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One North State Street  
Chicago, Illinois 60602

Form NSP (4-9-01)

**2001 National Survey of Prosecutors**National Opinion Research Center  
Acting As Collecting Agent For  
Bureau of Justice Statistics  
U.S. Department of Justice

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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On behalf of the Bureau of Justice Statistics (BJS), U.S. Department of Justice, the National Opinion Research Center (NORC) is conducting a survey of all prosecutors who try felony cases in State courts of general jurisdiction. The last such comprehensive survey was conducted in 1976. Enclosed for your information is a letter from the National District Attorneys Association endorsing the survey and the results from BJS' 1996 National Survey of Prosecutors. Findings from the 2001 survey will be sent to all respondents and will be available on the BJS website at <http://www.ojp.usdoj.gov/bjs>.

The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3732), authorizes this information collection. The request for information is in accordance with the clearance requirement of the Paperwork Reduction Act of 1980, as amended (44 U.S.C. 3507). Although this survey is voluntary, we urgently need and appreciate your cooperation to make the results comprehensive, accurate and timely.

Please complete the survey within 14 days and fax it to NORC at 312-201-4676, or return the survey in the enclosed envelope. If you have questions or need assistance, please e-mail NORC at [2001nps@norcmail.uchicago.edu](mailto:2001nps@norcmail.uchicago.edu) or call NORC at 1-800-577-1486. Thank you for your cooperation in this important data collection effort.

Sincerely,

Lawrence A. Greenfeld  
Acting Director, Bureau of Justice Statistics

Enclosures

### **Instructions for Completing the National Survey of Prosecutors**

1. The label on the front cover contains identifying information about your prosecutorial district. We have identified your office as having jurisdiction over felony cases handled in State courts of general jurisdiction. Please answer all questions for your entire district. If your prosecutorial district includes more than one county, respond for all counties. If your office does not have jurisdiction over any felony cases, please e-mail NORC at 2001nsp@norcmail.uchicago.edu for instructions or call NORC at 1-800-577-1486.
2. Please answer each question in sequence by marking the appropriate box and/or by printing the requested information in the space provided. In some cases you will be requested to skip certain questions based on your response.
3. If you need to give an explanation for an answer, please use the space provided.
4. Please complete the survey within 14 days, and fax the cover and pages 3-7 to: NORC/2001 NSP at 312-201-4676. (Keep the original pages for your records.) Or, mail the survey to NORC in the pre-addressed, pre-paid envelope provided, and keep a copy for your records.

Since some questions may require you to look up information, we suggest filling in the answers on the mail survey before accessing the Internet version. Please keep the mail version for your records.

5. If you need assistance to answer any question please e-mail NORC at 2001nsp@norcmail.uchicago.edu, or call NORC at 1-800-577-1486.

While you are not required to respond, your participation is needed for the success of the survey.

### **BURDEN STATEMENT**

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 collections 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, N.W., Washington, D.C. 20531.

**Section A: Staffing**

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

\_\_\_\_\_ years

**A2. As of the end of last month, how long had the chief prosecutor served in this capacity?**

a. \_\_\_\_\_ years    b. \_\_\_\_\_ months

**A3-A4. Currently, how many of the following types of staff are employed in your entire district? Part-time refers to any employee who works fewer hours than your standard work week and includes job sharing. (If you are unable to provide the actual number, please provide your best estimate. If none, enter "0".)**

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

**A5. What is the annual salary of the chief prosecutor?**

\$\_\_\_\_\_ .00 per year

**A6-A7. Please enter your office's current salary schedule for the following full-time positions.**

Position	Base Annual Salary	
	A6 Minimum	A7 Maximum
a. Assistant prosecutor, entry level	\$_____ .00	\$_____ .00
b. Assistant prosecutor, with 5 years experience	\$_____ .00	\$_____ .00
c. Supervisory attorneys	\$_____ .00	\$_____ .00

**A8. During the past 12 months, did your office experience problems with recruiting new staff attorneys?**

- 1  Yes
- 2  No → Skip to A10

**A9. What was the primary obstacle to recruiting new staff attorneys in your office?**

(Mark (X) only one)

- 1  Salary
- 2  Workload
- 3  Professional development/training opportunities
- 4  Benefits package
- 5  Advancement opportunities
- 6  Non-salary incentives (e.g., loan forgiveness, flextime, child care, etc.)
- 7  Other (Describe) \_\_\_\_\_

**A10. During the past 12 months, did your office experience problems with retaining existing staff attorneys?**

- 1  Yes
- 2  No → Skip to Section B

**A11. What was the primary obstacle to retaining existing staff attorneys in your office?**

(Mark (X) only one)

- 1  Salary
- 2  Workload
- 3  Staff burnout
- 4  Professional development/training opportunities
- 5  Benefits package
- 6  Advancement opportunities
- 7  Non-salary incentives (e.g., loan forgiveness, flextime, child care, etc.)
- 8  Other (Describe) \_\_\_\_\_

**Section B: Funding**

**B1. What is the current annual budget of your office for prosecutorial functions?** (If you are unable to provide the actual amount, please provide your best estimate.)

**Total prosecutorial budget**

\$ \_\_\_\_\_ .00

If you reported for a time period other than calendar year 2001, please enter the dates below:

**Budget Period**

\_\_\_\_\_ to \_\_\_\_\_  
 month day year month day year

**B2. Does the budget amount entered at B1 include funding for any of the following?** (Mark (X) yes or no for each budget category)

**Yes No Budget category**

- 1  2  a. Staff salaries
- 1  2  b. Expert services
- 1  2  c. Investigator services
- 1  2  d. Interpreter services
- 1  2  e. Social services
- 1  2  f. Child support enforcement
- 1  2  g. DNA testing

**B3. What percentage of the prosecutor's office budget entered at B1 comes directly from each of the following sources?** (If you are unable to provide the actual percentage, please provide your best estimate. If none, enter "0".)

Percentage	Source
a. _____%	State
b. _____%	County
c. _____%	City government
d. _____%	Grants (State, Federal, other )
e. _____%	Other (Describe) _____
	_____
<b>100%</b>	<b>Total</b>

**Section C: Special Categories of Felony Prosecutions**

**C1. During the past 12 months, did your office prosecute any of the following kinds of felony offenses?** (Mark (X) all that apply)

- a.  Hate crime
- b.  Domestic violence
- c.  Elder abuse
- d.  Stalking
- e.  Child abuse
- f.  Health care fraud
- g.  Bank or thrift fraud
- h.  Telemarketing fraud
- i.  Illegal sale or possession of a firearm
- j.  Police use of excessive force

**C2. Did your office prosecute any computer related crimes under the computer crime statutes in your State?** (Mark (X) only one)

- 1  Yes
- 2  No → Skip to Section D
- 3  No State computer crime statutes → Skip to Section D

**C3. Which of the following types of computer crimes (either misdemeanor or felony) did your office prosecute during the past 12 months?** (Mark (X) yes or no for each type of computer crime)

- | Yes                        | No                         | Type of computer crime  |
|----------------------------|----------------------------|---|
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | a. Credit card fraud  |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | b. Bank card fraud (i.e., ATM, debit)   |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | c. Computer forgery (i.e., alteration of computerized documents)  |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | d. Computer sabotage (i.e., to hinder the normal functioning of a computer system through the introduction of worms, viruses, or logic bombs) |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | e. Unauthorized access to a computer system (i.e., hacking)   |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | f. Unauthorized copying or distribution of computer programs (i.e., software copyright infringement)  |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | g. Cyberstalking (i.e., the activity of users sending harassing or threatening e-mail to other users)   |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | h. Theft of intellectual property   |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | i. Transmitting child pornography   |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | j. Identity theft   |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | k. Other (Describe) _____   |

**Section D: Caseload**

**D1. In addition to felony cases, does your office have jurisdiction over any of the following?**

*(Mark (X) all that apply)*

- a.  Misdemeanor cases
- b.  Misdemeanor cases only if associated with a felony
- c.  Misdemeanor appeals
- d.  Felony appeals
- e.  Traffic violations (excluding driving while intoxicated and hit-and-run accidents)
- f.  Juvenile matters
- g.  Child support enforcement
- h.  Represent government in civil lawsuits

**D2. Which of the following best describes how your office counts a criminal case?** *(Mark (X) only one)*

- 1  By each charge
- 2  By the most serious charge
- 3  By each defendant
- 4  By each incident
- 5  Other *(Describe)* \_\_\_\_\_

**D3. Please use the following definitions to provide the total number of cases closed and convicted during the past 12 months.**

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

**Felony case:** Please use your State definition of felony. If this term is not used in your State, please interpret "felony" to mean any case in which the defendant, if convicted, could be sentenced to more than one year in a State prison facility. Include as a felony case any defendant who had at least one felony filing charge.

**Misdemeanor case:** Any defendant who had only misdemeanor filing charges.

*(If you are unable to provide the actual number, please provide your best estimate. If none, enter "0".)*

Number	Type of case
a. _____	Total felony jury trial verdicts
b. _____	Total felony cases closed
c. _____	Total felony cases convicted
<i>(If your office does not handle misdemeanor cases, enter "NA" .)</i>	
d. _____	Total misdemeanor cases closed
e. _____	Total misdemeanor cases convicted

**Section E: Juvenile Matters**

Please use the following definitions to answer this section.

**Juvenile:** A person who has not yet attained the age at which he or she would be treated as an adult for purposes of criminal law as defined by the statutes in your State.

**Juveniles proceeded against in criminal court:** Juveniles that reached criminal court by judicial waiver, statutory exclusion, direct filing by a prosecutor's office or any other mechanism available in your State.

**Case:** Use the definition you selected in D2.

**E1. During the past 12 months, did your office proceed against any juveniles in criminal court?**

- 1  Yes → a. How many cases?

*(If you cannot provide the actual number, please provide your best estimate)*

- 2  No

**E2. Does your office have a specialized unit or designated attorney(s) that handles juveniles proceeded against in criminal court?**

*(Mark (X) all that apply)*

- a.  Has specialized unit
- b.  Has designated attorney(s)
- c.  Does not have a specialized unit or designated attorneys

**E3. Does your office have written guidelines about proceeding against juveniles in criminal court?**

- 1  Yes
- 2  No

If you are unsure how to answer any questions please e-mail NORC at 2001nsp@norcmail.uchicago.edu or call 1-800-577-1486

**Section F: Work-Related Threats or Assaults**

**F1. During the past 12 months, did your chief prosecutor, any assistant prosecutors, or any staff investigators receive any work-related threats or assaults?**

- <sup>1</sup> Yes
- <sup>2</sup> No → Skip to F5

**F2-F4. For each type of work-related threat or assault, mark (X) for each person who received that type of threat or assault during the past 12 months. (Mark (X) all that apply)**

Type of threat or assault:	F2. Chief prosecutor	F3. Assistant prosecutor	F4. Staff investigator
a. Threatening letter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Threatening call	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Face-to-face threat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Battery/Assault	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Other (Describe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**F5. Are any of the following security measures used for protection of the prosecutor's office? (Mark (X) all that apply)**

- a.  Police protection
- b.  Building guards
- c.  Electronic surveillance
- d.  Metal detectors
- e.  Electronic security systems
- f.  Other (Describe) \_\_\_\_\_
- g.  No security measures used

**F6. Does your chief prosecutor, any assistant prosecutors, or any staff investigators carry a firearm for personal safety or security? (Mark (X) all that apply)**

- a.  Chief prosecutor
- b.  Assistant prosecutors
- c.  Staff investigators
- d.  None of these staff carry a firearm

**Section G: DNA Evidence**

**G1. During the past 12 months, did your office use DNA evidence during plea negotiations or during felony trials?**

(Mark (X) all that apply)

- a.  Used during plea negotiations
- b.  Used during felony trials
- c.  Did not use DNA evidence → Skip to Section H

**G2. Which laboratory performed DNA analyses for your office?**

(Mark (X) all that apply)

- a.  Federal Bureau of Investigation (FBI)
- b.  State operated forensic laboratory
- c.  Local agency operated forensic laboratory
- d.  Privately operated forensic laboratory

**G3. During the past 12 months, did your office encounter any of the following problems with the use of DNA evidence?**

(Mark (X) all that apply)

- 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
- e.  None of the above

**Section H: Community Related Activities**

**H1. During the past 12 months, did your office engage in any of the following activities?**  
(Mark (X) yes or no for each activity)

**Yes No Type of Activity**

- 1  2  **a.** Involved the community to identify crime and/or problem areas
- 1  2  **b.** Assigned prosecutors to specific geographic areas
- 1  2  **c.** Used tools other than criminal prosecution to address community problems

**H2. At any time during the past 12 months, did your office have a formal and/or informal relationship with any of the following?**  
(Mark (X) all that apply)

- a.**  Law enforcement agencies
- b.**  Other government agencies
- c.**  Private organizations
- d.**  Community associations

**H3. During the past 12 months, did any member of your staff meet regularly with the following types of local community groups or organizations? Member refers to the chief prosecutor, assistant prosecutors, staff investigators, or any other professional staff.**  
(Mark (X) all that apply)

- a.**  Neighborhood associations
- b.**  Tenants' associations
- c.**  Youth service organizations
- d.**  Advocacy groups
- e.**  Business groups
- f.**  Religious groups
- g.**  School groups
- h.**  Other (Describe) \_\_\_\_\_

**H4. During the past 12 months, did your office assign prosecutors to handle community related activities?**

- 1  Yes
- 2  No → **STOP HERE** →

**H5. During the past 12 months, were these prosecutors ever located outside your central office location?**

- 1  Yes
- 2  No → Skip to H7

**H6. Where were these prosecutors located?**  
(Mark (X) all that apply)

- a.**  Police department
- b.**  Community based prosecutor's office
- c.**  City/municipal attorney office
- d.**  Other (Describe) \_\_\_\_\_

**H7. What types of offenses were handled by these prosecutors?**  
(Mark (X) all that apply)

- a.**  Violent crime
- b.**  Property crime
- c.**  Drug-related crime
- d.**  Public order crime
- e.**  Juvenile crime
- f.**  Nuisance complaints

**H8. Did these prosecutors handle a full or reduced caseload in addition to their community related activities?**  
(Mark (X) only one)

- 1  All had a full caseload
- 2  All had a reduced caseload
- 3  Some had a full caseload, others a reduced caseload
- 4  None had a caseload

Thank you for your participation.

Please return your completed survey to:

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Chicago, IL 60602  
or fax to:  
NORC/2001 NSP  
312-201-4676