = 1
Marital status	Never married = 0 Ever married = 1
Number of dependents	None = 0 Some = 1

When no defendant data on these variables were available, the mean value of the variable for the appropriate sample--e.g., 1974 robbery defendants in Dade County--was used for each defendant for whom the information was missing. Only one important component was extracted. An examination of correlations between the variables in that component and the weighting coefficients for the variables indicated that all variables should be retained in computing a score for the component. The simple algebraic sum of the variable scores constituted an adequate estimate of the component. The signs associated with the weighting coefficients were taken into account in computing the component, i.e., variables associated with negative weights were reversed so that a high score reflects strong community ties.

b. Based on California Bureau of Criminal Statistics criteria for prior record categories. See Sec. IV.

c. For the samples of all felonies, both categories of pretrial release were combined into a single variable, i.e., "Did not obtain pretrial release" = 0; "Did obtain pretrial release (i.e., bail or O.R.)" = 1.

d. For robbery and burglary (B&E) offenses only.

e. Data on this variable not available in Dade County.

f. Variable is a proxy introduced to reflect the steady build-up over time in the felony case backlog and the crowding in correctional facilities (county jails and state prisons) that occurred in both jurisdictions.

g. For all felonies sample only.

h. Data on this variable were not available in Multnomah County.

i. Offenses against persons include homicide, rape, assault, robbery, and so forth.

j. See Sec. IV for details of formulas for indices.

Table E.2

MEANS AND STANDARD DEVIATIONS OF VARIABLES:
 MULTNOMAH COUNTY, 1973
 (μ = mean; σ = standard deviation)

Variable	Robberies				Burglaries				All Felonies	
	All Defendants		Convictes		All Defendants		Convictes			
	μ	σ	μ	σ	μ	σ	μ	σ	μ	σ
<i>Independent Variable</i>										
COM. TIES INDEX	0.01	1.98	0.09	2.36	-0.00	1.84	-0.03	1.80	---	---
AGE	1.76	0.63	1.69	0.64	1.72	0.69	1.70	0.68	---	---
BLACK	0.18	0.39	0.12	0.33	0.13	0.33	0.09	0.29	---	---
OTHER MINORITY	0.05	0.22	0.05	0.22	0.01	0.11	0.02	0.12	---	---
MIN. P.R.	0.14	0.35	0.12	0.33	0.19	0.40	0.15	0.36	---	---
MAJ. P.R.	0.20	0.41	0.22	0.42	0.14	0.35	0.14	0.35	---	---
PRIS. P.R.	0.14	0.35	0.20	0.40	0.14	0.35	0.11	0.31	---	---
JAIL CUSTODY	0.59	0.49	0.51	0.51	0.41	0.49	0.35	0.48	0.15	0.36
BAIL	0.13	0.34	0.20	0.40	0.07	0.25	0.06	0.24	0.83	0.38
O.R.	0.24	0.43	0.27	0.45	0.44	0.50	0.49	0.50	---	---
CT. APP. COUN.	0.27	0.44	0.22	0.42	0.13	0.33	0.12	0.33	---	---
DEF. RET. COUN.	0.14	0.35	0.17	0.38	0.30	0.46	0.25	0.43	---	---
ORIG A(1°)CHGS.	1.34	0.82	0.51	1.05	1.11	0.38	1.12	0.41	---	---
ORIG B(2°)CHGS.	0.06	0.24	0.12	0.33	0.08	0.31	0.08	0.27	---	---
ORIG C(3°)CHGS.	0.07	0.30	0.09	0.37	0.06	0.23	0.08	0.27	---	---
ORIG. MISD. CHGS.	0.04	0.19	0.07	0.26	0.07	0.30	0.09	0.34	---	---
OFF. IN DWELL	---	---	---	---	0.65	0.48	0.72	0.45	---	---
CHG. RED. BARG. ^a	0.25	0.44	0.51	0.51	0.41	0.49	0.55	0.50	0.30	0.46
COUNT. RED. BARG. ^a	0.08	0.28	0.17	0.38	0.11	0.32	0.15	0.36	---	---
SENT. BARG.	0.09	0.30	0.20	0.40	0.14	0.35	0.18	0.39	---	---
DROP OTH. CASE BARG.	0.22	0.41	0.44	0.50	0.30	0.46	0.40	0.49	---	---
COURT TRIAL	0.06	0.24	0.05	0.22	0.07	0.25	0.06	0.24	0.06	0.24
JURY TRIAL	0.06	0.24	0.07	0.26	0.06	0.23	0.06	0.24	0.08	0.27
MO. FIN. DISPO.	16.78	4.42	17.20	4.86	15.36	4.10	15.65	4.11	13.78	6.03
PUB. DEFENDER	---	---	---	---	---	---	---	---	0.50	0.50
PROP. OFF.	---	---	---	---	---	---	---	---	0.44	0.50
DRUG OFF.	---	---	---	---	---	---	---	---	0.29	0.46
OTHER OFF.	---	---	---	---	---	---	---	---	0.01	0.11
<i>Dependent Variable</i>										
{conv. on} ALL CHGS. & COUNTS	0.16	0.37	0.32	0.47	0.22	0.41	0.29	0.46	0.28	0.45
{conv. on} FEWER COUNTS ^a	0.08	0.28	0.17	0.38	0.11	0.32	0.15	0.36	---	---
{conv. on} REDUCED CHGS. ^a	0.25	0.44	0.51	0.51	0.41	0.49	0.55	0.50	0.30	0.46
DISM. & TRI. ACQ. (i.e., no conv.)	0.51	0.50	0.00	0.00	0.26	0.44	0.00	0.00	0.43	0.50
SSI A	8.26	11.23	16.73	10.65	8.43	8.72	11.41	8.30	---	---
SSI B	10.31	18.59	20.86	21.98	7.70	12.43	10.42	13.46	---	---
SSI C	12.35	27.17	25.00	34.48	6.97	17.49	9.43	19.81	---	---
SSI D	21.64	64.82	43.80	71.87	14.07	31.64	19.04	35.56	---	---
ELT:AFD	61.18	54.41	73.29	55.99	55.01	64.15	63.28	63.30	33.85	50.19

^aThe same variable was used as an independent for sentence and duration equations, and as a dependent for conviction equations, i.e.:

CHG. RED. BARG. = {conv. on} RED. CHGS.

COUNT RED. BARG. = {conv. on} FEWER COUNTS

Table E.3

MEANS AND STANDARD DEVIATIONS OF VARIABLES:

MULTNOMAH COUNTY, 1974

(μ = mean; σ = standard deviation)

Variable	Robberies				Burglaries				All Felonies	
	All Defendants		Convicttees		All Defendants		Convicttees		μ	σ
	μ	σ	μ	σ	μ	σ	μ	σ		
Independent Variable										
COM. TIES INDEX	0.00	1.96	-0.18	1.85	0.01	2.21	0.05	1.88	---	---
AGE	1.88	0.74	1.88	0.78	1.59	0.68	1.55	0.65	---	---
BLACK	0.06	0.25	0.03	0.18	0.10	0.30	0.09	0.29	---	---
OTHER MINORITY	0.03	0.16	0.03	0.18	0.01	0.11	0.00	0.00	---	---
MIN. P.R.	0.18	0.39	0.13	0.34	0.09	0.28	0.09	0.29	---	---
MAJ. P.R.	0.10	0.31	0.12	0.32	0.22	0.42	0.24	0.43	---	---
PRIS. P.R.	0.21	0.41	0.22	0.42	0.13	0.34	0.11	0.31	---	---
JAIL CUSTODY	0.60	0.49	0.65	0.48	0.34	0.48	0.35	0.48	0.29	0.46
BAIL	0.09	0.29	0.08	0.28	0.10	0.30	0.08	0.27	0.69	0.46
O.R.	0.19	0.40	0.17	0.38	0.44	0.50	0.47	0.50		
CT. APP. COUN.	0.37	0.49	0.40	0.49	0.40	0.49	0.42	0.50	---	---
DEF. RET. COUN.	0.09	0.29	0.10	0.30	0.11	0.31	0.14	0.35	---	---
ORIG. A(1°)CHGS.	1.05	0.36	1.07	0.41	1.02	0.22	1.03	0.25	---	---
ORIG. B(2°)CHGS.	0.04	0.19	0.05	0.22	0.02	0.22	0.00	0.00	---	---
ORIG. C(3°)CHGS.	0.04	0.19	0.03	0.18	0.06	0.24	0.05	0.21	---	---
ORIG. MISD. CHGS.	0		0		0.04	0.25	0.05	0.27	---	---
OFF. IN DWELL.	---	---	---	---	0.63	0.48	0.74	0.44	---	---
CHG. RED. BARG. ^a	0.05	0.22	0.07	0.25	0.18	0.39	0.23	0.42	0.35	0.48
COUNT. RED. BARG. ^a	0.03	0.16	0.03	0.18	0.02	0.16	0.03	0.17		
SENT. BARG.	0.08	0.27	0.10	0.30	0.20	0.40	0.24	0.43	---	---
DROP OTH. CASE BARG.	0.19	0.40	0.25	0.44	0.22	0.42	0.27	0.45	---	---
COURT TRIAL	0.12	0.32	0.05	0.22	0.05	0.22	0.05	0.21	0.09	0.29
JURY TRIAL	0.15	0.36	0.15	0.36	0.09	0.28	0.09	0.29	0.01	0.11
MO. FIN. DISPO.	24.73	8.87	26.70	5.73	25.32	9.01	25.83	8.84	25.40	8.92
PUB. DEFDR.									0.33	0.47
PROP. OFF.									0.33	0.47
DRUG OFF.									0.42	0.50
OTHER OFF.									0.03	0.16
Dependent Variable										
(conv.on)ALL CHGS. & COUNTS	0.69	0.46	0.90	0.30	0.60	0.49	0.74	0.44	0.24	0.43
(conv.on)FEWER COUNTS ^a	0.03	0.16	0.03	0.18	0.02	0.16	0.03	0.17		
(conv.on)REDUCED CHGS. ^a	0.05	0.22	0.07	0.25	0.18	0.39	0.23	0.42	0.35	0.48
DISM. & TRI. ACQ. (i.e., no conv.)	0.23	0.42	0.00	0.00	0.20	0.40	0.00	0.00	0.41	0.50
SSI A	20.40	14.43	26.52	10.33	13.62	10.95	16.92	9.63		
SSI B	33.74	31.57	43.87	29.14	16.43	18.94	20.41	19.10		
SSI C	47.09	49.59	61.22	48.27	19.23	28.26	23.89	29.69		
SSI D	89.59	103.34	116.87	106.30	37.80	56.75	46.97	59.80		
ELT:AFD	40.92	47.82	50.97	49.45	41.05	48.00	46.55	48.11	44.10	50.79

^aSee note a to Table E.2.

Table E.4

MEANS AND STANDARD DEVIATIONS OF VARIABLES:

DADE COUNTY, 1974

(μ = mean; σ = standard deviation)

Variable	Robberies				B&E Offenses				All Felonies	
	All Defendants		Convicttees		All Defendants		Convicttees		Felonies	
	μ	σ	μ	σ	μ	σ	μ	σ	μ	σ
Independent Variable										
COM. TIES INDEX	0.00	1.65	-0.16	1.69	0.00	2.35	0.07	2.64	---	---
AGE	1.66	0.70	1.63	0.68	1.68	0.72	1.73	0.69	---	---
BLACK	0.70	0.46	0.70	0.46	0.49	0.50	0.49	0.50	---	---
OTHER MINORITY	0.09	0.28	0.08	0.27	0.13	0.33	0.11	0.31	---	---
MIN. P.R.	0.28	0.45	0.32	0.47	0.16	0.37	0.16	0.37	---	---
MAJ. P.R.	0.12	0.32	0.14	0.35	0.17	0.38	0.21	0.41	---	---
PRIS. P.R.	0.08	0.27	0.06	0.25	0.06	0.24	0.05	0.23	---	---
JAIL CUSTODY	0.84	0.37	0.89	0.32	0.24	0.43	0.26	0.44	0.20	0.40
BAIL	0.09	0.28	0.05	0.21	0.51	0.50	0.47	0.50	} 0.72	0.45
O.R.	0.02	0.15	0.03	0.18	0.16	0.37	0.16	0.37		
CT. APP. COUN.	0.05	0.23	0.02	0.13	0.02	0.14	0.03	0.16	---	---
DEF. RET. COUN.	0.11	0.31	0.13	0.34	0.18	0.39	0.16	0.37	---	---
ORIG. A(1 st) CHGS.	1.20	0.68	1.30	0.82	0.03	0.23	0.04	0.26	---	---
ORIG. B(2 nd) CHGS.	0.33	0.54	0.35	0.54	0.89	0.54	0.95	0.55	---	---
ORIG. C(3 rd) CHGS.	0.10	0.36	0.08	0.33	0.75	0.73	0.74	0.77	---	---
ORIG. MISD. CHGS.	0.02	0.15	0.03	0.18	0.20	0.47	0.19	0.49	---	---
OFF. IN DWELL.	---	---	---	---	0.55	0.50	0.52	0.50	---	---
CHG. RED. BARG. ^a	0.12	0.32	0.17	0.38	0.08	0.28	0.11	0.31	} 0.11	0.31
COUNT. RED. BARG. ^a	0.12	0.32	0.17	0.38	0.19	0.39	0.25	0.43		
COURT TRIAL	0.09	0.28	0.03	0.18	0.08	0.28	0.08	0.28	0.07	0.25
JURY TRIAL	0.11	0.31	0.03	0.18	0.03	0.18	0.03	0.16	0.08	0.27
MO. FIN. DISPO.	21.52	8.93	23.41	6.16	20.57	7.90	22.11	5.36	22.03	8.47
PUB. DEFENDER									0.67	0.47
NO. DEFS.									0.82	0.78
PROP. OFF.									0.48	0.50
DRUG OFF.									0.20	0.40
OTHER OFF.									0.01	0.10
Dependent Variable										
(conv.on)ALL CHGS. & COUNTS	0.44	0.50	0.65	0.48	0.49	0.50	0.64	0.48	0.55	0.50
(conv.on)FEWER COUNTS ^a	0.12	0.32	0.17	0.38	0.08	0.28	0.25	0.43	} 0.11	0.31
(conv.on)REDUCED CHGS. ^a	0.12	0.32	0.17	0.38	0.19	0.39	0.71	0.31		
DISM.& TRI.ACQ. (i.e., no conv.)	0.32	0.47	0.00	0.00	0.23	0.42	0.00	0.00	0.34	0.48
SSI A	13.06	14.75	19.28	14.18	10.04	9.90	13.06	9.38		
SSI B	21.72	29.49	32.06	30.88	11.23	16.25	14.62	17.16		
SSI C	30.38	45.82	44.84	49.57	12.43	23.84	16.18	26.09		
SSI D	58.45	99.54	86.29	110.73	17.94	45.18	23.36	50.36		
ELT:AFD	110.43	93.92	124.83	93.24	78.46	89.92	81.26	94.24	92.63	87.97

^aSee note a to Table E.2.

Table E.5

MEANS AND STANDARD DEVIATIONS OF VARIABLES:

DADE COUNTY, 1975

(μ = mean; σ = standard deviation)

Variable	Robberies				B&E Offenses				All	
	All Defendants		Convicttees		All Defendants		Convicttees		Felonies	
	μ	σ	μ	σ	μ	σ	μ	σ	μ	σ
Independent Variable										
COM. TIES INDEX	0.00	2.29	0.03	2.50	-0.00	2.19	-0.03	2.28	---	---
AGE	1.79	0.66	1.71	0.64	1.74	0.64	1.77	0.65	---	---
BLACK	0.66	0.48	0.64	0.48	0.55	0.50	0.55	0.50	---	---
OTHER MINORITY	0.05	0.23	0.03	0.17	0.11	0.31	0.11	0.31	---	---
MIN. P.R.	0.26	0.44	0.30	0.46	0.23	0.42	0.22	0.42	---	---
MAJ. P.R.	0.15	0.36	0.13	0.34	0.18	0.39	0.20	0.40	---	---
PRIS. P.R.	0.05	0.23	0.07	0.26	0.09	0.28	0.10	0.30	---	---
JAIL CUSTODY	0.85	0.36	0.88	0.32	0.37	0.49	0.40	0.49	0.32	0.47
BAIL	0.02	0.15	0.01	0.12	0.37	0.49	0.35	0.48	0.64	0.48
O.R.	0.01	0.10	0.14	0.12	0.18	0.39	0.18	0.39	}	
CT. APP. COUN.	0.04	0.20	0.04	0.21	0.03	0.18	0.02	0.16		
DEF. RET. COUN.	0.13	0.34	0.10	0.30	0.07	0.25	0.06	0.24	---	---
ORIG. A(1°) CHGS.	1.14	0.38	1.10	0.30	0.02	0.15	0.02	0.16	---	---
ORIG. B(2°) CHGS.	0.47	0.67	0.46	0.70	0.83	0.51	0.82	0.52	---	---
ORIG. C(3°) CHGS.	0.11	0.34	0.10	0.35	0.95	0.73	0.98	0.74	---	---
ORIG. MISD. CHGS.	0.01	0.10	0		0.20	0.43	0.21	0.44	---	---
OFF. IN DWELL.	---	---	---	---	0.53	0.50	0.52	0.50	---	---
CHG. RED. BARG. ^a	0.13	0.34	0.17	0.38	0.05	0.23	0.06	0.24	0.16	0.37
COUNT. RED. BARG. ^a	0.15	0.36	0.20	0.41	0.27	0.45	0.30	0.46	}	
COURT TRIAL	0.07	0.26	0.03	0.17	0.03	0.18	0.04	0.19		
JURY TRIAL	0.03	0.18	0		0		0		0	
MO. FIN. DISPO.	31.71	9.85	33.65	6.09	33.12	7.24	33.80	5.57	34.18	3.96
PUB. DEFDR.									0.63	0.48
NO. DEFS.									0.68	0.47
PROP. OFF.									0.44	0.50
DREG OFF.									0.17	0.38
OTH. OFF.									0.08	0.28
Dependent Variable										
(conv.on)ALL CHGS. & COUNTS	0.46	0.50	0.62	0.49	0.51	0.50	0.63	0.48	0.53	0.50
(conv.on)FEWER COUNTS ^a	0.15	0.36	0.20	0.41	0.27	0.45	0.30	0.46	}	
(conv.on)REDUCED CHGS. ^a	0.13	0.34	0.17	0.38	0.05	0.23	0.06	0.24		
DISM.& TRI.ACQ. (i.e., no conv.)	0.27	0.44	0.00	0.00	0.11	0.31	0.00	0.00	0.32	0.47
SSI A	14.75	12.59	20.09	10.39	11.74	9.31	13.17	8.85		
SSI B	19.13	20.20	26.06	19.36	14.04	15.64	15.75	15.73		
SSI C	23.51	29.66	32.03	30.43	16.34	22.81	18.34	23.40		
SSI D	41.71	69.59	56.82	75.84	26.80	42.68	30.07	44.13		
ELT:AFD	66.89	39.06	71.51	30.70	56.86	52.89	54.07	41.06	49.84	43.62

^aSee note a to Table E.2.

in the dependent variable associated with a 1 percent change in the independent variable.

The values for the dichotomous variables should be interpreted as the effect of the variable listed as compared to a situation in which the *excluded* variable obtains. For example:

<u>Included Variable</u>	<u>Excluded Variable</u>
BLACK	Non-black
OTHER MINORITY	Black or majority
MIN. P.R. MAJ. P.R. PRIS. P.R.	No prior record
JAIL CUSTODY BAIL O.R.	Combination of jail and bail or O.R.
CT. APP. COUNS. DEF. RET. COUNS.	Public defender
OFF. IN DWELL.	Offense not in dwelling
CHG. RED. BARG. COUNT. RED. BARG. DISM. & TRI. ACQ.	Conviction on all charges and counts
SENT. BARG. DROP OTH. CASE BARG.	No such bargain
COURT TRIAL JURY TRIAL	No trial for conviction and duration equations; straight plea for sentence equations
PUB. DEFDR.	Private counsel
PROP. OFF. DRUG OFF. OTH. OFF.	Remaining offense types

R^2 s, adjusted R^2 s, and the F statistic for each equation are given at the foot of the tables. Whether or not the regression equation is significant (i.e., whether the composite of independent variables explains more of the variance in the dependent variable than random chance alone) can be evaluated in terms of the F statistic with the appropriate degrees of freedom (D.F.). For reference, the F value must be at least as high as 1.93 for D.F. = 20, 70 and at least as high as 1.84 for D.F. 25, 50 at the 95 percent level of confidence.

Determinants of Conviction (Tables E.6-E.13)

Our purpose in running these equations was to estimate the effect of the hypothesized independent variables on the probability of conviction at the three alternative levels plus nonconviction. The independent variables reflect characteristics of the defendant, his pretrial status and type of counsel, the original charges filed against him, whether he was tried, and the influence of the case backlog (a proxy variable for which is MO. FIN. DISPO.). These regressions are based on

Table E.6

THE DETERMINANTS OF CONVICTION FOR BURGLARY DEFENDANTS:
 MULTNOMAH COUNTY, 1973
 (Multivariate regression equation results,
 ordinary least squares estimation)

Variable	All Chgs. & Counts			Fewer Counts			Reduced Chgs.			Dism. & Tri. Acq.		
	Coef	T	n	Coef	T	n	Coef	T	n	Coef	T	n
COM. TIES INDEX	0.00	0.13	0.00	0.00	0.29	0.00	0.00	0.11	0.00	-0.01	0.37	-0.00
AGE	-0.04	0.48	-0.28	0.02	0.62	0.34	0.03	0.37	0.13	-0.02	0.23	-0.12
BLACK	0.08	0.54	0.04	-0.02	0.30	-0.02	-0.07	0.44	-0.02	0.02	0.11	0.01
OTHER MINORITY	-0.06	0.13	-0.00	0.45	1.97	0.04	-0.05	0.09	-0.00	-0.34	0.69	-0.01
MIN. P.R.	-0.15	1.14	-0.13	0.06	0.91	0.10	-0.22	1.50	-0.10	0.31	2.20	0.23
MAJ. P.R.	0.09	0.61	0.06	-0.01	0.09	-0.01	-0.09	0.50	-0.03	0.00	0.00	0.00
PRIS. P.R.	0.02	0.11	0.01	-0.01	0.14	-0.01	-0.15	0.78	-0.05	0.14	0.79	0.07
JAIL CUSTODY	-0.15	0.82	-0.28	-0.14	1.54	-0.50	0.12	0.60	0.12	0.16	0.84	0.26
BAIL	-0.26	1.00	-0.08	-0.13	0.99	-0.08	0.37	1.26	0.06	0.02	0.06	0.00
O.R.	-0.21	1.03	-0.42	-0.15	1.52	-0.59	0.40	1.73	0.43	-0.04	0.17	-0.06
CT. APP. COUN.	0.06	0.38	0.03	-0.10	1.27	-0.11	-0.02	0.13	-0.01	0.06	0.37	0.03
DEF. RET. COUN.	-0.11	1.06	-0.15	-0.01	0.14	-0.02	-0.12	0.97	-0.08	0.24	2.04	0.27
ORIG A(1°)CHGS.	-0.23	1.67	-1.18	0.51	7.40	4.96	-0.16	1.01	-0.43	-0.12	0.81	-0.51
ORIG B(2°)CHGS.	-0.08	0.47	-0.03	0.14	1.75	0.10	-0.05	0.30	-0.01	-0.01	0.06	-0.00
ORIG C(3°)CHGS.	-0.10	0.50	-0.03	-0.10	1.00	0.05	0.53	2.43	0.07	-0.34	1.62	-0.74
ORIG.MISD.CHGS.	-0.10	0.64	-0.03	0.42	5.17	0.25	-0.14	0.75	-0.02	-0.17	1.00	-0.05
OFF. IN DWELL.	0.22	2.24	0.67	0.02	0.34	0.10	-0.00	0.01	-0.00	-0.24	2.20	-0.59
COURT TRIAL	0.14	0.74	0.04	0.11	1.21	0.07	-0.35	1.63	-0.06	0.01	0.47	0.02
JURY TRIAL	0.34	1.64	0.09	0.13	1.26	0.06	-0.34	1.46	-0.05	-0.13	0.56	-0.03
MO. FIN. DISPO.	0.01	1.15	0.93	-0.00	0.26	-0.20	-0.00	0.15	-0.07	-0.01	0.78	-0.56
Constant	0.38	1.07		-0.39	2.23		0.46	1.15		0.55	1.45	
R ²		0.31			0.71			0.38			0.28	
Due to Multicollin.		0.10			0.25			0.16			0.03	
Due to Regressors		0.21			0.46			0.21			0.25	
Adj. R ²		0.11			0.62			0.19			0.07	
Standard Error		0.39			0.20			0.44			0.43	
F statistic (D.F.)		1.51 (20,67)			8.25 (20,67)			2.03 (20,67)			1.33 (20,67)	

Table E.7

THE DETERMINANTS OF CONVICTION FOR BURGLARY DEFENDANTS:
 MULTNOMAH COUNTY, 1974
 (Multivariate regression equation results,
 ordinary least squares estimation)

Variable	All Chgs. & Counts			Fewer Counts			Reduced Chgs.			Dism. & Tri. Acq.		
	Coef	T	n	Coef	T	n	Coef	T	n	Coef	T	n
COM.TIES INDEX	0.01	0.49	0.00	-0.02	2.25	-0.01	0.02	0.70	0.00	-0.01	0.55	-0.00
AGE	-0.10	1.00	-0.27	0.03	0.94	1.84	0.07	0.75	0.62	0.00	0.01	0.01
BLACK	-0.03	0.21	-0.01	0.01	0.25	0.05	-0.03	0.16	-0.01	0.05	0.33	0.02
OTHER MINORITY	-0.61	1.15	-0.01	-0.11	0.69	-0.05	-0.31	0.63	-0.02	1.03	2.23	0.06
MIN.P.R.	0.01	0.06	0.00	0.02	0.46	0.09	-0.07	0.40	-0.03	0.03	0.21	0.01
MAJ.P.R.	-0.01	0.42	-0.00	0.03	0.75	0.27	-0.02	0.15	-0.02	-0.01	0.04	-0.01
PRIS.P.R.	-0.15	0.78	-0.03	0.11	1.96	0.60	-0.09	0.51	-0.07	0.13	0.77	0.09
JAIL CUSTODY	0.08	0.40	0.05	0.03	0.48	0.39	-0.23	1.23	-0.43	0.12	0.71	0.22
BAIL	0.28	1.19	0.05	-0.05	0.70	-0.19	-0.39	1.74	-0.21	0.16	0.75	0.08
O.R.	0.03	0.17	0.02	0.25	0.05	0.05	-0.15	0.89	-0.37	0.12	0.75	0.27
CT.APP.COUN.	-0.07	0.61	-0.05	-0.00	0.10	-0.06	0.06	0.59	0.14	0.01	0.09	0.02
DEF.RET.COUN.	0.02	0.14	0.00	-0.04	0.84	-0.19	0.11	0.65	0.06	-0.09	0.58	-0.05
ORIG A(1°)CHGS.	-0.34	1.48	-0.58	-0.03	0.46	-1.32	0.43	1.98	2.40	-0.06	0.29	-0.31
ORIG B(2°)CHGS.	-0.07	0.29	-0.00	-0.05	0.71	-0.05	-0.13	0.60	-0.02	0.25	1.21	0.03
ORIG C(3°)CHGS.	-0.50	2.07	-0.05	0.04	0.52	0.09	0.21	0.91	0.07	0.26	1.21	0.08
ORIG MISD.CHGS.	-0.15	0.64	-0.01	0.37	5.41	0.55	-0.05	0.22	-0.01	-0.18	0.87	-0.03
OFF. IN DWELL.	0.54	4.66	0.58	-0.03	0.99	-0.89	-0.12	1.09	-0.42	-0.39	3.81	-1.26
COURT TRIAL	0.24	0.96	0.01	-0.02	0.30	-0.04	-0.06	0.27	-0.02	-0.15	0.71	-0.04
JURY TRIAL	0.05	0.28	0.01	0.02	0.42	0.08	-0.13	0.76	-0.06	0.06	0.36	0.03
MO.FIN.DISPO.	-0.00	0.33	-0.08	0.00	1.14	2.07	-0.00	0.14	-0.11	0.00	0.14	0.09
Constant	0.82	2.20		-0.06	0.50		-0.09	0.26		0.33	1.01	
R ²		0.46			0.52			0.21			0.36	
Due to Multicollin.		0.10			0.15			0.02			0.07	
Due to Regressors		0.36			0.36			0.19			0.29	
Adj.R ²		0.28			0.36			-0.04			0.15	
Standard Error		0.42			0.12			0.40			0.37	
F Statistic (D.F.)		2.56 (20,61)			3.25 (20,61)			0.83 (20,61)			1.73 (20,61)	

Table E.8

THE DETERMINANTS OF CONVICTION FOR ROBBERY DEFENDANTS:
 MULTNOMAH COUNTY, 1973
 (Multivariate regression equation results,
 ordinary least squares estimation)

Variable	All Chgs. & Counts			Fewer Counts			Reduced Chgs.			Dism. & Tri. Acq.		
	Coef	T	η	Coef	T	η	Coef	T	η	Coef	T	η
COM.TIES INDEX	0.01	0.57	-0.00	-0.02	1.21	-0.00	0.02	0.58	-0.00	-0.01	0.35	-0.00
AGE	-0.01	0.07	-0.07	0.07	1.19	1.43	-0.12	1.11	-0.83	0.06	0.46	0.20
BLACK	0.01	0.12	0.02	-0.06	0.81	-0.13	-0.10	0.75	-0.07	0.15	0.92	0.05
OTHER MINORITY	-0.16	0.71	-0.05	0.07	0.49	0.04	0.07	0.26	0.01	0.02	0.07	0.00
MIN.P.R.	-0.00	0.01	-0.00	-0.02	0.25	-0.04	-0.04	0.26	-0.02	0.07	0.35	0.02
MAJ.P.R.	0.04	0.35	0.06	-0.06	0.81	-0.15	0.07	0.51	0.06	-0.05	-0.32	-0.02
PRIS.P.R.	0.17	1.29	0.16	-0.07	0.86	-0.12	-0.07	0.43	-0.04	-0.18	-0.96	-0.05
JAIL CUSTODY	0.25	0.98	0.92	-0.08	0.49	-0.54	-0.13	0.43	-0.30	-0.04	0.12	-0.05
BAIL	0.12	0.45	0.10	0.11	0.67	0.17	0.10	0.33	0.05	-0.33	0.92	-0.09
O.R.	0.06	0.24	0.09	0.06	0.38	0.16	-0.05	0.19	-0.05	-0.06	0.18	-0.03
CT.APP.COUN.	-0.08	0.80	-0.14	0.02	0.33	0.07	-0.10	0.83	-0.10	0.16	1.14	0.08
DEF.RET.COUN.	0.15	0.97	0.13	-0.11	1.19	-0.19	-0.01	0.04	-0.00	0.03	0.13	0.01
ORIG A(1°)CHGS	0.01	0.23	0.11	0.20	5.83	3.16	-0.05	0.80	-0.27	-0.16	2.15	-0.42
ORIG B(2°)CHGS	-0.04	0.19	-0.01	0.06	0.49	0.04	0.38	1.61	0.90	-0.40	1.46	-0.05
ORIG C(3°)CHGS	-0.13	0.82	-0.06	-0.08	0.83	-0.07	-0.23	1.28	-0.07	-0.02	0.11	-0.00
ORIG MISD.CHGS	-0.17	0.65	-0.04	0.27	1.64	0.12	0.27	0.88	0.04	-0.37	1.03	-0.03
COURT TRIAL	0.27	1.41	0.10	-0.09	0.73	-0.06	-0.32	1.42	-0.08	0.14	0.53	0.02
JURY TRIAL	0.45	2.48	0.17	-0.13	1.17	-0.10	-0.18	0.85	-0.04	-0.13	0.53	-0.02
MO.FIN.DISPO.	0.00	0.24	0.27	0.02	2.40	3.11	-0.00	0.26	-0.21	-0.01	1.05	-0.50
Constant	-0.12	0.35		-0.52	2.40		0.68	1.69		0.95	2.02	
R ²	0.26			0.50			0.28			0.25		
Due to Multi-collinearity	0.09			0.03			0.11			0.04		
Due to Regressors	0.18			0.47			0.17			0.21		
Adj R ²	0.04			0.35			0.07			0.03		
Standard Error	0.36			0.23			0.42			0.50		
F statistic (D.F.)	1.17(19,63)			3.27(19,63)			1.31(19,63)			1.13(19,63)		

Table E.9

THE DETERMINANTS OF CONVICTION FOR ROBBERY DEFENDANTS:
 MULTNOMAH COUNTY, 1974
 (Multivariate regression equation results,
 ordinary least squares estimation)

Variable	All Chgs. & Counts			Fewer Counts			Reduced Chgs.			Dism. & Tri. Acq.		
	Coef	T	η	Coef	T	η	Coef	T	η	Coef	T	η
COM. TIES INDEX	-0.01	0.23	-0.00	0.00	0.17	0.00	-0.01	0.43	-0.00	-0.01	0.48	-0.00
AGE	0.02	0.22	0.06	0.02	1.02	1.50	-0.02	0.51	0.90	-0.02	0.21	-0.14
BLACK	-0.39	1.69	-0.04	-0.02	0.45	-0.05	-0.05	0.47	-0.07	0.47	2.38	0.13
OTHER MINORITY	-0.18	0.50	-0.01	-0.02	0.21	-0.02	0.39	2.16	0.20	-0.19	0.63	-0.02
MIN. P.R.	-0.08	0.50	-0.02	0.02	0.69	0.16	-0.05	0.65	-0.18	0.11	0.80	0.08
MAJ. P.R.	0.26	1.42	0.04	0.00	0.05	0.01	-0.06	0.66	-0.12	-0.20	1.30	-0.09
PRIS. P.R.	0.04	0.22	0.01	0.00	0.11	0.04	-0.12	1.30	-0.48	0.07	0.48	0.07
JAIL CUSTODY	0.13	0.71	0.11	-0.00	0.07	-0.06	-0.09	1.02	-1.05	-0.03	0.23	-0.09
BAIL	0.09	0.33	0.01	0.01	0.26	0.05	-0.12	0.94	-0.22	0.02	0.09	0.01
O.R.	0.10	0.50	0.03	-0.06	1.35	-0.44	-0.15	1.41	-0.55	0.10	0.57	0.08
CT.APP.COUN.	0.00	0.00	0.00	-0.03	1.30	-0.47	0.02	0.31	0.13	0.01	0.14	0.02
DEF.RET.COUN.	-0.06	0.26	-0.01	0.06	1.26	0.21	-0.06	0.52	-0.10	0.06	0.30	0.02
ORIG A(1°)CHGS.	0.09	0.52	0.14	-0.00	0.08	-0.12	0.02	0.23	0.40	-0.11	0.73	-0.48
ORIG B(2°)CHGS.	-0.48	1.67	-0.03	0.66	11.05	0.99	0.01	0.07	0.01	-0.19	0.77	-0.03
ORIG C(3°)CHGS.	-0.33	0.95	-0.02	0.02	0.22	0.02	0.35	2.03	0.26	-0.03	0.11	-0.01
ORIG MISD. CHGS.	0			0			0			0		
COURT TRIAL	-0.38	2.10	-0.06	-0.03	0.92	-0.15	-0.08	0.87	-0.17	0.49	3.22	0.24
JURY TRIAL	-0.00	0.01	-0.00	-0.07	1.87	-0.42	-0.04	0.47	-0.13	0.12	0.75	0.07
MO.FIN.DISPO.	0.01	1.92	0.45	-0.00	0.22	-0.29	0.00	0.32	0.50	-0.01	2.41	-1.43
Constant	0.23	0.78		0.00	0.03		0.18	1.20		0.59	2.32	
R ²		0.29			0.74			0.24			0.39	
Due to Multicollin.		0.06			0.15			0.00			0.06	
Due to Regressors		0.23			0.59			0.24			0.34	
Adj. R ²		0.08			0.66			0.01			0.21	
Standard Error		0.45			0.09			0.22			0.38	
F statistic (D.F.)		1.35 (18,59)			9.35 (18,59)			1.04 (18,59)			2.13 (18,59)	

Table E.10

THE DETERMINANTS OF CONVICTION FOR B&E DEFENDANTS:
DADE COUNTY, 1974
(Multivariate regression equation results,
ordinary least squares estimation)

Variable	All Chgs. & Counts			Fewer Counts			Reduced Chgs.			Dism. & Tri. Acq.		
	Coef	T	η	Coef	T	η	Coef	T	η	Coef	T	η
CON. TIES INDEX	0.04	1.40	0.00	-0.01	0.53	-0.00	-0.01	0.70	-0.00	-0.02	0.11	-0.00
AGE	-0.07	0.88	-0.24	0.10	1.79	0.92	0.04	0.88	0.82	-0.08	1.12	-0.55
BLACK	-0.09	0.77	-0.09	0.12	1.29	0.30	-0.76	1.06	-0.44	0.05	0.53	0.12
OTHER MINORITY	0.05	0.27	0.01	-0.15	1.20	-0.10	-0.02	0.15	-0.07	0.12	0.82	0.07
MIN. P.R.	-0.03	0.21	-0.01	-0.06	0.58	-0.05	0.14	1.63	0.27	-0.05	0.37	-0.03
MAJ. P.R.	0.30	1.93	0.10	-0.11	0.98	-0.97	-0.08	0.91	-0.16	-0.10	0.79	-0.08
PRIS. P.R.	0.05	0.20	0.01	-0.21	1.22	-0.69	-0.05	0.38	-0.04	0.21	1.08	0.06
JAIL CUSTODY	0.10	0.50	0.05	-0.13	0.84	-0.16	0.01	0.05	0.02	0.02	1.00	0.02
RAIL	-0.12	0.62	-0.12	0.08	0.05	0.02	-0.05	0.40	-0.27	0.16	0.95	0.35
O.R.	-0.04	0.19	-0.01	-0.09	0.56	-0.08	-0.00	0.03	-0.01	0.14	0.73	1.00
CT. APP. COUN.	-0.14	0.37	-0.01	-0.31	1.12	-0.03	0.42	1.91	0.11	0.03	0.09	0.00
DEF. RET. COUN.	-0.24	1.51	-0.09	0.00	0.26	0.00	0.09	1.04	0.20	0.14	1.04	0.11
ORIG A(1°)CHGS.	-0.21	0.86	-0.01	0.24	1.34	0.04	0.03	0.18	0.01	-0.06	0.27	-0.00
ORIG B(2°)CHGS.	-0.04	0.42	-0.08	0.14	1.91	0.68	0.02	0.41	0.26	-0.13	1.42	-0.48
ORIG C(3°)CHGS.	-0.20	2.71	-0.30	0.22	4.08	0.87	-0.01	0.24	-0.09	-0.01	0.16	-0.03
ORIG MISD. CHGS.	-0.17	1.47	-0.07	0.21	2.52	0.22	-0.07	1.06	-0.17	0.03	0.29	0.02
OFF. IN DWELL.	-0.10	0.87	-0.11	-0.09	0.99	-0.25	0.06	0.89	0.40	0.13	1.26	0.30
COURT TRIAL	0.20	1.03	0.03	-0.05	0.36	-0.02	0.03	0.27	0.03	-0.18	1.09	-0.07
JURY TRIAL	-0.03	0.11	-0.00	-0.01	0.06	-0.00	-0.12	0.67	-0.04	0.17	0.64	0.02
MO. FIN. DISPO.	0.01	1.50	0.43	0.01	1.29	0.70	0.00	0.45	0.44	-0.02	3.18	-1.65
Constant	0.75	2.41		-0.36	1.58		-0.02	0.14		0.63	2.39	
R ²		0.27			0.36			0.18			0.25	
Due to Multicollin.		0.04			0.03			0.03			0.03	
Due to Regressors		0.30			0.39			0.15			0.29	
Adj. R ²		0.07			0.19			-0.04			0.05	
Standard Error		0.49			0.36			0.28			0.17	
F Statistic (D.F.)		1.34 (20,74)			2.08 (20,74)			0.84 (20,74)			1.25 (20,74)	

Table E.11

THE DETERMINANTS OF CONVICTION FOR B&E DEFENDANTS:
 DADE COUNTY, 1975
 (Multivariate regression equation results,
 ordinary least squares estimation)

Variable	All Chgs. & Counts			Fewer Counts			Reduced Chgs.			Dism. & Trf. Acq.		
	Coef	T	n	Coef	T	n	Coef	T	n	Coef	T	n
COM. TIES INDEX	-0.01	0.22	-0.00	0.00	0.00	-0.00	0.00	0.19	-0.00	0.00	0.21	-0.00
AGE	0.01	0.11	0.03	-0.44	0.54	-0.28	0.06	1.51	2.07	-0.03	0.55	-0.49
BLACK	-0.06	0.52	-0.06	0.01	0.12	0.03	0.03	0.55	0.33	0.02	0.25	0.10
OTHER MINORITY	-0.21	1.02	-0.04	0.15	0.79	0.06	-0.07	0.68	-0.13	0.13	1.03	0.13
MIN. P.R.	0.05	0.35	0.02	0.03	0.27	0.03	-0.06	1.00	-0.27	-0.02	0.18	-0.03
MAJ. P.R.	0.01	0.06	0.00	0.10	0.71	0.07	-0.08	1.11	-0.28	-0.03	0.27	-0.04
PRIS. P.R.	0.38	1.67	0.06	-0.17	0.85	-0.05	-0.06	0.55	-0.09	-0.15	1.07	-0.12
JAIL CUSTODY	0.16	0.69	0.10	0.07	0.36	0.10	0.05	0.46	0.34	-0.28	1.98	-0.97
BAIL	0.14	0.63	0.09	-0.03	0.15	-0.04	0.07	0.70	0.49	-0.18	1.34	-0.62
O.R.	-0.04	0.17	-0.01	0.14	0.64	0.09	0.08	0.70	0.27	-0.17	1.17	-0.30
CT.APP.COUN.	-0.22	0.70	-0.01	-0.35	1.29	-0.04	0.27	1.83	0.16	0.31	1.58	0.09
DEF.RET.COUN.	-0.33	1.45	-0.04	0.28	1.41	0.07	-0.07	0.68	-0.09	0.12	0.83	0.07
ORIG A(1 st)CHGS.	0.07	0.19	0.00	0.01	0.03	0.00	-0.04	0.21	-0.02	-0.04	0.18	-0.01
ORIG B(2 nd)CHGS.	-0.02	0.13	-0.02	0.06	0.61	0.20	-0.02	0.35	-0.30	-0.03	0.39	-0.22
ORIG C(3 rd)CHGS.	-0.15	1.90	-0.25	0.18	2.55	0.62	0.05	1.22	0.78	-0.07	1.49	-0.63
ORIG MISD.CHGS.	-0.12	0.81	-0.04	0.26	1.99	0.19	-0.05	0.79	-0.20	-0.09	0.94	-0.15
OFF. IN DWELL.	-0.18	1.54	-0.17	0.10	0.96	0.20	0.06	1.10	0.61	0.02	0.28	0.10
COURT TRIAL	0.07	0.23	0.00	0.07	0.24	0.01	-0.05	0.35	-0.03	-0.09	0.44	0.03
JURY TRIAL	0			0			0			0		
MO.FIN.DISPO.	0.01	1.19	0.54	0.00	0.31	0.26	0.00	0.56	1.24	-0.01	2.78	-4.05
Constant	0.45	1.12		-0.13	0.37		-0.21	1.10		0.89	3.52	
R ²		0.21			0.23			0.16			0.23	
Due to Multicollin.		0.02			0.03			-0.02			-0.17	
Due to Regressors		0.19			0.20			0.18			0.39	
Adj. R ²		0.00			0.03			0.06			0.02	
Standard Error		0.50			0.44			0.23			0.31	
F statistic (D.F.)		0.98 (19,72)			1.14 (19,72)			0.74 (19,72)			1.10 (19,72)	

Table E.12

THE DETERMINANTS OF CONVICTION FOR ROBBERY DEFENDANTS:
DADE COUNTY, 1974
(Multivariate regression equation results,
ordinary least squares estimation)

Variable	All Chgs. & Counts			Fewer Counts			Reduced Chgs.			Dism. & Tri. Acq.		
	Coef	T	n	Coef	T	n	Coef	T	n	Coef	T	n
COM. TIES INDEX	-0.03	0.78	-0.00	-0.01	0.65	-0.00	0.01	0.39	0.00	0.03	1.02	0.00
AGE	0.01	0.13	0.04	-0.04	0.76	-0.54	0.09	1.51	1.21	-0.06	0.79	-0.30
BLACK	-0.33	2.55	-0.52	0.08	0.97	0.46	0.16	1.72	0.92	0.10	0.84	0.21
OTHER MINORITY	-0.50	2.17	-0.10	-0.04	0.27	-0.03	0.18	1.11	0.13	0.36	1.76	0.10
MIN. P.R.	0.00	0.00	0.00	-0.04	0.60	-0.10	-0.01	0.09	-0.02	0.05	0.48	0.43
MAJ. P.R.	0.33	1.93	0.09	-0.00	0.04	-0.00	-0.12	0.97	-0.12	-0.21	1.37	-0.08
PRIS. P.R.	0.09	0.43	0.02	-0.01	0.04	-0.00	-0.20	1.38	-0.13	0.12	0.62	0.03
JAIL CUSTODY	0.47	2.07	0.90	-0.15	1.05	-1.06	-0.14	0.87	-0.99	-0.19	0.91	-0.48
BAIL	0.32	1.21	0.06	-0.21	1.27	-0.15	-0.28	1.52	-0.21	0.17	0.72	0.05
O.R.	0.14	0.35	0.01	0.24	0.94	-0.04	0.76	2.67	0.14	-0.67	1.82	-0.04
CT.APP.COUN.	0.18	0.76	0.02	-0.32	2.17	-0.14	-0.05	0.30	-0.02	0.19	0.89	0.03
DEF.RET.COUN.	0.07	0.36	0.02	0.02	0.21	0.02	0.03	0.19	0.02	-0.12	0.69	-0.05
ORIG A(1°)CHGS.	-0.03	0.34	-0.07	0.16	3.34	1.61	-0.04	0.75	-0.40	-0.09	1.35	-0.34
ORIG B(2°)CHGS.	-0.14	1.51	-0.11	0.13	2.26	0.38	0.00	0.04	0.01	0.01	0.08	0.01
ORIG C(3°)CHGS.	-0.43	2.50	-0.09	0.41	3.86	0.34	0.01	0.11	0.01	0.00	0.03	0.00
ORIG MISD.CHGS.	0.48	1.22	0.02	0.06	0.26	0.01	-0.17	0.62	-0.03	-0.37	1.06	-0.02
COURT TRIAL	-0.13	0.66	-0.02	-0.11	0.90	-0.08	-0.10	0.74	-0.07	0.34	1.94	0.09
JURY TRIAL	-0.29	1.78	-0.07	-0.03	0.34	-0.31	-0.06	0.53	-0.05	0.38	2.65	0.13
MO. FIN. DISPO.	0.02	3.06	0.94	-0.11	0.32	-0.23	0.00	0.69	0.55	-0.02	3.75	-1.40
Constant	-0.05	0.17		0.07	0.35		0.01	0.02		0.98	3.36	
R ²		0.38			0.43			0.29			0.44	
Due to Multicollin.		-0.01			0.10			0.07			0.04	
Due to Regressors		0.39			0.33			0.21			0.40	
Adj. R ²		0.22			0.29			0.10			0.30	
Standard Error		0.44			0.27			0.31			0.39	
F statistic (D.F.)		2.35 (19,73)			2.94 (19,73)			1.56 (19,73)			3.05 (19,73)	

Table E.13

THE DETERMINANTS OF CONVICTION FOR ROBBERY DEFENDANTS:
DADE COUNTY, 1975
(Multivariate regression equation results,
ordinary least squares estimation)

Variable	All Chgs.&Counts			Fewer Counts			Reduced Chgs.			Dismiss & Tri. Acq.		
	Coef.	T	n	Coef.	T	n	Coef.	T	n	Coef.	T	n
COM. TIES INDEX	0.03	1.17	0.00	-0.13	0.85	-0.06	-0.01	0.52	-0.00	-0.00	0.27	-0.00
AGE	-0.06	0.67	-0.24	-0.00	0.05	-0.04	-0.05	0.75	-0.67	0.11	1.54	0.75
BLACK	-0.10	0.81	-0.14	-0.12	1.50	-0.53	0.09	1.05	0.47	0.13	1.31	0.32
OTHER MINORITY	-0.53	1.95	-0.06	0.36	2.03	0.13	0.08	0.44	0.03	0.09	0.41	0.02
MIN. P.R.	-0.03	0.25	-0.02	-0.08	0.89	-0.13	0.23	2.46	0.45	-0.12	1.12	0.11
MAJ. P.R.	-0.14	0.89	-0.05	0.02	0.24	0.02	0.07	0.67	0.09	0.04	0.33	0.02
PRIS. P.R.	-0.05	0.19	-0.01	0.35	2.20	0.12	-0.07	0.42	-0.03	-0.23	1.19	-0.05
JAIL CUSTODY	0.03	0.15	0.05	0.10	0.81	0.58	-0.05	0.37	-0.33	-0.09	0.52	-0.26
BAIL	0.35	0.80	0.02	-0.05	0.19	0.01	-0.06	0.19	-0.01	-0.24	0.69	-0.02
O.R.	0.47	0.89	0.01	0.09	0.26	0.01	-0.36	0.98	-0.03	-0.19	0.47	-0.01
CT. APP. COUN.	0.13	0.43	0.01	0.05	0.24	0.01	-0.20	1.00	-0.07	0.03	0.13	0.01
DEF. RET. COUN.	-0.11	0.63	-0.03	-0.07	0.58	-0.06	0.03	0.28	0.03	0.14	1.02	0.07
ORIG. A (1°) CHGS.	-0.10	0.68	-0.26	-0.11	1.16	-0.88	0.18	1.67	1.58	0.04	0.34	0.17
ORIG. B (2°) CHGS.	-0.16	1.88	-0.16	0.19	3.59	0.61	-0.01	0.24	-0.05	-0.02	0.36	-0.04
ORIG. C (3°) CHGS.	-0.26	1.49	-0.06	0.16	1.36	0.11	0.18	0.51	0.15	-0.08	0.56	-0.03
ORIG. MISD. CHGS.	0.23	0.36	0.01	-0.35	0.82	-0.02	0.11	0.24	0.01	0.00	0.00	0.00
COURT TRIAL	-0.24	1.05	-0.04	-0.13	0.85	-0.06	-0.08	0.47	-0.04	0.45	2.42	0.13
JURY TRIAL	-0.39	1.03	-0.03	-0.07	0.27	-0.01	-0.31	1.16	-0.08	0.76	2.53	0.09
MO. FIN. DISPO.	0.01	1.01	0.39	0.01	2.20	1.71	0.00	0.83	0.81	-0.02	3.79	-2.02
Constant	0.73	2.26		-0.08	0.40		-0.17	0.75		-0.52	2.03	
R ²		0.27			0.39			0.20			0.41	
Due to Multicollin.		0.03			0.01			0.00			0.09	
Due to Regressors		0.24			0.30			0.20			0.32	
Adj. R ²		0.08			0.24			0.00			0.26	
Standard Error		0.48			0.31			0.34			0.38	
F-Statistic (D.F.)		1.44 (19, 74)			2.54 (19, 74)			1.00 (19, 74)			2.73 (19, 74)	

samples of all defendants. Adjusted R^2 s are mostly under 0.10 and rarely exceed 0.30. In only 13 of 32 equations was the F test met. We therefore tend to place little faith in the model we developed to explain conviction level.

Determinants of Sentence Severity (Tables E.14-E.21)

Our purpose in running these equations was to estimate the contribution of the hypothesized independent variables to a score which indicates the severity of the sentence imposed on the defendant. The sentence score was generated according to four alternative indices (see Sec. IV). In addition to the independent variables employed in the conviction equations, we added the type of bargain (and, therefore, type of disposition) the defendant had.¹ The samples of course contained only defendants who were convicted. R^2 s (except for 1974 Dade County robberies) were mostly in excess of 0.40. Six out of 32 equations failed to meet the F test but four of these failures were for 1974 robbery cases in Dade County (Table E.20). There does appear to be a good deal of volatility in the size, signs, and significance of the coefficients on independent variables across indices, years, offenses, and jurisdictions; more work on the sentence severity model thus seems indicated.

Determinants of Case Duration (Tables E.22-E.25)

Our purpose in running these equations was to estimate the contribution of the hypothesized independent variables to case elapsed time measured from arraignment to final disposition. We used samples of all felonies, for which we had fewer and somewhat different data elements, as well as samples of our exemplary offenses. Adjusted R^2 s generally exceeded 0.20 and never fell below 0.10 for those equations it was possible to estimate. (Time truncation in the sample of all felonies for Dade County in 1975 precluded the calculation of meaningful estimates; the estimates for the exemplary offense samples for Dade County in 1975 should be treated with great caution as well.) The F statistics were acceptable at a 95 percent level of confidence in seven equations out of eleven. Since the estimates do not behave consistently in magnitude and direction across years, offenses, or jurisdictions, we feel that more work on both model specification and data improvement is necessary.

TEST FOR SIGNIFICANCE OF DIFFERENCE BETWEEN STATISTICS

In performing statistical tests of the difference between two proportions, we used the following formula:²

$$T = \frac{P_1 - P_2}{(p'q'/N_1) + (p'q'/N_2)}$$

¹ In these equations the variable MO. FIN. DISPO. is best interpreted as a proxy for crowding in county and state correctional facilities which built up steadily over time in both jurisdictions.

² Adopted from P. G. Hoel, *Introduction to Mathematical Statistics*, John Wiley & Sons, Inc., New York, 1974, pp. 148-151.

Table E.14

THE DETERMINANTS OF SENTENCE SEVERITY FOR BURGLARY CONVICTEES:
 MULTNOMAH COUNTY, 1973
 (Multivariate regression equation results,
 ordinary least squares estimation)

Variable	Sentence Severity Index											
	A			B			C			D		
	Coef	T	η	Coef	T	η	Coef	T	η	Coef	T	η
COM.TIES INDEX	-0.39	0.69	-0.00	-1.71	2.04	-0.01	-3.04	2.47	-0.01	3.40	1.32	0.01
AGE	1.65	0.98	0.25	5.56	2.23	0.91	9.48	2.60	1.71	16.62	2.17	1.49
BLACK	2.77	0.79	0.02	5.87	1.12	0.05	8.96	1.17	0.09	18.24	1.14	0.09
OTHER MINORITY	-2.58	0.29	-0.00	-1.44	0.11	-0.00	-0.30	0.02	-0.00	-3.99	0.10	-0.00
MIN.P.R.	2.25	0.72	0.03	2.78	0.60	0.04	3.32	0.49	0.05	8.20	0.58	0.07
MAJ.P.R.	-3.75	1.04	-0.05	-8.83	1.64	-0.12	-13.91	1.76	-0.20	-25.97	1.57	-0.19
PRIS.P.R.	-4.97	1.35	-0.05	-7.48	1.37	-0.08	-10.00	1.25	-0.11	-6.18	0.37	0.03
JAIL CUSTODY	5.73	1.50	0.18	12.87	2.26	0.44	20.01	2.39	0.75	32.51	1.86	0.60
BAIL	0.42	0.07	0.00	4.62	0.53	0.03	8.83	0.69	0.06	41.78	1.56	0.13
O.R.	1.34	0.33	0.06	6.11	1.00	0.29	10.87	1.22	0.57	24.92	1.34	0.64
CT.APP.COUN.	-1.71	0.45	-0.02	-2.77	0.49	-0.03	-3.83	0.46	-0.05	-12.32	0.71	-0.08
DEF.RET.COUN.	0.49	0.21	0.01	2.22	0.63	0.05	3.95	0.77	0.10	0.69	0.06	0.01
ORIG A(1°)CHGS.	-1.30	0.30	-0.13	1.89	0.29	0.20	5.08	0.54	0.60	18.32	0.93	1.08
ORIG B(2°)CHGS.	4.44	0.96	0.03	10.90	1.57	0.08	17.35	1.71	0.14	35.28	1.66	0.14
ORIG C(3°)CHGS.	4.79	1.28	0.03	2.38	0.43	0.02	-0.04	0.00	-0.00	2.45	0.14	0.01
ORIG MISD.CHGS.	-6.12	1.65	-0.05	-8.74	1.58	-0.08	-11.36	1.40	-0.11	-19.87	1.17	-0.10
OFF.IN DWELL.	0.58	0.24	0.04	0.05	0.01	0.00	-0.48	0.09	-0.04	-1.37	0.12	-0.05
CHG.RED.BARG.	-9.33	3.66	-0.45	-12.22	3.21	-0.65	-15.10	2.70	-0.89	-30.19	2.59	-0.88
COUNT RED.BARG.	2.02	0.36	0.03	1.24	0.15	0.02	0.45	0.04	0.01	-8.08	0.31	-0.07
SENT.BARG.	0.01	0.00	0.00	0.94	0.22	0.02	1.88	0.29	0.04	-2.28	0.17	-0.02
DROP OTH.CASE BARG.	-0.42	0.18	-0.01	-0.05	0.01	-0.00	0.32	0.06	0.01	-11.65	1.08	-0.24
COURT TRIAL	-0.90	0.19	-0.00	3.48	0.49	0.02	7.85	0.76	0.05	5.27	0.24	0.02
JURY TRIAL	3.08	0.57	0.02	9.93	1.24	0.06	16.79	1.43	0.11	11.83	0.48	0.04
MO.FIN.DISFO.	0.11	0.45	0.15	-0.27	0.77	-0.41	-0.65	1.26	-1.08	-1.18	1.10	-0.97
Constant	10.60	1.34		1.40	0.12		-7.79	0.45		-13.11	-0.36	
R ²		0.58			0.64			0.65			0.52	
Due to Multicollin.		0.27			0.29			0.25			0.12	
Due to Regressors		0.31			0.36			0.39			0.40	
Adj. R ²		0.33			0.43			0.44			0.23	
Standard Error		6.80			10.15			14.88			31.11	
F Statistic (D.F.)		2.30 (24,40)			3.03 (24,40)			3.06 (24,40)			1.82 (24,40)	

Table E.15

THE DETERMINANTS OF SENTENCE SEVERITY FOR BURGLARY CONVICTS:
 MULTNOMAH COUNTY, 1974
 (Multivariate regression equation results,
 ordinary least squares estimation)

Variable	Sentence Severity Index											
	A			B			C			D		
	Coef	T	n	Coef	T	n	Coef	T	n	Coef	T	n
COM.TIES INDEX	1.44	2.11	0.00	2.30	1.73	0.01	3.16	1.51	0.01	-0.31	0.07	-0.00
AGE	-3.83	1.76	-0.35	-6.55	1.55	-0.50	-9.27	1.39	-0.60	0.86	0.06	0.03
BLACK	-0.20	0.05	-0.00	-8.77	1.23	-0.04	-17.34	1.54	-0.07	-14.67	0.65	-0.03
OTHER MINORITY	0			0			0			0		
MIN.P.R.	3.15	0.87	0.02	4.69	0.66	0.02	6.22	0.56	0.02	2.19	0.10	0.00
MAJ.P.R.	1.83	0.65	0.03	1.17	0.21	0.01	0.50	0.06	0.01	-8.17	0.46	-0.04
PRIS.P.R.	10.02	2.39	0.06	24.58	3.02	0.13	39.14	3.06	0.17	52.04	2.01	0.12
JAIL CUSTODY	-0.14	0.03	-0.00	1.52	0.18	0.03	3.17	0.24	0.05	6.39	0.24	0.05
BAIL	2.94	0.55	0.01	7.12	0.68	0.03	11.29	0.69	0.04	4.50	0.14	0.01
O.R.	-2.73	0.68	-0.08	-6.56	0.84	-0.15	-10.40	0.84	-0.20	-20.38	0.81	-0.20
CT.APP.COUN.	1.56	0.65	0.04	7.74	1.68	0.16	13.93	1.91	0.25	25.30	1.72	0.23
DEF.RET.COUN.	1.85	0.59	0.01	3.52	0.58	0.02	5.20	0.54	0.03	-8.73	-0.45	-0.03
ORIG A(1°)CHGS.	5.49	1.24	0.33	16.22	1.89	0.82	26.94	1.99	1.16	73.32	2.67	1.61
ORIG B(2°)CHGS.	0			0			0			0		
ORIG C(3°)CHGS.	-3.68	0.58	-0.01	1.72	0.14	0.00	7.12	0.37	0.01	24.21	0.61	0.02
ORIG MISD.CHGS.	1.16	0.22	0.00	3.06	0.30	0.01	4.95	0.31	0.01	92.34	2.85	0.09
OFF.IN DWELL.	2.69	0.99	0.12	1.52	0.29	0.06	0.35	0.04	0.01	5.63	0.34	0.09
CHG.RED.BARG.	-9.29	3.40	-0.12	-18.03	3.40	-0.20	-26.78	3.21	-0.25	-50.67	3.00	-0.25
COUNT RED.BARG.	-12.55	1.50	-0.02	-34.90	2.15	-0.05	-57.26	2.24	-0.07	-86.69	1.68	-0.06
SENT.BARG.	-0.88	0.29	-0.01	-2.24	0.38	-0.03	-3.60	0.39	-0.04	-9.00	0.48	-0.05
DROP OTH.CASE BARG.	3.02	1.04	0.05	2.73	0.49	0.04	2.43	0.28	0.03	7.36	0.41	0.04
COURT TRIAL	-4.73	0.91	-0.01	-6.24	0.62	-0.01	-7.75	0.49	-0.01	-20.19	0.63	-0.02
JURY TRIAL	2.61	0.68	0.01	0.83	0.11	0.00	-0.94	0.08	-0.00	-1.58	0.07	-0.00
MO.FIN.DISPO.	0.30	2.57	0.47	0.45	1.93	0.56	0.59	1.61	0.63	0.70	0.96	0.39
Constant	7.63	1.05		1.75	0.12		-4.12	0.19		-47.11	1.05	
R ²	0.62			0.63			0.62			0.62		
Due to Multicollin.	0.23			0.24			0.24			0.27		
Due to Regressors	0.38			0.39			0.39			0.35		
Adj. R ²	0.42			0.44			0.43			0.42		
Standard Error	7.34			14.24			22.43			45.42		
F Statistic (D.F.)	3.13 (22,43)			3.36 (22,43)			3.22 (22,43)			3.17 (22,43)		

Table E.16

THE DETERMINANTS OF SENTENCE SEVERITY FOR ROBBERY CONVICTEES:
 MULTNOMAH COUNTY, 1973
 (Multivariate regression equation results,
 ordinary least squares estimation)

Variable	Sentence Severity Index											
	A			B			C			D		
	Coef	T	η	Coef	T	η	Coef	T	η	Coef	T	η
COM.TIES INDEX	0.99	1.58	0.01	1.67	1.40	0.01	2.35	1.23	0.01	1.28	0.33	0.00
AGE	-5.74	1.96	-0.58	-11.10	2.00	-0.90	-16.45	1.85	-1.11	-33.98	1.87	-1.31
BLACK	-4.03	1.08	-0.03	-6.10	0.87	-0.04	-8.17	0.72	-0.04	-29.81	1.29	-0.08
OTHER MINORITY	6.61	1.10	0.02	7.46	0.65	0.02	8.31	0.45	0.02	-37.70	1.01	-0.04
MIN.P.R.	6.53	1.17	0.05	11.71	1.10	0.07	16.90	0.99	0.08	48.41	1.39	0.13
MAJ.P.R.	5.12	1.31	0.07	15.40	2.08	0.16	25.68	2.16	0.23	74.30	3.06	0.37
PRIS.P.R.	11.39	3.59	0.13	22.43	3.73	0.21	33.48	3.46	0.26	92.78	4.70	0.41
JAIL CUSTODY	18.58	1.97	0.57	13.93	0.78	0.34	9.28	0.32	0.19	36.73	0.63	0.43
RAIL	26.80	3.03	0.31	25.20	1.50	0.24	23.60	0.88	0.18	41.89	0.76	0.19
O.R.	14.65	1.55	0.24	9.79	0.55	0.13	4.93	0.17	0.05	40.89	0.70	0.25
CT.APP.COUN.	3.32	0.89	0.04	3.86	0.55	0.04	4.40	0.39	0.04	-4.06	0.17	-0.02
DEF.RET.COUN.	6.22	1.50	0.06	5.28	0.67	0.04	4.35	0.35	0.03	-15.53	0.60	-0.06
ORIG A(1°)CHGS.	4.00	2.38	0.36	10.62	3.34	0.77	17.24	3.37	1.04	47.17	4.52	1.63
ORIG B(2°)CHGS.	-0.87	0.20	-0.01	4.11	0.49	0.02	9.09	0.68	0.04	30.22	1.10	0.08
ORIG C(3°)CHGS.	2.45	0.68	0.01	3.68	0.54	0.02	4.90	0.45	0.02	-20.29	0.91	-0.05
ORIG MISD.CHGS.	-0.34	0.05	-0.00	-1.38	0.11	-0.00	-2.42	0.12	-0.01	-49.03	1.19	-0.08
CHG.RED.BARG.	-12.44	3.31	-0.38	-31.15	4.38	-0.76	-49.86	4.36	-1.02	-72.58	3.11	-0.85
COUNT RED.BARG.	-16.80	3.11	-0.17	-43.80	4.29	-0.36	-70.86	4.31	-0.48	-126.23	3.76	-0.49
SENT.BARG.	-10.83	2.48	-0.13	-6.17	0.74	-0.06	-1.50	0.11	-0.01	-16.41	0.60	-0.07
DROP OTH.CASE BARG.	-5.94	1.84	-0.16	-9.29	1.52	-0.20	-12.64	1.28	-0.22	-45.89	2.28	-0.46
COURT TRIAL	-35.94	3.66	-0.10	-60.67	3.27	-0.14	-85.39	2.86	-0.17	-146.99	2.41	-0.16
JURY TRIAL	1.49	0.25	0.01	15.40	1.37	0.05	29.32	1.62	0.09	57.86	1.56	0.10
MO.FIN.DISPO.	0.52	1.63	0.53	0.34	0.56	0.28	0.16	0.16	0.11	-1.75	0.88	-0.69
Constant	2.44	0.19		22.18	0.89		41.92	1.05		77.58	0.95	
R ²	0.86			0.88			0.88			0.88		
Due to Multicollin.	0.07			0.21			0.24			0.15		
Due to Regressors	0.79			0.67			0.64			0.73		
Adj.R ²	0.67			0.72			0.71			0.72		
Standard Error	6.11			11.57			18.60			37.98		
F Statistic (D.F.)	4.54 (23,17)			5.53 (23,17)			5.24 (23,17)			5.49 (23,17)		

Table E.17

THE DETERMINANTS OF SENTENCE SEVERITY FOR ROBBERY CONVICTEES:
MULTNOMAH COUNTY, 1974
(Multivariate regression equation results,
ordinary least squares estimation)

Variable	Sentence Severity Index											
	A			B			C			D		
	Coef	T	η	Coef	T	η	Coef	T	η	Coef	T	η
COM.TIES INDEX	1.44	1.77	0.01	4.11	1.72	0.02	6.78	1.69	0.02	14.84	1.55	0.02
AGE	-5.37	2.38	-0.38	-13.19	1.99	-0.57	-21.02	1.89	-0.65	-36.20	1.36	-0.59
BLACK	1.49	0.18	0.00	1.49	0.06	0.00	1.50	0.04	0.00	8.09	0.08	0.00
OTHER MINORITY	-3.96	0.50	-0.00	-10.60	0.46	-0.01	-17.24	0.45	-0.01	-28.24	0.31	-0.01
MIN.P.R.	1.32	0.31	0.01	1.32	0.11	0.00	1.33	0.06	0.00	-1.20	0.02	-0.00
MAJ.P.R.	14.31	3.15	0.06	42.72	3.21	0.11	71.14	3.19	0.14	143.05	2.68	0.14
PRIS.P.R.	11.90	2.77	0.10	31.38	2.48	0.15	50.85	2.40	0.18	88.91	1.76	0.17
JAIL CUSTODY	10.27	2.15	0.25	23.09	1.65	0.34	35.91	1.53	0.38	63.68	1.14	0.36
BAIL	8.14	1.29	0.03	13.53	0.73	0.03	18.92	0.61	0.03	53.91	0.72	0.04
O.R.	5.22	1.02	0.03	4.34	0.29	0.02	3.46	0.14	0.01	-6.88	0.11	-0.01
CT.APP.COUN.	-1.37	0.50	-0.02	-2.53	0.31	-0.02	-3.68	0.27	-0.02	-7.56	0.23	-0.03
DEF.RET.COUN.	-2.97	0.57	-0.01	-7.62	0.50	-0.02	-12.27	0.48	-0.02	4.60	0.08	0.00
ORIG A(1°)CHGS.	7.16	1.99	0.29	19.58	1.86	0.48	32.00	1.81	0.56	57.88	1.37	0.53
ORIG B(2°)CHGS.	17.39	1.64	0.03	54.07	1.73	0.06	90.76	1.74	0.07	212.68	1.70	0.09
ORIG C(3°)CHGS.	1.46	0.15	0.00	4.05	0.14	0.00	6.65	0.14	0.00	-14.74	0.13	-0.00
ORIG MISD.CHGS.	0			0			0			0		
CHG.RED.BARG.	-10.74	2.04	-0.03	-31.33	2.03	-0.05	-51.93	2.00	-0.06	-93.94	1.51	-0.05
COUNT RED.BARG.	-22.15	1.71	-0.03	-61.43	1.61	-0.05	-100.71	1.58	-0.05	-127.33	0.83	-0.04
SENT.BARG.	-5.61	1.24	-0.02	-17.10	1.29	-0.04	-28.60	1.29	-0.05	-60.29	1.13	-0.05
DROP OTH.CASE BARG.	3.37	1.02	0.03	6.63	0.68	0.04	9.89	0.61	0.04	32.77	0.84	0.07
COURT TRIAL	-0.19	0.04	-0.00	-1.43	0.09	-0.00	-2.66	0.10	-0.00	-4.37	0.07	-0.00
JURY TRIAL	1.59	0.33	0.01	4.91	0.35	0.02	8.23	0.35	0.02	18.45	0.33	0.02
MO.FIN.DISPO.	0.38	1.60	0.38	0.83	1.20	0.50	1.28	1.11	0.56	3.11	1.12	0.71
Constant	7.50	0.94		0.37	0.02		-6.76	0.17		-39.23	0.42	
R ²		0.59			0.55			0.54			0.46	
Due to Multicollin.		0.03			0.01			0.02			0.05	
Due to Regressors		0.61			0.54			0.52			0.41	
Adj. R ²		0.34			0.28			0.27			0.13	
Standard Error		8.40			24.67			41.34			98.90	
F Statistic (D.F.)		2.37 (22,37)			2.06 (22,37)			1.98 (22,37)			1.42 (22,37)	

Table E.18

THE DETERMINANTS OF SENTENCE SEVERITY FOR B&E CONVICTEES:
DADE COUNTY, 1974
(Multivariate regression equation results,
ordinary least squares estimation)

Variable	Sentence Severity Index											
	A			B			C			D		
	Coef	T	n	Coef	T	n	Coef	T	n	Coef	T	n
COM.TIES INDEX	0.30	0.66	0.00	0.97	1.25	0.00	1.63	1.42	0.01	2.41	1.23	0.01
AGE	0.78	0.48	0.10	1.44	0.53	0.17	2.10	0.52	0.22	1.40	0.20	0.10
BLACK	2.86	1.23	0.11	3.68	0.94	0.12	4.50	0.78	0.14	7.27	0.74	0.15
OTHER MINORITY	6.65	1.75	0.06	8.06	1.26	0.06	9.46	1.00	0.06	18.55	1.15	0.08
MIN.P.R.	3.91	1.33	0.05	7.71	1.57	0.09	11.51	1.57	0.12	26.12	2.10	0.18
MAJ.P.R.	8.52	3.03	0.13	13.73	2.91	0.19	18.94	2.71	0.24	29.56	2.48	0.26
PRIS.P.R.	8.50	1.82	0.04	9.64	1.23	0.04	10.79	0.93	0.04	12.35	0.63	0.03
JAIL CUSTODY	3.36	0.89	0.07	12.35	1.96	0.22	21.34	2.28	0.34	36.31	2.28	0.40
BAIL	-1.08	0.29	-0.04	1.71	0.28	0.05	4.50	0.49	0.13	8.81	0.57	0.18
O.R.	-1.09	0.27	-0.01	2.82	0.41	0.03	6.72	0.66	0.07	14.60	0.84	0.10
CT.APP.COUN.	6.79	1.05	0.01	3.48	0.32	0.01	0.17	0.01	0.00	0.16	0.01	0.00
DEF.RET.COUN.	3.34	1.12	0.04	2.79	0.56	0.03	2.24	0.30	0.02	2.22	0.18	0.02
ORIG A(1°)CHGS.	9.80	2.38	0.03	32.42	4.70	0.09	55.05	5.38	0.14	133.76	7.68	0.24
ORIG B(2°)CHGS.	0.96	0.49	0.07	4.71	1.45	0.30	8.46	1.75	0.49	20.96	2.55	0.85
ORIG C(3°)CHGS.	1.26	0.81	0.07	0.47	0.18	0.02	-0.31	0.08	-0.01	-0.36	0.06	-0.01
ORIG MISD.CHGS.	-1.84	0.78	-0.03	-3.35	0.85	-0.04	-4.86	0.83	-0.06	-5.00	0.50	-0.04
OFF.IN DWELL.	2.82	1.23	0.11	3.11	0.81	0.11	3.40	0.59	0.11	0.61	0.06	0.01
CHG.RED.BARG.	-6.47	1.89	-0.05	-7.62	1.32	-0.06	-8.76	1.03	-0.06	-14.31	0.98	-0.07
COUNT RED.BARG.	-0.48	0.16	-0.01	0.95	0.19	0.02	2.39	0.33	0.04	0.44	0.04	0.00
COURT TRIAL	0.26	0.07	0.00	3.31	0.53	0.02	6.35	0.68	0.03	8.40	0.53	0.03
JURY TRIAL	10.47	1.70	0.02	14.57	1.41	0.03	18.67	1.22	0.03	25.63	0.98	0.03
MO.FIN.DISPO.	-0.88	0.43	-0.15	-0.20	0.59	-0.31	-0.32	0.63	-0.43	-0.56	0.64	-0.53
Constant	4.88	0.68		-2.98	-0.25		-10.84	0.60		-24.26	0.79	
R ²		0.50			0.58			0.60			0.69	
Due to Multicollin.		0.12			0.15			0.15			0.14	
Due to Regressors		0.38			0.43			0.46			0.55	
Adj. R ²		0.28			0.40			0.43			0.55	
Standard Error		7.93			13.30			19.74			33.61	
F Statistic (D.F.)		2.30 (22,50)			3.18 (22,50)			3.44 (22,50)			5.08 (22,50)	

Table E.19

THE DETERMINANTS OF SENTENCE SEVERITY FOR B&E CONVICTEES:
DADE COUNTY, 1975
(Multivariate regression equation results,
ordinary least squares estimation)

Variable	Sentence Severity Index											
	A			B			C			D		
	Coef	T	η	Coef	T	η	Coef	T	η	Coef	T	η
COM.TIES INDEX	-1.00	0.23	-0.00	-0.18	0.26	-0.00	-0.27	0.27	-0.00	0.99	0.47	0.00
AGE	0.81	0.57	0.11	1.59	0.70	0.18	2.36	0.71	0.23	1.18	0.17	0.07
BLACK	1.78	0.90	0.07	2.39	0.76	0.08	2.99	0.65	0.09	-6.87	0.71	-0.13
OTHER MINORITY	-1.97	0.59	-0.02	-1.21	0.22	-0.01	-0.44	0.06	-0.00	-5.34	0.33	-0.02
MIN.P.R.	3.52	1.53	0.06	4.50	1.22	0.63	5.46	1.02	0.07	13.96	1.24	0.10
MAJ.P.R.	5.59	2.22	0.09	7.48	1.86	0.09	9.35	1.59	0.10	20.02	1.63	0.13
PRIS.P.R.	9.06	2.56	0.07	18.15	3.21	0.11	27.22	3.31	0.14	45.80	2.66	0.15
JAIL CUSTODY	4.13	1.05	0.13	7.83	1.24	0.20	11.55	1.26	0.25	16.61	0.87	0.22
BAIL	1.26	0.33	0.03	-0.20	0.03	-0.00	-1.65	0.19	-0.03	-1.83	1.00	-0.02
O.R.	0.85	0.21	0.01	-3.13	0.47	-0.04	-7.10	0.74	-0.07	-18.42	0.92	-0.11
CT.APP.COUN.	7.38	1.27	0.01	10.02	1.08	0.02	12.64	0.93	0.02	6.19	0.22	0.01
DEF.RET.COUN.	1.08	0.28	0.01	1.79	0.29	0.01	2.49	0.28	0.01	-4.26	0.23	-0.01
ORIG A(1°)CHGS	4.41	0.75	0.01	19.61	2.08	0.03	34.81	2.54	0.05	83.14	2.90	0.07
ORIG B(2°)CHGS	-0.43	0.24	-0.27	1.05	0.36	0.05	2.53	0.60	0.11	4.42	0.50	0.12
ORIG C(3°)CHGS	1.42	1.12	0.11	1.83	0.90	0.11	2.24	0.76	0.12	2.74	0.44	0.09
ORIG MISD.CHGS	-0.63	0.27	-0.01	-3.08	0.82	-0.04	-5.53	1.02	-0.63	-12.73	1.12	-0.09
OFF. IN DWELL.	6.42	3.39	0.26	11.31	3.73	0.38	16.18	3.67	0.46	25.29	2.75	0.44
CHG.RED.BARG.	-9.33	2.42	-0.04	-12.28	1.99	-0.05	-15.24	1.70	-0.05	-23.38	1.25	-0.05
COUNT RED.BARG.	-0.89	0.43	-0.02	0.11	0.03	0.00	1.09	0.23	0.02	-1.08	0.11	-0.01
COURT TRIAL	0.07	0.01	0.00	-0.98	0.13	0.00	-2.04	0.18	0.00	-5.61	0.24	-0.01
JURY TRIAL	0			0			0			0		
MO.FIN.DISPO.	-0.29	1.82	-0.75	-0.64	2.50	-1.37	-0.98	2.65	-1.81	-1.68	2.17	-1.89
Constant	12.00	1.54		18.54	1.49		25.08	1.39		58.19	1.54	
R ²	0.49			0.58			0.60			0.51		
Due to Multi-collinearity	0.11			0.22			0.25			0.18		
Due to Regressors	0.37			0.36			0.35			0.33		
Adj. R ²	0.31			0.44			0.46			0.34		
Standard Error	7.37			11.79			17.15			35.85		
F statistic (D.F.)	2.71(21,60)			4.00(21,60)			4.32(21,60)			2.99(21,60)		

Table E.20

THE DETERMINANTS OF SENTENCE SEVERITY FOR ROBBERY CONVICTS:
DADE COUNTY, 1974
(Multivariate regression equation results,
ordinary least squares estimation)

Variable	Sentence Severity Index											
	A			B			C			D		
	Coef	T	n	Coef	T	n	Coef	T	n	Coef	T	n
COM. TIES INDEX	-0.54	0.42	-0.00	-1.05	0.39	-0.01	-1.55	0.36	-0.01	-2.08	0.21	-0.00
AGE	1.78	0.52	0.15	-3.00	0.42	-0.15	-7.77	0.68	-0.28	-19.93	0.77	-0.38
BLACK	-4.92	0.99	-0.18	-10.07	0.97	-0.22	-15.22	0.92	-0.24	-36.56	0.98	-0.30
OTHER MINORITY	-22.25	2.19	-0.09	-48.64	2.29	-0.12	-75.03	2.21	-0.13	-150.44	1.96	-0.14
MIN. P.R.	-3.82	0.88	-0.06	-20.13	2.22	-0.20	-36.44	2.52	-0.26	-88.90	2.71	-0.33
MAJ. P.R.	6.36	0.97	0.05	-6.63	0.49	-0.03	-19.63	0.90	-0.06	-51.73	1.05	-0.09
PRIS. P.R.	1.31	0.16	0.00	-1.75	0.10	-0.00	-4.80	0.18	-0.01	-16.75	0.27	-0.01
JAIL CUSTODY	18.61	1.53	0.86	24.14	0.95	0.67	29.67	0.73	0.59	47.63	0.52	0.39
RAIL	2.30	0.16	0.01	-10.35	0.35	-0.02	-23.00	0.49	-0.02	-60.11	0.56	-0.03
O.R.	14.78	0.86	0.02	14.99	0.42	0.01	15.21	0.27	0.01	27.01	0.21	0.01
CT. APP. COUN.	4.62	0.32	0.00	12.81	0.43	0.01	21.01	0.44	0.01	46.95	0.43	0.01
DEF. RET. COUN.	-1.93	0.27	-0.01	-4.01	0.27	-0.02	-6.10	0.26	-0.02	-23.34	0.44	-0.34
ORIG A(1°)CHGS.	1.33	0.52	0.09	6.15	1.15	0.25	10.97	1.28	0.32	26.49	1.36	0.40
ORIG B(2°)CHGS.	1.58	0.42	0.03	-2.21	0.28	-0.02	-6.00	0.47	-0.05	-11.05	0.38	-0.04
ORIG C(3°)CHGS.	0.09	0.01	0.00	3.19	0.18	0.01	6.29	0.22	0.01	18.62	0.29	0.02
ORIG.MISD.CHGS.	8.97	0.63	0.01	-7.50	0.25	-0.01	-23.98	0.50	-0.02	-77.48	0.72	-0.03
CHG. RED. BARG.	-10.88	1.89	-0.09	-24.20	2.01	-0.13	-37.53	1.95	-0.15	-82.20	1.88	-0.17
COUNT RED.BARG.	-6.75	0.95	-0.06	-18.38	1.33	-0.10	-30.48	1.39	-0.12	-79.22	1.59	-0.16
COURT TRIAL	-6.75	0.56	-0.01	-34.22	1.36	-0.03	-61.69	1.54	-0.04	-130.34	1.44	-0.05
JURY TRIAL	-3.91	0.35	-0.01	-14.75	0.63	-0.15	-25.59	0.69	-0.02	-60.12	0.71	-0.22
MO.FIN.DISPO.	0.37	1.01	0.45	0.85	1.10	0.62	1.32	1.08	0.69	2.83	1.02	0.77
Constant	-3.16	0.17		15.95	0.41		35.05	0.56		92.98	0.66	
R ²		0.42			0.47			0.47			0.46	
Due to Multicollin		0.17			0.16			0.13			0.09	
Due to Regressors		0.25			0.31			0.34			0.37	
Adj. R ²		0.13			0.20			0.21			0.18	
Standard Error		13.24			27.70			44.17			100.24	
F statistic (D.F.)		1.44 (21,41)			1.72 (21,41)			1.77 (21,41)			1.65 (21,41)	

Table E.21

THE DETERMINANTS OF SENTENCE SEVERITY FOR ROBBERY CONVICTEES:
DADE COUNTY, 1975
(Multivariate regression equation results,
ordinary least squares estimation)

Variable	Sentence Severity Index											
	A			B			C			D		
	Coef	T	η	Coef	T	η	Coef	T	η	Coef	T	η
COM.TIES INDEX	-0.17	0.37	-0.00	0.58	0.67	0.00	1.33	0.94	0.00	5.65	1.52	0.00
AGE	4.87	2.77	0.41	8.13	2.42	0.53	11.40	2.10	0.61	14.49	1.01	0.44
BLACK	5.64	2.16	0.18	9.67	1.93	0.24	13.69	1.69	0.27	30.91	1.45	0.35
OTHER MINORITY	10.23	1.46	0.01	21.61	1.61	0.02	32.98	1.52	0.03	70.37	1.23	0.04
MIN.P.R.	-7.43	2.83	-0.11	-11.73	2.34	-0.14	-16.04	1.98	-0.15	-31.37	1.46	-0.17
MAJ.P.R.	-3.14	0.93	-0.02	-10.98	1.70	-0.05	-18.83	1.81	-0.08	-22.78	0.83	-0.05
PRIS.P.R.	-4.95	1.16	-0.02	-2.23	0.27	-0.01	0.49	0.04	0.00	70.15	2.00	0.09
JAIL CUSTODY	8.08	2.14	0.36	14.28	1.98	0.48	20.49	1.75	0.57	42.22	1.37	0.66
BAIL	0.90	0.09	0.65	8.19	0.42	0.00	15.48	0.49	0.01	-9.59	0.12	-0.00
O.R.	3.51	0.39	0.00	2.44	0.14	0.01	1.37	0.05	0.00	10.93	0.15	0.00
CT.APP.COUN.	0.34	0.06	0.00	-2.02	0.19	-0.00	-4.37	0.25	-0.01	12.80	0.28	0.01
DEF.RET.COUN.	13.39	3.34	0.07	21.69	2.82	0.08	30.00	2.41	1.00	69.51	2.12	0.12
ORIG A(1°)CHGS	0.18	0.05	0.01	-13.68	2.10	-0.58	-27.54	2.62	-0.95	-70.43	2.53	-1.37
ORIG B(2°)CHGS	3.42	2.04	0.08	8.44	2.63	0.15	13.46	2.60	0.19	22.41	1.64	0.18
ORIG C(3°)CHGS	0.87	0.27	0.00	-4.66	0.75	-0.02	-10.19	1.02	-0.03	-39.98	1.51	-0.07
ORIG MISD.CHGS	0			0			0			0		
CHG.RED.BARG.	-3.19	1.07	-0.03	2.90	0.51	0.02	8.99	0.98	0.05	19.51	0.80	0.06
COUNT RED.BARG.	-1.11	0.35	-0.01	-8.25	1.34	-0.06	-15.38	1.55	-1.00	-39.43	1.50	-0.14
COURT TRIAL	5.17	0.86	0.01	-2.63	0.23	-0.00	-10.42	-0.56	-0.01	-20.94	0.42	-0.01
JURY TRIAL	0			0			0			0		
MO.FIN.DISPO.	0.01	0.06	0.02	-0.24	0.74	-0.31	-0.49	0.93	-0.52	-1.09	0.78	-0.64
Constant	0.72	1.00		16.58	1.17		32.44	1.41		85.64	1.41	
R ²	0.59			0.56			0.54			0.48		
Due to Multi-collinearity	0.19			0.12			0.08			0.08		
Due to Regressors	0.40			0.44			0.45			0.40		
Adj. R ²	0.43			0.39			0.36			0.28		
Standard Error	7.88			15.09			24.40			64.47		
F statistic (D.F.)	3.65(19,49)			3.32(19,49)			2.99(19,49)			2.37(19,49)		

Table E.22

THE DETERMINANTS OF CASE DURATION FOR ROBBERIES, BURGLARIES, ALL FELONIES:
 MULTNOMAH COUNTY, 1973^a
 (Multivariate regression equation results,
 ordinary least squares estimation)

Variable	Robberies			Burglaries			Variable	All Felonies		
	Coef	T	n	Coef	T	n		Coef	T	n
COM. TIES INDEX	-0.32	0.10	-0.00	-0.66	0.16	-0.00	PUB.DEFDR.	-24.33	2.07	-0.36
AGE	18.77	1.54	0.54	-8.19	0.75	-0.26	NO.DEFS.			
BLACK	7.51	0.48	0.02	23.07	1.09	0.05	PROP. OFF.	-15.51	1.09	-0.20
OTHER MINORITY	5.11	0.17	0.00	8.02	0.11	0.00	DRUG OFF.	-9.96	0.60	-0.08
MIN. P.R.	-23.44	1.27	-0.06	16.60	0.82	0.06	OTHER OFF.	-35.33	0.70	-0.01
MAJ. P.R.	-7.57	0.46	-0.03	3.67	0.16	0.01	JAIL CUST.	-13.34	0.35	-0.06
PRIS. P.R.	0.42	0.02	0.00	14.09	0.58	0.03	BAIL(60.R.)	0.19	0.01	0.00
JAIL CUSTODY	58.95	1.77	0.57	-36.18	1.31	-0.27	CHG.RED.BAR.	-8.19	-0.54	-0.07
BAIL	41.11	1.13	0.09	-35.00	0.87	-0.04	COURT TRIAL	-19.24	0.68	-0.04
O.R.	47.97	1.55	0.19	-20.72	0.66	-0.17	JURY TRIAL	-5.68	0.20	-0.01
CT.APP.COUN.	45.11	3.29	0.20	-0.87	0.04	-0.00	DIS&TRI.ACQ.	-10.94	0.39	-0.14
DEF.RET.COUN.	57.62	2.87	0.14	27.94	1.70	0.15	MO.FIN.DISP.	3.25	3.41	1.32
ORIG A(1°)CHGS.	-6.19	0.67	-0.14	-13.92	0.50	-0.28				
ORIG B(2°)CHGS.	0.14	0.01	0.00	22.44	0.94	0.03				
ORIG C(3°)CHGS.	-39.64	1.93	-0.05	52.69	1.73	0.05				
ORIG MISD.CHGS.	-4.03	0.11	-0.00	-33.16	1.14	-0.04				
CHG.RED.BARG.	16.82	0.79	0.07	-25.94	1.29	-0.19				
COUNT RED.BARG.	58.44	1.81	0.08	20.20	0.51	0.04				
SENT.BARG.	-11.77	-0.43	-0.02	-22.54	0.97	-0.06				
DROP OTH.CASE BARG	15.67	0.80	0.06	-20.13	1.04	-0.11				
COURT TRIAL	-26.30	0.99	-0.03	-42.54	1.46	-0.05				
JURY TRIAL	-9.95	0.38	-0.01	-42.52	1.31	-0.04				
DISM.& TRI.ACQ.	-6.72	0.34	-0.06	-54.33	2.51	-0.26				
MO.FIN.DISPO.	3.91	2.77	1.07	6.45	3.76	1.80				
Constant	-100.87	1.98		29.42	0.54		Constant	26.81	0.63	
R ²		0.48			0.40		R ²		0.24	
Due to Multicollin.		0.01			0.00		Due to Multicollin.		0.01	
Due to Regressors		0.47			0.40		Due to Regressors		0.22	
Adj. R ²		0.26			0.17		Adj. R ²		0.10	
Standard Error		46.71			58.27		Standard Error		47.64	
F statistic (D.F.)		2.22 (24,58)			1.77 (24,63)		F statistic (D.F.)		1.72 (12,67)	

^aElapsed time from arraignment to final disposition.

Table E.23

THE DETERMINANTS OF CASE DURATION FOR ROBBERIES, BURGLARIES, ALL FELONIES:
 MULTNOMAH COUNTY, 1974^a
 (Multivariate regression equation results,
 ordinary least squares estimation)

Variable	Robberies			Burglaries			Variable	All Felonies		
	Coef	T	n	Coef	T	n		Coef	T	n
COM.TIES INDEX	0.24	0.08	-0.00	-1.80	0.58	-0.00	PUB. DEFDR.	-23.05	1.91	-0.17
AGE	16.25	1.84	0.75	-3.31	0.31	-0.13	NO. DEFS.			
BLACK	5.08	0.23	0.01	0.17	0.01	0.00	PROP. OFF.	4.07	0.27	0.03
OTHER MINORITY	-12.73	0.38	-0.01	-9.26	0.17	-0.00	DRUG OFF.	4.33	0.28	0.04
MIN.P.R.	-3.22	0.23	-0.01	-38.61	1.99	-0.08	OTHER OFF.	24.85	0.65	0.01
MAJ.P.R.	-8.66	0.50	-0.02	2.62	0.18	0.01	JAIL CUST.	-18.12	0.37	-0.12
PRIS.P.R.	-16.71	0.99	-0.08	-19.71	0.97	-0.06	BAIL(&O.R.)	-15.30	0.34	-0.26
JAIL CUSTODY	20.40	1.28	0.30	18.16	0.88	0.15	CHG.RED.BARG.	-30.76	1.98	-0.24
BAIL	19.82	0.84	0.04	6.71	0.26	0.02	COURT TRIAL	28.67	0.95	0.06
O.R.	41.06	2.13	0.19	16.67	0.87	0.18	JURY TRIAL	173.98	1.82	0.05
CT.APP.COUN.	-7.14	0.66	-0.06	-2.08	0.17	-0.02	DIS.&TRI.ACQ.	-103.47	2.08	-0.96
DEF.RET.COUN.	-15.02	0.74	-0.03	-13.71	0.75	-0.04	MO.FIN.DISP.	2.20	3.62	1.27
ORIG A(1°)CHGS.	9.51	0.63	0.24	11.72	0.47	0.29				
ORIG B(2°)CHGS.	8.31	0.19	0.01	24.57	1.01	0.01				
ORIG C(3°)CHGS.	40.93	1.30	0.04	10.48	0.40	0.02				
ORIG MISD.CHGS.	0			-39.26	1.31	-0.03				
CHG.RED.BARG.	29.62	1.27	0.04	-2.63	0.18	-0.01				
COUNT RED.BARG.	55.14	0.98	0.03	114.28	2.46	0.07				
SENT.BARG.	2.16	0.11	0.00	0.12	0.01	0.00				
DROP OTH.CASE BARG.	-2.94	0.20	-0.01	-24.91	1.51	-0.13				
COURT TRIAL	34.18	1.92	1.00	8.92	0.33	0.01				
JURY TRIAL	32.86	1.92	0.12	48.50	2.46	0.10				
DISM.& TRI.ACQ.	-46.19	3.35	-0.26	-27.25	1.68	-0.13				
MO.FIN.DISPO.	1.00	1.63	0.60	2.07	3.33	1.28				
Constant	-40.15	1.42		-20.35	0.51		Constant	95.75	1.42	
R ²		0.53			0.42		R ²		0.29	
Due to Multicollin.		0.18			0.01		Due to Multicollin.		0.08	
Due to Regressors		0.35			0.40		Due to Regressors		0.37	
Adj. R ²		0.33			0.17		Adj. R ²		0.16	
Standard Error		39.07			43.75		Standard Error		46.49	
F statistic (D.F.)		2.67 (23,54)			1.69 (24,57)		F statistic (D.F.)		2.24 (12,65)	

^aElapsed time from arraignment to final disposition.

Table E.24

THE DETERMINANTS OF CASE DURATION FOR ROBBERIES, B&E OFFENSES, ALL FELONIES:
DADE COUNTY, 1974^a
(Multivariate regression equation results,
ordinary least squares estimation)

Variable	Robberies			B&E Offenses			Variable	All Felonies		
	Coef	T	η	Coef	T	η		Coef	T	η
COM. TIES INDEX	10.53	2.16	0.00	-3.97	0.96	-0.00	PUB. DEFDR.	5.72	0.32	0.04
AGE	-32.18	2.61	-0.49	11.99	0.91	0.26	NO. DEFS.	1.61	0.09	0.01
BLACK	2.58	0.13	0.02	46.73	2.33	0.29	PROP. OFF.	-18.81	1.07	-1.00
OTHER MINORITY	37.57	1.06	0.03	61.18	2.14	0.10	DRUG OFF.	-20.55	0.92	-0.04
MIN. P.R.	-13.82	0.81	-0.03	3.63	0.15	0.01	OTHER OFF.	-130.08	1.80	-0.02
MAJ. P.R.	14.58	0.56	0.02	32.20	1.29	0.07	JAIL CUST.	19.22	0.63	-0.04
PRIS. P.R.	18.91	0.60	0.01	4.00	0.11	0.00	BAIL(&G.R.)	-1.37	0.05	-0.01
JAIL CUSTODY	39.63	1.15	0.30	-65.80	1.99	-0.20	CHG.RED.BAR.	-27.48	1.06	-0.03
BAIL	111.77	2.77	0.09	-58.35	1.83	-0.38	COURT TRIAL	30.46	0.93	0.02
O.R.	25.05	0.39	0.00	-18.85	0.52	-0.04	JURY TRIAL	22.95	0.66	0.02
CT.APP.COUN.	12.60	0.36	0.01	18.57	0.31	0.00	DIS.STRI.ACQ.	-20.32	0.68	-0.07
DEF.RET.COUN.	-2.63	0.09	-0.00	45.45	1.81	0.10	MO.FIN.DISP.	6.19	6.07	1.47
ORIG A(1°)CHGS.	13.29	1.10	0.14	-10.75	0.27	-0.00				
ORIG B(2°)CHGS.	10.52	0.73	0.03	-2.56	0.15	-0.03				
ORIG C(3°)CHGS.	20.17	0.72	0.02	1.90	0.14	0.02				
ORIG MISD.CHGS.	-102.27	1.76	-0.02	0.58	0.03	0.00				
CHG.RED.BARG.	-12.71	0.49	-0.01	30.95	0.94	0.03				
COUNT RED.BARG.	-46.96	1.63	-0.05	-4.23	0.16	-0.01				
COURT TRIAL	10.01	0.34	0.01	37.43	1.16	0.04				
JURY TRIAL	15.54	0.62	0.02	33.95	0.69	0.01				
DISM.& TRIAL ACQ.	-39.02	1.89	-0.11	31.07	1.34	0.09				
MO. FIN. DISPO.	5.85	5.75	1.14	5.93	5.00	1.56				
Constant	-12.54	0.24		-73.11	1.41		Constant	-23.73	0.51	
R ²	0.64			0.41			R ²	0.45		
Due to Multicollin.	0.28			0.04			Due to Multicollin.	0.13		
Due to Regressors	0.36			0.46			Due to Regressors	0.32		
Adj. R ²	0.52			0.24			Adj. R ²	0.37		
Standard Error	64.83			78.63			Standard Error	69.98		
F statistic (D.F.)	5.59 (22,70)			2.32 (22,72)			F statistic (D.F.)	5.40 (12,79)		

^aElapsed time from arraignment to final disposition.

Table E.25

THE DETERMINANTS OF CASE DURATION^a FOR ROBBERIES AND B&E OFFENSES
DADE COUNTY, 1975 ★
(Multivariate regression equation results,
ordinary least squares estimation)

Variable	Robberies			B&E Offenses		
	Coef	T	n	Coef	T	n
COM. TIES INDEX	3.34	2.24	0.00	-0.22	0.09	0.00
AGE	6.38	1.13	0.17	-2.78	0.34	-0.09
BLACK	-6.18	0.81	-0.06	9.60	0.87	0.09
OTHER MINORITY	0.78	0.05	0.00	12.19	0.65	0.02
MIN. P.R.	-5.04	0.60	-0.02	18.70	1.55	0.08
MAJ. P.R.	18.75	1.96	0.04	-6.08	0.44	-0.02
PRIS. P.R.	-3.62	0.23	-0.00	25.88	1.28	0.04
JAIL CUSTODY	17.78	1.50	0.23	15.71	0.77	0.10
BAIL	-1.68	0.06	-0.00	42.22	2.16	0.27
O.R.	44.52	1.38	0.01	60.78	2.82	0.20
CT. APP. COUN.	10.82	0.60	0.01	106.08	3.68	0.06
DEF. RET. COUN.	-22.51	2.10	-0.04	-10.59	0.52	-0.01
ORIG A(1°)CHGS.	-28.42	3.00	-0.48	-19.80	0.57	-0.01
ORIG B(2°)CHGS.	2.16	0.40	0.02	7.63	0.72	0.11
ORIG C(3°)CHGS.	-18.50	1.68	-0.03	0.93	0.13	0.02
ORIG MISD.CHGS.	-97.33	2.44	-0.02	-5.01	0.37	-0.02
CHG. RED. BARG.	-0.32	0.03	-0.00	-16.58	0.74	-0.02
COUNT RED.BARG.	-0.57	0.51	-0.00	15.62	1.29	0.07
COURT TRIAL	20.70	1.41	0.02	6.45	0.22	0.00
JURY TRIAL	100.51	4.19	0.05	0		
MO. FIN. DISPO.	1.88	4.96	0.89	2.64	3.70	1.54
DISM. & TRI.ACQ.	-9.93	1.07	-0.04	34.15	1.99	0.07
Constant	17.85	0.89		-86.18	2.22	
R ²		0.58			0.46	
Due to Multicollin.		0.07			0.02	
Due to Regressors		0.50			0.45	
Adj. R ²		0.44			0.30	
Standard Error		29.13			44.11	
F statistic (D.F.)		4.37 (22,71)			2.90 (21,70)	

^aElapsed time from arraignment to final disposition.

^bBecause of the biases resulting from the time truncation in the sample of 1975 cases, we could estimate no regression equation for ALL FELONIES in that period.

where P_1 = proportion for the first sample
 P_2 = proportion for the second sample
 N_1 = size of the first sample
 N_2 = size of the second sample

$$p' = \frac{P_1 N_1 + P_2 N_2}{N_1 + N_2}$$

$$q' = 1 - p'$$

In performing statistical tests of the difference between two means, we used the standard formula:

$$T = \frac{\mu_1 - \mu_2}{(\sigma^2_1/N_1) + (\sigma^2_2/N_2)}$$

where μ_1 = mean for the first sample
 μ_2 = mean for the second sample
 σ_1 = standard deviation of the first sample
 σ_2 = standard deviation of the second sample
 N_1 = size of the first sample
 N_2 = size of the second sample

T statistics were evaluated at the 95 percent level of confidence. Tests of differences between proportions or between means were applied to all year-to-year comparisons and sometimes to other comparisons such as prior record classes within a given year or race/ethnic classes within a given year or to jurisdiction comparisons (e.g., proportion of robbery defendants obtaining pretrial dismissal) within a given year.

Appendix F
DESCRIPTION OF SURVEY PROCEDURES FOR THE MAIL
QUESTIONNAIRES

Sandra Berry

SAMPLE SELECTION

The samples of witnesses, victims, and jurors were collected in the two jurisdictions by research assistants who were also abstracting case files for another part of the study. The aim of the sample selection process was to obtain the names, addresses, and telephone numbers of target groups for the most recent closed adult felony cases which were available. No attempt was made to control for the types of offenses involved, so the types of offenses which appeared in the samples may be slightly biased toward cases which have rapid dispositions through shorter trials and higher plea rates. The data were collected from local files in the form of raw lists which were edited, cleaned, and processed at Rand. Most of the names and addresses were associated with cases which were closed in 1975. The oldest lists were of cases closed in March 1974, making the cases 19 months old at the time of the survey. To complicate matters further, the closing of a case probably occurred at least several months after the actual (or alleged) crime was committed. Characteristics of the individual sample lists are described below.

Dade County

- 206 witness names and addresses were collected from case files in the office of the circuit court clerk. Cases were closed in the months of March and April 1975.
- 200 victim names and addresses were collected from case files in the office of the circuit court clerk. Cases were closed in the months of March and April 1975.
- 206 juror names and addresses were collected from payroll records in the office of the circuit court clerk. The jurors served during the month of June 1975.

Multnomah County

- 217 witness names and addresses were collected from case files in the office of the district attorney. Cases were closed in the months of March through August 1974.
- 214 victim names and addresses were collected from case files in the office of the district attorney. Cases were closed in the months of March through August 1974.
- 247 juror names and addresses were collected from the office of the court administrator. The jurors served during the month of June 1975.

Preparation of Sample Lists

The sample lists required a good deal of editing and cleaning in order to prepare them for use. Zip codes for five of the sample lists were found from zip code directories and calls to the post office to verify zip codes which were unclear in the directories. Local telephone books were obtained to fill in telephone numbers for all Dade County jurors and to fill in gaps in the other lists. Over 400 telephone numbers were obtained from directories and calls to information.

In addition, the sample lists were edited to delete duplicated names where names appeared on more than one list and where more than one member of a household appeared on a list. In these cases, all but the first name on the list was deleted. A total of 70 names were excluded for these reasons. A case number was assigned to each remaining name and address. The edited names, addresses, and case numbers were typed on sheets of Avery (sticky back) labels. Copies of these sheets were xeroxed onto Avery labels for use on envelopes, questionnaires, and record-keeping materials.

Since a considerable portion of the population of Dade County is Spanish-speaking, a special effort was made to identify these individuals on the victim and witness lists.¹ This was done through inspection of the names and addresses by a person familiar with the city of Miami and its Cuban population. A total of 75 cases were designated as "probably Spanish" and received special materials, described below.

Record System

Records of the study were kept by a manual system using card files. Special cards were designed (see App. G) which provided space for recording the progress of each sample case. One side was used for recording the mailings and results of mailings and the reverse side was used to record the results of follow-up phone contacts. A different color card was used for each group and matched the color of the questionnaire for that group.

A card was prepared for each name and address in the sample by attaching a label with name, address, and case number to both sides of the card and recording any additional information that was available from the sample lists (e.g., type of crime, telephone number).

Mailing dates were recorded on the cards as questionnaires were sent out. As returns were received,² cases were sorted by return status, in preparation for the next mailing or phone effort. All information about the progress of the case was recorded on the front of its card.

Cases which had no post office return and for which no questionnaire had been received were pulled for telephone contacts. Dates, times, and results of these contacts were recorded on the cards.

DESCRIPTION OF SURVEY MATERIALS

The materials prepared for this study included questionnaires, letters to respondents, reminder cards, other notices, and envelopes.

¹ We assumed that jurors would have a reasonable facility with English in order to be jurors.

² The logging of returns was handled by Rand's Survey Data Preparation Group.

Questionnaires

Three main types of questionnaires were produced: one each for witnesses, victims, and jurors. Two versions (one for each site) of each main type of questionnaire were produced, the difference being the date of the case in which the respondent was involved. Each of the six questionnaires was printed on a different color stock. Spanish versions were prepared of the Dade County witness and victim questionnaires.

The questionnaires were designed to be as simple and visually appealing as possible. The instructions were short and questions could be answered quickly with a check in a box or by writing a number. Skips from question to question were kept to a minimum. The questionnaire was broken into short sections which were titled and numbered sequentially within each section to reduce the appearance of length. Precolumnning and other keypunch instructions were as unobtrusive as possible.

Dade County victim and witness materials were translated into Spanish by a Rand employee who had grown up in the Cuban section of Miami. The procedure was translation into Spanish by the main translator, translation back into English by a second translator, and a meeting between both translators and the designer of the questionnaire to resolve discrepancies.

Each interview was identified by a label on the last page which showed the respondent's name, address, and case number. This appeared quite natural in the context of the interview since the respondent was offered a copy of the results of the study and was asked to be sure his name and address were correct. The case number was also recorded in pencil on the inner left margin of one page so that interviews from respondents who removed the label could be associated with the proper case. Several respondents did remove the labels, but were easily matched to their questionnaires.

Cover Letters

Cover letters to respondents explaining the study and requesting their participation were prepared by Rand and signed by the Presiding Judge of the Multnomah County Circuit Court and the Administrative Judge of the Criminal Division of the Dade County Circuit Court. A slightly different letter was produced to go with each questionnaire. These letters were printed on the letterhead of the signer and were included in the first mailing of the questionnaire. A Spanish translation of the letter was supplied.

The letters emphasized the importance of each individual's reply to the overall success of the study. The salutation, "Dear Fellow Citizen," and the general wording of the letter were designed to appeal to civic pride. The confidentiality of the interviews was discussed and the respondent was offered a copy of the final report.

Postcard

A single postcard was prepared to encourage respondents to complete and mail their questionnaires. A postage meter was used for postcards.

Special Notices

Special notices of two kinds were devised. The first informed witness and victim

respondents in Dade County who had not been identified as Spanish surname that a Spanish version of the questionnaire was available if they wished to use it. We had no requests for a Spanish version as a result of this notice. The second notice was sent with the second wave of questionnaires encouraging respondents to complete and return them.

Envelopes

Two kinds of envelopes were printed specially for this study for use as outer mailers and as return envelopes. Outer envelopes were 9½ by 12½ on manila stock and bore The Rand Corporation's return address and the words "Contains important opinion survey about your County Circuit Court." The return envelopes were 9½ by 12½ on manila stock and had The Rand Corporation as mailing and return address. They were printed with "Opinion survey reply." Postage stamps were used for both envelopes and they were sent by first class mail.

CONTACT STRATEGY

The first part of the survey effort consisted of an initial mailing of the questionnaire with a cover letter from the local judge and a stamped return envelope. In Miami, special procedures were instituted to handle the Spanish-speaking portion of the sample. Sample cases of victims and witnesses who were identified as "probably Spanish" were sent both English and Spanish versions of the questionnaire with a notice asking them to fill in and return the one they found easier to use. Cases not identified as Spanish surname were sent the notice indicating that a Spanish version of the questionnaire was available on request.

Several days after the first mailing all respondents were sent a postcard urging them to fill out and return the survey. About two weeks after the initial mailing a second questionnaire was sent to respondents who had not returned their first questionnaires. This package was the same as the first except that the reminder notice was substituted for the letter from the judge.

Two days after the second questionnaire was sent, phone calls were begun to encourage respondents to return the surveys as soon as possible. Calls were timed to occur just before the second questionnaire arrived or while it was still in hand, and were completed within four working days. Up to four call-backs at different times of day were made to speak with the respondent or an acceptable member of the household.

Tracking and Locating Respondents

An important part of the mail and phone effort was locating respondents for whom we had received incorrect or out-of-date addresses. Questionnaires were frequently returned by the post office as undeliverable, indicating that the respondent had moved and left no forwarding address. Phone numbers obtained from the sample lists and from local phone books were used to trace the respondent. Sixty-four addresses were updated in this manner and new questionnaires were sent.

More missing respondents were discovered in the course of reminder phone calls. The mail survey had apparently been delivered, but the respondent was not

at that address.³ Any updated addresses obtained at this stage were used to send new questionnaires. Forty-eight addresses were recovered in this fashion.

The post office frequently notified us that they had corrected the address (per our request) and had forwarded the questionnaire. Updates were then made to our records.

OVERALL RESPONSE

The overall survey response rate of 72 percent⁴ is considered to be good⁵ for a mail survey. (See Table F.1 for complete response rates.) Response rates differed sharply, however, between groups. Response to the survey was closely associated with the type of respondent, with 85 percent for Dade jurors, 86 percent for Multnomah jurors, 62 percent for Dade witnesses, 70 percent for Multnomah witnesses, 58 percent for Dade victims, and 66 percent for Multnomah victims.

Response rates were slightly higher for Multnomah County than for Dade County, in spite of the fact that the Multnomah lists for witnesses and victims were nearly a year older than the Dade lists. The difference in age of lists showed more prominently in the number of post office returns than in response rates—74 returns from Multnomah County and only 49 returns from Dade County. Jurors showed fewer post office returns than witnesses or victims. For both sites, only two juror questionnaires were returned as opposed to 66 witness questionnaires and 55 victim questionnaires. This is partially due to the fact that juror lists were very recent—compiled only three months prior to the survey.

The response to the Spanish-surname mailing for Dade County was very good. Sixty-three percent of the witnesses and 83 percent of the victims designated as Spanish surname completed and returned survey instruments.

It is difficult to suggest an explanation for the difference in group response rates based on those respondents' background characteristics that we had anticipated would be relevant prior to the surveys. While the results conformed to our expectations about the suitability of mail surveys for these populations, examination of background variables does not explain why. The differences between groups are not strong, however, jurors were more likely to be older than witnesses or victims and more likely to be married. They were less likely to be fully employed. There were no significant differences in education or in their overall socioeconomic status.

These findings do conform to our picture of jurors as stable, retired people with more leisure to fill out questionnaires; however, we feel that the explanation for differences in response rates between groups lies in other areas, such as satisfaction with court experiences, and not socioeconomic characteristics.

³ It was a previous address and present residents knew the respondent or it was a mailing address only.

⁴ Calculated as

$$\frac{\text{Number of nonblank questionnaires received}}{\text{Number of questionnaires mailed} - \text{Number of post office returns}}$$

⁵ Dillman and Frey consider 75 percent to be a high response rate. Dillman and Christenson believe that mail survey response rates typically do not exceed 50 percent. (D. A. Dillman and J. A. Christenson, "Increasing Mail Questionnaire Response: A Four State Comparison," *American Sociological Review*, Vol. 39, October 1974, pp. 744-756; and D. A. Dillman and J. H. Frey, "Contribution of Personalization to Mail Questionnaire Response as an Element of a Previously Tested Method," *Journal of Applied Psychology*, Vol. 59, 1974, pp. 297-301.)

Table F.1

MAIL SURVEY RESPONSES, BY GROUP AND SITE

GROUP	SITE	NUMBER OF SURVEYS MAILED*	NUMBER OF POST OFFICE RETURNS**	NUMBER OF NON-BLANK SURVEYS RECEIVED	RESPONSE RATE
JURORS	DADE	206	-	176	.85
	MULTNOMAH	210	2	178	.86
	SUB-TOTAL	416	2	353	.85
VICTIMS	DADE	199	21	104	.58
	MULTNOMAH	201	34	110	.66
	SUB-TOTAL	400	55	214	.62
WITNESSES	DADE	199	28	106	.62
	MULTNOMAH	207	38	118	.70
	SUB-TOTAL	406	66	224	.66
TOTAL		1221	123	792	.72

* After editing sample lists.

** For which addresses were not recovered by phone.

EFFECTS OF FOLLOW-UP PROCEDURES

The follow-up procedures used in the study appear to have been successful in stimulating additional response. While the effect of the postcard cannot be observed, since it was mailed so soon after the first questionnaire that the response effects cannot be separated, the second mailing combined with the phone call does appear to have stimulated additional response.

About 14 days after the initial mailings, response for all groups began to stabilize. At that point, when the second wave of questionnaires was mailed, we had received about 70 percent of the juror questionnaires, about 58 percent of the Multnomah witness and victim questionnaires, and about 39 percent of the Dade witness and victim questionnaires. Within another two weeks, which included the telephone contacts, we received nearly all of the rest of the completed questionnaires, however, we did not close the survey for another two weeks, or until six weeks after the first mailing. Table F.2 indicates the returns during the three two-week periods.

Telephone Follow-Up Results

Fifty percent of the potential respondents⁶ were telephoned because they had

⁶ Defined as cases for which questionnaires were mailed and were not returned by the post office.

Table F.2

CUMULATIVE RESPONSE BY TWO-WEEK PERIOD, BY GROUP AND SITE

GROUP	SITE	PERIOD 1		PERIOD 2		PERIOD 3	
		SURVEYS RECEIVED	PERCENT OF RESPONSE	SURVEYS RECEIVED	PERCENT OF RESPONSE	SURVEYS RECEIVED	PERCENT OF RESPONSE
JURORS	DADE	119	.68	50	.96	7	1.00
		132	.74	44	.99	1	1.00
VICTIMS	DADE	41	.39	49	.86	14	1.00
		59	.54	38	.88	13	1.00
WITNESSES	DADE	42	.40	59	.95	5	1.00
		73	.62	45	1.00	-	1.00
TOTAL		466	.59	285	.95	40	1.00

not returned a questionnaire within 17 to 22 days after the first mailing. Of those who were phoned, 41 percent eventually returned completed questionnaires, constituting about 30 percent of all the completed cases. Again, this pattern differed fairly sharply by group and site. The lowest percentage of calls was required for jurors—32 percent for Multnomah County and 25 percent for Dade County and, similarly, the highest percentages of those called eventually returned completed questionnaires—60 percent for Multnomah County and 55 percent for Dade County. Witnesses and victims required calls in 61 to 67 percent of the cases and 36 to 38 percent of these calls yielded completed questionnaires (see Table F.3).

In the absence of a controlled experiment to isolate the effects of telephone calls, it is difficult to assess their impact. This is unfortunate because they were expensive, both in labor and in long-distance charges. However, we can make some assessment of their value by looking at responses to the phone calls as recorded by the phone interviewers.

About 18 percent of the people we called who returned completed surveys reported that their interviews were already in the mail (see Table F.4). Presumably the call had little or no effect on these cases. About 39 percent of the people we called who returned questionnaires reported that they "would return" or "might return" the survey; the call probably had an encouraging effect on at least some portion of these respondents. About 14 percent of people we called who returned surveys were reached through a new address obtained by phone or were provided with a replacement questionnaire as a result of a request by phone. These cases can be counted as "saved" because of the phone call.

Overall, examining cases which had completed interviews (see Table F.5), 29 percent were telephoned. Five percent were apparently not affected by the telephone call, because their interviews were already in the mail. Another 8 percent of the completed cases were probably unaffected by the phone call because we made no

Table F.3

PHONE CALLS AND SURVEY RESPONSE, BY GROUP AND SITE

GROUP	SITE	POTENTIAL* RESPONDENTS	NUMBER PHONED	PERCENT PHONED	NUMBER** COMPLETE	PERCENT*** COMPLETE
JUROR	DADE	206	51	.25	28	.55
	MULTINOMAH	207	68	.32	41	.60
	SUB-TOTAL	413	119	.29	69	.58
VICTIM	DADE	174	106	.61	38	.36
	MULTINOMAH	164	110	.67	41	.37
	SUB-TOTAL	338	216	.64	79	.37
WITNESS	DADE	170	106	.62	38	.36
	MULTINOMAH	177	110	.62	42	.38
	SUB-TOTAL	347	216	.62	80	.37
TOTAL		1098	551	.50	228	.41

* All mailed surveys not returned by the post office.

** Number of cases which were phoned and resulted in completion.

*** Percent of phoned cases which resulted in completion.

Table F.4

RESPONSE OF COMPLETED CASES TO PHONE CONTACT, BY GROUP AND SITE

GROUP	SITE	CASES PHONED	NO CONTACT		NO EFFECT		POSSIBLE EFFECT		DEFINITE EFFECT	
			NUMBER	PERCENT OF CALLS	NUMBER	PERCENT OF CALLS	NUMBER	PERCENT OF CALLS	NUMBER	PERCENT OF CALLS
JURORS	DADE	28	8	29	5	18	13	46	2	7
	MULTNOMAH	41	9	22	9	22	18	44	5	12
	SUB-TOTAL	69	17	25	14	20	31	45	7	10
VICTIMS	DADE	38	11	29	8	21	17	45	2	5
	MULTNOMAH	41	12	29	5	12	13	32	11	27
	SUB-TOTAL	79	23	29	13	16	30	38	13	16
WITNESSES	DADE	38	11	29	8	21	15	39	4	11
	MULTNOMAH	42	16	38	5	17	13	36	8	19
	SUB-TOTAL	80	27	34	13	16	28	35	12	15
TOTAL		228	67	29	40	18	89	39	32	14

Table F.5
COMPLETED CASES, PHONE CONTACTS, AND RESPONSE TO PHONE CONTACT,
BY GROUP AND SITE

GROUP	SITE		CASES PHONED		SUCCESSFUL PHONE CONTACT						UNSUCCESSFUL CONTACT OR NO CONTACT*	
					NO EFFECT		POSSIBLE EFFECT		DEFINITE EFFECT			
			NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
JURORS	DADE	176	28	16	5	3	13	7	2	1	8	5
	MULTNOMAH	178	41	.23	9	5	18	10	5	3	9	5
	TOTAL	354	69	19	14	4	31	9	7	2	17	5
VICTIMS	DADE	104	38	37	8	8	17	16	2	2	11	11
	MULTNOMAH	110	41	37	5	5	13	12	11	10	12	11
	TOTAL	214	79	37	13	6	30	14	13	6	23	11
WITNESSES	DADE	106	38	36	8	8	15	14	4	4	11	10
	MULTNOMAH	118	42	36	5	5	13	12	8	8	16	15
	TOTAL	224	80	36	13	6	28	13	12	9	27	12
TOTAL		792	228	29	40	5	89	11	32	4	67	8

* Includes respondents who were away, refused, etc.

satisfactory contact with the respondent (no one answered, the respondent refused, an answering service was reached, respondent was away for extended period, etc.). This means that about 84 percent of the completed cases were unaffected by the phone calls. Of the remaining 16 percent, 4 percent were definitely saved by the phone call—those who required new questionnaires because of loss or address change. Eleven percent were probably encouraged by the phone call, but the exact attribution of case completion to phone contact for this group cannot be directly established. In summary, an upper bound of 16 percent of the completions can be attributed to the telephone calls.

We made a maximum of four attempts to make a satisfactory contact at a given number. A "satisfactory contact" was defined as the respondent or some adult member of the household who knew what the survey was, acknowledged receipt of the questionnaire, and who indicated that they would see that the respondent received the message that we had called.⁷ In 38 percent of the cases we made a successful contact on the first attempt, 23 percent required two calls, 12 percent required three calls, and 13 percent required four calls. Fifteen percent were not reached at all (see Table F.6).

MANPOWER FOR THE MAIL SURVEYS

A total of 91.18 man days (including professional and support) were used for

⁷ Our experience indicated that continued attempts to reach the actual respondent resulted in hostility.

Table F.6

NUMBER OF CALLS REQUIRED TO COMPLETE PHONE CONTACT, BY GROUP AND SITE

GROUP	SITE	TOTAL CASES	FIRST CALL		SECOND CALL		THIRD CALL		FOURTH CALL		NO PHONE CONTACT IN 4 ATTEMPTS	
			#	%	#	%	#	%	#	%	#	%
JUROR	D	51	30	59	8	16	5	10	1	2	7	14
	M	66	22	33	17	26	9	14	13	20	6	9
	ST	117	52	44	25	21	14	12	14	12	13	11
VICTIM	D	92	27	29	22	24	11	12	10	11	22	24
	M	86	18	21	25	29	13	15	15	17	15	17
	ST	178	45	25	47	26	24	13	25	14	37	21
WITNESS	D	89	31	35	21	23	10	11	12	13	15	17
	M	93	53	57	17	18	7	8	9	10	7	8
	ST	182	84	46	38	21	17	9	21	12	22	12
TOTAL		477	181	38	110	23	55	12	60	13	72	15

preparing the sample, setting up and maintaining records, mailing surveys, translating the surveys into Spanish, and making phone calls. About 14 percent of that time was spent preparing the sample and typing mailing labels, 38 percent was spent setting up and maintaining records, 7 percent on Spanish translations and phone calls to Spanish-surname respondents, 18 percent on mailings (10 percent for the first mailing, 2 percent for the postcard, and 6 percent for the third mailing), and 23 percent on phone calls. This figure does *not* include time for survey design, drawing the original sample, or data processing.

In addition to manpower, expenses were incurred for postage, printing, and long-distance phone calls. Because these costs are hard to retrieve from the Rand accounting system (some are part of overhead), they are not discussed here.

EVALUATION OF SAMPLE PROCEDURES

The most serious problem we faced was the poor quality of sample information which was available at the sites. A critical factor in obtaining good response to these kinds of surveys is the completeness and timeliness of the information available in the sampling phase. The surveys should be administered as soon as possible after a case is closed so that the events are fresh in the respondents' minds and address information is as accurate as possible. It is important to have complete names, addresses, and telephone numbers, where available, even if expensive phone follow-up is not anticipated. Often local addresses which have changed can be picked up through a phone call at the point when the first mailing is returned by the post office as undeliverable.

Unfortunately, correct addresses for victims and witnesses are often difficult to obtain due to misinformation received and incomplete recording at the first encounter with law enforcement officials.⁸ Obviously transient addresses (e.g., c/o Avis Rent-a-Car) do not usually reach the intended respondents and are not suitable for such samples.

It is also important, we feel, to give the respondent a clear indication of which case the survey is about. While some witnesses are involved in one case in a lifetime, others (such as high school principals) may testify frequently. In this survey we could only provide an approximate date when the case was in progress and this vagueness may have confused the respondents. Better descriptions might be the name of the accused, the date of the alleged crime, the charges, or all of these facts where they are available as part of the public record.

Confidentiality

Many studies go to great lengths to separate respondents' home address information from the questionnaires in the hope that respondents will feel that their replies are "anonymous." We took the opposite tack in this study and made it explicit that names *were* attached to replies. This seemed advantageous for simplicity of survey operations and honesty with the respondents, since replies rarely are "anonymous" in any survey where follow-up is required.

The negative effect, if any, may have been reduced by our offer to send respondents a copy of the final report. This made the name and address label seem natural since it was attached to the last page of the survey with a request for address corrections. As stated earlier, few respondents removed the label before returning the questionnaire.

The Questionnaires

In preparing the mail surveys, we attempted to keep them short and to make them as attractive as possible. We also tried to make filling them in simple and easy. Most respondents seemed to be able to fill them in correctly, the major problem being confusion over skips. These invariably cause problems in self-administered surveys and should be eliminated, if at all possible.

Mail Procedures and Follow-Up

Due to time and cost constraints, we were not able to introduce much "personalization"⁹ of contact materials into this study. While "personalization" is generally regarded as desirable and important in improving response rates, it is also time-consuming and very expensive since it involves either sophisticated equipment or a great deal of hand labor. We relied, instead, on appeals to civic responsibility from local judges and thorough and persistent follow-up. With limited resources, we feel this is the best allocation of effort.

The extensive follow-up procedures we used proved workable, mainly because

⁸ Cannevale indicates that 23 percent of witnesses give false or misleading address information (Frank Cannevale, *Witness Cooperation*, Lexington Books, D. C. Heath, Lexington, Mass., 1976 (forthcoming)).

⁹ "Personalization" is often achieved by addressing materials by hand, typing the respondents' names on the cover letters, signing letters by hand, and so forth.

we had strong support from Rand's Survey Data Processing Group which logged in responses and transmitted them to survey personnel twice daily. This allowed continual updates of the contact cards as responses came in so that respondents who returned questionnaires could be dropped from follow-up lists.

The timing we employed for follow-up contacts was based on the notion that respondents receive a second contact within a few days of receiving a questionnaire encouraging them to fill it out. The first mailing was followed by a postcard and the second mailing was followed by a phone call. In both cases, we attempted the second contact while the questionnaire was still in hand, rather than waiting for a nonresponse to be apparent. This also helped to uncover post office errors and delays since respondents told us that they had not received the first mailing and we sent another.

Finally, we felt that the phone effort was worth its cost in terms of response. It appeared to produce significant improvement in response and was not very difficult to carry out, although it required a fair amount of time. We expect that local jurisdictions would be able to do it more easily and cheaply than we were since they would not have to deal with time differences across zones and long-distance dialing delays.

Overall Evaluation

We feel that mail surveys of lay participants can be successfully carried out by local jurisdictions using in-house resources or a local survey research subcontractor. While the procedures we used are not new or complicated, some professional advice would probably be required to plan and organize the operation.

The responses can be helpful in evaluating the impression that the criminal justice process is making on participants and can help to uncover problems which can be remedied. In addition, the fact that such surveys are done often helps to reinforce the idea that the courts are really interested in the public good.

BACKGROUND CHARACTERISTICS OF RESPONDENTS

The survey procedures yielded samples of witnesses, victims, and jurors in two sites. The background characteristics of these groups are discussed below.

Sex

The respondents were predominantly male. The percentages within groups, across sites were very close. An average of 53.6 percent of jurors were male, 60.2 percent of the victims were male, and 69.2 percent of the witnesses were male. (See Table F.7.)

Age

The ages of the respondents ranged from under 20 to over 80. As expected, jurors tended to be slightly older than witnesses or victims. Witnesses were older than victims. An average of 24.1 percent of jurors were over 60, while only 15.8 percent of the victims and 5.6 percent of the witnesses were over 60. Most of the respondents, about 56.8 percent averaged across all groups, were between 30 and 59 years old. (See Table F.8.)

Table F.7

SEX OF RESPONDENTS, BY GROUP AND SITE

GROUP	SITE	MALE		FEMALE		TOTAL	
		NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
JURORS	DADE	93	54	80	46	173	100
	MULTNOMAH	95	53	83	47	178	100
	SUBTOTAL	188	54	163	46	351	100
VICTIMS	DADE	61	59	42	41	103	100
	MULTNOMAH	66	61	42	39	108	100
	SUBTOTAL	127	60	84	40	211	100
WITNESSES	DADE	70	69	32	31	102	100
	MULTNOMAH	83	70	36	30	119	100
	SUBTOTAL	153	69	68	31	221	100
TOTAL		468	60	315	40	783	100

Table F.8

AGE OF RESPONDENTS, BY GROUP AND SITE

GROUP	SITE	29 OR UNDER		30-59		60-79		80 OR OVER		TOTAL	
		NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
JURORS	DADE	29	17	104	60	38	22	1	1	172	100
	MULTNOMAH	39	22	93	53	44	25	1	1	177	101
	SUBTOTAL	68	19	197	56	82	23	2	1	349	99
VICTIMS	DADE	25	25	59	59	17	17	0	-	101	101
	MULTNOMAH	28	26	64	59	16	15	0	-	108	100
	SUBTOTAL	53	25	123	59	33	16	0	-	209	100
WITNESSES	DADE	36	36	57	57	7	7	0	-	100	100
	MULTNOMAH	51	43	63	53	5	4	0	-	119	100
	SUBTOTAL	87	40	120	55	12	5	0	-	219	100
TOTAL		208	27	440	57	127	16	2	0	777	100

Race

The race of respondents differed in that more minority respondents were present in the Dade County groups. Four percent of Multnomah jurors were minority, contrasted with 30 percent of Dade jurors. Seventeen percent of Dade jurors were black, 11 percent were Hispanic, and 2 percent were other minorities.

Six percent of Multnomah victims were minority compared with Dade County, where 23 percent were black, 17 percent were Hispanic, and 2 percent were other minority. Eleven percent of Multnomah victims were minority (mainly black) compared with figures for Dade County of 24 percent black, 15 percent Hispanic, and 2 percent other minority. (See Table F.9.)

Marital Status

Jurors were more likely to be married than victims and witnesses—74 percent of Multnomah jurors and 70 percent of Dade jurors were married, contrasted with 60 percent of Multnomah victims, 56 percent of Dade victims, 62 percent of Multnomah witnesses, and 57 percent of Dade witnesses. (See Table F.10.)

Education

Eighty-eight percent of the respondents had a high school diploma or above, and 18 percent had a college degree. Only 6 percent had an eighth grade education or less. There was some variation across groups and sites, but no significant differences. (See Table F.11.)

Table F.9

RACE OF RESPONDENTS, BY GROUP AND SITE

GROUP	SITE	BLACK		HISPANIC		WHITE		OTHER		TOTAL	
		NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
JURORS	DADE	29	17	18	11	117	70	4	2	168	100
	MULTNOMAH	2	1	1	1	164	96	4	2	171	100
	SUBTOTAL	31	9	19	7	281	83	8	2	339	101
VICTIMS	DADE	22	23	16	17	55	58	2	2	95	100
	MULTNOMAH	3	3	1	1	97	94	2	2	103	100
	SUBTOTAL	25	13	17	9	152	77	4	2	198	101
WITNESSES	DADE	23	24	15	15	58	59	2	2	98	100
	MULTNOMAH	8	7	1	1	103	89	4	3	116	100
	SUBTOTAL	31	14	16	7	161	75	6	3	214	99
TOTAL		87	12	52	7	594	79	18	2	751	100

Table F.10
MARITAL STATUS OF RESPONDENTS, BY GROUP AND SITE

GROUP	SITE	MARRIED		WIDOWED		DIVORCED		SEPARATED		NEVER MARRIED		TOTAL	
		NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
JURORS	DADE	121	70	8	5	21	12	5	3	19	11	174	101
	MULTNOMAH	131	74	7	4	17	10	3	2	20	11	178	101
	SUB-TOTAL	252	72	15	4	38	11	8	2	39	11	352	100
VICTIMS	DADE	53	52	8	8	19	18	5	5	18	17	103	100
	MULTNOMAH	64	60	10	9	13	12	4	4	15	14	106	99
	SUB-TOTAL	117	56	18	9	32	15	9	4	33	16	209	100
WITNESSES	DADE	58	57	3	3	15	15	4	4	21	21	101	100
	MULTNOMAH	74	62	2	2	8	7	3	3	32	27	119	101
	SUB-TOTAL	132	60	5	2	23	10	7	3	53	24	220	99
TOTAL		501	64	38	5	93	12	24	3	125	16	781	100

Table F.11
EDUCATION OF RESPONDENTS, BY GROUP AND SITE

GROUP	SITE	8th OR LESS		1-3 YRS. H.S.		HIGH SCHOOL DIPLOMA		SOME COLLEGE		COLLEGE DEGREE		GRAD. SCHOOL		TOTAL	
		NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
JURORS	DADE	9	5	26	15	62	36	38	22	28	16	8	5	171	99
	MULTNOMAH	6	3	14	8	69	40	50	29	26	15	9	5	174	100
	SUB-TOTAL	15	4	40	12	131	38	88	26	54	16	17	5	345	101
VICTIMS	DADE	8	8	15	15	28	27	31	30	10	10	10	10	102	100
	MULTNOMAH	8	7	13	11	39	36	31	29	12	11	6	6	108	100
	SUB-TOTAL	16	8	27	13	67	32	62	30	22	10	16	8	210	101
WITNESSES	DADE	9	9	14	14	34	34	28	28	9	9	6	6	100	100
	MULTNOMAH	9	8	14	12	43	36	36	30	10	8	7	6	119	100
	SUB-TOTAL	18	8	28	13	77	35	64	29	19	9	13	6	219	100
TOTAL		49	6	95	12	275	36	214	28	95	12	46	6	774	100

Income

About 29 percent of the respondents had incomes of \$9,999 or under, 25 percent were between \$10,000 and \$14,999, 17 percent were between \$15,000 and \$19,999, and 19 percent had incomes of \$20,000 or over. Again, there was variation across groups and sites, but no major differences. Ten percent of the respondents refused to answer the question on income. (See Table F.12.)

Occupation

About 55 percent of the respondents were working full-time and 9 percent were working part-time. This varied some across groups and sites, but not significantly. Fifteen percent of Dade jurors and 8 percent of Multnomah jurors were retired, contrasted with an average of 6 percent across the entire sample. (See Table F.13.)

Table F.12
TOTAL FAMILY INCOME OF RESPONDENTS, BY GROUP AND SITE

GROUP	SITE	9,999 AND UNDER		10,000 TO 14,999		15,000 TO 19,999		20,000 TO 49,999		50,000 OR OVER		MISSING		TOTAL	
		NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
JURORS	DADE	53	30	40	23	29	17	31	18	2	1	20	11	175	100
	MULTNOMAH	42	24	51	29	30	17	39	22	3	2	13	7	178	101
	SUB-TOTAL	95	27	91	26	59	17	70	20	5	1	33	9	353	100
VICTIMS	DADE	42	40	25	24	12	12	18	17	0	-	7	7	104	100
	MULTNOMAH	33	30	23	21	25	23	17	15	1	1	11	10	110	100
	SUB-TOTAL	75	35	48	22	37	17	35	16	1	0	18	8	214	98
WITNESSES	DADE	25	24	25	24	15	14	17	16	4	4	18	17	104	99
	MULTNOMAH	31	26	33	27	21	17	21	17	1	1	14	12	121	100
	SUB-TOTAL	56	25	58	26	36	16	38	17	5	2	32	14	225	100
TOTAL		226	29	197	25	132	17	143	18	11	1	83	10	792	100

Table F.13
OCCUPATIONAL STATUS OF RESPONDENTS, BY GROUP AND SITE

GROUP	SITE	WORKING FULL TIME		WORKING PART TIME		WITH JOB NOT WORKING		RETIRED		OTHER		MISSING		TOTAL	
		NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
JURORS	DADE	105	60	7	4	5	3	14	8	29	17	15	9	175	101
	MULTNOMAH	94	53	14	8	4	2	27	15	31	17	8	4	178	99
	SUBTOTAL	199	56	21	6	9	3	41	12	60	17	23	7	353	101
VICTIMS	DADE	62	60	8	8	9	9	3	3	15	14	7	7	104	101
	MULTNOMAH	72	65	5	5	4	4	6	5	11	10	12	11	110	100
	SUBTOTAL	134	63	13	6	13	6	9	4	26	12	19	9	214	100
WITNESSES	DADE	75	72	2	2	3	3	1	1	12	12	11	11	104	101
	MULTNOMAH	69	57	7	6	8	7	3	2	24	20	10	8	121	100
	SUBTOTAL	144	64	9	4	11	5	4	2	36	16	21	9	225	100
TOTAL		477	60	43	5	33	4	54	7	122	15	63	8	792	99

Appendix G
QUESTIONNAIRES AND MATERIALS FOR THE MAIL
SURVEYS
Sandra Berry

This appendix includes an example of the two sides of a contact case card, the questionnaire for jurors in Multnomah County, the questionnaire for victims of crime in Multnomah County, the English and Spanish questionnaires for witnesses in Dade County, letters from the Administrative Judge of the Criminal Division of Dade County Circuit Court to the Dade jurors, victims, and witnesses receiving the questionnaires, letters from the Presiding Judge of Multnomah County Circuit Court to the Multnomah jurors, victims, and witnesses receiving the questionnaires, the follow-up postcard mailed from The Rand Corporation, the note in Spanish and English stating that a Spanish-language version of the questionnaire was available for Dade County recipients, and the follow-up questionnaire reminder notice.

357

CONTACT CASE CARD

MULTNOMAH
VICTIM

CASE #

CRIME TYPE:

BUSINESS ADDRESS:

- SENT -	- RECEIVED -
FIRST MAILING: <input type="checkbox"/>	REQUEST FOR SPANISH:
SPANISH MAILING:	INTERVIEW:
REMINDER CARD	FIRST MAILING: SPANISH? <input type="checkbox"/>
SECOND MAILING:	SECOND MAILING: SPANISH? <input type="checkbox"/>
	- STATUS -
	COMPLETE <input type="checkbox"/> MAIL RETURN <input type="checkbox"/>
	INCOMPLETE <input type="checkbox"/> OTHER <input type="checkbox"/>
	REFUSED <input type="checkbox"/>

CASE #:

HOME PHONE:

BUSINESS PHONE:

CALL	DATE	DAY	H/B	TIME	RESULT CODE	COMMENT	NAME
1							
2							
3							
4							

RESULT CODE:

H/B CODE:

01 NO ANSWER	04 NUMBER DISCONNECTED	07 TERMINATE INTERVIEW	H = HOME NUMBER
02 BUSY	05 REFUSED TO COOPERATE	08 DEMOGRAPHIC ONLY	B = BUSINESS NUMBER
03 RESPONDENT NOT HOME	06 COMPLETED INTERVIEW	99 OTHER - SEE COMMENTS	

1-7/

8-9/

01

10-13/

2

SURVEY OF JURORS Multnomah County

This is a study of persons who served in the Multnomah County Circuit Court as jurors in criminal cases. Names were drawn from jury lists for March, 1975. Questions in the interview refer to the cases you were involved with at that time.

Most questions are easily answered with a check in the box ☒ or by writing in a number.

Please fill in the entire questionnaire. If you feel you can't answer any question, skip it and go on to the next one.

Thank you for your help!

A. ABOUT YOUR LOCAL COURT...

1. Before your recent experience as a juror, what was your opinion of the court system you served in?

14/ VERY ¹ POOR ☐ POOR ² ☐ NEUTRAL ³ ☐ GOOD ⁴ ☐ VERY ⁵ GOOD ☐

2. Based on your recent experience as a juror, what is your overall opinion of the court system you served in?

15/ VERY ¹ POOR ☐ POOR ² ☐ NEUTRAL ³ ☐ GOOD ⁴ ☐ VERY ⁵ GOOD ☐

3. Counting only criminal cases, how many times in the past five years have you been:

16-17/		a juror? _____ TIMES
18-19/	PLEASE FILL IN AN ANSWER FOR EACH CATEGORY.	witness? _____ TIMES
20-21/		victim? _____ TIMES
22-23/		defendant? _____ TIMES

B. ABOUT YOUR EXPERIENCES AS A JUROR...

1. Thinking about the criminal cases in which you sat as a juror, please check all the kinds of crime that were involved in those cases.

24-25/	SOMETHING WAS STOLEN	¹ <input type="checkbox"/>	ESCAPE FROM JAIL, JUMPED BAIL	¹ <input type="checkbox"/>
26-27/	THREAT OR ATTACK IN WORDS	<input type="checkbox"/>	POSSESSION OF ILLEGAL WEAPON	<input type="checkbox"/>
28-29/	POSSESSION OR SALE OF DRUGS	<input type="checkbox"/>	FRAUD, BAD CHECKS, SWINDLE OR EMBEZZLEMENT	<input type="checkbox"/>
30-31/	<u>PHYSICAL</u> ATTACK ON PERSON (i.e. rape, mugging, or assault)	<input type="checkbox"/>	OTHER KINDS OF CRIME	<input type="checkbox"/>
			Please describe: _____	

2. In general, how serious were these crimes in terms of personal injury, amount of property stolen, or long-lasting effects on the people involved?

32/	VERY SERIOUS	¹ <input type="checkbox"/>	SOMEWHAT SERIOUS	² <input type="checkbox"/>	NOT SERIOUS	³ <input type="checkbox"/>
-----	-----------------	--	---------------------	--	----------------	--

3. Please check all outcomes which occurred on all criminal cases for which you were a juror.

33-34/	DEFENDANT PLED GUILTY DURING TRIAL	¹ <input type="checkbox"/>	<u>TRIAL-DEFENDANT FOUND GUILTY OF 1 OR MORE CHARGES</u>	¹ <input type="checkbox"/>
35-36/	CASE DISMISSED OR DROPPED DURING TRIAL	<input type="checkbox"/>	MISTRIAL OF HUNG JURY	<input type="checkbox"/>
37/			OTHER OUTCOME	<input type="checkbox"/>
38/	<u>TRIAL-DEFENDANT FOUND NOT GUILTY OF ALL CHARGES</u>	<input type="checkbox"/>	Please describe: _____	

4. Adding together full and half days, about how many days in total did you spend at the court building when you served as a juror?

39-40/ _____ TOTAL
DAYS

5. On how many criminal cases did you sit as a juror?

41-42/ _____ CASES

6. On how many civil cases did you sit as a juror?

43-44/ _____ CASES

7. Below are some of the ways in which jurors spend their time at the court building. Please check what percent of your time was spent in each way.

	NO TIME	LESS THAN 25%	25%-49%	50%-74%	75% OR MORE
	1	2	3	4	5
45/ WAITING IN THE JURY ROOM OR ELSEWHERE IN COURT BUILDING FOR ANY REASON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
46/ AT JURY SELECTION FOR CRIMINAL CASES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
47/ AT JURY SELECTION FOR CIVIL CASES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
48/ AT TRIAL AND DELIBERATION FOR CRIMINAL CASES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
49/ AT TRIAL AND DELIBERATION FOR CIVIL CASES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Here is a list of things that are sometimes problems with court appearances. Please think about each one and check whether, in general, it was a serious problem, a minor problem, or not a problem for you.

	SERIOUS PROBLEM	MINOR PROBLEM	NOT A PROBLEM
	1	2	3
50/ DIFFICULTY WITH PARKING OR TRANSPORTATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
51/ SPENDING A LOT OF TIME WAITING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
52/ LOSING TIME FROM WORK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53/ CONCERN WITH YOUR SAFETY IN AND AROUND THE COURTHOUSE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
54/ INADEQUATE PLACES TO EAT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
55/ PROBLEM WITH CARE FOR YOUR FAMILY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
56/ WAITING AREAS AND RESTROOMS NOT COMFORTABLE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
57/ CONCERN THAT THE DEFENDANTS (OR HIS OR HER FRIENDS) WOULD GET BACK AT YOU IN SOME WAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
58/ NOT KNOWING WHAT WAS EXPECTED OF YOU AS A JUROR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9. We would like your opinions about how various people behaved in your criminal cases. Please think about each statement below and check how you feel about each one.

02

	<u>DEFENSE LAWYER</u>	<u>AGREE STRONGLY</u>	<u>AGREE</u>	<u>NEUTRAL</u>	<u>DISAGREE</u>	<u>DISAGREE STRONGLY</u>
		1	2	3	4	5
10/	The defense lawyers really tried to help their clients.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11/	The defense lawyers really seemed to know what they were doing in questioning witnesses, presenting evidence, and dealing with court procedures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PROSECUTOR</u>						
12/	The prosecutors really seemed to know what they were doing in questioning witnesses, presenting evidence, and dealing with court procedures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13/	The prosecutors were more interested in winning the case than in finding out what really happened.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>JUDGE</u>						
14/	The judges were more interested in finding out the truth than in getting the case handled quickly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15/	The judges paid careful attention to the case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16/	The judges mainly favored the prosecutors and police.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17/	The judges were willing to listen to both sides of the case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CARD 02

10. Do you think your participation as a juror helped bring about justice?

18/ YES ☐ ¹ NO ☐ ² DON'T KNOW ☐ ^D

11. Do you understand the court system better as a result of being a juror?

19/ YES ☐ ¹ NO ☐ ² DON'T KNOW ☐ ^D

12. How interesting did you think being a juror was?

20/ VERY INTERESTING ☐ ¹ SOMEWHAT INTERESTING ☐ ² NOT INTERESTING ☐ ³

13. What was the overall effect on your income as a result of jury service?

21/ LOST MONEY ☐ ¹ NO EFFECT ☐ ² MADE MONEY ☐ ³

14. After having served as a juror, what is your impression of the way juries arrive at a verdict?

22/ MORE FAVORABLE THAN BEFORE ☐ ₁ SAME AS BEFORE - UNFAVORABLE ☐ ₃
SAME AS BEFORE - FAVORABLE ☐ ₂ LESS FAVORABLE THAN BEFORE ☐ ₄

15. How satisfied were you with your treatment as a juror?

23/ VERY SATISFIED ☐ ¹ SOMEWHAT SATISFIED ☐ ² NEUTRAL ☐ ³ SOMEWHAT DIS-SATISFIED ☐ ⁴ VERY DIS-SATISFIED ☐ ⁵

16. Do you feel that, in general, justice was done in the cases for which you served as a juror?

24/ YES ☐ ¹ NO ☐ ² IN SOME CASES, NOT OTHERS ☐ ³ NOT SURE ☐ ⁴

17. If you were called as a juror in the future would you agree to cooperate or would you not agree to cooperate?

25/ WOULD COOPERATE ☐ ¹ WOULD NOT COOPERATE ☐ ²

C. ABOUT THE U.S. COURT SYSTEM...

1. We'd like your general opinions about the criminal court process in the United States today. Please think about each statement below and check how you feel about each one.

		AGREE STRONGLY	AGREE	NEUTRAL	DISAGREE	DISAGREE STRONGLY
		1	2	3	4	5
26/	The court system is too slow and wastes a lot of time.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27/	Things like race, family background, and the way a person looks make a difference in how a defendant or witness is treated in court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28/	The court system does a good job of protecting a defendant's rights.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29/	The court system is too easy on defendants.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30/	Many court officials and judges are dishonest.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. How often do you think "plea-bargaining" occurs as a way to settle criminal cases -- that is, how often does the defendant agree to plead guilty in return for a lighter sentence?

31/	MOST OF THE TIME	1 <input type="checkbox"/>	FREQUENTLY	2 <input type="checkbox"/>	SOMETIMES	3 <input type="checkbox"/>	RARELY OR NEVER	4 <input type="checkbox"/>
-----	---------------------	-------------------------------	------------	-------------------------------	-----------	-------------------------------	--------------------	-------------------------------

3. We'd like your opinions about "plea-bargaining" in general. Please think about each statement below and check how you feel about each one.

		AGREE 1	DISAGREE 2	NOT SURE 3
32/	"Plea-bargaining" saves time and money by avoiding trials.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33/	"Plea-bargaining" helps many guilty people get off with sentences that are too light.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34/	"Plea-bargaining" helps the prosecutor more than the defendant.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
35/	"Plea-bargaining" is as good a way as <u>trials</u> to decide most criminal cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D. FOR STATISTICAL PURPOSES...

- 36/ 1. Are you male or female? MALE ☐ ¹ FEMALE ☐ ²
2. How old were you on your last birthday?
- 37/ 19 OR UNDER ☐ ₁ 40 - 49 ☐ ₄ 70 - 79 ☐ ₇
 20 - 29 ☐ ₂ 50 - 59 ☐ ₅ 80 OR OVER ☐ ₈
 30 - 39 ☐ ₃ 60 - 69 ☐ ₆
3. What do you consider to be your main racial or ethnic group?
- 38/ BLACK/NEGRO/AFRO-AMERICAN ☐ ₁ AMERICAN INDIAN ☐ ₄
 HISPANIC/PUERTO RICAN/
 CUBAN/MEXICAN/LATIN ☐ ₂ ORIENTAL/ASIAN/CHINESE/
 JAPANESE/KOREAN/FILIPINO ☐ ₅
 WHITE/CAUCASIAN ☐ ₃ OTHER ☐ ₆
 What? _____
4. What is the highest grade or year of regular school or college you have completed?
- 39/ 4TH GRADE OR LESS ☐ ₁ 1-3 YEARS OF COLLEGE, NO DEGREE ☐ ₅
 5TH - 8TH GRADE ☐ ₂ JUNIOR COLLEGE DEGREE (AA) ☐ ₆
 1-3 YEARS OF HIGH SCHOOL ☐ ₃ REGULAR COLLEGE DEGREE (BA, BS) ☐ ₇
 HIGH SCHOOL DIPLOMA ☐ ₄ GRADUATE SCHOOL ☐ ₈
5. What is your current marital status?
- 40/ MARRIED ☐ ₁ DIVORCED ☐ ₃ NEVER MARRIED ☐ ₅
 WIDOWED ☐ ₂ SEPARATED ☐ ₄

6. What was your total family income last year, 1974, before taxes? Count wages, salaries, tips, pensions, social security, welfare, alimony, child support and all other income from all sources.

41/

UNDER \$ 2,000	<input type="checkbox"/> 1	\$ 15,000 - 19,999	<input type="checkbox"/> 6
\$ 2,000 - 4,999	<input type="checkbox"/> 2	\$ 20,000 - 29,999	<input type="checkbox"/> 6
\$ 5,000 - 9,999	<input type="checkbox"/> 3	\$ 30,000 - 49,999	<input type="checkbox"/> 7
\$ 10,000 - 14,999	<input type="checkbox"/> 4	\$ 50,000 OR OVER	<input type="checkbox"/> 8

7. At this time are you:

42/

WORKING FULL TIME	<input type="checkbox"/> 1	RETIRED	<input type="checkbox"/> 5
WORKING PART TIME	<input type="checkbox"/> 2	IN SCHOOL	<input type="checkbox"/> 6
WITH A JOB, BUT NOT WORKING (sick leave, vacation, strike)	<input type="checkbox"/> 3	KEEPING HOUSE	<input type="checkbox"/> 7
UNEMPLOYED/LAID OFF	<input type="checkbox"/> 4	DISABLED OR TOO ILL TO WORK	<input type="checkbox"/> 8
		OTHER - What?	<input type="checkbox"/> 9

8. You've answered all of our questions. Now, we'd like to know what you think are the most important things that could be improved about being a juror.

43-46/

☐ ☐ ☐ ☐

THIS IS THE END OF THE SURVEY. PLEASE RETURN THIS BOOKLET IN THE STAMPED ENVELOPE AS SOON AS POSSIBLE. THANK YOU FOR YOUR HELP.

IF YOU WOULD LIKE TO RECEIVE A SUMMARY REPORT OF THIS STUDY, PLEASE

47-51/

CHECK HERE → ☐ 1 AND BE SURE YOUR ADDRESS IS CORRECT ON THE LABEL.

1-7/

8-9/

CARD 01

10-13/

SURVEY OF VICTIMS OF CRIME Multnomah County

This is a study of persons who were involved with the Multnomah County Circuit Court as victims of crime. Names were drawn from criminal case files in progress just prior to August, 1974. Questions in the interview refer to the case you were involved with at that time.

Most questions are easily answered with a check in the box ☒ or by writing in a number.

Please fill in the entire questionnaire. If you feel you can't answer any question, skip it and go on to the next one.

PLEASE ANSWER EVEN IF THERE WAS NO TRIAL OR IF YOU DID NOT ATTEND THE TRIAL.

Thank you for your help!

A. ABOUT YOUR LOCAL COURT...

1. Before your recent experience as a victim of crime, what was your overall opinion of the court system you were involved in?

14/ VERY ¹ POOR ☐ POOR ² ☐ NEUTRAL ³ ☐ GOOD ⁴ ☐ VERY ⁵ GOOD ☐

2. Based on your recent experience as a victim of crime, what is your overall opinion of the court system you were involved in?

15/ VERY ¹ POOR ☐ POOR ² ☐ NEUTRAL ³ ☐ GOOD ⁴ ☐ VERY ⁵ GOOD ☐

3. Counting only criminal cases, how many times in the past five years have you been:

16-17/

a juror? _____ TIMES

18-19/

PLEASE FILL IN AN
ANSWER FOR EACH
CATEGORY.

witness? _____ TIMES

20-21/

victim? _____ TIMES

22-23/

defendant? _____ TIMES

CARD 01

B. ABOUT YOUR EXPERIENCE AS A VICTIM OF CRIME...

1. Thinking about the case in which you were a victim, please check all kinds of crime that were involved in that case.

24-25/	SOMETHING WAS STOLEN	¹ <input type="checkbox"/>	ESCAPE FROM JAIL, JUMPED BAIL	¹ <input type="checkbox"/>
26-27/	THREAT OF VIOLENCE (e.g., during a robbery)	<input type="checkbox"/>	ILLEGAL POSSESSION OF WEAPON	<input type="checkbox"/>
28-29/	PHYSICAL ATTACK ON PERSON (i.e., rape, mugging, or assault)	<input type="checkbox"/>	FRAUD, BAD CHECKS, SWINDLE OR EMBEZZLEMENT	<input type="checkbox"/>
30/			OTHER KINDS OF CRIME	<input type="checkbox"/>
31/	POSSESSION OR SALE OF DRUGS	<input type="checkbox"/>	Please describe: _____	

2. How serious was the crime in this case in terms of personal injury, amount of property stolen, or long-lasting effects on the people involved?

32/	VERY SERIOUS	¹ <input type="checkbox"/>	SOMEWHAT SERIOUS	² <input type="checkbox"/>	NOT SERIOUS	³ <input type="checkbox"/>
-----	-----------------	--	---------------------	--	----------------	--

3. Was anything ever done to make up for the loss or injury you suffered?

33/	YES	¹ <input type="checkbox"/>	NO	² <input type="checkbox"/>
-----	-----	--	----	--

- IF YES: Please check all the things that were done.

34-35/	STOLEN ITEMS RETURNED	¹ <input type="checkbox"/>	GOVERNMENT PAYMENT FOR VICTIMS OF CRIME	¹ <input type="checkbox"/>
36-37/	YOU INSURANCE OR MEDICAL PLAN REPAID YOU	<input type="checkbox"/>	OTHER KIND OF PAYMENT	<input type="checkbox"/>
38/	PERSON WHO COMMITTED THE CRIME REPAID YOU	<input type="checkbox"/>	What? _____	

4. Were you ever notified that you should appear for a conference, interview, a court hearing and/or a trial in connection with this case?

39/	YES	¹ <input type="checkbox"/>	NO	² <input type="checkbox"/>
-----	-----	--	----	--

5. Did you ever decide not to cooperate when you were asked to appear?

40/	YES	¹ <input type="checkbox"/>	NO	² <input type="checkbox"/>	WAS NOT ASKED	³ <input type="checkbox"/>
-----	-----	--	----	--	------------------	--

6. On how many different days did you actually go for a conference, interview, a court hearing and/or a trial in connection with this case?

41-42/

_____ DAYS

43/

- IF YOU NEVER APPEARED FOR A CONFERENCE, INTERVIEW, COURT HEARING OR TRIAL CHECK HERE → ☐ THEN TURN THE PAGE AND SKIP TO QUESTION 14, PAGE 5.

1

7. In general, how were you told when to appear?

44/

TELEPHONE	<input type="checkbox"/> 1	LAWYER TOLD YOU	<input type="checkbox"/> 3
LETTER	<input type="checkbox"/> 2	SUBPEONA	<input type="checkbox"/> 4

8. On the average, how much time did each appearance take?
COUNT ANY TIME YOU SPENT WAITING.

45/

LESS THAN 1 HOUR	<input type="checkbox"/> 1	ALL MORNING OR AFTERNOON	<input type="checkbox"/> 3
1 OR 2 HOURS	<input type="checkbox"/> 2	ALL DAY	<input type="checkbox"/> 4

9. Court proceedings are sometimes rescheduled or postponed. Which statement below best describes your experience on this case?

46/

<u>NO</u> RESCHEDULINGS OR POSTPONEMENTS	<input type="checkbox"/> 1
<u>1-3</u> RESCHEDULINGS OR POSTPONEMENTS	<input type="checkbox"/> 2
<u>MORE THAN 3</u> RESCHEDULINGS OR POSTPONEMENTS	<input type="checkbox"/> 3

- IF ANY RESCHEDULINGS OR POSTPONEMENTS:

47/

Were you usually notified in advance?

YES	<input type="checkbox"/> 1	NO	<input type="checkbox"/> 2
-----	----------------------------	----	----------------------------

48/

Was the reason explained to you?

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

10. Here is a list of things that are sometimes problems with court appearances. Please think about each one and check whether, in general, it was a serious problem, a minor problem, or not a problem for you.

		SERIOUS PROBLEM	MINOR PROBLEM	NOT A PROBLEM
		1	2	3
49/	DIFFICULTY WITH PARKING OR TRANSPORTATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
50/	SPENDING A LOT OF TIME WAITING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
51/	LOSING TIME FROM WORK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
52/	CONCERN WITH YOUR SAFETY IN AND AROUND THE COURT BUILDING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53/	INADEQUATE PLACES TO EAT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
54/	PROBLEM WITH CARE FOR YOUR FAMILY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
55/	WAITING AREAS AND RESTROOMS NOT COMFORTABLE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
56/	NOT BEING ABLE TO FIND OFFICES AND/OR COURTROOMS FOR APPEARANCES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
57/	CONCERN THAT THE DEFENDANTS (OR HIS OR HER FRIENDS) WOULD GET BACK AT YOU IN SOME WAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11. Was there a jury trial for this case?

58/ YES ☐ NO ☐ DON'T KNOW ☐

● IF YOU DON'T KNOW OR THERE WAS NO TRIAL PLEASE SKIP TO QUESTION 14, NEXT PAGE.

59/ 12. Were you present at the trial? YES ☐ NO ☐

● IF YOU WERE NOT PRESENT AT THE TRIAL, PLEASE SKIP TO QUESTION 14, NEXT PAGE.

60/ 13. Did you testify at the trial? YES ☐ NO ☐

14. We would like your opinions about how various people behaved in your case. Please think about each statement below and check how you feel about each one. If you had no contact with this person, check "NO CONTACT."

02

	<u>DEFENSE LAWYER</u>	<u>AGREE</u>	<u>NEUTRAL</u>	<u>DISAGREE</u>	<u>NO CONTACT</u>
10/	The defense lawyer really tried to help his client.	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	N <input type="checkbox"/>
11/	The defense lawyer really seemed to know what he was doing in interviewing or questioning witnesses, presenting evidence, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PROSECUTOR</u>					
12/	The prosecutor really seemed to know what he was doing in interviewing or questioning witnesses, presenting evidence, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13/	The prosecutor was more interested in winning the case than in finding out what really happened.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>JUDGE</u>					
14/	The judge was more interested in being fair than in getting the case handled quickly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15/	The judge paid careful attention to the case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16/	The judge mainly favored the prosecutors and police.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17/	The judge mainly favored the defense.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15. In all, about how many months were you involved in interviews, conferences, hearings, and/or trials in this case?

18/

LESS THAN 1 MONTH

☐ 1

4-6 MONTHS

☐ 3

1-3 MONTHS

☐ 2

7 MONTHS OR MORE

☐ 4

16. What was the outcome of the case?

19/

DISMISSED OR DROPPED

☐ 1TRIAL-DEFENDANT FOUND
GUILTY OF 1 OR MORE
CHARGES☐ 4

SETTLED WITHOUT A TRIAL

☐ 2TRIAL-DEFENDANT FOUND
NOT GUILTY OF ALL
CHARGES☐ 3

MISTRIAL OR HUNG JURY

☐ 5

DON'T KNOW OUTCOME

☐ D

17. How do you feel about how long it took to settle the case?

20/

TOOK TOO LONG A TIME☐ 1TOOK TOO SHORT A TIME☐ 3TOOK A REASONABLE TIME☐ 2DON'T KNOW HOW LONG☐ D

18. Were you told by a lawyer or court official about what was expected of you as a witness?

21/

YES ☐ 1NO, BUT I
DIDN'T CARE ☐ 2NO, BUT I
WANTED TO KNOW ☐ 3

19. Were you told what sentence (if any) the defendant received?

22/

YES ☐ 1NO, BUT I
DIDN'T CARE ☐ 2NO, BUT I
WANTED TO
KNOW ☐ 3NO
SENTENCE ☐ 4

20. In general, how did you find out what was happening in the case?

23/

TOLD BY COURT OFFICIALS

☐ 1

FOUND OUT IN COURT SESSIONS

☐ 3

TOLD BY FRIENDS OR OTHERS

☐ 2

NEVER KNEW OR FOUND OUT

☐ 4

24/ 21. Did you feel that justice was done in the case? YES ☐¹ NO ☐²

22. Did you feel that you had a chance to tell your story?

25/ YES ☐¹ NO ☐² DIDN'T WANT TO ☐³

23. Did you feel there should have been a trial, whether there was or not?

26/ YES ☐¹ NO ☐²

24. Did you feel the defendant should have been convicted, whether he or she was or not?

27/ YES ☐¹ NO ☐²

25. Did you feel that the sentence (if any) was too harsh, about right, or too light?

28/ TOO HARSH ☐¹ ABOUT RIGHT ☐² TOO LIGHT ☐³ NO SENTENCE OR DON'T KNOW SENTENCE ☐⁴

26. In terms of courtesy and respect for you as a person, how would you describe your treatment by the police who handled your case up to the time the case came to court?

29/ POOR ☐¹ NEUTRAL ☐² GOOD ☐³ NO CONTACT WITH POLICE ☐^N

27. In terms of courtesy and respect for you as a person, how would you describe your treatment by the:

		POOR	NEUTRAL	GOOD	NO CONTACT
		¹	²	³	^N
30/	judge?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31/	bailiff and court officials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32/	prosecutor?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33/	defense lawyer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PLEASE FILL IN AN ANSWER FOR EACH CATEGORY.

28. Do you think your participation in this case helped bring about justice?

34/ YES ¹☐ NO ²☐ DON'T KNOW ^D☐

29. Do you understand the court system better as a result of this case?

35/ YES ¹☐ NO ²☐ DON'T KNOW ^D☐

30. How interesting did you think the case was?

36/ VERY INTERESTING ¹☐ SOMEWHAT INTERESTING ²☐ NOT INTERESTING ³☐

31. Looking back on your experience in this case, how do you feel?

37/ VERY SATISFIED ¹☐ SOMEWHAT SATISFIED ²☐ NEUTRAL ³☐ SOMEWHAT DIS-SATISFIED ⁴☐ VERY DIS-SATISFIED ⁵☐

32. If you were a victim of a crime in the future would you agree to cooperate or would you not agree to cooperate in conferences, interviews, court hearings and/or trials?

38/ WOULD COOPERATE ¹☐ WOULD NOT COOPERATE ²☐

33. If you were a witness to a crime in the future would you agree to cooperate or would you not agree to cooperate in conferences, interviews, court hearings and/or trials?

39/ WOULD COOPERATE ¹☐ WOULD NOT COOPERATE ²☐

PLEASE CONTINUE ON 
NEXT PAGE.

C. ABOUT THE U.S. COURT SYSTEM...

1. We'd like your general opinions about the criminal court process in the United States today. Please think about each statement below and check how you feel about each one.

		AGREE STRONGLY	AGREE	NEUTRAL	DISAGREE	DISAGREE STRONGLY
		1	2	3	4	5
40/	The court system is too slow and wastes a lot of time.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
41/	Things like race, family background, and the way a person looks make a difference in how a defendant or witness is treated in court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
42/	The court system does a good job of protecting a defendant's rights.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
43/	The court system is too easy on defendants.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
44/	Many court officials and judges are dishonest.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. How often do you think "plea-bargaining" occurs as a way to settle criminal cases -- that is, how often does the defendant agree to plead guilty in return for a lighter sentence?

45/	MOST OF THE TIME	1 <input type="checkbox"/>	FREQUENTLY	2 <input type="checkbox"/>	SOMETIMES	3 <input type="checkbox"/>	RARELY OR NEVER	4 <input type="checkbox"/>
-----	---------------------	-------------------------------	------------	-------------------------------	-----------	-------------------------------	--------------------	-------------------------------

3. We'd like your opinions about "plea-bargaining" in general. Please think about each statement below and check how you feel about each one.

		AGREE	DISAGREE	NOT SURE
		1	2	3
46/	"Plea-bargaining" saves time and money by avoiding trials.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
47/	"Plea-bargaining" helps many guilty people get off with sentences that are too light.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
48/	"Plea-bargaining" helps the prosecutor more than the defendant.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
49/	"Plea-bargaining" is <u>as good a way as</u> <u>trials</u> to decide most criminal cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D. FOR STATISTICAL PURPOSES...

- 50/ 1. Are you male or female? MALE ☐ ¹ FEMALE ☐ ²
2. How old were you on your last birthday?
- 51/ 19 OR UNDER ☐ ₁ 40 - 49 ☐ ₄ 70 - 79 ☐ ₇
 20 - 29 ☐ ₂ 50 - 59 ☐ ₅ 80 OR OVER ☐ ₈
 30 - 39 ☐ ₃ 60 - 69 ☐ ₆
3. What do you consider to be your main racial or ethnic group?
- 52/ BLACK/NEGRO/AFRO-AMERICAN ☐ ₁ AMERICAN INDIAN ☐ ₄
 HISPANIC/PUERTO RICAN/
 CUBAN/MEXICAN/LATIN ☐ ₂ ORIENTAL/ASIAN/CHINESE/
 JAPANESE/KOREAN/FILIPINO ☐ ₅
 WHITE/CAUCASIAN ☐ ₃ OTHER ☐ ₆
 What? _____
4. What is the highest grade or year of regular school or college you have completed?
- 53/ 4TH GRADE OR LESS ☐ ₁ 1-3 YEARS OF COLLEGE, NO DEGREE ☐ ₅
 5TH - 8TH GRADE ☐ ₂ JUNIOR COLLEGE DEGREE (AA) ☐ ₆
 1-3 YEARS OF HIGH SCHOOL ☐ ₃ REGULAR COLLEGE DEGREE (BA, BS) ☐ ₇
 HIGH SCHOOL DIPLOMA ☐ ₄ GRADUATE SCHOOL ☐ ₈
5. What is your current marital status?
- 54/ MARRIED ☐ ₁ DIVORCED ☐ ₃ NEVER MARRIED ☐ ₅
 WIDOWED ☐ ₂ SEPARATED ☐ ₄

6. What was your total family income last year, 1974, before taxes? Count wages, salaries, tips, pensions, social security, welfare, alimony, child support and all other income from all sources.

55/

UNDER \$ 2,000	<input type="checkbox"/> ₁	\$ 15,000 - 19,999	<input type="checkbox"/> ₅
\$ 2,000 - 4,999	<input type="checkbox"/> ₂	\$ 20,000 - 29,999	<input type="checkbox"/> ₆
\$ 5,000 - 9,999	<input type="checkbox"/> ₃	\$ 30,000 - 49,999	<input type="checkbox"/> ₇
\$ 10,000 - 14,999	<input type="checkbox"/> ₄	\$ 50,000 OR OVER	<input type="checkbox"/> ₈

7. At this time are you:

56/

WORKING FULL TIME	<input type="checkbox"/> ₁	RETIRED	<input type="checkbox"/> ₅
WORKING PART TIME	<input type="checkbox"/> ₂	IN SCHOOL	<input type="checkbox"/> ₆
WITH A JOB, BUT NOT WORKING (sick leave, vacation, strike)	<input type="checkbox"/> ₃	KEEPING HOUSE	<input type="checkbox"/> ₇
UNEMPLOYED/LAID OFF	<input type="checkbox"/> ₄	DISABLED OR TOO ILL TO WORK	<input type="checkbox"/> ₈
		OTHER - What?	<input type="checkbox"/> ₉

8. You've answered all of our questions. Now, we'd like to know what you think are the most important things that could be done to make being a victim of crime easier.

57-60/

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THIS IS THE END OF THE SURVEY. PLEASE RETURN THIS BOOKLET IN THE STAMPED ENVELOPE AS SOON AS POSSIBLE. THANK YOU FOR YOUR HELP.

IF YOU WOULD LIKE TO RECEIVE A SUMMARY REPORT OF THIS STUDY, PLEASE

61-65/

CHECK HERE → ☐ ¹ AND BE SURE YOUR ADDRESS IS CORRECT ON THE LABEL.

1-7/
8-9/
10-13/

01

SURVEY OF WITNESSES Dade County

This is a study of persons who were involved with the Dade County Circuit Court as witnesses or potential witnesses in criminal cases. Names were drawn from criminal case files for cases in progress in February and March, 1975. Questions in the interview refer to the case you were involved with at that time.

Most questions are easily answered with a check in the box ☒ or by writing in a number.

Please try to fill in the entire questionnaire. If you feel you can't answer any question, skip it and go on to the next one.

PLEASE ANSWER EVEN IF THERE WAS NO TRIAL OR IF YOU DID NOT ATTEND THE TRIAL.

Thank you for your help!

A. ABOUT YOUR LOCAL COURT...

1. Before your recent experience as a witness, what was your opinion of the court system you were involved in?

14/ VERY POOR ☐ POOR ☐ NEUTRAL ☐ GOOD ☐ VERY GOOD ☐

2. Based on your recent experience as a witness, what is your overall opinion of the court system you were involved in?

15/ VERY POOR ☐ POOR ☐ NEUTRAL ☐ GOOD ☐ VERY GOOD ☐

3. Counting only criminal cases, how many times in the past five years have you been:

16-17/	a juror?	_____	TIMES
18-19/	witness?	_____	TIMES
20-21/	victim?	_____	TIMES
22-23/	defendant?	_____	TIMES

PLEASE FILL IN AN
ANSWER FOR EACH
CATEGORY.

B. ABOUT YOUR EXPERIENCE AS A WITNESS...

1. Thinking about the case in which you were a witness, please check all the kinds of crime that were involved in that case.

24-25/	SOMETHING WAS STOLEN	¹ <input type="checkbox"/>	ESCAPE FROM JAIL, JUMPED BAIL	¹ <input type="checkbox"/>
26-27/	THREAT OF VIOLENCE (e.g., during a robbery)	<input type="checkbox"/>	ILLEGAL POSSESSION OF WEAPON	<input type="checkbox"/>
28-29/	PHYSICAL ATTACK ON PERSON (i.e., rape, mugging, or assault)	<input type="checkbox"/>	FRAUD, BAD CHECKS, SWINDLE OR EMBEZZLEMENT	<input type="checkbox"/>
30/			OTHER KINDS OF CRIME	<input type="checkbox"/>
31/	POSSESSION OR SALE OF DRUGS	<input type="checkbox"/>	Please describe: _____	

2. How serious was the crime in this case in terms of personal injury, amount of property stolen, or long-lasting effects on the people involved?

32/	VERY SERIOUS	¹ <input type="checkbox"/>	SOMEWHAT SERIOUS	² <input type="checkbox"/>	NOT SERIOUS	³ <input type="checkbox"/>
-----	-----------------	--	---------------------	--	----------------	--

3. Were you a witness for the prosecution (District or State Attorney's office) or for the defense (person accused of the crime)?

33/	PROSECUTION	¹ <input type="checkbox"/>	DEFENSE	² <input type="checkbox"/>
-----	-------------	--	---------	--

4. Please answer all the questions about why you were a witness.

34/	Did you see the crime being committed?	YES ¹ <input type="checkbox"/>	NO ² <input type="checkbox"/>
35/	Did you happen to be on the scene just before or after the crime was committed?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
36/	Did you know the victim of the crime?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
37/	Did you know the person who was accused of the crime?	YES <input type="checkbox"/>	NO <input type="checkbox"/>

5. Were you ever notified that you should appear for a conference, interview, a court hearing and/or a trial in connection with this case?

38/	YES	¹ <input type="checkbox"/>	NO	² <input type="checkbox"/>
-----	-----	--	----	--

6. Did you ever decide not to cooperate when you were asked to appear?

39/

YES ☐ ¹ NO ☐ ² WAS NOT ASKED ☐ ³

7. On how many different days did you actually go for a conference, interview, a court hearing and/or a trial in connection with this case?

40-41/

_____ DAYS

42/

● IF YOU NEVER APPEARED FOR A CONFERENCE, INTERVIEW, COURT HEARING OR TRIAL CHECK HERE → ☐ ₁ THEN TURN THE PAGE AND SKIP TO QUESTION 15, PAGE 5.

8. In general, how were you told when to appear?

43/

TELEPHONE ☐ ₁ LAWYER TOLD YOU ☐ ₃
LETTER ☐ ₂ SUBPEONA ☐ ₄

9. On the average, how much time did each appearance take?
COUNT ANY TIME YOU SPENT WAITING.

44/

LESS THAN 1 HOUR ☐ ₁ ALL MORNING OR AFTERNOON ☐ ₃
1 OR 2 HOURS ☐ ₂ ALL DAY ☐ ₄

10. Court proceedings are sometimes rescheduled or postponed. Which statement below best describes your experience on this case?

45/

NO RESCHEDULINGS OR POSTPONEMENTS ☐ ₁
1-3 RESCHEDULINGS OR POSTPONEMENTS ☐ ₂
MORE THAN 3 RESCHEDULINGS OR POSTPONEMENTS ☐ ₃

● IF ANY RESCHEDULINGS OR POSTPONEMENTS:

46/

Were you usually notified in advance? YES ☐ ¹ NO ☐ ²

47/

Was the reason explained to you? YES ☐ NO ☐

11. Here is a list of things that are sometimes problems with court appearances. Please think about each one and check whether, in general, it was a serious problem, a minor problem, or not a problem for you.

		SERIOUS PROBLEM	MINOR PROBLEM	NOT A PROBLEM
		1	2	3
48/	DIFFICULTY WITH PARKING OR TRANSPORTATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
49/	SPENDING A LOT OF TIME WAITING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
50/	LOSING TIME FROM WORK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
51/	CONCERN WITH YOUR SAFETY IN AND AROUND THE COURT BUILDING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
52/	INADEQUATE PLACES TO EAT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53/	PROBLEM WITH CARE FOR YOUR FAMILY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
54/	WAITING AREAS AND RESTROOMS NOT COMFORTABLE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
55/	NOT BEING ABLE TO FIND OFFICES AND/OR COURTROOMS FOR APPEARANCES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
56/	CONCERN THAT THE DEFENDANT (OR HIS OR HER FRIENDS) WOULD GET BACK AT YOU IN SOME WAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. Was there a jury trial for this case?

57/ YES ¹☐ NO ²☐ DON'T KNOW ^D☐

• IF YOU DON'T KNOW OR THERE WAS NO TRIAL PLEASE SKIP TO QUESTION 15, NEXT PAGE.

58/ 13. Were you present at the trial? YES ¹☐ NO ²☐

• IF YOU WERE NOT PRESENT AT THE TRIAL, PLEASE SKIP TO QUESTION 15, NEXT PAGE.

59/ 14. Did you testify at the trial? YES ¹☐ NO ²☐

02

15. We would like your opinions about how various people behaved in your case. Please think about each statement below and check how you feel about each one. If you had no contact with this person, check "NO CONTACT."

	<u>DEFENSE LAWYER</u>	<u>AGREE</u>	<u>NEUTRAL</u>	<u>DISAGREE</u>	<u>NO CONTACT</u>
		1	2	3	N
10/	The defense lawyer really tried to help his client.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11/	The defense lawyer really seemed to know what he was doing in interviewing or questioning witnesses, presenting evidence, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PROSECUTOR</u>					
12/	The prosecutor really seemed to know what he was doing in interviewing or questioning witnesses, presenting evidence, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13/	The prosecutor was more interested in winning the case than in finding out what really happened.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>JUDGE</u>					
14/	The judge was more interested in being fair than in getting the case handled quickly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15/	The judge paid careful attention to the case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16/	The judge mainly favored the prosecutors and police.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17/	The judge mainly favored the defense.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

16. In all, about how many months were you involved in interviews, conferences, hearings, and/or trials in this case?

18/ LESS THAN 1 MONTH ☐₁ 4-6 MONTHS ☐₃
1-3 MONTHS ☐₂ 7 MONTHS OR MORE ☐₄

17. What was the outcome of the case?

19/ DISMISSED OR DROPPED ☐₁ TRIAL-DEFENDANT FOUND ☐₄
SETTLED WITHOUT A TRIAL ☐₂ GUILTY OF 1 OR MORE CHARGES
TRIAL-DEFENDANT FOUND ☐₃ MISTRIAL OR HUNG JURY ☐₅
NOT GUILTY OF ALL CHARGES DON'T KNOW OUTCOME ☐_D

18. How do you feel about how long it took to settle the case?

20/ TOOK TOO LONG A TIME ☐₁ TOOK TOO SHORT A TIME ☐₃
TOOK A REASONABLE TIME ☐₂ DON'T KNOW HOW LONG ☐_D

19. Were you told by a lawyer or court official about what was expected of you as a witness?

21/ YES ☐₁ NO, BUT I ☐₂ NO, BUT I ☐₃
DIDN'T CARE WANTED TO KNOW

20. Were you told what sentence (if any) the defendant received?

22/ YES ☐₁ NO, BUT I ☐₂ NO, BUT I ☐₃ NO ☐₄
DIDN'T CARE WANTED TO KNOW SENTENCE

21. In general, how did you find out what was happening in the case?

23/ TOLD BY COURT OFFICIALS ☐₁ FOUND OUT IN COURT SESSIONS ☐₃
TOLD BY FRIENDS OR OTHERS ☐₂ NEVER KNEW OR FOUND OUT ☐₄

24/ 22. Did you feel that justice was done in the case? YES ¹☐ NO ²☐

23. Did you feel that you had a chance to tell your story?

25/ YES ¹☐ NO ²☐ DIDN'T WANT TO ³☐

24. Did you feel there should have been a trial, whether there was or not?

26/ YES ¹☐ NO ²☐

25. Did you feel the defendant should have been convicted, whether he or she was or not?

27/ YES ¹☐ NO ²☐

26. Did you feel that the sentence (if any) was too harsh, about right, or too light?

28/ TOO HARSH ¹☐ ABOUT RIGHT ²☐ TOO LIGHT ³☐ NO SENTENCE OR DON'T KNOW SENTENCE ⁴☐

27. In terms of courtesy and respect for you as a person, how would you describe your treatment by the police who handled your case up to the time the case came to court?

29/ POOR ¹☐ NEUTRAL ²☐ GOOD ³☐ NO CONTACT WITH POLICE ^N☐

28. In terms of courtesy and respect for you as a person, how would you describe your treatment by the:

		POOR ¹	NEUTRAL ²	GOOD ³	NO CONTACT ^N
30/	judge?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31/	bailiff and court officials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32/	prosecutor?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33/	defense lawyer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PLEASE FILL IN AN ANSWER FOR EACH CATEGORY.

29. Do you think your participation in this case helped bring about justice?

34/ YES ¹☐ NO ²☐ DON'T KNOW ^D☐

30. Do you understand the court system better as a result of this case?

35/ YES ¹☐ NO ²☐ DON'T KNOW ^D☐

31. How interesting did you think the case was?

36/ VERY INTERESTING ¹☐ SOMEWHAT INTERESTING ²☐ NOT INTERESTING ³☐

32. Looking back on your experience in this case, how do you feel?

37/ VERY SATISFIED ¹☐ SOMEWHAT SATISFIED ²☐ NEUTRAL ³☐ SOMEWHAT DIS-SATISFIED ⁴☐ VERY DIS-SATISFIED ⁵☐

33. If you were a witness to a crime in the future would you agree to cooperate or would you not agree to cooperate in conferences, interviews, court hearings and/or trials?

38/ WOULD COOPERATE ¹☐ WOULD NOT COOPERATE ²☐

PLEASE CONTINUE ON 
NEXT PAGE.

C. ABOUT THE U.S. COURT SYSTEM...

1. We'd like your general opinions about the criminal court process in the United States today. Please think about each statement below and check how you feel about each one.

		AGREE STRONGLY	AGREE	NEUTRAL	DISAGREE	DISAGREE STRONGLY
39/	The court system is too slow and wastes a lot of time.	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
40/	Things like race, family background, and the way a person looks make a difference in how a defendant or witness is treated in court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
41/	The court system does a good job of protecting a defendant's rights.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
42/	The court system is too easy on defendants.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
43/	Many court officials and judges are dishonest.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. How often do you think "plea-bargaining" occurs as a way to settle criminal cases -- that is, how often does the defendant agree to plead guilty in return for a lighter sentence?

44/	MOST OF THE TIME	<input type="checkbox"/> 1	FREQUENTLY	<input type="checkbox"/> 2	SOMETIMES	<input type="checkbox"/> 3	RARELY OR NEVER	<input type="checkbox"/> 4
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3. We'd like your opinions about "plea-bargaining" in general. Please think about each statement below and check how you feel about each one.

		AGREE	DISAGREE	NOT SURE
45/	"Plea-bargaining" saves time and money by avoiding trials.	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3
46/	"Plea-bargaining" helps many guilty people get off with sentences that are too light.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
47/	"Plea-bargaining" helps the prosecutor more than the defendant.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
48/	"Plea-bargaining" is <u>as good a way as trials</u> to decide most criminal cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D. FOR STATISTICAL PURPOSES...

- 49/ 1. Are you male or female? MALE ☐¹ FEMALE ☐²
2. How old were you on your last birthday?
- 50/ 19 OR UNDER ☐₁ 40 - 49 ☐₄ 70 - 79 ☐₇
 20 - 29 ☐₂ 50 - 59 ☐₅ 80 OR OVER ☐₈
 30 - 39 ☐₃ 60 - 69 ☐₆
3. What do you consider to be your main racial or ethnic group?
- 51/ BLACK/NEGRO/AFRO-AMERICAN ☐₁ AMERICAN INDIAN ☐₄
 HISPANIC/PUERTO RICAN/
 CUBAN/MEXICAN/LATIN ☐₂ ORIENTAL/ASIAN/CHINESE/
 JAPANESE/KOREAN/FILIPINO ☐₅
 WHITE/CAUCASIAN ☐₃ OTHER ☐₆
 What? _____
4. What is the highest grade or year of regular school or college you have completed?
- 52/ 4TH GRADE OR LESS ☐₁ 1-3 YEARS OF COLLEGE, NO DEGREE ☐₅
 5TH - 8TH GRADE ☐₂ JUNIOR COLLEGE DEGREE (AA) ☐₆
 1-3 YEARS OF HIGH SCHOOL ☐₃ REGULAR COLLEGE DEGREE (BA, BS) ☐₇
 HIGH SCHOOL DIPLOMA ☐₄ GRADUATE SCHOOL ☐₈
5. What is your current marital status?
- 53/ MARRIED ☐₁ DIVORCED ☐₃ NEVER MARRIED ☐₅
 WIDOWED ☐₂ SEPARATED ☐₄

6. What was your total family income last year, 1974, before taxes? Count wages, salaries, tips, pensions, social security, welfare, alimony, child support and all other income from all sources.

54/

UNDER \$ 2,000	<input type="checkbox"/> 1	\$ 15,000 - 19,999	<input type="checkbox"/> 6
\$ 2,000 - 4,999	<input type="checkbox"/> 2	\$ 20,000 - 29,999	<input type="checkbox"/> 6
\$ 5,000 - 9,999	<input type="checkbox"/> 3	\$ 30,000 - 49,999	<input type="checkbox"/> 7
\$ 10,000 - 14,999	<input type="checkbox"/> 4	\$ 50,000 OR OVER	<input type="checkbox"/> 8

7. At this time are you:

55/

WORKING FULL TIME	<input type="checkbox"/> 1	RETIRED	<input type="checkbox"/> 5
WORKING PART TIME	<input type="checkbox"/> 2	IN SCHOOL	<input type="checkbox"/> 6
WITH A JOB, BUT NOT WORKING (sick leave, vacation, strike)	<input type="checkbox"/> 3	KEEPING HOUSE	<input type="checkbox"/> 7
UNEMPLOYED/LAID OFF	<input type="checkbox"/> 4	DISABLED OR TOO ILL TO WORK	<input type="checkbox"/> 8
		OTHER - What?	<input type="checkbox"/> 9

8. You've answered all of our questions. Now, we'd like to know what you think are the most important things that could be improved about being a witness.

56-59/

☐ ☐ ☐ ☐

THIS IS THE END OF THE SURVEY. PLEASE RETURN THIS BOOKLET IN THE STAMPED ENVELOPE AS SOON AS POSSIBLE. THANK YOU FOR YOUR HELP.

IF YOU WOULD LIKE TO RECEIVE A SUMMARY REPORT OF THIS STUDY, PLEASE

60-64/

CHECK HERE → ¹☐ AND BE SURE YOUR ADDRESS IS CORRECT ON THE LABEL.

1-7/

8-9/

CARD 01

10-13/

ESTUDIO DE TESTIGOS DEL CRIMEN DADE COUNTY

Este estudio se trata de las personas quienes fueron envueltas con el tribunal de Dade County como testigos del crimen. Nombres fueron tomados de los archivos criminales activos durante febrero y marzo de 1975. Las preguntas hechas en esta investigación se refieren al caso con cual Ud. estuvo relacionado en esa fecha. La mayoría de las preguntas Ud. podrá contestarlas por medio de una marca en el cuadrado ☒ o un número.

Favor de llenar el cuestionario entero. Si Ud. no puede contestar alguna pregunta, déjela y siga a la próxima.

Por favor, conteste las preguntas aunque no hubiera habido un juicio o aunque Ud. no asistió al juicio.

Gracias por su ayuda

A. SOBRE SU TRIBUNAL LOCAL...

1. ¿Antes de su experiencia reciente como testigo de un crimen, cuál era su opinión del sistema de justicia con cual Ud. estuvo relacionado?

14/ MUY INFERIOR ☐ ¹ INFERIOR ☐ ² MEDIANO ☐ ³ BUENO ☐ ⁴ SUPERIOR ☐ ⁵

2. ¿Basado en su experiencia reciente como testigo de un crimen, cuál es su opinión general del sistema de justicia con cual Ud. estuvo relacionado?

15/ MUY INFERIOR ☐ ¹ INFERIOR ☐ ² MEDIANO ☐ ³ BUENO ☐ ⁴ SUPERIOR ☐ ⁵

3. ¿Contando solamente casos criminales, cuántas veces durante los últimos cinco años ha sido Ud;

16-17/		un jurado?	_____	VECES
18-19/	FAVOR DE PONER	un testigo?	_____	VECES
20-21/	UNA REPUESTA	una víctima?	_____	VECES
22-23/	PARA CADA CATEGORÍA	un acusado?	_____	VECES

CARD 01

B. SOBRE SU EXPERIENCIA COMO UNA UN TESTIGO DEL CRIMEN.

1. Con respecto al caso en cual Ud. fue un testigo, marque todos los tipos de crímenes cuales fueron relacionados con ese caso.

24-25/	SE ROBARON ALGO	¹ <input type="checkbox"/>	UN ESCAPE DE LA CARCEL. HUIR MIENTRAS BAJO FIANZA	¹ <input type="checkbox"/>
26-27/	AMENAZA DE VIOLENCIA (por ejemplo durante un robo)	<input type="checkbox"/>	POSESION ILEGAL DE ARMAS	<input type="checkbox"/>
28-29/	UN ATAQUE FISICO CONTRA UNA PERSONA (por ejemplo, una violación, asalto con violencia, etc.	<input type="checkbox"/>	ESTAFA, TIMO, CHEQUES MALAS O DESFALCO	<input type="checkbox"/>
30/			OTRO TIPO DE CRIMEN	
31/	POSESION O VENTA DE DROGAS	<input type="checkbox"/>	Favor de explicarlo: _____	

2. ¿En el sentido de perjuicio personal, cantidad de propiedad perdida o robada, o efectos permanentes en las personas enrolladas, qué grado de gravedad tiene este caso?

32/	MUY GRAVE	¹ <input type="checkbox"/>	UN POCO GRAVE	² <input type="checkbox"/>	NO GRAVE	³ <input type="checkbox"/>
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3. ¿Fue Vd. un testigo para el acusador (el fiscal del distrito judicial o del estado) o para el acusado?

33/	ACASADOR	¹ <input type="checkbox"/>	ACUSADO	² <input type="checkbox"/>
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4. Favor de contestar todas estas preguntas cuales se tratan del por qué Vd. fue un testigo.

34/	¿Vd. vió el crimen cometido?	SI	¹ <input type="checkbox"/>	NO	² <input type="checkbox"/>
35/	¿Vd. se encontró en la escena del crimen un poco antes o acabado de que se cometiera el crimen?	SI	<input type="checkbox"/>	NO	<input type="checkbox"/>
36/	¿Vd. conocía a la víctima del crimen?	SI	<input type="checkbox"/>	NO	<input type="checkbox"/>
37/	¿Vd. conocía a la persona acusada del crimen?	SI	<input type="checkbox"/>	NO	<input type="checkbox"/>

5. ¿Fue Ud. notificado que debía presentarse para una conferencia, entrevista, una audiencia y/o juicio en conexión con este caso?

38/	CARD 01	SI	¹ <input type="checkbox"/>	NO	² <input type="checkbox"/>
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6. ¿Llegó algún momento en cual Ud. decidió no ir cuando se le pidió que se presentara?

39/ SI ☐ ¹ NO ☐ ² NO PIDIERON ☐ ³

7. ¿Cuántos días Ud. llegó a ir a una conferencia, entrevista, audiencia y/o un juicio en conexión con este caso?

40-41/ _____ DÍAS

- 42/ ● SI Ud. NUNCA SE PRESENTÓ PARA UNA CONFERENCIA, ENTREVISTA, AUDIENCIA Y/O UN JUICIO PONGA UNA MARCA AQUÍ → ☐ ¹ Y PASE A PÁGINA 5, PREGUNTA NÚMERO 15.

8. ¿En general, de qué manera le avisaron a Ud. cuando tenía que presentarse?

43/ POR TELEFONO ☐ ¹ UN ABOGADO SE LO DIJO ☐ ³
POR CORREO ☐ ² CITACIÓN ☐ ⁴

9. ¿Por promedio, cuánto tiempo tomó cada apariencia? (incluyendo el tiempo que Ud. pasó esperando).

44/ MENOS DE UNA HORA ☐ ¹ TODA LA MAÑANA O ☐ ³
TODA LA TARDE
UNA O DOS HORAS ☐ ² TODO EL DÍA ☐ ⁴

10. Procedimientos de juicio algunas veces son aplazos o refijados para otra fecha. ¿Cuál de las afirmaciones siguientes mejor describe su experiencia con este caso?

45/ No hubieron cambios en la fecha original ☐ ¹
1 a 3 cambios o aplazos ☐ ²
Más de 3 cambios o aplazos ☐ ³

- SI HUBO ALGUN CAMBIO DE FECHA O APLAZOS:

46/ ¿Ordinariamente, fue avisado anticipadamente? SI ☐ ¹ NO ☐ ²

47/ ¿Le explicó la razón? SI ☐ NO ☐

CARD 01

11. Aquí tiene una lista de cosas que a veces causan problemas con apariencias en corte. Por favor, piense en cada una y marque si, generalmente, fue un problema grave, un problema menor, o si para Ud. no fue ningún problema.

	PROBLEMA GRAVE	PROBLEMA MENOR	NO FUE PROBLEMA
	1	2	3
48/ DIFICULTAD CON PARQUEO O TRANSPORTACIÓN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
49/ PASAR MUCHO TIEMPO ESPERANDO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
50/ PERDER TIEMPO EN EL TRABAJO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
51/ PREOCUPACIÓN CON SU SEGURIDAD EN LA ÁREA DEL EDIFICIO DE LA CORTE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
52/ INADECUADOS LUGARES DE COMER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53/ PROBLEMAS CON CUIDAR SU FAMILIA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
54/ SALAS DE ESPERA Y CUARTOS DE BAÑOS QUE SON INCOMODOS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
55/ NO PODER ENCONTRAR LAS OFICINAS Y/O LAS SALAS DE TRIBUNAL PARA LLENAR LAS CITAS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
56/ PREOCUPACIÓN QUE LOS ACUSADOS (O SUS COMPAÑEROS) SE VINDICAN EN ALGUNA MANERA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. ¿Hubo un juicio por jurado en este caso?

57/ SI ☐ NO ☐ NO SE ☐

● SI Ud. NO SABE O SI NO HUBO JUICIO PASE A PREGUNTA NÚMERO 15, EN LA PRÓXIMA PÁGINA.

58/ 13. ¿Ud. ESTUVO PRESENTE EN EL JUICIO? SI ☐ NO ☐

● SI Ud. NO ESTUVO PRESENTE EN EL JUICIO PASE A PREGUNTA NÚMERO 15, EN LA PRÓXIMA PÁGINA.

59/ 14. ¿Ud. TESTIFICÓ EN EL JUICIO? SI ☐ NO ☐

15. A nosotros nos gustaría oír sus opiniones sobre como varias personas actuaron durante su (el) caso. Háganos el favor de leer todas de las siguientes afirmaciones y marque como Ud. se siente de cada uno. Si no tuvo contacto con esta persona, marque "No tuvo contacto."

CARD 02

		<u>ESTOY DE ACUERDO</u>	<u>NEUTRAL</u>	<u>NO ESTOY DE ACUERDO</u>	<u>NO TUVE CONTACTO</u>
	<u>ABOGADO DEL ACUSADO</u>				
10/	El abogado del acusado trató de ayudar su cliente.	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> N
11/	El abogado del acusado parecía estar muy al tanto de lo que estaba haciendo en entrevistando los testigos, presentando evidencia, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<u>ABOGADO ACUSADOR</u>				
12/	El acusador parecía estar muy al tanto de lo que estaba haciendo en entrevistando los testigos, presentando evidencia, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13/	El acusador estaba más interesado en ganar el caso que en averiguar que realmente sucedió.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<u>JUEZ</u>				
14/	El juez estaba más interesado en tratar el caso justamente que en terminar el caso aprisa.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15/	El juez prestó su prudente atención al caso.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16/	El acusador y la policía fueron principalmente favorecidos por el juez.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17/	La defensa fue principalmente favorecida por el juez.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CARD 02

16. ¿En total, cuántos meses estuvo Ud. envuelto en entrevistas, conferencias, audiencias, y/o juicios en este caso?

18/ MENOS DE UN MES ☐ 1 4-6 MESES ☐ 3
1-3 MESES ☐ 2 7 MESES O MAS ☐ 4

17. ¿Cuál fué el resultado del caso?

19/ DISUELTO ☐ 1 JUICIO-ENCONTRARON QUE EL ACUSADO ERA CULPABLE DE UNO O MÁS DE LOS CARGOS CONTRA EL ☐ 4
SE ARREGLO SIN JUICIO ☐ 2 JUICIO NULO POR CAUSA DE ERROR O POR DESACUERDO DEL JURADO ☐ 5
JUICIO-ENCONTRARON QUE EL ACUSADO NO ERA CULPABLE DE LOS CARGOS CONTRA EL ☐ 3 NO SE COMO SALIO ☐ D

18. ¿Cuál es su opinión sobre cuanto tiempo tomó para determinar el caso?

20/ TOMO DEMASIADO TIEMPO ☐ 1 NO TOMO SUFICIENTE TIEMPO ☐ 3
TOMO UN TIEMPO RASONABLE ☐ 2 NO SE CUANTO TIEMPO TOMO ☐ D

19. ¿Le explicó un abogado o un oficial de la corte que se esperaba de Ud. como un testigo?

21/ SI ☐ 1 NO, PERO NO ME IMPORTABA ☐ 2 NO, PERO YO LO QUERIA SABER ☐ 3

20. ¿A Ud. le informaron qué sentencia (si alguna) recibió el acusado?

22/ SI ☐ 1 NO, PERO A MI NO ME IMPORTABA ☐ 2 NO, PERO YO LO QUERIA SABER ☐ 3 NO HUBO SENTENCIA ☐ 4

21. ¿Generalmente, en qué manera Ud. se enteraba de lo que pasaba en el caso?

23/ ME LO DECÍAN LOS OFICIALES DE LA CORTE ☐ 1 ME ENTERÉ DURANTE LAS SESIONES DEL JUICIO ☐ 3
ME LO DECÍAN MIS AMIGOS E OTRAS PERSONAS ☐ 2 NUNCA SUPE NI ME ENTERÉ ☐ 4

22. ¿Se sintió Ud. que se sirvió la justicia en este caso?
 24/ SI ¹☐ NO ²☐
23. ¿Se sintió Ud. que tuvo la oportunidad para contar todo lo que sabía?
 25/ SI ¹☐ NO ²☐ NO QUERIA ³☐
24. ¿Se sintió Ud. que debía haber sido un juicio, sea que lo hubo o no?
 26/ SI ¹☐ NO ²☐
25. ¿Se sintió Ud. que el acusado debía haber sido condenado, sea que fue o no fue?
 27/ SI ¹☐ NO ²☐
26. ¿Se sintió Ud. que la sentencia (si alguna) fue demasiado dura, lo que merecía, o demasiado menina?
 28/ DEMASIADO ¹☐ DURO LO QUE ²☐ MERECE MENINA ³☐ DEMASIADO ⁴☐ NO HUBO SENTENCIA O NO SÉ CUAL FUE
27. ¿En el sentido de cortesía y respecto para Ud. como una persona, cómo describiera su tratamiento por la policía quienes trataron el caso hasta el tiempo que el caso llegó a juicio?
 29/ INFERIOR ¹☐ NEUTRAL ²☐ BUENO ³☐ NO TUVE ^N☐ CONTACTO
28. ¿En el sentido de cortesía y respecto para Vd. como una persona, cómo Ud. describiera su tratamiento por:

		<u>INFERIOR</u>	<u>NEUTRAL</u>	<u>BUENO</u>	<u>NO TUVE CONTACTO</u>
		¹	²	³	^N
30/	El juez?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31/	PONGA UNA REPUESTA PARA CADA CATEGORÍA				
	El aguacil y los oficiales de la corte?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32/	El acusador?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33/	El abogado del acusado?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

29. ¿Ud. cree que su participación en este caso ayudó que se sirviera la justicia?

34/ SI ¹ ☐ NO ² ☐ NO SE ^D ☐

30. ¿Cree Ud. que entiende el sistema tribunal mejor como consecuencia de este caso?

35/ SI ¹ ☐ NO ² ☐ NO SE ^D ☐

31. ¿Qué grado de interés encontró Ud. en este caso?

36/ MUY ¹ INTERESANTE ☐ UN POCO ² INTERESANTE ☐ NO FUE ³ INTERESANTE ☐

32. ¿Considerando su experiencia en este caso, cómo se siente Ud.?

37/ MUY ¹ SATISFECHO ☐ UN POCO ² SATISFECHO ☐ NEUTRAL ³ ☐ UN POCO ⁴ DESAGRADADO ☐ MUY DES- ⁵ AGRADADO ☐

33. ¿Si en el future Ud. fuera testigo a un crimen, estaría dispuesto o no dispuesto a cooperar (con las autoridades)?

38/ SI, ¹ COÓPERARIA ☐ NO, ² NO COOPERARIA ☐

CONTINUE EN LA PROXIMA
PAGINA POR FAVOR. →

C. SOBRE EL SISTEMA TRIBUNAL DE LOS ESTADOS UNIDOS...

1. Queremos saber cuales son sus opiniones generales sobre el proceso en las cortes criminales en los Estados Unidos en el día de hoy. Tómese un momento, piense en cada de las afirmaciones siguientes y marque como Ud. se siente sobre cada una.

		ESTOY MUY DE ACUERDO	ESTOY DE ACUERDO	NEUTRAL	NO ESTOY DE ACUERDO	FUERTEMENTE NO ESTOY DE ACUERDO
39/	El sistema tribunal es muy despacio y gasta demasiado tiempo.	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
40/	La raza, la posición de su familia, la manera de presentarse de una persona, y su apariencia física todas tienen un gran efecto en como la corte trata un acusado o un testigo.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
41/	El sistema tribunal protege bien los derechos del acusado.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
42/	El sistema tribunal es demasiado flojo con acusados.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
43/	Muchos oficiales de la corte y jueces no son honrados.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. ¿Con qué frecuencia cree Ud. que "negocios de alegaciones" ocurren para determinar casos criminales -- mejor dicho, con qué frecuencia un acusado hace una alegación que es culpable en cambio para una sentencia menos severo?

44/	LA MAYORIA DEL TIEMPO	<input type="checkbox"/> 1	FRECUENTEMENTE	<input type="checkbox"/> 2	DEVEZ EN CUANDO	<input type="checkbox"/> 3	RARAMENTE O NUNCA	<input type="checkbox"/> 4
-----	--------------------------	----------------------------	----------------	----------------------------	--------------------	----------------------------	----------------------	----------------------------

3. Queremos saber cuales son sus opiniones sobre "negocios de alegación" en general. Tómese un momento y piense en cada de las afirmaciones siguientes y marque como Ud. se siente sobre cada una.

		ESTOY DE ACUERDO	NO ESTOY DE ACUERDO	NO ESTOY SEGURO
45/	"Negocio de alegación" ahorra tiempo y dinero evitando juicios.	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3
46/	"Negocio de alegación" ayuda a personas culpables salirse con sentencias demasiado mínimas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
47/	"Negocio de alegación" ayuda al acusador más que al acusado.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
48/	"Negocio de alegación" es tan bueno como un juicio para decidir la mayor parte de los casos criminales.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D. PARA PROPOSITOS ESTADISTICOS...

49/ 1. Indique su sexo. MASCULINO ☐ ¹ FEMENINO ☐ ²

2. ¿Cuántos años cumplió en el día de su último cumpleaños?

50/ 19 O MENOS ☐ ¹ 40 - 49 ☐ ⁴ 70 - 79 ☐ ⁷
 20 - 29 ☐ ² 50 - 59 ☐ ⁵ 80 O MAS ☐ ⁸
 30 - 39 ☐ ³ 60 - 69 ☐ ⁶

3. ¿Cuál es su raza o grupo étnico principal?

51/ NEGRO/AFRO-AMERICANO ☐ ¹ INDIO AMERICANO ☐ ⁴
 HISPANICO/PUERTORRIQUEÑO/
 CUBANO/MEJICANO/LATINO ☐ ² ORIENTAL/CHINO/ASIATICO/
 JAPONES/COREANO/FILIPINO ☐ ⁵
 BLANCO/CAUCASEO ☐ ³ OTRO ☐ ⁶
 ¿Cuál? _____

4. ¿Cuál es el grado más alto de escuela regular o universidad que Ud. ha terminado?

52/ 4 GRADO O MENOS ☐ ¹ 1 - 3 AÑOS DE UNIVERSIDAD SIN TITULO ☐ ⁵
 5 - 8 GRADO ☐ ² TITULO DE "JUNIOR COLLEGE" (AA) ☐ ⁶
 1 - 3 AÑOS DE ESCUELA SECUNDARIA ☐ ³ TITULO UNIVERSITARIO (BA, BS) ☐ ⁷
 DIPLOMA DE LA ESCUELA SECUNDARIA ☐ ⁴ ESCUELA GRADUADA ☐ ⁸

5. ¿Cuál es su estado marital actual?

53/ CASADO ☐ ¹ DIVORCIADO ☐ ³ NUNCA SE HA CASADO ☐ ⁵
 ENVIUDADO ☐ ² SEPARADO ☐ ⁴

6. ¿Cuál fue su ingreso familiar total para el año pasado, 1974, antes de los impuestos? Cuento los sueldos, salarios, propinas, pensiones, pago de la seguridad social, del desempleo, de asistencias de divorcio o separación, y todo sus otros ingresos de todas otras fuentes.

54/

MENOS DE \$2,000	<input type="checkbox"/> 1	\$15,000 - \$19,999	<input type="checkbox"/> 5
\$2,000 - \$4,999	<input type="checkbox"/> 2	\$20,000 - \$29,000	<input type="checkbox"/> 6
\$5,000 - \$9,999	<input type="checkbox"/> 3	\$30,000 - \$49,999	<input type="checkbox"/> 7
\$10,000 - \$14,000	<input type="checkbox"/> 4	\$50,000 O MAS	<input type="checkbox"/> 8

7. ¿En este momento está Ud.:

55/

TRABAJANDO FIJO "FULL TIME"	<input type="checkbox"/> 1	RETIRADO	<input type="checkbox"/> 5
TRABAJANDO PARTE DEL TIEMPO "PART TIME"	<input type="checkbox"/> 2	EN LA ESCUELA	<input type="checkbox"/> 6
CON TRABAJO, PERO POR EL MOMENTO NO TRABAJANDO (licencia por enfermedad, vacación, huelga)	<input type="checkbox"/> 3	MANEJANDO	<input type="checkbox"/> 7
		INCAPACITADO O DEMASIADO ENFERMO PARA TRABAJAR	<input type="checkbox"/> 8
DESEMPLEADO/CON "LAY OFF"	<input type="checkbox"/> 4	OTRA COSA	<input type="checkbox"/> 9

Cuál? _____

8. Ya ha contestado todas las preguntas. Nos gustaría saber cuales son las cosas más importantes y beneficiosas que Ud. piensa se pudieran hacer para facilitarle la vida para testigos del crimen.

56-59/

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ESTE ES EL FIN DEL ESTUDIO. DEVUELVA ESTE CUESTIONARIO EN EL SOBRE SELLADO TAN PRONTO QUE PUEDA POR FAVOR. MUCHAS GRACIAS POR SU AYUDA.

60-64/

SI Ud. LE GUSTARIA RECIBIR UN SUMARIO DE ESTE ESTUDIO, MARQUE AQUI → ☐ 1.



CIRCUIT COURT
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

GENE WILLIAMS
CIRCUIT JUDGE

METROPOLITAN OFFICE BUILDING
THIRTEEN NORTH MIAMI
MIAMI, FLORIDA 33125

Dear Fellow Citizen,

I am writing to ask you for your help.

The Dade County Circuit Court is cooperating with The Rand Corporation in a study of the criminal justice process in our court. Part of our study involves questionnaires for persons, such as yourself, who served as jurors in criminal trials held in the Circuit Court during June of 1975. The purpose of this research is to improve the way the courts operate and dispense justice by being more aware of your experiences as a juror and of how you feel about them.

Your name was selected at random from cases which have come before this court. Although participation is voluntary, the number of people who could be selected to receive questionnaires is small and your answers are very important for the study.

It will take only a short time to fill in the questionnaire and to return it in the stamped reply envelope. The responses will be analyzed by The Rand Corporation (a non-profit company which does public research) and will be reported only in statistical reports. All information which would permit identification of respondents will be regarded as strictly confidential, will be used only for the purposes of the study and will not be disclosed or released for any other purpose except as required by law.

If you are interested in receiving a summary report on this study please check the box at the end of the interview. We will be glad to send you a copy as soon as it is ready.

Please return the completed questionnaire as soon as possible. Thank you for your help.

Sincerely,

Gene Williams,
Administrative Judge
of the Criminal Division
Dade County Circuit Court



CIRCUIT COURT
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

GENE WILLIAMS
CIRCUIT JUDGE

METROPOLITAN JUSTICE BUILDING
1381 N.W. 12th STREET
MIAMI, FLORIDA 33125

Dear Fellow Citizen,

I am writing to ask for your help.

The Dade County Circuit Court is cooperating with The Rand Corporation in a study of the criminal justice process in our court. Part of our study involves questionnaires for persons, such as yourself, who were victims of crimes which came before the Circuit Court during February and March, 1975. The purpose of this research is to improve the way the courts operate and dispense justice by being more aware of your experiences as a victim of crime and of how you feel about them.

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Sincerely,

Gene Williams,
Administrative Judge
of the Criminal Division
Dade County Circuit Court



CIRCUIT COURT
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

GENE WILLIAMS
CIRCUIT JUDGE

METROPOLITAN JUSTICE BUILDING
138 N. W. 12TH STREET
MIAMI, FLORIDA 33125

Dear Fellow Citizen,

I am writing to ask you for your help.

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Please return the completed questionnaire as soon as possible. Thank you for your help.

Sincerely,

Gene Williams,
Administrative Judge
of the Criminal Division
Dade County Circuit Court



CIRCUIT COURT OF OREGON
FOURTH JUDICIAL DISTRICT
MULTNOMAH COUNTY COURTHOUSE
PORTLAND, OREGON 97204
248-3247

CLIFFORD S. OLSEN
JUDGE

Dear Fellow Citizen,

I am writing to ask for your help.

The Multnomah County Circuit Court is cooperating with The Rand Corporation in a study of the criminal justice process in our county courts. Part of our study involves questionnaires for persons such as yourself, who served as jurors in criminal trials held in the county courts during March of 1975. The purpose of this research is to improve the way the courts operate and dispense justice by being more aware of your experiences as a juror and of how you feel about them.

Your name was selected at random from cases which have come before this court. Since the number of people who could be selected to receive questionnaires is small, your answers are very important for the study.

It will take only a short time to fill in the questionnaire and to return it in the stamped reply envelope. The responses will be analyzed by The Rand Corporation (a non-profit company which does public research) and will be reported only in statistical reports. All information which would permit identification of respondents will be regarded as strictly confidential, will be used only for the purposes of the study and will not be disclosed or released for any other purpose except as required by law.

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Please return the completed questionnaire as soon as possible.
Thank you for your help.

Sincerely,

The Honorable Clifford Olsen
Presiding Judge
Multnomah County Circuit Court



CIRCUIT COURT OF OREGON

FOURTH JUDICIAL DISTRICT

MULTNOMAH COUNTY COURTHOUSE

PORTLAND, OREGON 97204

248-3247

CLIFFORD B. OLSEN
JUDGE

Dear Fellow Citizen,

I am writing to ask for your help.

The Multnomah County Circuit Court is cooperating with The Rand Corporation in a study of the criminal justice process in our county courts. Part of our study involves questionnaires for persons, such as yourself, who were victims of crimes which came before the county courts during several months prior to August 1974. The purpose of this research is to improve the way the courts operate and dispense justice by being more aware of your experiences as a victim of crime and of how you feel about them.

Your name was selected at random from cases which have come before this court. Since the number of people who could be selected to receive questionnaires is small, your answers are very important for the study.

It will take only a short time to fill in the questionnaire and to return it in the stamped reply envelope. The responses will be analyzed by The Rand Corporation (a non-profit company which does public research) and will be reported only in statistical reports. All information which would permit identification of respondents will be regarded as strictly confidential, will be used only for the purposes of the study and will not be disclosed or released for any other purpose except as required by law.

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The Honorable Clifford Olsen
Presiding Judge
Multnomah County Circuit Court



CIRCUIT COURT OF OREGON

FOURTH JUDICIAL DISTRICT

MULTNOMAH COUNTY COURTHOUSE

PORTLAND, OREGON 97204

248-3247

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Your name was selected at random from cases which have come before this court. Since the number of people who could be selected to receive questionnaires is small, your answers are very important for the study.

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If you are interested in receiving a summary report on this study please check the box at the end of the interview. We will be glad to send you a copy as soon as it is ready.

Please return the completed questionnaire as soon as possible. Thank you for your help.

Sincerely,

The Honorable Clifford Olsen
Presiding Judge
Multnomah County Circuit Court



Recently we mailed you a questionnaire asking for your help in an important survey about your County Circuit Court.

If you have already returned the questionnaire, please consider this card a special "Thank You" for your valuable help.

If you have not had a chance to do so as yet, may we ask you to return the completed form now? Your help is vital to the success of the study.

Thank You



QUESTIONNAIRE REMINDER NOTICE

Recently we mailed you a questionnaire asking for your opinions about your County Circuit Court. As we sent out only a limited number of these, your answer is very important in helping to find out about the courts and how well people think they operate.

It will take only a moment to fill out and return the questionnaire in the stamped reply envelope. If you've already done so, many thanks. If you have not yet had a chance to answer, we would be most grateful if you would do it now. In case our original request went astray in the mails, we've enclosed another copy of the questionnaire.

You may feel that some questions do not apply to you. In that case, please answer all the questions which do apply. We need your questionnaire even if it's not completely filled out.

Thank you for your help in this important study.

Nota Especial

Hay una versión de este cuestionario en español para quienes le sea mas fácil usarla.

Si Ud. le gustaría que se le mande la versión en español, haga una marca aquí —→ ☐, y devuelva esta tarjeta junto con el cuestionario en inglés, no escrito, en el sobre de repuesta, "OPINION SURVEY REPLY."

Muchas Gracias

Special Note

There is a Spanish-language version of this questionnaire available for those who would find it easier to use.

If you would like the Spanish-language version, place a check in this box —→ ☐, and return this note with the blank English questionnaire in the reply envelope.

Thank You

Appendix H
STATISTICAL ANALYSIS SUPPLEMENT TO THE MAIL
SURVEYS
Stephen Klein

This appendix consists of 11 tables that summarize the average responses to the mail survey questionnaires by respondent group (juror, victim, and witness) and by site (Multnomah or Dade County) and a final table that lists the variable numbers and their corresponding item (question) number in each questionnaire.

Table H.1

BACKGROUND CHARACTERISTICS

Var #	Variable Measured or Question Asked	A High Score Occurs When the Person...	Score Range	t-test results						Mean Scores					
				Between Sites			Between Groups								
				Within Groups ^a			Across Sites ^b								
				J	V	W	JV	JW	VW	Multnomah County			Dade County		
				Juror	Victim	Witness	Juror	Victim	Witness	Juror	Victim	Witness			
1	Sex	is female	1-2	-	-	-	-	J*	V	1.5	1.4	1.3	1.5	1.4	1.3
2	Age	is older	1-8	-	-	-	J	J*	V*	4.2	3.8	3.1	4.2	3.8	3.3
3	Minority Status	is not minority	1-2	M*	M*	M*	-	J	-	1.9	1.9	1.9	1.7	1.6	1.6
4	Education	is more educated	1-8	-	-	-	-	-	-	4.8	4.6	4.5	4.7	4.7	4.5
5	Marital Status	is married now	1-3	-	-	-	J*	J*	-	2.6	2.5	2.4	2.6	2.3	2.4
6	Income	earns more	1-8	-	m	-	J	-	-	4.5	4.2	4.2	4.2	3.8	4.3
7	Employment Status	is more fully employed	2-8	-	-	d	V	W	-	5.6	6.6	6.1	6.0	6.3	6.9
8	Socioeconomic Status Var. 5/6/7	has a higher SES level	4-24	-	-	-	-	-	-	14.9	15.4	14.9	14.9	14.8	15.7

^a Significant t-test results for these comparisons are indicated by the first letter of the jurisdiction with the larger mean score as follows:

less than .001 - M* or D*
 .001 to .009 - M or D
 .01 to .05 - m or d

^b Significant t-test results for these comparisons are indicated by the first letter of the group with the larger mean score as follows:

less than .001 - J* or V* or W*
 .001 to .009 - J or V or W
 .01 to .05 - j or v or w

Table H.2

OUTCOME VARIABLES

Var #	Variable Measured or Question Asked	A High Score Occurs When the Person....	Score Range	t-test results		Mean Scores							
				Between Sites		Within Groups				Across Sites ^b			
				J V		J V		J V		J V		J V	
				M	M	M	M	M	M	M	M	M	M
9	Based on your recent experience, what is your overall opinion of the court system?	has a positive attitude	1-5	-	-	-	-	-	-	-	-	-	-
10	Do you feel that justice was done?	says "yes" rather than no or maybe	1-3	-	-	-	-	-	-	-	-	-	-
11	How satisfied were you?	is more satisfied	1-5	-	-	-	-	-	-	-	-	-	-
12	Do you now understand the court system better?	does understand more now	1-2	-	-	-	-	-	-	-	-	-	-
13	Would you be willing to serve again in the same capacity?	would be willing to serve again	1-2	-	-	-	-	-	-	-	-	-	-

^a Significant t-test results for these comparisons are indicated by the first letter of the jurisdiction with the larger mean score as follows:

less than .001 - M* or D*
 .001 to .009 - M or D
 .01 to .05 - m or d

^b Significant t-test results for these comparisons are indicated by the first letter of the group with the larger mean score as follows:

less than .001 - J* or V* or W*
 .001 to .009 - J or V or W
 .01 to .05 - j or v or w

Table H.3
GENERAL ATTITUDES AND EXPERIENCES OF ALL THREE GROUPS

Var #	Variable Measured or Question Asked	A High Score Occurs When the Person....	Score Range	t-test results				Mean Scores					
				Between Sites		Between Groups		Multnomah County			Dade County		
				Within Groups ^a	Across Sites ^b	J V W	J V W	Juror	Victim	Witness	Juror	Victim	Witness
14	Opinion of system prior to recent experience	a good opinion	1-5	M* -	J J -	-	-	3.5	3.2	3.3	3.2	3.1	3.0
15	Number of times a juror in a criminal case			M* D	J* J*	-	-	2.4	.0	.0	1.1	.2	.2
16	Number of times a witness in a criminal case			- D	V* W*	-	-	.1	1.0	2.1	.1	.6	8.8
17	Number of times a victim in a criminal case			- d	V* W -	-	-	.1	1.9	.5	.0	1.6	3.3
18	Number of times a defendant in a criminal case			- -	V* -	-	-	.0	.1	.0	.0	.2	1.3
19	What happened in something was stolen, 0-1			- M -	V* -	V -	-	.6	.8	.7	.5	.7	.6
20	the case(s) in escape from jail, 0-1			m*	-	-	-	.1	.1	.0	.0	.0	.1
21	which you were threat of violence, 0-1			M*	-	J* V	-	.4	.3	.1	.2	.3	.2
22	involved: possession of weapon, 0-1			-	-	J* J*	-	.2	.1	.1	.2	.1	.2
23	physical attack, 0-1			M* d	J* J*	-	-	.5	.1	.2	.3	.2	.3
24	[Note that jurors fraud, bad checks, 0-1			-	-	W* w	-	.1	.1	.2	.1	.1	.2
25	involved in more possession/sale of 0-1			m -	-	J* J*	-	.2	.0	.1	.1	.1	.1
26	cases.] drugs, other 0-1			- -	-	J* J -	-	.3	.1	.2	.2	.1	.1
27	How serious was the crime(s)?	says it was serious	1-3	D* -	J* J -	-	-	2.0	1.9	2.0	2.4	2.0	2.1

^a Significant t-test results for these comparisons are indicated by the first letter of the jurisdiction with the larger mean score as follows:

less than .001 - D* or M*
 .001 to .009 - D or M
 .01 to .05 - d or m

^b Significant t-test results for these comparisons are indicated by the first letter of the group with the larger mean score as follows:

less than .001 - J* or V* or W*
 .001 to .009 - J or V or W
 .01 to .05 - j or v or w

Table H.3—continued

Var #	Variable Measured or Question Asked	A High Score Occurs When the Person...	Score Range	t-test results										Mean Scores			
				Between Sites		Between Groups		Within Sites ^a		Across Groups ^b		JV		JN		VM	
				J	V	W	D	D	D	V	W	J	V	J	N	V	M
				1-3	1-3	1-3	1-3	1-3	1-3	1-3	1-3	1-3	1-3	1-3	1-3	1-3	1-3
28	Which of these things were a problem for you?	Experienced a problem related to:															
29	-parking or transport,		1-3														
30	-spending time waiting,		1-3														
31	-losing time from work,		1-3														
32	-concern for safety in vicinity of courthouse,		1-3														
33	-place to eat,		1-3														
34	-care for family,		1-3														
35	-facility comfort		1-3														
36	-defendant getting back		1-3														
37	total problems		8-24														
38	Attitude toward - tried to help client		1-5														
39	Defense Attorney - knowledgeable		1-5														
40	Attitude toward - knowledgeable		1-5														
41	Prosecutor - more interested in winning than truth		1-5														
42	Attitude toward - interested in truth		1-5														
43	Judge - paid careful attention		0-24														
44	Overall attitude toward legal professionals																

^aSignificant t-test results for these comparisons are indicated by the first letter of the jurisdiction with the larger mean score as follows:

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 .001 to .009 - D or M
 .01 to .05 - d or m

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 .001 to .009 - J or V or W
 .01 to .05 - j or v or w

Table H.3—continued

Var #	Variable measured or question asked	Score Range	t-test results										Mean Scores					
			Between Sites				Between Groups				Multnomah County							
			Within Groups ^a		Across Sites ^b		Within Groups		Across Sites		Juror		Victim		Witness			
			J	V	W	VW	JV	JW	VW	JV	JW	VW	Juror	Victim	Witness			
44	Do you think your participation helped bring about justice?	1-2	m	-	-	J*	J*	-	-	1.9	1.7	1.7	1.8	1.7	1.6			
45	How interesting was your case experience?	1-3	-	-	-	J*	J*	-	-	2.8	2.0	2.0	2.8	2.1	2.2			
46	Believes court system is too slow and wastes a lot of time	1-5	-	-	-	V	W*	-	-	3.5	4.0	3.9	3.7	3.8	4.1			
47	Believes racial-ethnic background affects how a witness or defendant is treated in court	1-5	-	-	-	V*	W*	-	-	2.8	3.5	3.3	2.8	3.3	3.3			
48	Believes the court system does a good job of protecting a defendant's rights	1-5	-	-	-	J*	J*	-	-	4.0	3.5	3.7	4.0	3.6	3.8			
49	Believes the court system is too easy on defendants	1-5	-	-	-	V*	W*	-	-	3.0	3.8	3.5	3.2	3.8	3.8			
50	Believes many court officials and judges are dishonest	1-5	D*	-	D*	V*	W*	-	-	2.1	2.8	2.6	2.6	4.0	3.1			
51	Overall opinion of court system in general	0-20	M	-	M	J*	J*	-	-	11.6	8.4	9.4	10.8	8.7	8.5			

Table H.4

ATTITUDES TOWARD PLEA BARGAINING

Var #	Variable measured or question asked	Score Range	t-test results										Mean Scores					
			Between Sites		Between Groups		Within Groups ^a		Across Sites ^b		JV JW VW		Multnomah County			Dade County		
			J	V	W	J	V	W	JV	JW	VW	Juror	Victim	Witness	Juror	Victim	Witness	
52	Believes plea bargaining occurs frequently as a way to settle criminal cases	1-4	D*	-	-	V*	W*	-	-	-	-	2.4	3.1	3.1	2.7	3.0	3.1	
53	Believes plea bargaining saves time and money by avoiding trials	1-3	-	-	-	-	-	-	-	-	-	2.2	2.3	2.3	2.4	2.3	2.3	
54	Believes plea bargaining helps guilty people get off with sentences that are too light	1-3	D	-	-	V	-	V	-	V	-	2.4	2.6	2.6	2.6	2.7	2.5	
55	Believes plea bargaining helps the prosecutor more	1-3	-	-	-	V	-	V	-	W	-	1.8	1.8	1.9	1.9	1.9	2.0	
56	Believes plea bargaining is as good a way as trials to decide most criminal cases	1-3	-	-	-	-	-	-	-	-	-	1.8	1.8	1.9	1.9	1.8	2.0	
57	Overall attitude toward plea bargaining	1-5	-	-	-	-	-	-	-	-	-	2.3	2.1	2.3	2.0	1.9	2.2	

Table H.5
CASE SPECIFIC VARIABLES UNIQUE TO VICTIMS AND WITNESSES

Var #	Variable measured or question asked	A high score occurs when the person....	Score Range	t-test results Between Sites Within Groups ^a		Mean Scores			
				Across Sites ^b		Multnomah County		Dade County	
				V	W	Victim	Witness	Victim	Witness
58	Notified to appear for conf., interview or court hearing	says "yes"	1-2	-	-	1.9	2.0	2.0	2.0
59	Did you decide not to cooperate when asked?	says "yes"	1-3	-	-	1.2	1.1	1.2	1.2
60	No. of days went for conference, interview or court hearing for this case:			-	D	2.3	2.1	2.1	3.6
61	Never appeared for conf., interview, or hearing	never appeared	0-1	-	M	0.0	0.1	0.0	0.0
62	How were you told to appear?	by telephone	0-1	-	-	.3	.1	.2	.2
63		by lawyer	0-1	-	-	.0	.0	.0	.0
64		by letter	0-1	M	-	.4	.2	.2	.2
65		by subpoena	0-1	D*	D	.5	.6	.8	.7
66	How much time did you spend in each appearance	spent a lot of time (2 = 1-2 hours)	1-4	D	d	2.1	2.3	2.3	2.5
67	How many times were proceedings rescheduled	1 = none 2 = 1-3 3 > 3	1-3	-	D*	1.7	1.8	1.9	2.1
68	Were you notified in advance	was notified	1-2	-	-	1.7	1.7	1.6	1.6
69	Was reason explained	says "yes"	1-2	-	-	1.6	1.5	1.5	1.5

^a Significant t-test results for these comparisons are indicated by the first letter of the jurisdiction with the larger mean score as follows:

less than .001 - D* or M*
.001 to .009 - D or M
.01 to .05 - d or m

^b Significant t-test results for these comparisons are indicated by the first letter of the group with the larger mean score as follows:

less than .001 - V* or W*
.001 to .009 - V or W
.01 to .05 - v or w

Table H.5—continued

Var #	Variable measured or question asked	A high score occurs when the person....	Score Range	t-test results		Mean Scores					
				Between Sites		Within Groups ^a		Multnomah County		Dade County	
				V	W	V	W	Victim	Witness	Victim	Witness
70	Had a problem in finding rooms	says "yes"	1-3	-	m	-	-	1.4	1.4	1.3	1.2
71	Was there a jury trial for case?	says "yes"	1-3	M	-	-	-	1.8	2.0	1.5	2.0
72	Were you present at the trial?	says "yes"	1-2	-	-	w	-	1.8	1.9	1.7	1.9
73	Did you testify at the trial?	says "yes"	1-2	-	-	-	-	1.8	1.9	1.8	1.8
74	How many months were you involved in interviews, conferences etc.?	1 = 1 month 2 = 1-3 months 3 = 4-6 months 4 = 7 or more	1-4	-	D*	v	-	2.2	1.7	2.1	2.2
75	Outcome of Case -- no differences found between sites or groups for each type of outcome; in 30% of cases, outcome was "trial, found guilty" and in 35%, person did not know outcome.										
76	Feeling about how long it took to settle case	felt it took a reasonable time	1-3	-	M*	-	-	2.0	2.1	2.0	1.7
77	How did you find out what was happening in the case?	-told by court officials	0-1	-	-	v	-	.3	.3	.3	.2
78		-told by friends	0-1	-	D*	w	-	.1	.1	.2	.3
79		-found out in court	0-1	-	-	-	-	.2	.3	.2	.2
80		-never knew	0-1	-	m	-	-	.4	.4	.3	.2
81	Did you have a chance to tell your own story?	had a chance	1-3	-	-	-	-	2.5	2.5	2.4	2.5

*Significant t-test results for these comparisons are indicated by the first letter of the jurisdiction with the larger mean score as follows:

less than .001 - D* or M*
.001 to .009 - D or M
.01 to .05 - d or m

^bSignificant t-test results for these comparisons are indicated by the first letter of the group with the larger mean score as follows:

less than .001 - J* or V* or W*
.001 to .009 - J or V or W
.01 to .05 - j or v or w

Table H.5--continued

Var #	Variable measured or question asked	A high score occurs when the person...	Score Range	t-test results Between Sites		t-test results Within Groups		t-test results Across Sites ^b		Mean Scores			
				V	W	V	W	V	W	Multnomah County		Pade County	
										Victim	Witness	Victim	Witness
82	Do you feel there should have been a trial?	says "yes"	1-2	-	-	-	-	-	-	1.9	1.7	1.9	1.8
83	Do you feel the defendant should have been convicted?	says "yes"	1-2	-	-	-	-	-	-	1.9	1.9	1.9	1.8
84	Do you feel the sentence was too harsh or too light?	says it was too light; 2 is "about right"	1-3	-	-	-	-	-	-	2.0	2.0	2.0	1.8
85	How well did the police treat you?	says treated well - courtesy and respect	1-3	-	-	-	v	-	-	2.7	2.7	2.8	2.5
86	How well were you treated by the:	says treated well - courtesy and respect	1-3	-	-	-	-	-	-	-	-	-	-
87	Judge			-	-	-	-	-	-	2.3	2.4	2.4	2.4
88	Court officials			-	-	-	-	-	-	2.3	2.5	2.4	2.4
89	Prosecutor			-	-	-	-	-	-	2.4	2.5	2.5	2.5
90	Defense Attorney			-	-	-	w	-	-	2.1	2.3	2.1	2.2
90	General treatment by all four types of persons	says treated well - courtesy and respect	4-12	-	-	-	w	-	-	9.0	9.7	9.3	9.5

^aSignificant t-test results for these comparisons are indicated by the first letter of the jurisdiction with the larger mean score as follows:

less than .001 - D* or M*
 .001 to .009 - D or M
 .01 to .05 - d or m

^bSignificant t-test results for these comparisons are indicated by the first letter of the group with the larger mean score as follows:

less than .001 - J* or V* or W*
 .001 to .009 - J or V or W
 .01 to .05 - j or v or w

Table H.6

T-TEST RESULTS FOR VARIABLES UNIQUE TO JURORS

Item #	Variable measured or question asked	A high score occurs when the person....	Score Range	Mean Score Multnomah	Mean Score Dade	Significance Level of the t-test Results
B,4	How many days did you spend at court building?	spent a lot of days	0-	17.0	5.7	.000
B,5	On how many criminal cases did you sit?	sat on more cases	0-	3.8	1.3	.000
B,6	On how many civil cases did you sit?	sat on more cases	0-	2.8	0.2	.000
B,7	How did you spend your time at the court building?	spent more time in this fashion	1-5			
	- Waiting in jury room	1 No time 2 less than 25% 3 25-49% 4 50-74% 5 75% or more		3.1	3.4	.021
	- At jury selection for criminal cases			2.4	2.5	ns
	- At jury selection for civil cases			2.3	1.4	.000
	- At trial and deliberation for criminal cases			2.6	3.0	.004
	- At trial and deliberation for civil cases			2.3	1.2	.000
B,8	Did you have a problem in not knowing what was expected of you?	says "yes"	1-3	1.3	1.3	ns
B,13	What was the effect on your income as a result of jury service?	1 = lost money 2 = no effect 3 = made money	1-3	2.1	2.1	ns
B,14	What is your impression of the way juries arrive at a verdict?	has a more favorable opinion now than previously	1-4	3.0	3.3	.05

Table H.7

RESULTS OF ANALYSES OF ITEMS UNIQUE TO VICTIMS

Item #	Summary of Results
B,3	<p>In response to the question "was anything ever done to make up for the loss or injury you suffered?" 60 percent of the Multnomah victims and 40 percent of the Dade victims said "yes." This difference was statistically significant at $\alpha = .001$.</p> <p>A chi square analysis was conducted to determine whether the kinds of things done for victims at one site were similar or different from those done at the other site. The results of this analysis indicated no significant discontinuities; at both sites about 50 percent of those who said something was done indicated that stolen items were returned and/or the person who committed the crime repaid the victim. In about another 25 percent of the cases, the victim's insurance or medical plan reimbursed the victim for expenses and/or losses incurred.</p>
B,33	<p>In response to the question: "If you were a witness to a crime in the future, would you agree to cooperate or would you not agree to cooperate in conferences, interviews, court hearings and/or trials?" 90 percent of the victims at both sites indicated that they would be willing to cooperate.</p>

Table H.8

T-TEST RESULTS FOR VARIABLES UNIQUE TO WITNESSES

Item #	Variable measured or question asked	A high score occurs when the person....	Score Range	Mean Score Multnomah	Mean Score Dade	Significance Level of the t-test Results
B,3	Were you a witness for the prosecution or the defense?	was a defense witness	1-2	1.1	1.1	ns
B,4	Did you see the crime being committed?	says "yes"	1-2	1.7	1.7	ns
	Were you at the scene of the crime just before or after it happened?	says "yes"	1-2	1.9	1.8	ns
	Did you know the victim?	says "yes"	1-2	1.6	1.7	ns
	Did you know the defendant?	says "yes"	1-2	1.1	1.3	.002

Table H.9

CORRELATIONS BETWEEN DEPENDENT VARIABLES FOR JURORS AT EACH SITE^a

	9 Overall Opinion of Court System	10 Feel Justice Was Done	11 Degree of Satisfaction	12 Understanding of Court System	13 Willingness to Cooperate Again
Overall Opinion of Court System	--	.39	.37	.42	.19
Feel Justice Was Done	.49	--	.43	.27	.09
Degree of Satisfaction	.36	.34	--	.35	.14
Understanding of Court System	.33	.34	.10	--	-.06
Willingness to Cooperate Again	.13	.18	.07	.12	--

^aThe values for Multnomah and Dade Counties appear above and below the main diagonal, respectively. Critical values for correlation coefficient with 150 degrees of freedom are .16 and .21 for significance levels of .05 and .01, respectively.

Table H.10

CORRELATIONS BETWEEN DEPENDENT VARIABLES FOR VICTIMS AT EACH SITE^a

	9 Overall Opinion of Court System	10 Feel Justice Was Done	11 Degree of Satisfaction	12 Understanding of Court System	13 Willingness to Cooperate Again
Overall Opinion of Court System	--	.49	.68	.29	.31
Feel Justice Was Done	.63	--	.75	.28	.30
Degree of Satisfaction	.66	.75	--	.35	.39
Understanding of Court System	.39	.55	.48	--	.20
Willingness to Cooperate Again	.19	.15	.26	.09	--

^aThe values for Multnomah and Dade Counties appear above and below the main diagonal, respectively. The critical values for correlation coefficient with 100 degrees of freedom are .20 and .25 for significance levels of .05 and .01, respectively.

Table H.11
CORRELATIONS BETWEEN DEPENDENT VARIABLES FOR WITNESSES AT EACH SITE^a

	9 Overall Opinion of Court System	10 Feel Justice Was Done	11 Degree of Satisfaction	12 Understanding of Court System	13 Willingness to Cooperate Again
Overall Opinion of Court System	--	.47	.57	.30	.26
Feel Justice Was Done	.61	--	.71	.28	.35
Degree of Satisfaction	.64	.72	--	.35	.28
Understanding of Court System	.22	.39	.35	--	-.04
Willingness to Cooperate Again	.23	.17	.29	.15	--

^aThe values for Multnomah and Dade Counties appear above and below the main diagonal, respectively. The critical values for correlation coefficient with 100 degrees of freedom are .20 and .25 for significance levels of .05 and .01, respectively.

Table H.12

**LIST OF VARIABLE NUMBERS AND THEIR CORRESPONDING ITEM NUMBERS
IN EACH QUESTIONNAIRE**

Variable #	Jurors	Victims	Witnesses	Comments
1	D,1	D,1	D,1	
2	D,2	D,2	D,2	
3	D,3	D,3	D,3	1 = Minority 2 = White/Caucasian
4	D,4	D,4	D,4	
5	D,5	D,5	D,5	1 = Never married 2 = Not married now, e.g., divorced 3 = Married now
6	D,6	D,6	D,6	
7	D,7	D,7	D,7	2 = choices 5-9 5 = choices 2-4 8 = choice 1
8	Sum of variables #5 + #6 + #7			
9	A,2	A,2	A,2	
10	B,16	B,21	B,22	
11	B,15	B,31	B,32	
12	B,11	B,29	B,30	
13	B,17	B,32	B,33	
14	A,1	A,1	A,1	
15-18	A,3	A,3	A,3	
19-26	B,1	B,1	B,1	
27	B,2	B,2	B,2	
28-35	B,8	B,10	B,11	
36	Sum of the responses to all choices to variables 28-35.			
37-42	B,9	B,14	B,15	Scale expanded for victims and witnesses so as to correspond with that of jurors: 1 = 1.5 2 = 3.0 3 = 4.5
43	Sum of responses to variables 37-42			Algebraic sign of 2nd question about prosecutor switched be- fore sum computed.
44	B,10	B,28	B,29	
45	B,12	B,30	B,31	
46-50	C,1	C,1	C,1	
51	Sum of variables 46-50			
52	C,2	C,2	C,2	
53-56	C,3	C,3	C,3	
57	Sum of variables 53, 54, & 56.			Algebraic sign of variable #54 is switched before summing
58		B,4	B,5	
59		B,5	B,6	
60-61		B,6	B,7	
62-65		B,7	B,8	
66		B,8	B,9	
67-69		B,9	B,10	
70		B,10	B,11	
71		B,11	B,12	

Table H.12—continued

Variable #	Jurors	Victims	Witnesses	Comments
72		B,12	B,13	
73		B,13	B,15	
74		B,15	B,16	
75		B,16	B,17	
76		B,17	B,18	
77-80		B,20	B,21	
81		B,22	B,23	
82		B,23	B,24	
83		B,24	B,25	
84		B,25	B,26	
85		B,26	B,27	
86-89		B,27	B,28	
90	Sum of variables 87-90.			
91	Composite variable involving the following items:			
		B,24	B,25	The scoring of this item for this variable is conditional upon the outcome of the case; i.e., whether or not the defendant was found guilty.
		B,26	B,27	The scoring of this item was changed to compute this variable as follows: 1 = Too harsh or too light 2 = No sentence or don't know 3 = About right.
A high score on variable #91 occurs when the outcome of the case and the sentence (if any) are consistent with the respondent's belief as to what should have happened.				
92	Composite variable that is computed as follows:			
	B,16	B,19		Choice D = 1 Choices 1-5 = 2
	B,19	B,20		Choice 3 = 1 Choice 2 = 2 Choice 1, 4 = 3
	B,20	B,21		Choice 4 = 1 Choice 2 = 2 Choice 1, 3 = 1
93	B,18	B,19		

Appendix I **TABULATION OF RESPONSES TO THE INTERVIEW** **SURVEY OF DEFENDANTS**

Stephen Klein

SURVEY OF DEFENDANTS

MULTNOMAH COUNTY, OREGON

DADE COUNTY, FLORIDA

Hello. I'm _____ from the Rand Corporation. We are studying the criminal court system in this county and I'd like to ask some questions about your experiences with the police and the courts. (The interview will take about an hour.) I'd like to begin now if possible.

SITE CODE:

MULTNOMAH COUNTY	37.8	4.4	42.2	
DADE COUNTY	44.4	13.3	57.8	
	82.2	17.8	ns	(N=45)

LOCATION OF INTERVIEW:

	N	%
COUNTY JAIL	(31)	68.9
STATE PRISON	(0)	0
COURT BUILDING	(4)	8.9
OTHER	(10)	22.2
SPECIFY _____	45	100.0

I'd like to ask some questions about your experience as a defendant in (the case which was just completed/DESCRIPTION OF CASE).

1. In terms of courtesy and respect for you as a person, how would you describe your treatment by the police who handled your case between the time you were arrested and the time it came to court? Would you say your treatment by the police was:

Bad	27.3	6.8	34.1
Neither good nor bad	34.1	6.8	40.9
Good	20.5	4.5	25.0
	81.8	18.2	ns (N=44)

2. When you were arrested, what charge or charges did the police arrest you for?

Offense against person	17.8	2.2	20.0
Offense against property	24.4	8.9	33.3
Drug offenses	24.4	4.4	28.9
Other	0	2.2	2.2
All misdemeanors	15.6	0	15.6
	82.2	17.8	ns (N=45)

3. What were the charges filed against you by the district attorney?

Offense against person	17.8	2.2	20.0
Offense against property	24.4	8.9	33.3
Drug offenses	24.4	4.4	28.9
Other	0	2.2	2.2
All misdemeanors	15.6	0	15.6
	82.2	17.8	ns (N=45)

4. Did you feel that the district attorney's charges were fair or unfair?

Fair	40.0	8.9	48.9
Unfair	42.2	8.9	51.1
	82.2	17.8	ns (N=45)

5. Why did you think they were unfair? RECORD VERBATIM.

Not guilty	26.1	17.4	43.5
Unfair practices	39.1	0	39.1
Unfair evidence	17.4	0	17.4
	82.6	17.4	ns (N=23)

6. Did you feel that anything about you which was not related to the case was considered in deciding what to charge you with?

Yes	35.6	4.4	40.0
No	46.7	13.3	60.0
	82.2	17.8	ns (N=45)

7. Of the 18 persons who said "yes" to No. 6, the number who marked each choice was as follows:

Age	1
Race	0
Money	0
Family background	1
Knowing someone	1
Life style	2
Other	13

8. At the time you were arrested, were you placed in jail for any period of time?

Yes	77.8	17.8	95.6	
No	4.4	0	4.4	
	82.2	17.8	ns	(N=45)

9. Were you held all the time, up until the case was finally settled?

Yes	30.2	2.3	32.6	
No	51.2	16.3	67.4	
	81.4	18.6	ns	(N=43)

10. How long were you held? FILL IN APPROPRIATE BOXES.

Number of Days				
1	14.0	7.0	21.0	
2 - 7	9.3	9.3	18.6	
8 - 30	20.9	0	20.9	
31-90	20.9	0	20.9	
91-180	9.3	2.3	11.6	
181+	7.0	0	7.0	
	81.4	18.6	ns	(N=43)

11. Were you released on bail at any time during the case?

Yes	32.6	11.6	44.2	
No	48.8	7.0	55.8	
	81.4	18.6	ns	(N=43)

12. Were you released on your own recognizance at any time during the case?

Yes	18.6	4.7	23.3	
No	53.5	14.0	67.4	
Someone's custody	9.3	0	9.3	
	81.4	18.6	ns	(N=43)

13. Did your case actually go to trial? PROBE TO BE SURE THIS ACTUALLY MEANS TRIAL, NOT HEARING, SENTENCING, OR OTHER APPEARANCE.

Yes	26.7	8.9	35.6	
No	46.7	6.7	53.3	
Pled guilty at trial	8.9	0	8.9	
Dismissed at trial	0	2.2	2.2	
	82.2	17.8	.09	(N=45)

14. Did you have a jury trial or a trial in front of a judge only?

Jury trial	33.3	9.5	42.9	
Judge only	42.9	14.3	57.1	
	76.2	23.8	ns	(N=21)

15. Overall, did you feel your trial was fair or unfair?

Fair	28.6	9.5	38.1	
Unfair	47.6	14.3	61.9	
	76.2	23.8	ns	(N=21)

16. Of the 13 who said it was unfair, the number of times each reason was checked was as follows:

Arrest or sentencing	4
Court procedures	7
Unfair evidence	3

17. Was your case dismissed or did you plead guilty before a trial could take place? PROBE TO BE SURE THIS ACTUALLY MEANS DISMISSED OR PLED GUILTY.
The number who marked each choice was as follows:

Dismissed, no trial	3
Pled guilty, no trial	19
Pled nolo	1
Pled guilty in trial	4
Drug program, no trial	1

18. Why did you plead guilty? RECORD VERBATIM AND CODE ALL THAT APPLY.
The number of persons who marked each choice was as follows:

Was guilty	8
Avoid trial	2
Lighter sentence	11
Other	5

19. Did anyone ever suggest that you or your lawyer should plea-bargain in this case? That is, did anyone suggest you plead guilty in return for reduced charges, a lighter sentence, or dropping other cases?

Yes	73.8	4.8	78.6	
No	14.3	7.1	21.4	
	88.1	11.9	.10	(N=42)

20. Who first suggested that you plea-bargain?
The number who marked each choice was as follows:

Defense attorney	21
Police	1
Friends or relatives	3
District attorney	8

21. Do you feel that anyone tried to pressure you into plea-bargaining in this case?

Yes	40.6	3.1	43.8	
No	53.1	3.1	56.3	
	93.8	6.3	ns	(N=32)

22. Who pressured you? CIRCLE ALL THAT APPLY.
The number who marked each choice was as follows:

Defense attorney	10
Police	1
Friends and relatives	1
District attorney	4

23. (Directions to interviewer)

24. Did you or your lawyer actually do any plea-bargaining or attempt to do any plea-bargaining?

Yes	65.9	0	65.9	
No	22.0	12.2	34.1	
	87.8	12.2	.005	(N=41)

25. INTERVIEWER CHECK Q.13 AND CIRCLE ONE:
Number who marked each choice:

Case went to trial	6
Case did not go to trial	19
Pled guilty in trial	4
	29

26. As part of the bargain, what did you get in return for pleading guilty?
CIRCLE ALL THAT APPLY.

Number who marked each choice:

Seriousness of charge reduced	3
Some charges or counts dismissed	2
Lighter sentence	14
Dropped other cases	1
Nothing, harsher sentence	2

27. What were the most important things you gained by plea-bargaining in this case? RECORD VERBATIM AND CIRCLE ALL THAT APPLY.

Number who marked each choice:

Avoided wait in jail	0
Lighter sentence	13
Outcome decided faster	0
Avoided trial	3
Nothing	3

28. What did you feel you lost by plea-bargaining? RECORD VERBATIM AND CIRCLE ALL THAT APPLY.

Number who marked each choice:

Opportunity to prove innocence	1
Possibility of acquittal or dismissal	1
Nothing	10
Freedom	8

29. All in all, how satisfied are you with the results of plea-bargaining in this case? Would you say you are:
Number who marked each choice:

Dissatisfied	5
Not satisfied or dissatisfied	6
Satisfied	7

30. Why didn't you or your lawyer attempt to do any plea-bargaining in this case? CIRCLE ALL THAT APPLY.
Number who marked each choice:

Don't approve of pb	2
Innocent	7
Wanted trial	1
Wanted to take chances on result in court	3
No offer - serious offense	0
No offer - prior record	0
No offer - notorious case	0
Other	2

31. Why didn't you plead guilty in this case? Why did you go to trial? CIRCLE ALL THAT APPLY.
Number who marked each choice:

Could not agree on deal - unacceptable offer	1
Changed mind, wanted trial	1
Not guilty as charged	3
Other	0

32. Were you told why your case was dismissed?

Three marked "yes"

33. Would you have liked to have been told why?

No response

34. Did you receive a fine, probation, or jail sentence in this case?

Yes	87.8	0	87.8	
No	0	12.2	12.2	
	87.8	12.2	.000	(N=41)

35. Exactly what was your sentence? RECORD AND CODE:

Number of persons
A. Fines (2 people received fines)
B. Number of years probation
1 year = 2
2 years = 4
3 years = 4
3+ years = 7

Confined during probation = 2

Number of months incarcerated:

0 - 6 = 4
7 - 12 = 10
13 - 48 = 5
49+ = 8

Some, all suspended = 4
Not suspended = 16

36. Do you think this sentence was:

Number who marked each choice:

	N	%
Too light	= 1	3.8
About right	= 12	46.2
Too harsh	= 23	50.0

37. To the best of your knowledge, how did your sentence compare with the sentences of other people with similar records convicted of the same crime? Was it:

Number who marked each choice:

	N	%
Lighter	= 1	3.3
About the same	= 10	33.3
Harsher	= 19	63.3

38. Compared to others, did you feel your sentence was:

	N	%
Fair	(14)	43.8
Unfair	(18)	56.2

39. Do you think the prosecutor recommended to the judge what your sentence should be?

	N	%
YES...(ASK Q.40).....	(26)	68.4
NO...(SKIP TO Q.41).....	(5)	13.2
DON'T KNOW...(SKIP TO Q.41).....	(7)	18.4

40. Was the judge's sentence harsher, about the same, or lighter than what the prosecutor recommended?

	N	%
HARSHER.....	(5)	23.8
ABOUT THE SAME.....	(12)	57.1
LIGHTER.....	(4)	19.0

41. Did you feel that anything about you which was not related to the case or your prior record entered into deciding what sentence you got?

	N	%
YES...(ASK. Q.42).....	(9)	25
NO...(SKIP TO Q.43).....	(28)	75

42. What kinds of things entered in? CIRCLE ALL THAT APPLY.

AGE(5)
RACE(0)
MONEY.....(0)
FAMILY BACKGROUND(2)
KNOWING OR NOT KNOWING SOMEONE.....(0)
LIFESTYLE/POLITICAL VIEWS.....(3)
VICTIM WAS INFLUENTIAL.....(0)
OTHER, Drugs, Alcohol(3)

SPECIFY _____

43. Do you feel there was anything that should have been considered in deciding your sentence that wasn't considered?

	N	%
YES...(ASK Q.44).....	(26)	68.4
NO...(SKIP TO Q.45).....	(12)	31.6

44. What wasn't considered that should have been? RECORD VERBATIM.

Prior record	12
Occupational status	9
Cooperation with the law	3
Innocent of charge	12

45. Not counting any appeals after you were first sentenced, how long was it from the time you were arrested until the time the case was settled?

Months				
0 - 3	41.9	9.3	51.2	
4 - 6	32.5	9.3	41.8	
7+	7.0	0	7.0	
	81.4	18.6	ns	(N=43)

46. How do you feel about how long it took to settle the case? Would you say it:

Took too long a time	44.2	14.0	58.1	
Took a reasonable amount of time	32.6	4.7	37.2	
Took too short a time?	4.7	0	4.7	
	81.4	18.6	ns	(N=43)

47. Was your case ever postponed or delayed for any period of time?

Yes	59.1	9.1	68.2	
No	22.7	9.1	31.8	
	81.8	18.2	ns	(N=44)

48. How many times was it postponed or delayed by:

Your defense attorney? (N=17)	$\bar{X} = 1.82$	\bar{X} = average number of times
The prosecutor? (N=26)	$\bar{X} = 2.04$	
The court? (N=16)	$\bar{X} = 1.13$	

49. What type of defense lawyer did you have? Was he or she:

A public defender	36.4	15.9	53.3	
A court-appointed lawyer	18.2	0	18.2	
A private lawyer paid or retained by you?	27.3	2.3	29.6	
	81.8	18.2	ns	(N=44)

50. Altogether, about how many times did you see and talk with your lawyer?

Convicted	$\bar{X} = 5.06$
Not convicted	$\bar{X} = 4.25$
Total	$\bar{X} = 4.91$

51. On the average, about how long did you talk with your lawyer each time you saw him or her?

30 minutes or less	55.8	16.3	72.1
31-60 minutes	23.3	0	23.3
More than an hour	2.3	2.3	4.6
	81.4	18.6	ns (N=43)

52. What things did you like about the way your lawyer handled your case?
RECORD VERBATIM AND CIRCLE ALL THAT APPLY.

Gave me all the time I wanted	2	1	3
Got to know me	0	1	1
Kept me informed about the case	0	1	1
Was on my side/believed me	9	3	12
Was a good lawyer (skillful)	16	6	22
Followed my wishes	3	1	4
Nothing	15	2	17
Other	4	0	4
	(N=37)	(N=8)	(N=45)

53. What didn't you like about the way your lawyer handled the case?
RECORD VERBATIM AND CIRCLE ALL THAT APPLY.

Was in a hurry	7	3	10
Didn't care who I was	7	0	7
Didn't tell me what was happening	2	1	3
Wasn't on my side/didn't believe me	5	0	5
Wasn't a good lawyer	17	1	18
Pressured me into doing what he wanted	4	0	4
Nothing	8	2	10
Other	4	2	6
	(N=37)	(N=8)	(N=45)

54. If you needed a lawyer in the future, would you want the same one you had for this case?

Yes	30.2	11.6	41.9
No	53.5	4.7	58.1
	83.7	16.3	ns (N=43)

55. In general, which kind of lawyer do you think does the best job for his client:

No opinion	6.6%
A public defender	4.4%
A court-appointed lawyer, or	2.2%
A lawyer paid by the defendant	86.8%

Note: No significant differences between disposition groups

56. Now, I'd like your opinion about the prosecutor in your case. I'm going to read a statement and you can tell me whether you agree, disagree, or feel neutral about the statement.

A. The prosecutor really seemed to know what he was doing in interviewing or questioning witnesses, presenting evidence, etc. Do you agree, disagree, or feel neutral about that statement?

A.				
Disagree	19.5	2.4	22.0	
Neutral	26.8	7.3	34.1	
Agree	36.6	7.3	43.9	
	82.9	17.1	ns	(N=41)

B. The prosecutor was more interested in winning the case than in finding out what really happened.

B.				
Disagree	7.5	2.5	10.0	
Neutral	12.5	5.0	17.5	
Agree	62.5	10.0	72.5	
	82.5	17.5	ns	(N=40)

57. I'm going to ask the same kinds of things about the judge in your case. Again, I'll read a statement and you can tell me whether you agree, disagree, or feel neutral about it.

A. The judge was more interested in being fair than in getting the case handled quickly.

Disagree	29.5	4.5	34.1	
Neutral	18.2	2.3	20.5	
Agree	34.1	11.4	45.5	
	81.8	18.2	ns	(N=42)

B. The judge paid careful attention to the case.

Disagree	32.6	2.3	34.9	
Neutral	9.3	2.3	11.6	
Agree	39.5	14.0	53.5	
	81.4	18.6	ns	(N=43)

C. The judge mainly favored the prosecutors and the police.

Disagree	16.7	4.8	21.4	
Neutral	14.3	9.5	23.8	
Agree	52.4	2.4	54.8	
	83.3	16.7	.04	(N=42)

D. The judge mainly favored the defense.

Disagree	58.1	9.3	67.4	
Neutral	18.6	7.0	25.6	
Agree	4.7	2.3	7.0	
	81.4	18.6	ns	(N=43)

E. The judge's decisions were influenced by the prosecutor.

Disagree	23.3	11.6	34.9	
Neutral	11.6	4.7	16.3	
Agree	46.5	2.3	48.8	
	81.4	18.6	.07	(N=43)

58. In terms of courtesy and respect for you as a person, how would you describe your treatment by the judge? Would you say it was good, poor, or neither good nor poor?

A.				
Poor	27.3	2.3	29.5	
Neither good nor poor	18.2	4.5	22.7	
Good	36.4	11.4	47.7	
	81.8	18.2	ns	(N=44)

What about your treatment by the (TYPE) would you say it was good, poor, or neither good nor poor?

B.1 bailiff and court officials

Poor	9.3	0	9.3	
Neither good nor poor	16.3	9.3	25.6	
Good	55.8	9.3	65.1	
	81.4	18.6	ns	(N=43)

B.2 prosecutor

Poor	32.6	4.7	37.2	
Neither good nor poor	23.3	7.0	30.2	
Good	25.6	7.0	32.6	
	81.4	18.6	ns	(N=43)

B.3 your attorney

Poor	25.6	2.3	27.9	
Neither good nor poor	2.3	2.3	4.7	
Good	53.5	14.0	67.4	
	81.4	18.6	ns	(N=43)

59. Who was most important in determining what happened to you? Would you say it was:

Number who marked each choice:

Your lawyer	(21)
The judge	(19)
Prosecutor	(11)

60. Have you ever been arrested and charged before?

Yes	61.4	6.8	68.2	
No	20.5	11.4	31.8	
	81.8	18.2	.10	(N=44)

61. Not counting this case, how many times have you been arrested and charged?

Never	22.2	11.1	33.3	
1+	60.0	6.7	66.7	
	82.2	17.8	.05	(N=45)

Computed for total sample
(N = 45)

Number of Times	(N=30)	(%)
1 - 3	12	40
4 - 10	12	40
11+	6	20

62. Have you ever been convicted of a felony before? IF YES: How many felony convictions do you have?

Number of times	(N=30)	(%)
0	8	26.7
1	10	33.3
2-4	12	40.0

63. Have you ever been convicted of a misdemeanor before? IF YES: How many misdemeanor convictions do you have?

Number of times	(N=29)	(%)
0	8	27.6
1	9	31.0
2+	12	41.4

64. INTERVIEWER: ENTER TOTAL CONVICTIONS OR NO CONVICTIONS

Number of times	(N=30)	(%)
0	1	3.3
1	8	26.7
2+	21	70.0

65. Did you or your lawyer plea-bargain in any of these cases?

	(N)	(%)
Yes	16	55.2
No	13	44.8

66. Did you enter a guilty plea in any of these cases?

	(N)	(%)
Yes	27	93.1
No	2	6.9

68. Have you ever been sent to youth authority facilities? IF YES: How many times were you sent to youth authority facilities?

Number of times	(N=28)	(%)
0	19	67.9
1+	9	32.1

69. Have you ever been sent to do time in a county jail? IF YES: How many times were you sent to a county jail?

Number of times	(N=28)	(%)
0	7	25.0
1	6	21.4
2+	15	53.6

69. Altogether in your life, how many months have you spent in a county jail?

Number of months	(N=21)	(%)
1-6	8	38.1
7-12	5	23.8
13+	8	38.1

70. Have you ever been sent to do time in a state or federal prison?
IF YES: How many times were you sent to a state or federal prison?

A. Number of times (N=28)	(%)
0	17 60.7
1	8 28.6
2+	3 10.7

B. Number of months (N=12)	(%)
0-12	3 25.0
13-24	5 41.7
25+	4 33.3

71. Have you ever served as a witness in a criminal case in which someone else was charged with a crime? IF YES: In how many cases have you served as a witness?

No	75.0	18.2	93.2
Yes	6.8	0	6.8
	81.8	18.2	ns (N=44)

72. On how many cases have you been:

Served once as a:

Prosecution witness (2)
Defense witness (1)

Note: No one served more than once.

73. Were you also a victim in any criminal case? IF YES: In how many cases were you a victim?

Everyone said "No"

74. Have you ever served as a juror on any criminal cases?

Yes	6.8	0	6.8
No	75.0	18.2	93.2
	81.8	18.2	ns (N=44)

75. I'd like your opinions about the criminal investigation and court process in general in the United States today. I'll read a statement and you can tell me whether you agree, disagree, or feel neutral about it.

	Disagree	Neutral	Agree	(N)
A. The police are usually fair and careful when they investigate crimes	79.1	9.3	11.6	43
B. The court system is too slow and wastes a lot of time	19.0	16.7	64.3	42
C. Things like race, family background and the way a person looks make a difference in how a defendant is treated in court	11.6	18.6	69.8	43

D. The court system does a good job of protecting a defendant's rights	51.2	25.6	23.3	43
E. The court system is too easy on the defendants	81.4	18.6	0	43
F. Many court officials and judges are dishonest				
Convicted	16.7	11.9	52.4	81.0
Not Convicted	0	9.5	9.5	19.0
Total	16.7	21.4	61.9	.06 (N=42)

Note: No significant difference in % between groups on items A-E.

Significant at alpha = .06 level

76. How often do you think plea-bargaining is used to settle criminal cases? Would you say:

Rarely, never	0	0	0	
Sometimes	11.6	2.3	14.0	
Frequently	20.9	9.3	30.2	
Most of time	48.8	7.0	55.8	
	81.4	18.6	ns	(N=43)

77. I'd like your opinions about plea-bargaining. Again, I'll read a statement and you can tell me whether you agree, disagree, or feel neutral about it.

	Disagree	Neutral	Agree	(N)
A. Plea-bargaining saves time and money by avoiding trials	4.5	4.5	90.9	44
B. Plea-bargaining helps many guilty people get off with sentences that are too light	36.6	26.8	36.6	41
C. Plea-bargaining helps the prosecutor more than the defendant	30.2	9.3	60.5	43
D. Plea-bargaining is as good a way as trials to decide most criminal cases	50.0	20.5	29.5	44

Note: No significant differences between groups on items A-D.

78. I'd like to end with a few questions about you, personally. How old were you on your last birthday?

Average age for:	No significant difference in average ages between groups.
Convicted (N = 37);	
Not convicted (N = 8);	
Total (N = 43);	

79. At this time are you married, widowed, divorced, separated, or never married?

Note: No significant differences between groups.

Marital Status	% of total
Married	17.8
Widowed	4.4
Divorced	13.3
Separated	15.6
Never Married	48.9
	100.0

80. What would you say is your main racial or ethnic group?

Note: No significant differences between disposition groups.

Racial/Ethnic Group	% of total
Black	37.8
Hispanic	4.4
White	53.3
American Indian	2.2
Oriental	2.2
	<u>100.0</u>

81. What is the highest grade or year of regular school or college you have completed?

Note: No significant differences between disposition groups

Level of education completed	% of total
8th grade or less	4.4
1 - 3 years high school	37.8
High school dropout	31.1
1 - 3 years college	24.4
Graduate school	2.2
	<u>100%</u>

82. Please look at this card and tell me the letter for the income group that fits your household last year, 1974, before taxes. Count wages, salaries, tips, pensions, social security, welfare, alimony, child support, and all other income from all sources.

Under \$5,000	40.0	2.2	42.2
\$5,000 - \$9,999	17.8	13.3	41.1
\$10,000 +	24.4	2.2	26.6
	<u>82.2</u>	<u>17.8</u>	ns (N=45)

83. How many people depend on this income to support them?

Note: No difference between groups.

Number of People	% of Total
1	38.6
2-3	41.0
4+	20.4
	<u>100.0</u>

84. No significant differences were observed between disposition groups in occupation. Of the 10 occupational categories, 24.4% of Ss were craftsman, 17.8% service workers, and the rest divided randomly over the remaining categories. 9% were unemployed or had no job to report.