

RETURN
TO

NCSP
Urban Institute
2100 M Street, NW
Washington, DC 20037
<https://ncsp.urban.org>
Toll-free: 866-430-7775
Fax: 202-659-8985

2007 NATIONAL CENSUS OF STATE COURT PROSECUTORS



U.S. Department of Justice
Bureau of Justice Statistics
and (acting as data collection agent)
Urban Institute
Form NCSP-07

In correspondence about this survey, please refer to the number at the top left of the address label. (On the label, please correct any error in name and mailing address)

INFORMATION SUPPLIED BY

NAME				TITLE		
TELEPHONE	Area code	Number	Extension	FAX	Area Code	Number
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INSTRUCTIONS

- Please answer all questions with reference to the prosecutor's office(s) specified on the label above.
- For all questions, the phrase "**during 2007**" refers to **January 1, 2007 through December 31, 2007**.
- Some questions ask you to provide exact counts of staff persons in the prosecutor's office or of types of cases handled by the office. If you are unable to provide an exact count in response to any such question, please provide your best estimate and mark the adjacent checkbox to indicate your response is an estimate.
- Please complete and return the survey **within two weeks**.
- You may complete and return the survey in any of three ways:
 - Login to <https://ncsp.urban.org/> using the District Number and Password on the label above.
 - Fax the completed survey form to the Urban Institute at 202-659-8985.
 - Mail the completed form to the address in the upper left.
- If you have questions or concerns, or if you need assistance in completing the survey, please contact the Urban Institute at ncsp@urban.org or call (toll-free) at **866-430-7775**.

BURDEN STATEMENT

Federal agencies may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3732), authorizes this information collection. Although this survey is voluntary, we urgently need and appreciate your cooperation to make the results comprehensive, accurate, and timely.

Section A: Staffing

A1. What is the term of office for the chief prosecutor?
_____ years

A2. As of December 31, 2007, how long had the chief prosecutor served continuously in office?
a. _____ years b. _____ months

A3–A4. As of December 31, 2007, how many of the following types of staff were employed in your office?

Part-time staff: Any employee who works fewer hours than your standard work week, including employees in job-sharing arrangements. (If you are unable to provide the actual number, please provide your best estimate and mark the checkbox. If none, enter "0.")

Staff position	Total district		
	A3. Number Full-time	A4. Number Part-time	
<u>Chief prosecutor</u> The elected, or State-appointed, head of the prosecutorial district.	a. _____	_____	<input type="checkbox"/> Estimate
<u>Assistant prosecutors</u> Any employee of the chief prosecutor licensed to practice law and litigate <i>criminal</i> cases. Excludes attorneys in non-litigating positions.	b. _____	_____	<input type="checkbox"/> Estimate
<u>Civil attorneys</u> Any employee of the chief prosecutor licensed to practice law and litigating <i>civil</i> cases. Excludes attorneys in non-litigating positions.	c. _____	_____	<input type="checkbox"/> Estimate
<u>Supervisory attorneys</u> Attorneys in managerial positions <i>litigating</i> cases.	d. _____	_____	<input type="checkbox"/> Estimate
<u>Managers</u> Attorneys or non-attorneys in primarily managerial positions <i>who do not litigate</i> cases.	e. _____	_____	<input type="checkbox"/> Estimate
<u>Victim advocates</u>	f. _____	_____	<input type="checkbox"/> Estimate
<u>Legal services</u> (e.g., law clerks, paralegals)	g. _____	_____	<input type="checkbox"/> Estimate
<u>Investigators</u> (Include those on contract)	h. _____	_____	<input type="checkbox"/> Estimate
<u>Support staff</u> (e.g., administrative staff, clerical staff, computer personnel, fiscal officers, etc.)	i. _____	_____	<input type="checkbox"/> Estimate
<u>Other (describe)</u> _____ _____	j. _____	_____	<input type="checkbox"/> Estimate
TOTAL STAFF (sum of a–j)	k. _____	_____	<input type="checkbox"/> Estimate

A5–A7. Please enter your office's salary schedule for the following full-time positions as of December 31, 2007.

Assistant Prosecutor: Any employee of the prosecutor program licensed to practice law or who has applied for admission to the bar, and who primarily litigates cases. Exclude attorneys in non-litigating positions.

Position	Base Annual Salary (2007)		
	A5. Minimum	A6. Maximum	A7. No such position (Check box)
a. <u>Assistant Prosecutor</u> , entry level	\$ _____ .00	\$ _____ .00	<input type="checkbox"/>
b. <u>Assistant Prosecutor</u> , with 5 years or less experience	\$ _____ .00	\$ _____ .00	<input type="checkbox"/>
c. <u>Assistant Prosecutor</u> , with 6 years or more experience	\$ _____ .00	\$ _____ .00	<input type="checkbox"/>
d. <u>Supervisory Attorneys:</u> Attorneys in managerial positions who litigate cases	\$ _____ .00	\$ _____ .00	<input type="checkbox"/>
e. <u>Managing Attorneys:</u> Attorneys in primarily managerial positions who do not litigate cases	\$ _____ .00	\$ _____ .00	<input type="checkbox"/>
f. <u>Chief Investigator:</u> (Include those on contract)	\$ _____ .00	\$ _____ .00	<input type="checkbox"/>

A8. As of December 31, 2007, what was the annual salary of the chief prosecutor?
\$ _____ .00 per year

A9. During 2007, did members of your staff receive any of the following types of work-related threats or assaults?

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	a. Written threat (e.g., letter, email)
<input type="checkbox"/>	<input type="checkbox"/>	b. Threatening telephone call
<input type="checkbox"/>	<input type="checkbox"/>	c. Face-to-face verbal threat
<input type="checkbox"/>	<input type="checkbox"/>	d. Battery/assault

A10. As of December 31, 2007, were the following persons in your office carrying a firearm for personal safety or security?

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	a. Chief prosecutor
<input type="checkbox"/>	<input type="checkbox"/>	b. Assistant prosecutors
<input type="checkbox"/>	<input type="checkbox"/>	c. Staff investigators

Section B: Budget

B1. What was the FY 2007 budget of your office for prosecutorial functions? (If you are unable to provide the exact amount, please provide your best estimate.)

Total 2007 prosecutorial budget

\$ _____ .00 Estimate

Please indicate whether this is the Fiscal or Calendar Year budget

Fiscal Year → Please enter the start and end dates of the 2007 fiscal year (FY)

_____ to _____
mm dd yyyy mm dd yyyy

Calendar Year

B2. Does the budget amount entered at B1 include funding for the following budget categories?

Yes No

- a. Staff salaries
- b. Expert services
- c. Investigator services
- d. Interpreter services
- e. Child support enforcement
- f. DNA testing
- g. Staff training

Section C: Caseload

C1. Please provide the total number of cases closed and convicted by your office during 2007. (If you are unable to provide the exact number, please provide your best estimate. If none, enter "0.")

Closed case: Any case with a judgment of conviction, acquittal, or dismissal with or without prejudice, entered by the court.

Felony case: Use your State definition. If this term is not used in your State, interpret "felony" to mean any case in which the defendant, if convicted, could be sentenced to incarceration for one year or more. Include as a felony case any defendant who had at least one felony filing charge.

Felony cases closed a. _____ Estimate

Felony cases convicted b. _____ Estimate

Felony jury trial verdicts c. _____ Estimate

C2. Does your office provide final case disposition information to the following agencies for cases closed?

Yes No

- a. Federal repository
- b. State repository
- c. Local repository

If no to all of the above, skip to C4.

C3. What type of case disposition information is regularly reported to criminal history repositories?

Yes No

- a. Felony convictions
- b. Misdemeanor convictions
- c. Declination to prosecute
- d. Dismissal of charges by court
- e. Felony acquittals
- f. Misdemeanor acquittals
- g. Guilty pleas
- h. Indictments
- i. Probation and parole violations
- j. Court determination of mental status
- k. Commitment to mental institutions
- l. Protection orders
- m. Sex offender registration requirements

C4. What are the primary reasons your office does not provide final disposition information?

Yes No

- No mandate or policy for submitting case disposition information
- Another agency in the jurisdiction is responsible for submitting information
- Lack of human resources
- Lack of technology
- Lack of enforcement
- Misdemeanor cases not submitted to repositories
- No training provided
- Other _____

Section D: DNA Evidence

D1. During 2007, did your office use DNA evidence during plea negotiations or during felony trials?

- Yes
 No

D2. During 2007, did your office submit DNA evidence to the following laboratories for analysis?

Yes No

- a. Federal Bureau of Investigation (FBI) forensic laboratory
- b. Forensic laboratory operated by State government
- c. Forensic laboratory operated by local government
- d. Privately operated forensic laboratory

D3. During 2007, did your office encounter the following problems with the use of DNA evidence?

Yes No

- a. Improper collection of evidence by police
- b. Inconclusive DNA results
- c. Excessive delay in getting DNA results from laboratory
- d. Difficulty in getting DNA results admitted in court as evidence

D4. As of December 31, 2007, in which types of DNA databases did your office participate (i.e., your office was authorized to request searches and submit profiles/samples)?

Yes No

- a. Convicted offender database
 b. Forensic database containing profiles from unsolved cases

Section E: Special Offense Categories

E1. During 2007, did your office prosecute any of the following types of felony offenses?

Yes No

- a. Police use of excessive force
 b. Use of internet for child exploitation
 c. Gang-related violence
 d. Human trafficking
 e. School violence involving firearms
 f. Methamphetamine production
 g. Terrorism/homeland security
 h. Elder abuse

E2. During 2007, did your office prosecute any of the following types of computer crimes?

Yes No

- a. Computer sabotage (i.e., to hinder the normal functioning of a computer system through electronic means, such as the introduction of worms, viruses, etc.)
 b. Unauthorized access to a computer system
 c. Cyberstalking (i.e., sending harassing or threatening electronic messages to others)
 d. Unauthorized copying or distribution by electronic means of copyrighted material or other intellectual property (e.g. software, music, movies)
 e. Electronic transmission of child pornography
 f. Other (describe) _____

In responding to Questions E3–E6, please apply the following definition as it relates to the use of computers or the internet:

Computer or internet identity theft: Use, or attempted use, of an account or identifying information without the owner's permission, where the owner may be an individual person, a corporation, or other organization via a computer or the internet.

E3. During 2007, did anyone from your office actively participate in investigations involving suspected on-line or computer-related identity theft?

- Yes
 No

E4. During 2007, did your office prosecute any felony cases involving identity theft from a person or individual through the use of a computer or the internet?

- Yes
 No

E5. During 2007, did your office prosecute any felony cases involving identity theft from a corporation, business, or organization through the use of a computer or the internet?

- Yes
 No

E6. During 2007, did your Office handle any of the following types of computer or internet-related identity theft cases (e.g., use or attempted use of an account or identifying information without the owner's permission)?

Yes No Charges

- a. Credit card account fraud
 b. Online account fraud (e.g., Paypal)
 c. Identity document forgery (e.g., Social Security number, birth certificate, driver's license)
 d. Mortgage/loan fraud
 e. Insurance fraud (e.g., medical insurance)
 f. Checking/savings account fraud

For the following question, include only cases where a computer or the internet was not used to commit the offense.

E7. During 2007, did your office handle any of the following types of identity theft cases (e.g., use or attempted use of an account or identifying information without the owner's permission)?

Yes No Charges

- a. Credit card account fraud
 b. Online account fraud (e.g., Paypal)
 c. Identity document forgery (e.g., Social Security number, birth certificate, driver's license)
 d. Mortgage/loan fraud
 e. Insurance fraud (e.g., medical insurance)
 f. Checking/savings account fraud

In responding to Questions E8–E10, please apply the following definition:

Indian Country: refers to tribal reservations, communities, or trust lands.

Under Public Law 83-280, states, local sheriffs and state law enforcement agencies take tribal members to state courts for prosecution in cases arising from criminal matters within reservation boundaries.

E8. During 2007, did your office have jurisdiction for prosecuting any felony cases occurring in Indian Country, under Public Law 83-280?

- Yes
 No → Stop here.

E9. During 2007, did your office prosecute any felony cases arising in Indian Country, under Public Law 83-280?

- Yes
 No → Stop here.

E10. During 2007, which of the following types of cases arising in Indian Country were prosecuted by your office?

Yes No

- a. Homicide
 b. Rape
 c. Robbery
 d. Assault (aggravated)
 e. Domestic violence
 f. Drug-related crimes
 g. Sexual assault/abuse
 h. Parole/probation violation