

ICPSR 9579

National Prosecutors Survey, 1990

Description

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Bibliographic Description

ICPSR Study No.: 9579

Title: National Prosecutors Survey, 1990

Principal Investigator(s): United States Department of Justice. Office of Justice Programs. Bureau of Justice Statistics

Series: National Prosecutors Survey Series

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Scope of Study

Summary: This survey queried chief prosecuting attorneys of state prosecutorial districts (district attorneys, commonwealth attorneys, etc.) about the prosecution of felony cases within their jurisdictions during 1989-1990. Questions regarding the prefiling, filing, and pretrial stages of felony prosecution asked about policies limiting the time for plea negotiations, the role of the grand jury, how felony cases were screened, and the amount of time that usually elapsed before the prosecutor was notified of persons arrested for a felony. Prosecutors were also asked to report the percentage of court case filings by grand jury indictment, by information following a preliminary hearing, or by other means, and the percentage of felony cases processed by a court of general jurisdiction, a felony court, or other court(s). The trial stage of felony prosecution was covered by questions about the conduct of voir dire examination of prospective jurors, limits on time allowed to commence trial, the number of permitted peremptory challenges, who was responsible for notifying government witnesses to appear in court, whether the prosecution had the right to request a jury trial, whether the jurisdiction's felony court discouraged motions on trial date that would delay trial, and whether the felony court normally granted a continuance on trial date to permit additional time for plea negotiations. Questions on felony sentencing and appeals asked whether the prosecutor was usually present at felony sentence proceedings, whether the judge usually ordered a presentence report, whether victim information was requested or provided by the court, whether the prosecutor normally recommended a type or duration

of sentence to be imposed, whether police, victims, or witnesses were notified of the disposition of felony cases, whether the prosecutor was involved in various types of appellate work, and whether the prosecutor had any right of appeal from rulings on motions, from sentences, and from determination of guilt or innocence. General information gathered by the survey includes the number of jurisdictions contained in the prosecutorial district, the number of attorneys and investigators employed in the sampled jurisdiction and in the prosecutorial district as a whole, the length of the prosecutor's term of office, the number of law enforcement agencies that brought arrests into the jurisdiction's court, how much of the prosecutor's felony caseload was assigned on a vertical basis, the kinds of nonfelony matters the prosecutor had responsibility for or jurisdiction over (e.g., family and domestic relations, mental commitments, environmental protection, traffic, etc.), whether the office of prosecutor was an elective position, and whether it was a full- or part-time position. Other general items include whether any felony defendants were provided an attorney on the grounds of indigency, whether, in criminal cases involving both state and federal jurisdiction, the prosecutor would ordinarily be cross-designated to represent the prosecutor in both courts, whether the prosecutor's office contained a "career criminal" unit, whether the state's attorney general was entitled to try cases in the jurisdiction's felony court, which types of criminal history data normally were of practical value in felony prosecution, and who supervised the probationer in most cases of adult felons sentenced to probation.

Subject Term(s): attorneys, case processing, district attorneys, evidence, felony courts, felony offenses, plea negotiations, policies and procedures, prosecuting attorneys, prosecution, sentencing, state courts, trial procedures

Geographic Coverage: United States

Time Period: • 1988 - 1990

Date(s) of Collection: • 1990

Universe: Counties and county equivalents in the United States.

Data Type: survey data

Data Collection Notes: The dataset contains weights for analyses on a per-county basis and on a per-prosecutor basis.

Conducted by the United States Department of Commerce, Bureau of the Census.

Methodology

Sample: Stratified probability sample of 300 counties selected for the NATIONAL JUDICIAL REPORTING PROGRAM, 1988 (ICPSR 9449).

Data Source: self-enumerated questionnaires

Extent of Processing: Standardized missing values.

Performed recodes and/or calculated derived variables.

Checked for undocumented or out-of-range codes.

Access and Availability

Note: A list of the data formats available for this study can be found in the [summary of holdings](#). Detailed file-level information (such as record length, case count, and variable count) is listed in the [file manifest](#).

Restrictions: A downloadable version of data for this study is available however, certain identifying information in the downloadable version may have been masked or edited to protect respondent privacy. Additional data not included in the downloadable version are available in a restricted version of this data collection. For more information about the differences between the downloadable data and the restricted data for this study, please refer to the codebook notes section of the PDF codebook. Users interested in obtaining restricted data must complete and sign a Restricted Data Use Agreement, describe the research project and data protection plan, and obtain IRB approval or notice of exemption for their research.

Original ICPSR Release: 1992-03-04

Version History: The last update of this study occurred on 2005-11-04.

2005-11-04 - On 2005-03-14 new files were added to one or more datasets. These files included additional setup files as well as one or more of the following: SAS program, SAS transport, SPSS portable, and Stata system files. The metadata record was revised 2005-11-04 to reflect these additions.

1997-09-19 - SAS data definition statements have been added to this collection, and the SPSS data definition statements were updated.

Dataset(s): • DS1: National Prosecutors Survey, 1990

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- DS2: Frequencies