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Comparing Court Case Processing
in Nine Courts, 1979-1980

104630

Peter Nardulli, James Eisenstein,
and Roy B. Fleming

ICPSR 8621

Comparing Court Case Processing in Nine Courts,
1979-1980

(ICPSR 8621)

Principal Investigator

Peter Nardulli, James Eisenstein
and Roy B. Fleming

University of Illinois

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U.S. Department of Justice
National Institute of Justice

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Nardulli, Peter, James Eisenstein, and Roy B. Fleming.

COMPARING COURT CASE PROCESSING IN NINE COURTS, 1979-1980 (ICPSR 8621)

SUMMARY: This study looks at the characteristics of officials who are involved in court case processing. Data were collected on the cases and defendants, the officials involved in the cases, personality characteristics of the officials and the perceptions that these officials have of each other. CLASS IV

UNIVERSE: Defendants in Michigan, Illinois, and Pennsylvania.

SAMPLING: Three counties in three states with populations between 100,000 and 1,000,000 in Michigan, Illinois and Pennsylvania.

EXTENT OF COLLECTION: 1 data file + SPSS Control Cards

DATA FORMAT: Card Image

FILE STRUCTURE: rectangular

CASES: 7,475

VARIABLES: 264

RECORD LENGTH: 80

RECORDS PER CASE: 27

RELATED PUBLICATIONS:

Nardulli, Peter F., Eisenstein, James, and Roy B. Fleming. SENTENCING AS A SOCIOPOLITICAL PROCESS: ENVIRONMENTAL, CONTEXTUAL, AND INDIVIDUAL LEVEL DIMENSIONS. (Unpublished final report submitted to NIJ, June 30, 1983).

Eisenstein, James, Nardulli, Peter F., and Roy B. Flemming. INTERIM REPORT: EXPLAINING AND ASSESSING CRIMINAL CASE DISPOSITION: A COMPARATIVE STUDY OF NINE COUNTIES. (Unpublished report submitted to NIJ, August 31, 1982).

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Title: "A Comparison of Court Case Processing in Nine Courts"
Investigators: Peter F. Nardulli, James Eisenstein, and Roy B. Flemming
Producer: University of Illinois
Date of Award: 1981
NIJ Number: 81-IJ-CX-0027

Purpose of the study

Data were collected in order to examine characteristics of officials involved in court case processing in the nine counties.

Methodology

Sources of Information:

Data regarding court officials were generated by a series of questionnaires. Data concerning case and offender characteristics were collected from official records.

Sample:

Three counties with populations between 100,000 and 1,000,000 in each of three states (Michigan, Illinois and Pennsylvania) were selected. States were chosen on the basis of convenience. In each state, a suburban ring county (DuPage, IL; Oakland, MI; and Montgomery, PA), an autonomous county (Peoria, IL; Kalamazoo, MI; and Dauphin, PA), and a declining county (St. Clair, IL; Saginaw, MI; and Erie, PA) were purposively chosen. Data were collected on the cases of 7,475 defendants processed in these counties in 1979 and 1980.

Dates of Data Collection: NA

Summary of Contents

Special Characteristics of the Study:

These data contain rich information on personality variables for each of the principal actors in court case processing, i.e., judges, prosecutors, public defenders and defense attorneys.

Description of Variables:

The file includes variables describing the case and defendant (e.g, defendant age, evidence of intoxication, total charges at

sentencing, name of charge), variables describing the officials involved in the cases (e.g., involvement in professional groups, percentage of life spent in county, and political affiliation), scale variables describing personality characteristics of these officials (e.g., Machiavellianism, belief in punishment, belief in efficiency and tolerance), and variables indicating the perceptions of each other shared by these officials (e.g., judge's view of the prosecutor's trial competence and defense counsel's view of the judge's concern for clearing the docket).

Unit of observation:

Defendant.

Geographic Coverage:

Counties of DuPage, Peoria, and St. Claire, Illinois; Oakland, Kalamazoo, and Saginaw, Michigan; and Montgomery, Dauphin, and Erie, Pennsylvania.

File Structure

Number of Files: 1
Number of Variables: 264
Number of Cases: 7,475

Reports and Publications

Nardulli, Peter F.; Eisenstein, James; and Roy B. Flemming.
Sentencing as a Sociopolitical Process: Environmental, Contextual, and Individual Level Dimensions.
(Unpublished final report submitted to NIJ, June 30, 1983).

Eisenstein, James; Nardulli, Peter F.; and Roy B. Flemming.
Interim Report: Explaining and Assessing Criminal Case Disposition: A Comparative Study of Nine Counties.
(Unpublished report submitted to NIJ, August 31, 1982).

C O D E B O O K

SOCIAL CHARACTERISTICS OF DEFENDANT

P08	SEX		21
	MALE.....	0	
	FEMALE.....	1	
	NOT RELEVANT.....	8	
	MISSING.....	9	
P09	YEAR OF BIRTH.....		22-23
	NOT RELEVANT (HAVE AGE).....	88	
	DON'T KNOW.....	99	
P10	AGE OR ESTIMATED AGE		24-25
	CODE DIRECT.....	-	
	97 OR OLDER.....	97	
	NOT RELEVANT..(HAVE DOB).....	98	
	MISSING.....	99	
P11	IS AGE ESTIMATED?		26
	NO.....	0	
	YES.....	1	
	NOT RELEVANT.....	8	
	MISSING.....	9	
P12	RACE		27
	WHITE.....	0	
	BLACK.....	1	
	LATINO.....	2	
	OTHER.....	3	
	NOT RELEVANT.....	8	
	MISSING.....	9	
P13	MARITAL STATUS		28
	SINGLE.....	0	
	MARRIED.....	1	
	DIVORCED OR SEPARATED.....	2	
	OTHER.....	3	
	DON'T KNOW.....	9	
P14	WAS D EMPLOYED AT THE TIME OF HIS ARREST		29
	NO.....	1	
	YES.....	2	
	YES, PARTTIME.....	3	
	NOT RELEVANT (A STUDENT).....	8	
	DON'T KNOW.....	9	
✓ P15	TYPE OF OCCUPATION		30
	LABORERS.....	1	
	SERVICE WORKERS.....	2	
	OPERATIVES - FACTORY WORKERS.....	3	
	CLERICAL WORKERS.....	4	
	SKILLED LABORERS, CRAFTSMEN.....	5	
	PROFESSIONAL - MANAGERIAL.....	6	
	STUDENT.....	7	
	NOT RELEVANT (NO OCCUPATION).....	8	
	DON'T KNOW.....	9	
✓ P16	DOES IT APPEAR THAT THE DEFENDANT		31
	NEVER COMPLETED ELEMENTARY SCHOOL.....	1	
	NEVER COMPLETED HIGH SCHOOL.....	2	
	COMPLETED HIGH SCHOOL.....	3	
	HAD TRAINING OR EDUCATION BEYOND HIGH SCHOOL.....	4	
	NOT RELEVANT (IS PRESENTLY A STUDENT).....	8	
	DON'T KNOW, MISSING.....	9	
P17	DEFENDANT'S CRIMINAL RECORD		32-39
	GENERAL STATE INDEX #.....	-	
	NOT RELEVANT (INFORMATION AVAILABLE ALREADY).....	8888888888	
	DON'T KNOW.....	9999999999	
P18	NUMBER OF PRIOR ARRESTS..(CODE DIRECT).....	-	40-41
	EVIDENCE OF SOME BUT DON'T KNOW HOW MANY.....	98	
	MISSING, DON'T KNOW.....	99	
P19	NUMBER OF PRIOR CONVICTIONS..(CODE DIRECT).....	-	42
	7 OR MORE.....	7	
	EVIDENCE OF SOME BUT DON'T KNOW HOW MANY.....	8	
	MISSING, DON'T KNOW.....	9	

P20	NUMBER OF PRIOR JAIL COMMITMENTS..(CODE DIRECT).....	43
	7 OR MORE.....	7
	EVIDENCE OF SOME BUT DON'T KNOW HOW MANY.....	8
	MISSING, DON'T KNOW.....	9
P21	NUMBER OF PRIOR PENITENTIARY COMMITMENTS..(CODE DIRECT).....	44
	7 OR MORE.....	7
	EVIDENCE OF SOME BUT DON'T KNOW HOW MANY.....	8
	MISSING, DON'T KNOW.....	9
P22	IS DEFENDANT PRESENTLY ON	45
	PROBATION.....	1
	PAROLE.....	2
	ONE OR THE OTHER (UNCERTAIN OF WHICH).....	3
	NEITHER.....	4
	DON'T KNOW.....	9

EXISTENCE OF A PRIOR RELATIONSHIP

P23	IS THERE ANY EVIDENCE OF A PRIOR RELATIONSHIP BETWEEN AT LEAST ONE VICTIM AND AT LEAST ONE PERPETRATOR?	46
	YES.....	0
	NO.....	1
	NOT RELEVANT.....	8
	MISSING.....	9

✓P24	TYPE OF PRIOR RELATIONSHIP	47-48
	SPOUSE.....	1
	EX-SPOUSE.....	2
	LOVERS (BOYFRIEND - GIRLFRIEND).....	3
	PARENT - CHILD.....	4
	BROTHER - SISTER.....	5
	FRIENDS.....	6
	NEIGHBOR.....	7
	FELLOW EMPLOYEES.....	8
	RECURRENT BUSINESS ASSOCIATE.....	9
	CASUAL BUSINESS ASSOCIATE.....	10
	CASUAL ACQUAINTANCE.....	11
	EMPLOYER - EMPLOYEE.....	12
	LANDLORD - TENANT.....	13
	OTHER (SPECIFY).....	14
	NOT RELEVANT (NO RELATIONSHIP).....	88
	DON'T KNOW.....	99

INFORMATION ON INCIDENT

GENERAL INFORMATION ON SERIOUSNESS

✓ INC01	IS THERE EVIDENCE OF INTOXICATION (INDUCED BY ALCOHOL AND/OR DRUGS)?	49
	NO.....	0
	YES.....	1
	YES (UNCERTAIN HOW MUCH).....	3
	DON'T KNOW.....	9

✓ INC02-INC03	TYPE OF WEAPON (RECORD 2 MOST SERIOUS ONLY)	50,51
	RIFLE, SHOTGUN, PISTOL.....	1 1
	KNIFE, SHARP INSTRUMENT.....	2 2
	BLUNT INSTRUMENT.....	3 3
	CHEMICALS OR EXPLOSIVES.....	4 4
	ARMS, LEGS, FEET, FISTS.....	5 5
	FEIGNED WEAPON.....	6 6
	NONE.....	7 7
	MISSING.....	9 9

INC04	USE OF WEAPON	52
	WEAPON USED BY DEFENDANT TO INJURE/KILL VICTIM....	1
	WEAPON PRESENT AND USED BY DEFENDANT TO THREATEN VICTIM.....	2
	WEAPON PRESENT ON DEFENDANT BUT NOT THREATENED.....	3
	WEAPON PRESENT ON DEFENDANT/USE UNCLEAR.....	4
	DEFENDANT FEIGNED WEAPON.....	5
	WEAPON USED BY CODEFENDANT/ACCOMPLICE.....	6
	WEAPON IN POSSESSION OF CODEFENDANT/ACCOMPLICE.....	7
	NO WEAPON INVOLVED.....	8
	MISSING/DON'T KNOW.....	9

INC05	WAS ARRESTING OFFICER ASSAULTED?		53
	NO.....	1	
	YES, BUT NOT INJURED SERIOUSLY (CUTS, BRUISES).....	2	
	YES, AND INJURED.....	3	
	DON'T KNOW.....	9	
✓INC06	HOW MANY DEFENDANTS WERE INVOLVED?		54
	CODE DIRECT.....	8	
	8 OR MORE.....	9	
	DON'T KNOW.....		
INC07	TIME OF INCIDENT.....		55-58
	DON'T KNOW.....	9999	
INC08	DAY OR NIGHT		59
	AM.....	0	
	PM.....	1	
	NOT RELEVANT.....	9	
✓INC09	LOCATION OF INCIDENT		60
	PRIVATE RESIDENCE.....	1	
	COMMERCIAL ESTABLISHMENT.....	2	
	INDUSTRIAL BUILDING.....	3	
	STREET, ALLEY, PARKING LOT.....	4	
	PUBLIC PARK OR RECREATION AREA.....	5	
	OTHER PUBLIC AREA.....	6	
	OTHER PRIVATE AREA.....	7	
	NOT RELEVANT.....	8	
	DON'T KNOW.....	9	

OFFENSES AGAINST PERSONS

INC10	EXTENT OF INJURY TO VICTIM		61
	DEATH.....	1	
	SERIOUS BODILY INJURY-PERMANENT DAMAGE.....	2	
	INJURY REQUIRING HOSPITALIZATION, NON-PERMANENT DAMAGE.....	3	
	INJURY REQUIRING EMERGENCY HOSPITAL TREATMENT.....	4	
	SLIGHT INJURY, NO HOSPITAL TREATMENT REQUIRED.....	5	
	NO INJURY.....	7	
	NO PERSONAL VICTIM.....	8	
	MISSING/DON'T KNOW.....	9	

✓INC11	IS THERE ANY INDICATION THAT THE ISSUE OF VICTIM PROVOCATION WAS RAISED?		62
	YES.....	1	
	NO.....	2	
	NO PERSONAL VICTIM.....	8	
	MISSING/DON'T KNOW.....	9	

OFFENSES AGAINST PROPERTY

INC12	VALUE OR ESTIMATED VALUE OF PROPERTY STOLEN OR DAMAGED (CODE IN 10'S) (\$10=1; \$100=10; ETC.).....		63-66
	MORE THAN \$99,970.....	9997	
	NOT RELEVANT.....	9998	
	MISSING.....	9999	

INC13	IS VALUE OF PROPERTY STOLEN ESTIMATED?		67
	NO.....	0	
	YES.....	1	
	NOT RELEVANT.....	8	

INC14	WAS VICTIM PRESENT?		68
	NO.....	0	
	YES.....	1	
	NOT RELEVANT.....	8	
	DON'T KNOW.....	9	

INC15	IF INCIDENT INVOLVED FRAUD OR DECEPTION, DOES IT APPEAR TO BE PART OF A CONTINUING SCHEME?		69
	YES, ORGANIZED SCHEME.....	1	
	YES, LONE OPERATOR.....	2	
	YES, UNCERTAIN WHICH.....	3	
	NO, ISOLATED INCIDENT.....	4	
	NOT RELEVANT.....	8	
	DON'T KNOW.....	9	

DRUG OFFENSES

INC16 TYPE OF DRUG INVOLVED 70-71
 MARIJUANA (CANNABIS)..... 1
 LSD - OTHER HALLUCINOGENICS..... 3
 HEROIN - OTHER OPIATES..... 3
 COCAINE..... 4
 AMPHETAMINES - OTHER STIMULANTS..... 5
 BARBITUATES - OTHER DEPRESSANTS..... 6
 PCP - ANGEL DUST..... 7
 OTHER #1..... 8
 OTHER #2..... 9
 NOT RELEVANT..... 88
 DON'T KNOW..... 99

INC17 AMOUNT OF DRUGS 72-76
 CODE DIRECT..... - - - -
 99 OR MORE..... 997.0
 NOT RELEVANT..... 998.0
 DON'T KNOW..... 999.0

INC18 IS THE AMOUNT MEASURED IN 77
 OUNCES..... 1
 GRAMS..... 3
 POUNDS..... 4
 ITEMS (SUCH AS JOINTS, PILLS)..... 5
 OTHER #1..... 5
 OTHER #2..... 6
 NOT RELEVANT..... 8
 DON'T KNOW..... 9

ID06 DECK #..... 02 1-2

ID07-09 DEFENDANT ID (YEAR, CASE, DEFENDANT) - - - - 3,4-8,9

ID10 COUNTY - 10

EVIDENCE

EV01 HOW MANY PEOPLE DOES IT APEAR CAN IDENTIFY THE PERPETRATOR? 11
 CODE DIRECT..... - 0
 NO ONE..... 7
 7 OR MORE..... 8
 NOT RELEVANT..... 9
 MISSING..... 9

EV02-EV04 WHO WERE THESE WITNESSES? 12,13, 14
 THE VICTIM..... 1 1 1
 FRIENDS OR RELATIVES OR EMPLOYEES OF VICTIM..... 2 2 2
 UNACQUAINTED BYSTANDER..... 3 3 3
 POLICE..... 4 4 4
 CO-CONSPIRATOR (SOMEONE INVOLVED IN CRIME)..... 5 5 5
 OTHER..... 6 6 6
 NOT RELEVANT (NO EYE WITNESSES)..... 8 8 8
 DON'T KNOW..... 9 9 9

EV05 HOW MANY WITNESSES ACTUALLY MADE POSITIVE I.D.? 15
 (ON SCENE, PHOTO ID, LINE UP, ETC.)?
 CODE DIRECT..... 7
 7 OR MORE..... 8
 NOT RELEVANT (NO WITNESSES)..... 9
 MISSING..... 9

EV06-EV10 WHAT PHYSICAL EVIDENCE WAS AVAILABLE? 16,17, 18,19, 20
 CONTROLLED SUBSTANCES..... 0 0 0 0 0
 FINGERPRINTS..... 1 1 1 1 1
 PROCEEDS FROM THEFT, ETC., DAMAGED PROPERTY..... 2 2 2 2 2
 MATERIALS USED TO DEFAUD OR DECEIVE..... 3 3 3 3 3
 INCRIMINATING POLYGRAPH RESULTS..... 4 4 4 4 4
 WEAPON USED TO COMMIT CRIME..... 5 5 5 5 5
 TOOLS USED TO COMMIT CRIME (INCLUDING HYPO
 NEEDLE, BURGLARY TOOLS)..... 6 6 6 6 6
 OTHER..... 7 7 7 7 7
 NOT RELEVANT (NONE)..... 8 8 8 8 8
 DON'T KNOW..... 9 9 9 9 9

EV11-EV13	WAS THE 1ST (2ND, 3RD) PIECE OF EVIDENCE DIRECTLY TIED TO A SUSPECT.....1 1 1 INDIRECTLY TIED TO A SUSPECT.....2 2 2 NOT TIED TO A SUSPECT.....3 3 3 NOT RELEVANT (NO EVIDENCE).....8 8 8 DON'T KNOW.....9 9 9	21,22, 23
EV14	WERE THERE MORE THAN THREE INDEPENDENT PIECES OF PHYSICAL EVIDENCE? YES.....0 NO.....1 NOT RELEVANT (NONE).....8 DON'T KNOW.....9	24
EV15	WERE LAB TESTS CONDUCTED FOR DRUG OFFENSE? NO.....1 YES, RESULTS WERE NEGATIVE.....2 YES, RESULTS WERE POSITIVE.....3 NOT RELEVANT.....8 DON'T KNOW.....9	25
EV16	WAS AN INCRIMINATING STATEMENT MADE BY THE SUSPECT? YES, ADMITTED CRIME.....1 YES, BUT ONLY DAMAGING STATEMENT.....2 NO.....3 DON'T KNOW.....9	26
EV17	DID A SUSPECT OFFER ANY ALIBIS? YES.....0 NO.....1 DON'T KNOW.....9	27

INFORMATION ON PROCESS

ARREST

	DATE OF ARREST	
AR01	MONTH (CODE DIRECT).....-- MISSING.....99	28-29
AR02	DAY (CODE DIRECT).....-- MISSING.....99	30-31
AR03	YEAR(CODE LAST TWO DIGITS).....-- MISSING.....99	32-33
AR04	ARRESTING DEPARTMENT (CONSTRUCT A LIST).....-- DON'T KNOW.....99	34-35
AR05	TOTAL NUMBER OF CHARGES (CODE DIRECT).....- 8 OR MORE.....8 DON'T KNOW.....9	36
AR06	FIRST OFFENSE.....- - - - - (CHAPTER, SECTION, SUBSECTION (NUMERICAL ONLY), SUBSECTION (ALL ALPHABETICS)) MISSING - DON'T KNOW 999 9999 99 9	37-46
AR07	SECOND OFFENSE.....- - - - - SAME AS ABOVE.....000 0000 00 0 NOT RELEVANT.....888 8888 88 8 MISSING DON'T KNOW.....999 9999 99 9	47-56
AR08	THIRD OFFENSE.....- - - - - SAME AS ABOVE.....000 0000 00 0 NOT RELEVANT.....888 8888 88 8 MISSING DON'T KNOW.....999 9999 99 9	57-66
AR09	FOURTH OFFENSE.....- - - - - SAME AS ABOVE.....000 0000 00 0 NOT RELEVANT.....888 8888 88 8 MISSING DON'T KNOW.....999 9999 99 9	67-76
AR10	PROSECUTOR ISSUING THE WARRANT.....-- DON'T KNOW.....99	77-78

ID11	DECK#.....03	1-2	7
ID12-14	DEFENDANT ID # (YEAR, CASE, DEFENDANT) _ _ _ _ _	3,4-8,9	
ID15	COUNTY	10	

INFORMATION ON BAIL

B01	DATE INITIAL BAIL WAS SET MONTH (CODE DIRECT).....99	11-12	
	MISSING.....99		
B02	DAY (CODE DIRECT).....99	13-14	
	MISSING.....99		
B03	YEAR (CODE LAST TWO DIGITS).....99	15-16	
	MISSING.....99		
B04	TYPE OF BAIL	17	
	ROR.....1		
	10% DEPOSIT.....2		
	SURETY.....3		
	REFUSAL OF BAIL.....4		
	CASH.....5		
	CASH OR SURETY.....6		
	OTHER.....7		
	DON'T KNOW.....9		
B05	IF MONETARY BAIL WAS SET	18-21	
	WHAT WAS AMOUNT (CODE IN \$10).....9997		
	\$99,970 OR MORE.....9998		
	NOT RELEVANT.....9999		
	DON'T KNOW.....9999		
B06	DATE UPON WHICH DEFENDANT WAS RELEASED ON THIS BAIL	22-23	
	MONTH(CODE DIRECT).....88		
	NOT RELEVANT (D WAS NOT RELEASED ON THIS BAIL).....88		
	MISSING.....99		
B07	DAY (CODE DIRECT).....88	24-25	
	NOT RELEVANT.....88		
	MISSING.....99		
B08	YEAR (CODE LAST TWO DIGITS).....88	26-27	
	NOT RELEVANT.....88		
	MISSING.....99		
B09	JUDGE AT INITIAL BAIL HEARING	28-29	
	CODE DIRECT (USE PERSONNEL ROSTER).....99		
	DON'T KNOW.....99		
B10	PROSECUTOR AT INITIAL BAIL HEARING	30-31	
	CODE DIRECT (USE PERSONNEL ROSTER).....88		
	NONE PRESENT.....88		
	DON'T KNOW.....99		
B11	DEFENSE ATTORNEY AT INITIAL BAIL HEARING	32-33	
	CODE DIRECT (USE PERSONNEL ROSTER).....88		
	NONE PRESENT.....88		
	DON'T KNOW.....99		
B12	DEFENSE ATTORNEY TYPE	34	
	PUBLIC DEFENDER.....1		
	RETAINED PRIVATE ATTORNEY.....2		
	APPOINTED PRIVATE ATTORNEY.....3		
	NO DEFENSE ATTORNEY.....4		
	DON'T KNOW.....9		
B13	WAS THERE A SUBSEQUENT BAIL HEARING AT WHICH BAIL STATUS CHANGED?	35	
	YES.....0		
	NO (LEAVE COL. 36 TO 59 BLANK).....1		
	UNCERTAIN.....9		
B14	IF THERE WAS A SUBSEQUENT BAIL HEARING AT WHICH BAIL STATUS CHANGED DATE OF THIS HEARING	36-37	
	MONTH (CODE DIRECT).....99		
	NOT RELEVANT.....88		
	MISSING.....99		

B15	DAY (CODE DIRECT).....	1	38-39
	NOT RELEVANT.....	88	
	MISSING.....	99	
B16	YEAR (CODE LAST TWO DIGITS).....	1	40-41
	NOT RELEVANT.....	88	
	MISSING.....	99	
B17	TYPE OF ACTION TAKEN		42
	ROR GRANTED.....	1	
	AMOUNT CHANGED.....	2	
	10% BOND SUBSTITUTED.....	3	
	SURETY BOND SUBSTITUTED.....	4	
	BAIL WITHDRAWN.....	5	
	CASH BOND SUBSTITUTED.....	6	
	OTHER.....	7	
	NOT RELEVANT.....	8	
	MISSING.....	9	
B18	IF MONETARY BAIL WAS CHANGED WHAT WAS NEW AMOUNT		43-46
	(CODE IN \$10).....	-	
	\$99,970 OR MORE.....	9997	
	NOT RELEVANT.....	9998	
	DON'T KNOW.....	9999	
	DATE UPON WHICH DEFENDANT WAS RELEASED OR CONFINED		
	ON THIS BAIL		
B19	MONTH (CODE DIRECT).....	--	47-48
	NOT RELEVANT (D NOT RELEASED OR CONFINED ON		
	THIS BAIL).....	88	
	MISSING.....	99	
B20	DAY (CODE DIRECT).....	1	49-50
	NOT RELEVANT.....	88	
	MISSING.....	99	
B21	YEAR (CODE LAST TWO DIGITS).....	1	51-52
	NOT RELEVANT.....	88	
	MISSING.....	99	
B22	JUDGE AT THIS BAIL HEARING		53-54
	CODE DIRECT (USE PERSONNEL ROSTER).....	1	
	SAME AS AT PREVIOUS STAGE.....	00	
	DON'T KNOW.....	99	
B23	PROSECUTOR AT THIS BAIL HEARING		55-56
	CODE DIRECT (USE PERSONNEL ROSTER).....	1	
	SAME AS AT PREVIOUS STAGE.....	00	
	NONE.....	88	
	DON'T KNOW.....	99	
B24	DEFENSE ATTORNEY AT THIS BAIL HEARING		57-58
	CODE DIRECT (USE PERSONNEL ROSTER).....	1	
	SAME AS AT PREVIOUS STAGE.....	00	
	NONE.....	88	
	DON'T KNOW.....	99	
B25	DEFENSE ATTORNEY TYPE		59
	PUBLIC DEFENDER.....	1	
	RETAINED PRIVATE ATTORNEY.....	2	
	APPOINTED PRIVATE ATTORNEY.....	3	
	NONE.....	4	
	DON'T KNOW.....	9	
B26	WAS THERE ANY BOND RELATED INCIDENT NOT COVERED IN		
	THE ABOVE QUESTIONS IN WHICH		
	THE DEFENDANT'S BOND WAS REVOKED AND HE WAS		60
	INCARCERATED.....	1	
	THE DEFENDANT WAS RELEASED FROM CUSTODY.....	2	
	NEITHER OF THE ABOVE.....	9	
	DON'T KNOW, UNSURE.....	9	
	INFORMATION ON LOWER COURT PROCEEDINGS		
LC01	TOTAL # OF CHARGES (CODE DIRECT).....	9	61
	DON'T KNOW.....	9	
LC02	CHARGES AT LOWER COURT STAGE IDENTICAL TO THOSE AT		62
	PREVIOUS STAGE		
	YES..(LEAVE COL.63 TO 72 BLANK AND 11 TO 40).....	0	
	NO.....	1	
	DON'T KNOW.....	9	

LC03	FIRST OFFENSE.....	- - - - -	- - - - -	- - - - -	63-72
	(CHAPTER, SECTION, SUBSECTION (NUMERICAL) SUBSECTION (ALL ALPHABETICALS))				
	MISSING, DON'T KNOW.....	999	9999	99 9	
ID16	DECK #.....		04		1-2
ID17-19	DEFENDANT ID# (YEAR, CASE, DEFENDANT).....	- - - - -	- - - - -	- - - - -	3,4-8,9
ID20	COUNTY				10
LC04	SECOND OFFENSE.....	- - - - -	- - - - -	- - - - -	11-20
	SAME AS ABOVE.....	000	0000	00 0	
	NOT RELEVANT.....	888	8888	88 8	
	MISSING, DON'T KNOW.....	999	9999	99 9	
LC05	THIRD OFFENSE.....	- - - - -	- - - - -	- - - - -	21-30
	SAME AS ABOVE.....	000	0000	00 0	
	NOT RELEVANT.....	888	8888	88 8	
	MISSING, DON'T KNOW.....	999	9999	99 9	
LC06	FOURTH OFFENSE.....	- - - - -	- - - - -	- - - - -	31-40
	SAME AS ABOVE.....	000	0000	00 0	
	NOT RELEVANT.....	888	8888	88 8	
	MISSING, DON'T KNOW.....	999	9999	99 9	
LC07	DATE OF FIRST APPEARANCE				
	MONTH.....			88	41-42
	NOT RELEVANT.....			88	
	DON'T KNOW.....			99	
LC08	DAY			88	43-44
	NOT RELEVANT.....			88	
	DON'T KNOW.....			99	
LC09	YEAR.....			88	45-46
	NOT RELEVANT.....			88	
	DON'T KNOW.....			99	
LC10	NUMBER OF APPEARANCES				47
	CODE DIRECT.....			88	
	MORE THAN 7.....			88	
	DON'T KNOW.....			99	
LC11	DATE OF LOWER COURT FINAL DISPOSITION				
	MONTH.....			88	48-49
	NOT RELEVANT.....			88	
	DON'T KNOW.....			99	
LC12	DAY.....			88	50-51
	NOT RELEVANT.....			88	
	DON'T KNOW.....			99	
LC13	YEAR.....			88	52-53
	NOT RELEVANT.....			88	
	DON'T KNOW.....			99	
LC14-LC17	DISPOSITIONS AT LOWER COURT.....	1	2	3	4
					CHARGE#
	DISMISSED BY ORDER OF JUDGE.....	1	1	1	1
	DISMISSED BY MOTION OF PROSECUTION.....	2	2	2	2
	DISMISSED FOR WANT OF PROSECUTION.....	3	3	3	3
	ADQUITTED AFTER MISDEMEANOR TRIAL.....	4	4	4	4
	CONVICTED AFTER MISDEMEANOR TRIAL.....	5	5	5	5
	GUILTY PLEA TO MISDEMEANOR.....	6	6	6	6
	GUILTY PLEA TO FELONY.....	7	7	7	7
	SENT TO GRAND JURY OR TRIAL COURT.....	8	8	8	8
	ARD.....	9	9	9	9
	JUMPED BAIL.....	10	10	10	10
	PRELIMINARY HEARING WAIVED.....	11	11	11	11
	PRELIMINARY HEARING NOT CONDUCTED (INDICTED FIRST).....	12	12	12	12
	TAKEN UNDER ADVISEMENT.....	13	13	13	13
	OTHER.....	14	14	14	14
	NOT RELEVANT.....	88	88	88	88
	DON'T KNOW.....	99	99	99	99
					54-55
					56-57
					58-59
					60-61

LC18	JUDGE AT LOWER COURT DISPOSITION		62-63
	CODE DIRECT.....	00	
	SAME AS AT BAIL STAGE.....	99	
	DON'T KNOW.....		
LC19	PROSECUTOR AT LOWER COURT DISPOSITION		64-65
	CODE DIRECT.....	00	
	SAME AS AT BAIL STAGE.....	99	
	DON'T KNOW.....		
LC20	DEFENSE ATTORNEY AT LOWER COURT DISPOSITION		66-67
	CODE DIRECT.....	00	
	SAME AS AT BAIL STAGE.....	88	
	NOT RELEVANT, NONE PRESENT.....	99	
	DON'T KNOW.....		
LC21	DEFENSE ATTORNEY TYPE		68
	PUBLIC DEFENDER.....	1	
	RETAINED PRIVATE ATTORNEY.....	2	
	APPOINTED PRIVATE ATTORNEY.....	3	
	NO ATTY.....	4	
	DON'T KNOW.....	9	
	INFORMATION ON GRAND JURY STAGE		
GJ01	DATE OF GRAND JURY DISPOSITION		69-70
	MONTH.....	88	
	NOT RELEVANT.....	99	
	DON'T KNOW.....		
GJ02	DAY.....	88	71-72
	NOT RELEVANT.....	99	
	DON'T KNOW.....		
GJ03	YEAR.....	88	73-74
	NOT RELEVANT.....	99	
	DON'T KNOW.....		
GJ04	DISPOSITION		75
	TRUE BILL.....	1	
	NO TRUE BILL.....	2	
	OTHER.....	3	
	NOT RELEVANT.....	8	
	DON'T KNOW.....	9	
ID21	DECK #.....	05	1-2
ID22-24	DEFENDANT ID# (YEAR, CASE, DEFENDANT).....		3,4-8,9
ID25	COUNTY.....		10
	INFORMATION ON TRIAL COURT PROCEEDINGS		
TC01	TOTAL # OF CHARGES (CODE DIRECT).....	9	11
	DON'T KNOW.....		
TC02	ARE CHARGES AT TRIAL COURT STAGE IDENTICAL TO THOSE AT PREVIOUS STAGE?		12
	YES..(LEAVE COL. 13 TO 52 BLANK).....	0	
	NO.....	1	
	DON'T KNOW.....	9	
TC03	FIRST OFFENSE.....		13-22
	(CHAPTER, SECTION, SUBSECTION (NUMERICAL ONLY), SUBSECTION (ALL ALPHABETICALS))		
	MISSING, DON'T KNOW.....	999 9999 99 9	
TC04	SECOND OFFENSE.....		23-32
	SAME AS ABOVE.....	000 0000 00 0	
	NOT RELEVANT.....	888 8888 88 8	
	MISSING, DON'T KNOW.....	999 9999 99 9	
TC05	THIRD OFFENSE.....		33-42
	SAME AS ABOVE.....	000 0000 00 0	
	NOT RELEVANT.....	888 8888 88 8	
	MISSING, DON'T KNOW.....	999 9999 99 9	
TC06	FOURTH OFFENSE.....		43-52
	SAME AS ABOVE.....	000 0000 00 0	
	NOT RELEVANT.....	888 8888 88 8	
	MISSING, DON'T KNOW.....	999 9999 99 9	

TC07	WAS THERE A SUPPLEMENT FOR HABITUAL OFFENDERS FILED					53
	YES.....	1				
	NO.....	2				
	NOT RELEVANT.....	8				
	DON'T KNOW.....	9				
TC08	DATE OF FIRST APPEARANCE					54-55
	MONTH.....	--				
	NOT RELEVANT.....	88				
	DON'T KNOW.....	99				
TC09	DAY.....	--				56-57
	NOT RELEVANT.....	88				
	DON'T KNOW.....	99				
TC10	YEAR.....	--				58-59
	NOT RELEVANT.....	88				
	DON'T KNOW.....	99				
TC11	TOTAL NUMBER OF APPEARANCES					60-61
	CODE DIRECT.....	--				
	DON'T KNOW.....	99				
TC12	DATE OF TRIAL COURT FINAL DISPOSITION					62-63
	MONTH.....	--				
	NOT RELEVANT.....	88				
	DON'T KNOW.....	99				
TC13	DAY.....	--				64-65
	NOT RELEVANT.....	88				
	DON'T KNOW.....	99				
TC14	YEAR.....	--				66-67
	NOT RELEVANT.....	88				
	DON'T KNOW.....	99				
TC15-TC18	DISPOSITIONS AT TRIAL COURT					68-69
				CHARGE#		70-71
				1 2 3 4		72-73
	DISMISSED BY ORDER OF JUDGE.....	1	1	1	1	74-75
	DISMISSED BY MOTION OF PROSECUTION.....	2	2	2	2	
	DISMISSED FOR WANT OF PROSECUTION.....	3	3	3	3	
	ACQUITTED AFTER BENCH TRIAL.....	4	4	4	4	
	ACQUITTED AFTER JURY TRIAL.....	5	5	5	5	
	CONVICTED AFTER BENCH TRIAL.....	6	6	6	6	
	CONVICTED AFTER JURY TRIAL.....	7	7	7	7	
	GUILTY PLEA TO MISDEMEANOR.....	8	8	8	8	
	GUILTY PLEA TO FELONY.....	9	9	9	9	
	ARD.....	10	10	10	10	
	DEFERRED PROSECUTION.....	11	11	11	11	
	REMANDED TO LOWER COURT.....	12	12	12	12	
	DELAYED SENTENCE.....	13	13	13	13	
	OPEN.....	14	14	14	14	
	JUMPED BAIL.....	15	15	15	15	
	NOT RELEVANT.....	88	88	88	88	
	DON'T KNOW.....	99	99	99	99	
TC19	JUDGE AT TRIAL COURT DISPOSITION					76-77
	CODE DIRECT.....	--				
	SAME AS AT PREVIOUS STAGE.....	00				
	DON'T KNOW.....	99				
TC20	PROSECUTOR AT TRIAL COURT DISPOSITION					78-79
	CODE DIRECT.....	--				
	SAME AS AT PREVIOUS STAGE.....	00				
	DON'T KNOW.....	99				
ID26	DECK #.....				06	1-2
ID27-29	DEFENDANT ID# (YEAR, CASE, DEFENDANT).....					3,4-8,9
ID30	COUNTY.....					10
TC21	DEFENSE ATTORNEY AT TRIAL COURT DISPOSITION					11-12
	CODE DIRECT.....	--				
	SAME AS AT PREVIOUS STAGE.....	00				
	NOT RELEVANT, NONE PRESENT.....	88				
	DON'T KNOW.....	99				

TC22 DEFENSE ATTORNEY TYPE 13
 PUBLIC DEFENDER..... 1
 RETAINED PRIVATE ATTORNEY..... 2
 APPOINTED PRIVATE ATTORNEY..... 3
 NONE..... 4
 DON'T KNOW..... 9

INFORMATION ON LEGAL MOTIONS

LM01 TOTAL NUMBER OF WRITTEN DEFENSE MOTIONS FILED 14
 IN LOWER COURT
 CODE DIRECT..... 0
 NONE..... 8
 EIGHT OR MORE..... 9
 DON'T KNOW..... 9

LM02 IN TRIAL COURT 15
 CODE DIRECT..... 0
 NONE..... 8
 EIGHT OR MORE..... 9
 DON'T KNOW..... 9

LM03 WAS THERE A MOTION MADE TO QUASH THE ARREST 16
 NO..... 1
 YES, AT LOWER LEVEL..... 2
 YES, AT TRIAL COURT..... 3
 YES, AT BOTH LEVELS..... 4
 DON'T KNOW..... 9

LM04 WAS THE MOTION 17
 GRANTED AT THE LOWER LEVEL..... 1
 DENIED AT THE LOWER LEVEL..... 2
 GRANTED AT THE TRIAL LEVEL..... 3
 DENIED AT THE TRIAL LEVEL..... 4
 DENIED AT BOTH LEVELS..... 5
 DENIED AT LOWER LEVEL - GRANTED AT TRIAL LEVEL..... 6
 NOT RULED UPON..... 7
 NOT RELEVANT..... 8
 DON'T KNOW..... 9

LM05 WAS THERE A MOTION MADE TO SUPPRESS A CONFESSION 18
 NO..... 1
 YES, AT LOWER LEVEL..... 2
 YES, AT TRIAL COURT..... 3
 YES, AT BOTH LEVELS..... 4
 DON'T KNOW..... 9

LM06 WAS THE MOTION 19
 GRANTED AT THE LOWER LEVEL..... 1
 DENIED AT THE LOWER LEVEL..... 2
 GRANTED AT THE TRIAL LEVEL..... 3
 DENIED AT THE TRIAL LEVEL..... 4
 DENIED AT BOTH LEVELS..... 5
 DENIED AT LOWER LEVEL - GRANTED AT TRIAL LEVEL..... 6
 NOT RULED UPON..... 7
 NOT RELEVANT..... 8
 DON'T KNOW..... 9

LM07 WAS THERE A MOTION MADE TO SUPPRESS SOME PHYSICAL EVIDENCE 20
 NO..... 1
 YES, AT LOWER LEVEL..... 2
 YES, AT TRIAL COURT..... 3
 YES, AT BOTH LEVELS..... 4
 DON'T KNOW..... 9

LM08 WAS THE MOTION 21
 GRANTED AT THE LOWER LEVEL..... 1
 DENIED AT THE LOWER LEVEL..... 2
 GRANTED AT THE TRIAL LEVEL..... 3
 DENIED AT THE TRIAL LEVEL..... 4
 DENIED AT BOTH LEVELS..... 5
 DENIED AT LOWER LEVEL - GRANTED AT TRIAL LEVEL..... 6
 NOT RULED UPON..... 7
 NOT RELEVANT..... 8
 DON'T KNOW..... 9

LM09 WAS THERE A MOTION TO SUPPRESS AN ID 22
 NO..... 1
 YES, AT LOWER LEVEL..... 2
 YES, AT TRIAL COURT..... 3
 YES, AT BOTH LEVELS..... 4
 DON'T KNOW..... 9

LM10	WAS THE MOTION GRANTED AT THE LOWER LEVEL..... DENIED AT THE LOWER LEVEL..... GRANTED AT THE TRIAL LEVEL..... DENIED AT THE TRIAL LEVEL..... DENIED AT BOTH LEVELS..... DENIED AT LOWER LEVEL - GRANTED AT TRIAL LEVEL..... NOT RULED UPON..... NOT RELEVANT..... DON'T KNOW.....	23 1 2 3 4 5 6 7 8 9
LM11	WAS THERE A MOTION MADE TO SUBSTITUTE JUDGES NO..... YES, AT LOWER LEVEL..... YES, AT TRIAL LEVEL..... YES, AT BOTH LEVELS..... DON'T KNOW.....	24 1 2 3 4 9
LM12	WAS THE MOTION GRANTED AT THE LOWER LEVEL..... DENIED AT THE LOWER LEVEL..... GRANTED AT THE TRIAL LEVEL..... DENIED AT THE TRIAL LEVEL..... DENIED AT BOTH LEVELS..... DENIED AT LOWER LEVEL - GRANTED AT TRIAL LEVEL..... NOT RULED UPON..... NOT RELEVANT..... DON'T KNOW.....	25 1 2 3 4 5 6 7 8 9
LM13	WAS THERE A MOTION MADE TO REDUCE BAIL NO..... YES, AT LOWER LEVEL..... YES, AT TRIAL COURT..... YES, AT BOTH LEVELS..... DON'T KNOW.....	26 1 2 3 4 9
LM14	WAS THE MOTION GRANTED AT THE LOWER LEVEL..... DENIED AT THE LOWER LEVEL..... GRANTED AT THE TRIAL LEVEL..... DENIED AT THE TRIAL LEVEL..... DENIED AT BOTH LEVELS..... DENIED AT LOWER LEVEL - GRANTED AT TRIAL LEVEL..... NOT RULED UPON..... NOT RELEVANT..... DON'T KNOW.....	27 1 2 3 4 5 6 7 8 9
LM15	WAS THERE A MOTION MADE TO CONDUCT A MENTAL EXAMINATION NO..... YES, AT LOWER LEVEL..... YES, AT TRIAL COURT..... YES, AT BOTH LEVELS..... DON'T KNOW.....	28 1 2 3 4 9
LM16	WAS THE MOTION GRANTED AT THE LOWER LEVEL..... DENIED AT THE LOWER LEVEL..... GRANTED AT THE TRIAL LEVEL..... DENIED AT THE TRIAL LEVEL..... DENIED AT BOTH LEVELS..... DENIED AT LOWER LEVEL - GRANTED AT TRIAL LEVEL..... NOT RULED UPON..... NOT RELEVANT..... DON'T KNOW.....	29 1 2 3 4 5 6 7 8 9
LM17	WAS THERE AN APPEAL FILED NO..... YES, DEFENSE FILED..... YES, STATE FILED..... DON'T KNOW.....	30 1 2 3 9
LM18	WAS THE APPEAL GRANTED..... DENIED..... NOT RULED UPON YET..... NOT RELEVANT..... DON'T KNOW.....	31 1 2 3 8 9

INFORMATION ON SENTENCING

	CHARGES AT SENTENCING				32
S01	WERE THESE CHARGES IDENTICAL TO THOSE AT PREVIOUS STAGE				
	YES..(LEAVE COL. 33 TO 73 BLANK).....	0			
	NO.....	1			
	DON'T KNOW.....	9			
✓S02	TOTAL NUMBER OF CHARGES (CODE DIRECT).....				33
	DON'T KNOW.....	9			
S03	FIRST OFFENSE.....				34-43
	(CHAPTER, SECTION, SUBSECTION (NUMERICAL ONLY),				
	SUBSECTION (ALL ALPHABETICALS))				
	MISSING, DON'T KNOW.....	999	9999	99	9
S04	SECOND OFFENSE.....				44-53
	SAME AS ABOVE.....	000	0000	00	0
	NOT RELEVANT.....	888	8888	88	8
	MISSING, DON'T KNOW.....	999	9999	99	9
S05	THIRD OFFENSE.....				54-63
	SAME AS ABOVE.....	000	0000	00	0
	NOT RELEVANT.....	888	8888	88	8
	MISSING, DON'T KNOW.....	999	9999	99	9
S06	FOURTH OFFENSE.....				64-73
	SAME AS ABOVE.....	000	0000	00	0
	NOT RELEVANT.....	888	8888	88	8
	MISSING, DON'T KNOW.....	999	9999	99	9
	DATE OF SENTENCING				74-75
S07	MONTH.....				
	NOT RELEVANT.....	88			
	DON'T KNOW.....	99			
S08	DAY.....				76-77
	NOT RELEVANT.....	88			
	DON'T KNOW.....	99			
S09	YEAR.....				78-79
	NOT RELEVANT.....	88			
	DON'T KNOW.....	99			
ID31	DECK #.....				07 1-2
ID32-34	DEFENDANT ID# (YEAR, CASE, DEFENDANT).....				3,4-8,9
ID35	COUNTY.....				10
S10-12	FORMS OF SENTENCE LEVIED IN THIS CASE				11,12,13
	PENITENTIARY COMMITMENT.....	1	1	1	
	LOCAL JAIL COMMITMENT.....	2	2	2	
	PROBATION.....	3	3	3	
	PERIODIC IMPRISONMENT.....	4	4	4	
	WORK RELEASE.....	5	5	5	
	FINE.....	6	6	6	
	RESTITUTION.....	7	7	7	
	OTHER.....	8	8	8	
	DON'T KNOW.....	9	9	9	
S13	IF SENTENCE IS TO A STATE (NOT A LOCAL) INSTITUTION				14-15
	WHAT IS THE INSTITUTION? (USE STATE LIST OF				
	INSTITUTIONS.....				
	DON'T KNOW.....	99			
S14	IF THE DEFENDANT IS TO BE INCARCERATED ARE THE TERMS				16
	TO RUN CONCURRENTLY FOR				
	ALL CHARGES.....				1
	JUST 1 AND 2.....				2
	JUST 1 AND 2 AND 3.....				3
	NOT RELEVANT.....				8
	DON'T KNOW.....				9
S15	IF SENTENCE IS FINE WHAT IS TOTAL AMOUNT				17-20
	(CODE IN \$10'S).....				
	\$99,997 OR MORE.....				9997
	NOT RELEVANT.....				9998
	DON'T KNOW.....				9999

S16 IF SENTENCE IS RESTITUTION WHAT IS TOTAL AMOUNT 21-24
 (CODE IN \$10'S).....- - -
 \$99,997 OR MORE.....9997
 NOT RELEVANT.....9998
 DON'T KNOW.....9999

S17 WERE COURT COSTS LEVIED AGAINST DEFENDANT 25
 YES.....1
 NO.....2
 NOT RELEVANT.....8
 DON'T KNOW.....9

S18 WHAT WAS AMOUNT OF COSTS 26-29
 (CODE IN \$10'S).....- - -
 NOT RELEVANT.....8888
 DON'T KNOW.....9999

SENTENCE LENGTH NUMBER 1 CHARGE 30-31
 1 2 3 4 32-33
 YRS MO YR MO YRS MO YR MO 34-35
 36-37
 38-39
 40-41
 S19-S26 MINIMUM LENGTH..... -- -- 00 00 00 00 00 00 42-43
 SAME AS FIRST..... .. 00 00 00 00 00 00 44-45
 97 OR MORE YEARS..... 97 97 97 97 97 97 97 97
 NOT RELEVANT..... 98 98 98 98 98 98 98 98
 DON'T KNOW..... 99 99 99 99 99 99 99 99

S27-S34 MAXIMUM LENGTH..... -- -- 00 00 00 00 00 00 46-47
 SAME AS FIRST..... .. 00 00 00 00 00 00 48-49
 97 OR MORE YEARS..... 97 97 97 97 97 97 97 97 50-51
 NOT RELEVANT..... 98 98 98 98 98 98 98 98 52-53
 DON'T KNOW..... 99 99 99 99 99 99 99 99 54-55
 56-57
 58-59
 60-61

S35 IS THIS LENGTH FOR 62
 PENITENTIARY OR JAIL..... 1
 PROBATION..... 2
 PERIODIC IMPRISONMENT..... 3
 WORK RELEASE..... 4
 OTHER..... 5
 DON'T KNOW..... 9

SENTENCE LENGTH NUMBER 2 CHARGE 63-64
 1 2 3 4 65-66
 YRS MO YR MO YRS MO YR MO 67-68
 69-70
 71-72
 73-74
 S36-S43 MINIMUM LENGTH..... -- -- 00 00 00 00 00 00 75-76
 SAME AS FIRST..... .. 00 00 00 00 00 00 77-78
 97 OR MORE YEARS..... 97 97 97 97 97 97 97 97
 NOT RELEVANT..... 98 98 98 98 98 98 98 98
 DON'T KNOW..... 99 99 99 99 99 99 99 99

ID36 DECK#.....08 1-2
 ID37-39 DEFENDANT ID# (YEAR, CASE, DEFENDANT)..... - - - - - 3,4-8,9
 ID40 COUNTY..... - 10

S44-S51 MAXIMUM LENGTH..... -- -- 00 00 00 00 00 00 11-12
 SAME AS FIRST..... .. 00 00 00 00 00 00 13-14
 97 OR MORE YEARS..... 97 97 97 97 97 97 97 97 15-16
 NOT RELEVANT..... 98 98 98 98 98 98 98 98 17-18
 DON'T KNOW..... 99 99 99 99 99 99 99 99 19-20
 21-22
 23-24
 25-26

S52	IS THIS LENGTH FOR PENITENTIARY OR JAIL.....	1	27
	PROBATION.....	2	
	PERIODIC IMPRISONMENT.....	3	
	WORK RELEASE.....	4	
	OTHER.....	5	
	DON'T KNOW.....	9	
S53	JUDGE AT SENTENCING CODE DIRECT (USE PERSONAL ROSTER).....	00	28-29
	SAME AS AT PREVIOUS STAGE.....	99	
	DON'T KNOW.....	99	
S54	PROSECUTOR AT SENTENCING CODE DIRECT (USE PERSONAL ROSTER).....	00	30-31
	SAME AS AT PREVIOUS STAGE.....	99	
	DON'T KNOW.....	99	
S55	DEFENSE ATTORNEY AT SENTENCING CODE DIRECT (USE PERSONAL ROSTER).....	00	32-33
	SAME AS AT PREVIOUS STAGE.....	88	
	NONE.....	99	
	DON'T KNOW.....	99	
S56	DEFENSE ATTORNEY TYPE PUBLIC DEFENDER.....	1	34
	RETAINED PRIVATE ATTORNEY.....	2	
	APPOINTED PRIVATE ATTORNEY.....	3	
	NONE.....	4	
	DON'T KNOW.....	9	
INFORMATION ON LATERAL PROCEEDING AGAINST DEFENDANT SAMPLED			
S57	IF THERE IS ANY INDICATION OF ADDITIONAL CHARGES PENDING FROM OTHER INCIDENTS, HOW MANY.....	0	35
	NO INDICATION OF OTHER CHARGES.....	7	
	7 OR MORE.....	8	
	UNCLEAR.....	9	
	DON'T KNOW.....	9	
S58	WHAT WAS MOST SERIOUS ADDITIONAL OFFENSE NOT RELEVANT.....	888	36-45
	MISSING.....	999 8888 88 8	
S59-S60	WHAT IS ID# OF THE OTHER CASE (YEAR, NUMBER).....	- - - - -	46, 47-51
S61	WERE THESE ADDITIONAL CHARGES RESOLVED IN A PLEA BARGAIN PACKAGE INVOLVING THE SAMPLED OFFENSE.....	1	52-53
	RESOLVED IN A SEPARATE PLEA BARGAIN.....	2	
	DISPOSED OF IN A SEPARATE TRIAL.....	3	
	STILL PENDING AT TIME OF SAMPLED CASES DISPOSITION.....	4	
	NOT RELEVANT (NO OTHER OFFENSES).....	88	
	DON'T KNOW HOW THEY WERE DISPOSED OF.....	99	
S62	WAS A PRESENTENCING REPORT COMPLETED YES.....	1	54
	NO.....	2	
	DON'T KNOW.....	9	
PROSECUTOR'S RECOMMENDATION			
S63-S65	PROSECUTOR'S INITIAL PLEA OFFER NO PLEA OFFER MADE.....	0	55-56
	REDUCED CHARGE.....	1	57-58
	PENITENTIARY COMMITMENT.....	2	59-60
	LOCAL JAIL COMMITMENT.....	3	
	PROBATION.....	4	
	PERIODIC IMPRISONMENT.....	5	
	WORK RELEASE.....	6	
	FINE.....	7	
	RESTITUTION.....	8	
	DROP CHARGES.....	9	
	DROP HOA PROCEEDINGS.....	10	
	OTHER.....	11	
	NOT RELEVANT.....	88	
	DON'T KNOW.....	99	

PROSECUTOR'S INITIAL SENTENCE RECOMMENDATION FOR PLEA

SENTENCE LENGTH NUMBER 1

YRS MO

✓ S66-S67

MINIMUM LENGTH..... 97 97
97 OR MORE YEARS..... 97 97
NOT RELEVANT..... 98 98
DON'T KNOW..... 99 99

61-62
63-64

✓ S68-S69

MAXIMUM LENGTH..... -- --
97 OR MORE YEARS..... 97 97
NOT RELEVANT..... 98 98
DON'T KNOW..... 99 99

65-66
67-68

✓ S70

IS THIS LENGTH FOR

PENITENTIARY..... 1
JAIL..... 2
PROBATION..... 3
PERIODIC IMPRISONMENT..... 4
WORK RELEASE..... 5
OTHER..... 6
NOT RELEVANT..... 8
DON'T KNOW..... 9

69

SENTENCE LENGTH NUMBER 2

YRS MO

✓ S71-S72

MINIMUM LENGTH..... 97 97
97 OR MORE YEARS..... 97 97
NOT RELEVANT..... 98 98
DON'T KNOW..... 99 99

70-71
72-73

✓ S73-S74

MAXIMUM LENGTH..... -- --
97 OR MORE YEARS..... 97 97
NOT RELEVANT..... 98 98
DON'T KNOW..... 99 99

74-75,
76-77

S75

IS THIS LENGTH FOR

PENITENTIARY..... 1
JAIL..... 2
PROBATION..... 3
PERIODIC IMPRISONMENT..... 4
WORK RELEASE..... 5
OTHER..... 6
NOT RELEVANT..... 8
DON'T KNOW..... 9

78

ID41

DECK#.....09

1-2

ID42-44

DEFENDANT ID# (YEAR, CASE, DEFENDANT)..... - - - - -

3,4-8,9

ID45

COUNTY..... -

10

S76

FINE AMOUNTS (CODE IN \$10'S)..... - - - -
\$99,997 OR MORE..... 9997
NOT RELEVANT..... 9998
DON'T KNOW..... 9999

11-14

S77

RESTITUTION AMOUNT (CODE IN \$10'S)..... - - - -
\$99,997 OR MORE..... 9997
NOT RELEVANT..... 9998
DON'T KNOW..... 9999

15-18

MISCELLANEOUS INFORMATION

MISC01-MISC02

IF THERE WAS A SECOND DEFENDANT INVOLVED IN THIS CRIME WHO WAS INDICTED SEPERATELY INDICATE HIS ID#..... - - - -

19,
20-24

NOT RELEVANT..... 88888
DON'T KNOW..... 9 99999

MISC03-MISC04 IF THERE WAS A THIRD DEFENDANT INVOLVED IN THIS CRIME WHO WAS INDICTED SEPERATELY INDICATE HIS ID#.....- - - - -
 NOT RELEVANT.....8 88888
 DON'T KNOW.....9 99999

25,
26 -30

✓MISC05 IS THERE ANY INDICATION THAT THE GUILTY PLEA WAS A "BLIND PLEA" (I.E., NO AGREEMENT) 31
 YES.....1
 NO.....2
 NOT RELEVANT (NO GUILTY PLEA).....8
 DON'T KNOW, UNCERTAIN.....9

✓MISC06 IF THERE WAS A "BLIND PLEA," IS THERE ANY INDICATION THAT THE STATE "STOOD MUTE" AT SENTENCING (I.E., MADE NO RECOMMENDATIONS, DID NOT ARGUE AGGRAVATING CIRCUMSTANCES) 32
 MADE NO SENTENCING RECOMMENDATIONS ONLY.....1
 DID NOT ARGUE AGGRAVATING CIRCUMSTANCES ONLY.....2
 DID NEITHER OF ABOVE.....3
 NOT RELEVANT.....8
 DON'T KNOW, UNCERTAIN.....9

✓MISC07 IF COUNSEL WAS ASSIGNED, HOW MUCH WAS HE REIMBURSED (CODE IN \$10 INCREMENTS) 33-35
 NOT RELEVANT.....888
 DON'T KNOW.....999

✓MISC08 WAS THE SENTENCE SUSPENDED 36
 YES, EVERYTHING.....1
 YES, JUST THE TIME TO BE SERVED IN CONFINEMENT.....2
 YES, JUST THE PROBATION PART.....3
 YES, JUST THE FINE.....4
 YES, SOME OTHER COMBINATION.....5
 NOT RELEVANT.....8
 DON'T KNOW.....9

M E T H O D O L O G Y

8621
10/17 1995

Chapter Three

Research Design, Implementation, and Operationalization

As important to an appreciation of this research as its conceptual foundations is an understanding of the manner in which we organized and implemented our empirical work. First, we will discuss how well our sites fit our site selection criteria. Then we provide an overview of our research methods and the data we collected. Here we also discuss the quantitative data on decision-maker and case attributes. In addition, sampling techniques are presented, and the types of information collected are described. Finally, we lay out the procedures used to integrate these large amounts of data into a handful of case level and individual level measures which we used in the empirical analyses reported in Sections III and IV. Examination of the environmental and contextual factors generally required less involved derivation and are reported in Chapters Four, Five, and Six.

Site Selection and Characteristics

Our assessment of earlier criminal court studies, as well as our research objectives, dictated extensive empirical research in a number of jurisdictions. The constraints noted in Chapter One led us to select one ring, one autonomous, and one declining county in each of our three "home states" (Illinois, Michigan, and Pennsylvania). Our selections were further restricted by the fact that only a limited number of counties in each state (9 in Illinois, 16 in Michigan, 27 in Pennsylvania) had at least two criminal judges and population between 200,000 and 1,000,000. These minimal qualifications insured that a county was sufficiently large and diverse to produce interesting variance on important matters, but not so large as to overwhelm our research efforts and budgets.

After collecting extensive amounts of demographic, geographic, and political data on 52 potential counties, we selected the nine that best fit our criteria. These are listed in Table 3-1.

The suburban ring counties, adjacent to each state's major metropolitan area, doubled as both the prosperous and the autonomous or politically insulated counties. The data reported in Tables 3-2 and 3-3 generally support these designations; they also reveal other attributes of the counties. Table 3-2 shows that DuPage, Oakland, and Montgomery are large and, with the exception of Montgomery, growing rather quickly. Each has the highest per capita income for all counties in their respective states and are overwhelmingly white (95% to 98%). Each is composed of a large commuter population which works in the adjacent major metropolitan area--Chicago, Detroit, or Philadelphia--and lives in one of a number of small to medium sized towns, none of which dominate the county. The small size of these towns and the presence of big city media create the potential for a relative void in the reporting of local public affairs. No television stations focus their attention solely on any of the ring counties, and only rather small community newspapers report on local affairs. Each of the counties is either overwhelmingly or predominantly Republican (Table 3-3).

The three declining counties--St. Clair, Saginaw, Erie--differ markedly from the ring counties in most regards. Their populations are considerably smaller and are either losing population or not growing very quickly. One exception is Erie County, which is actually growing. Despite the county's growth, however, the city of Erie had lost 8 percent of its population between 1970 and 1980. The 1970 per capita income of the declining counties was markedly lower than that of the ring counties they also had far more people below the poverty level in that year. Again with the exception of Erie, the declining counties have a far higher proportion of blacks than the ring

Table 3-1
Selected Counties

	Illinois	Michigan	Pennsylvania
Ring	DuPage (outside of Chicago)	Oakland (outside of Detroit)	Montgomery (outside of Philadelphia)
Autonomous	Peoria	Kalamazoo	Dauphin
Declining	St. Clair	Saginaw	Erie

Table 3-2

Selected Demographic Characteristics of Research Sites

	Illinois			Michigan			Pennsylvania		
	DuPage (Ring)	Peoria (Autonomous)	St. Clair (Declining)	Oakland (Ring)	Kalamazoo (Autonomous)	Saginaw (Declining)	Montgomery (Ring)	Dauphin (Autonomous)	Erie (Declining)
1980 population	658,177	200,466	265,469	1,011,793	212,378	228,059	643,621	232,317	279,780
% change in population since 1970	35.0	2.6	-6.3	11.4	5.4	3.8	3.1	3.9	6.2
Median household income, 1970	14,457	10,633	9,540	13,826	11,033	10,875	12,747	9,710	9,363
% under poverty level, 1970	2.3	6.5	12.4	3.8	5.9	7.7	3.3	7.7	6.8
% of county which is black, 1970	1.2	10.7	27.7	4.7	7.5	15.7	4.9	13.5	4.4
% of county population residing in largest city, 1970	6.5	61.9	20.8	7.6	37.5	34.0	9.6	22.9	42.6
% of county's black population residing in the largest city, 1970	13.7	96.2	71.7	59.5	78.5	76.9	8.7	74.2	93.2

Table 3-3

Selected Information on Nature of Linkages Between
Court System and its Environment

	Illinois			Michigan			Pennsylvania		
	DuPage (Ring)	Peoria (Autonomous)	St. Clair (Declining)	Oakland (Ring)	Kalamazoo (Autonomous)	Saginaw (Declining)	Montgomery (Ring)	Dauphin (Autonomous)	Erie (Declining)
Number of commercial television stations in county	0	3	0	2*	1	1	0	3	3
Number of county-wide papers	0**	1	1	0**	1	1	0**	1 (morning and afternoon editions)	1 (morning and afternoon editions)
% voting Republican in 1980 (Reagan)	72.5	60.1	52.2	60.0	58.5	52.1	65.1	61.4	51.5
% voting Republican in 1978 governor's race	69.9	57.7	38.4	67.7	64.9	53.3	65.8	66.5	53.7

* While the broadcast facilities of two stations are located in Oakland, the county is not the primary focus of local news coverage.

** Several community papers exist but the market is dominated by major metropolitan papers (Chicago, Detroit, or Philadelphia)

counties. Moreover, the largest city within each of the declining counties, which accounted for a fairly large proportion of the total county population, also has the highest concentration and largest number of blacks in the three counties. The declining counties also differ somewhat from the ring counties with respect to the linkage between the court system and its environment. Each has at least one countywide newspaper, and Erie and Saginaw have television stations located in the county seat. St. Clair has no independent stations because it borders St. Louis, which makes it a ring county of sorts. Finally, with the exception of St. Clair, which votes strongly Democratic, the other two declining counties had competitive party systems.

The most distinctive characteristic of the autonomous counties--Peoria, Kalamazoo and Dauphin--is that they are "free standing" counties dominated by one central city accounting for a fairly large proportion of the county's population. This dominant city accommodates at least one countywide newspaper and at least one commercial television station (Dauphin and Peoria have three). Located also in this central city is the home base of the county court system. Socially and economically these autonomous counties tend to lie somewhere between the ring and declining counties. The main exception here is Dauphin, which has an income level comparable to Erie, has more people below the poverty level, and actually grew more slowly than Erie. Moreover, the city of Erie comprises a larger proportion of Erie County than Harrisburg does of Dauphin County. Politically, the autonomous counties more closely resemble the ring counties--they are strongly Republican.

Our efforts at selecting sites in accordance with the prescribed criteria were not totally successful. The "real world" often plays havoc with the best of research designs. The triplets are not identical. Some counties in some categories share certain attributes with counties listed in another category.

Most counties fit reasonably well, however. Erie, which appears to be the most deviant on the basis of the data contained in Table 3-2, fits the declining mold much better than the statistics suggest, largely because of the nature of the city of Erie. Field work and qualitative assessments indicate that it has much more in common with Saginaw and St. Clair than it does with Dauphin, or any of the other autonomous counties. Dauphin is the state capital and has a stable white collar and service work force. Erie relies primarily on a declining industrial-manufacturing base.

Data Collection Procedures

To achieve the objectives outlined in Chapter One and to operationalize some of the concepts discussed in Chapter Two, we had to collect comparable data on a variety of phenomena in each of the nine counties. Some data required a somewhat different research technique and/or strategy than others. We used open ended interviews, questionnaires, a personality test, a Q-sort procedure to obtain personnel evaluations, and a case file data form to record case specific information. Much of this information is summarized in Table 3-4. Table 3-5 reports, by county, the number of interviews successfully obtained as well as the number of defendants sampled.

While some information on environmental and contextual factors was derived from organization charts, census and voting data, scholarly works on the counties, and from local media, most of it came from personal interviews. Over 300 interviews were conducted; they ranged in length from 20 minutes to 3 hours, with an hour being the norm. Virtually all were tape recorded; more than 10,000 pages of transcripts were produced. Most of the interviews were conducted by the three principal investigators, although a few line personnel were interviewed by experienced graduate assistants. Whenever possible, some interviewing

Table 3-4

Summary of Data, Sources, and Research Techniques Used in Study

	Environmental Influences	Environmental Linkages	Contextual Influences	Contextual Linkages	Decision-Maker Influences	Individual Linkages	Case Attributes and Outcomes
Nature of data	Qualitative/Quantitative	Qualitative/Quantitative	Qualitative/Quantitative	Qualitative	Quantitative	Quantitative	Quantitative
Source of data	Personal interviews, census data, voting data, local newspapers, available scholarly works on characteristics of research sites	Personal interviews, voting data, local newspapers	Personal interviews, organization charts, manpower reports, "Local Legal Culture Questionnaire"	Personal interviews	"Attitudes and Views on Criminal Justice Questionnaire," "Background and Career Questionnaire," Personnel Evaluations	Machiavellian Scale, personnel evaluations, Prosecutor and clerk files	Prosecutor and clerk files
Research techniques or strategies	Development of open ended interview check sheets, selection of personnel to be interviewed, scheduling and conduct of interviews, transcription of recorded interviews, identification of relevant works and data, subscription to and limited content analysis of local newspapers	Same as for Environmental Influences	Scheduling and conduct of interviews, identification and collection of relevant "in house" documents	Same as for Contextual Influences	Selection of personnel to be questioned and/or evaluated; development, pretesting, and administration of questionnaires and Q-Sort evaluation procedure	Same as for Individual Influences	Sampling of cases, transcription of relevant data onto common data collection instrument

Table 3-5
Summary of Data Gathered, by County

County	Open-Ended Interviews			Attitude, Background and Legal Culture, Questionnaires			Q-Sorts of Personnel Evaluations			Defendant Case Files
	Judge	Prosecution	Defense	Judge	Prosecution	Defense	Judge	Prosecution	Defense	
DuPage	7	16	23	6	16	23	6	16	22	908
Peoria	3	7	13	2	7	13	2	7	12	1,042
St. Clair	4	7	19	4	7	17	3	7	17	1,162
Oakland	8	18	19	6	18	19	6	7	19	915
Kalamazoo	4	13	12	3	12	10	3	10	10	719
Saginaw	4	12	13	4	12	13	4	8	12	682
Montgomery	7	12	24	7	11	20	8	12	21	687
Dauphin	6	9	16	4	7	16	5	8	13	766
Erie	5	9	16	5	10	19	5	10	18	594
TOTAL	48	103	155	41	100	150	42	85	144	7,475

in each county was done by two or all three principals. This enabled us to obtain first-hand impressions of one another's "home" jurisdictions. In addition, it provided us with the opportunity to meet at the end of the day to exchange observations from our day's experiences as well as to draw comparisons with other counties.

The aim of the interviews was to obtain as much relevant information as possible on each court system's environment and component units, as well as on organizational and personal inter-relationships. Toward this end, we first interviewed all organization leaders--the head prosecutor, the chief judge, and, where applicable, the head of the public defender's office. We then scheduled interviews with line personnel--judges, prosecutors, public defenders, and those private attorneys who played a regular role in their county's felony court system. Only a handful of these individuals--all defense attorneys or public defenders--declined to be interviewed, and virtually everyone agreed to be taped. Most were refreshingly candid, and informal followup contacts were made with many. Finally, in some counties formal, taped interviews were held with people outside the court system. These individuals included sheriffs, police chiefs, newspaper reporters, county board members, and members of local criminal justice commissions.

All of these interviews were semi-structured. For each role we developed a checklist of items about such things as case flows, assignment procedures, hiring or selection procedures, office or system structures and policies, and various aspects of the court's environment. Most of these items became routine midway through the interview schedule in each county. In later interviews we tried to develop insights gained from earlier discussions. Many individuals used the interview to vent their anger or frustration about various aspects of the system; this produced a number of ideas that were pursued later. We also

used the interviews to challenge certain explanations of events and to offer our own interpretations, thereby generating other topics for discussion. Thus, while a common format was planned, much of what transpired in individual interviews was unique to the county, the interviewer, and the respondent. The information generated by these open-ended interviews has been examined, analyzed, and organized into nine detailed case studies published in an earlier work (Eisenstein, Nardulli, and Flemming 1982). The information in these case studies provided us with many of the theoretical insights discussed here, and the chapters in Section II will attempt to synthesize them in a manner consistent with the format laid out in Chapter Two.

More important for present purposes is an overview of the quantitative data collected on line personnel and individual cases, as well as the procedures used to collect them. Collection and utilization of these data required rigorous research strategies. A meaningful overview of the research cannot be presented without addressing the issues and problems encountered here, along with the manner in which we resolved them.

Decision-maker Data

To assess the impact of individual level influences upon the handling of criminal cases, we collected information on the backgrounds, careers, and attitudes of criminal court practitioners. In addition, we attempted to tap dimensions of their personality, or work style, which might tell us something about how their views, beliefs, and interests translate into case outcomes in the workgroup dispositional process. To obtain these various pieces of information, we used several questionnaires for personal information and a Q-sort procedure for information on coworkers.

The two basic questionnaires--a "Background and Career Questionnaire" and an "Attitudes and Views on Criminal Justice Questionnaire"--were normally administered immediately after the conclusion of the open-ended interview. In some instances these documents were completed in the presence of the interviewer, in other cases they were completed later and either picked up by or mailed to the interviewer. Virtually everyone who was asked to complete the questionnaires complied, although some respondents did not answer all questions or failed to fill out the form correctly. The Q-sort procedure in which the practitioners were asked to evaluate one another was administered in a second, follow-up interview. At this time respondents were also asked to complete a third questionnaire, "Attitudes and Views on the Local Criminal Court System," which provided some limited information on local court community norms.

All judges, prosecutors, and public defenders who had handled felony cases regularly during the period in which cases were selected were included in these interviews. If, for example, we had case file data on all cases disposed of during 1979 and 1980, an attempt was made to identify and interview all public practitioners who had played a regular role in the felony process during that time frame. This information was readily available from various office heads or their aides. Greater difficulties were encountered with respect to private defense attorneys and appointed counsel. In some counties hundreds of attorneys represented at least one defendant during the sampling frame. As it was neither budgetarily possible nor practically worthwhile to interview each of these, a decision was made to interview only the most "regular" private practitioners. Where possible, we used court records and/or disposition lists to determine the identity of these attorneys. In other instances, we obtained their names from the judges and prosecutors. Subsequent checks with the case data confirmed that

virtually all those private attorneys who represented a large number of defendants had been interviewed.

Backgrounds and Attitudes

The purpose of the "Background and Career Questionnaire" was to inventory respondents' social and political characteristics, as well as to ascertain their professional backgrounds. Questions dealt with such things as basic demographic traits, political activities, and career patterns and characteristics. This information will be useful in providing an overview of the social and political makeup of the various components of the criminal court system in each county as well as how this makeup varies across counties. The types of variables available for these inquiries are reported in Table 3-6.

The function of the first part of the "Attitudes and Views on Criminal Justice Questionnaire" was to elicit information on the respondents' views toward important facets of, or issues in, the criminal justice process. More specifically, we wanted to tap their views regarding such matters as due process, bail, efficiency, plea bargaining, and punishment in the criminal court setting. Toward this end, a set of attitudinal items was developed for each of the categories mentioned. These are reported in Table 3-7. Some of these questions (particularly those regarding punishment) were selected from prior studies, Hogarth (1971) in particular. However, because so little prior work existed which met the needs of this project, most questions had to be developed. A pretest was conducted in one county in each state, and necessary revisions were made prior to the formulation of the final document.

The collected data were then factor analyzed to see if the various items "hung together" as groups in the intended manner. Three composite measures were produced. These were labeled "Belief in Punishment," "Regard for Due Process,"

Table 3-6

Summary of Background and Career Characteristics

Background Characteristics	Political Characteristics	Career Information			
		General	Judges	Public Attorneys	Private Attorneys
Age	Strength of partisan affiliation	Law school	Length of time on bench	Length of time with office	Length of time in local private practice
Sex		Date of graduation	Manner of initial selection (elected or appointed)	Type of position (full or part-time)	Number of lawyers in firm
Race	Number of times elected to public office (excluding present office)	Number and types of bar memberships			
Percent of life in county	Number of times appointed to public office	Ever held an office in local political party?	Nature and length of prior professional experiences	Nature and prior professional experiences, if any	Ever a prosecutor?
Organizational memberships					

Table 3-7

Items Employed to Tap Various Dimensions
of Processual Attitudes

Sentencing Items

Most people charged with serious crimes should be punished whether or not the punishment benefits the criminal. (P)

It is important to sentence each offender on the basis of his individual needs and not on the basis of the crime he has committed. (P)

The frequent use of probation is wrong because it has the effect of minimizing the gravity of the offense committed. (P)

Prisons should be places of punishment. (P)

The failure to punish crime amounts to giving a license to commit it. (P)

Most people are deterred from crime by the threat of heavy penalties.

Most criminal behavior is the result of forces largely beyond the control of the offender.

Our present treatment of criminals is too harsh. (P)

The most important single consideration in determining the sentence to impose should be the nature and gravity of the offense.

Plea Bargaining Items

In practice, plea bargains produce more just outcomes than jury trials.

Defendants who save the state the expense of a trial by pleading guilty should get a break.

Jury trials more accurately determine guilt and innocence than plea bargaining.

Plea bargaining subverts the right of defendants.

Bail Items

Most people charged with serious crimes should be kept in jail until their trial, even if they have strong ties to the community. (P)

Even with a prior record, most people with strong community ties should not be detained prior to trial. (P)

Bail should not be used to give defendants a "taste of jail."

Due Process Items

Existing Supreme Court decisions protecting the rights of defendants which jeopardize the safety of the community should be curtailed. (DP)

It is better to let 10 guilty persons go free than to convict one innocent person. (DP)

The Supreme Court's decisions of the past 20 years expanding the rights of the defendants are basically sound. (DP)

Administrative Efficiency
Items

Programs designed to speed up the pace of criminal litigation inevitably produce unjust and improperly hurried resolutions of criminal cases. (E)

Most criminal court practices which interfere with the expeditious processing of criminal cases should be modified. (E)

Handling the administrative challenges involved in my criminal court work is as satisfying as handling the legal challenges.

The criminal court should be run like a business. (E)

In the handling of criminal cases efficiency is important as an end in itself. (E)

Key

- P denotes item used in "Belief in Punishment" scale.
- DP denotes item used in "Regard for Due Process" scale.
- E denotes item used in "Concern for Efficiency" scale.

and "Concern for Efficiency." The items in Table 3-7 which loaded on these various factors are marked (P), (DP), and (E), respectively. A more detailed derivation is presented in Appendix I. The analysis was considered only partially successful because none of the bail or plea bargaining items "hung together" in the intended manner, although two of the bail items were very highly correlated with the punishment factor. It is not clear whether this failure was due to conceptual ambiguities, clumsily constructed questions, or inadequate variance in views on these subjects.

Part of the "Attitudes and Views on Criminal Justice Questionnaire" contained two miniversions of a Machiavellian scale.¹ This scale is generally recognized as a means of tapping a respondent's feelings about whether other people can be manipulated. "Hi Machs" are thought to be more apt to manipulate others to obtain desired objectives than "Lo Machs." These questions were included because we felt it was important to obtain a measure of the practitioner's tendencies to assert or act on their beliefs forcefully when encountering those with different beliefs or goals. This was considered crucial given the context within which most criminal court decisions are made.

The Machiavellian scale was chosen to tap these tendencies because it is relatively well-established in the psychological literature, conceptually close to our needs, is not role specific, could be reduced to a manageable format, and could be easily administered and scored. It is expected to have a number of applications in various phases of this research, especially in the examination of sentencing. For example, "Hi Machs" with distinctive views on punishment may be more cunning negotiators and their views may be reflected in the sentence more than those of "Lo Machs." More will be said about this in Section IV.

Operating Styles and the Q-Sort Procedure

In a social setting characterized by long-term interactions among a relatively small set of actors and collegial, negotiated decision making, we must know more about actors than their personal views. We must also know how each individual relates to others, as well as how they approach their role-specific tasks. Collectively we refer to these traits as the actor's operating, or work, style.

The measurement of operating styles required a very different methodology. The reliability of self reports would be questionable, at best. We, therefore, decided to ask coworkers about each other. After much deliberation and pretesting, we decided that a Q-sort procedure was the most feasible method.² A set of questions was developed, which asked occupants of each role (judge, prosecutor, defense attorney) in a given county to evaluate the occupants of the other roles. Different sets of questions were asked depending upon whether the person being evaluated was a judge or an attorney (prosecutor or defense attorney). Questions asked about judges are reported in Table 3-8; questions asked about attorneys are reported in Table 3-9.³ Most questions deal with how a person performs a specific task, or relates to others in the work setting.

The Q-sort procedure produced a wealth of data, as well as a host of methodological problems. Many of these problems derived from the fact that, in its raw form, the Q-sort data comprise a large set of individual evaluations on a number of different dimensions. We resolved many of the problems by producing aggregated (mean) scores for each evaluatee on each question reported in Tables 3-8 and 3-9. We produced a general mean evaluation score for each individual along with two role specific means. For each role specific mean a judge, for example, would get one mean score based only on prosecutor evaluations and one

Table 3-8

Evaluation Questions
Asked About Judges

<u>Question</u>	<u>Descriptive Qualities</u>
1. Please indicate how familiar you are with the local judge's style and behavior in handling a criminal case.	Familiarity
2. Is it easy or difficult to talk to this judge informally with opposing counsel present about the disposition of cases?	Informality (I, R)
3. How active a role does this judge play in seeking to affect whether a case will be tried, dismissed, or pleaded?	Active (I)
4. Without direct information from him, how well can you predict what this judge's sentence will be in a case, merely from the offense, evidence, and defendant's characteristics?	Predictability
5. Does this judge dislike, and try to avoid trials in every case, or does he seem to enjoy them?	Trial Preference (I)
6. What is your opinion of this judge's willingness to be accommodating, and to help you deal with problems and pressures you face?	Accommodativeness (R)
7. To what degree can this judge be persuaded to change a decision or to accept an argument initially rejected?	Reasonableness (R)
8. If I were a judge, I would handle cases much the way this individual does.	Overall Assessment
9. Does this judge seem to worry about whether his docket is current, or does he seem unconcerned?	Docket Concern (D)

Key

- R denotes item used in Judge's Responsiveness scale.
 I denotes item used in Judge's Involvement scale.
 D denotes item used in Judge's Docket Concern scale.

Table 3-9

Evaluation Questions
Asked About Attorneys

<u>Question</u>	<u>Descriptive Qualities</u>
1. For this set of attorneys, please indicate how familiar you are with their style and behavior in handling a criminal case.	Familiarity
2. What is your opinion of each individual's ability to try a case before a jury?	Trial Competence (T)
3. What is your opinion of the reliability of information about cases each gives you, and their record in keeping verbal commitments?	Trustworthiness (R)
4. What is your opinion of their willingness to be accommodating, and to help you deal with problems and pressures you face?	Accommodativeness (R)
5. How well can you predict what each will do in handling a case?	Predictability (R)
6. How comfortable are you in discussing cases fully and frankly with an eye to a plea or other nontrial disposition with this attorney?	Informality (R)
7. My job would be much more difficult if I developed very bad personal relations with this attorney.	Importance
8. If I were an attorney, I would handle my cases and clients pretty much like this attorney does.	Overall Assessment

Key

R denotes item used in Attorney's Responsiveness scale.

T denotes item used in Attorney's Trial Competence Scale.

based only on defense attorney evaluations. Prosecutors would get a judge specific and a defense attorney specific mean, etc.

The next step was to see if the set of mean evaluation scores for each of the specific questions reported in Tables 3-8 and 3-9 could be reduced to a smaller, more manageable number of measures. We first used factor analysis in conjunction with the general mean evaluation scores. This reduced the nine questions asked about judges to three variables. Two are composite variables and have been labeled Judge's Responsiveness and Judge's Involvement. A third, labeled Docket Concern, derives from the Docket Concern question reported in Table 3-8. The factor analysis showed it to be largely independent of the other variables; its substantive importance requires that it be used despite the fact that it is not a composite.

The Judge's Responsiveness measure derives from the questions about Informality, Accommodativeness, and Reasonableness reported in Table 3-8. The factor analysis showed that these qualities "hang together" quite tightly. Judges who ranked high (or low) on one, tend to rank high (or low) on the others. Judges exhibiting the three traits can reasonably be regarded as responsive to the courthouse community; they are viewed by others as flexible and reasonable in their day-to-day transactions. Moreover, more responsive judges can probably be relied upon to help dispose of cases in a manner satisfactory to all members of the courtroom workgroup, thus reducing uncertainty and the unnecessary expenditure of personal and system resources.

The Judge's Involvement scale evolved from the Active, Informality, and Trial Preference questions. It taps a judge's inclination to deviate from the textbook description of the judge as a passive, neutral arbiter. The most significant component of the Involvement composite is the Active variable. Judges who are evaluated as very active in affecting, or attempting to affect,

the disposition of a case will score very high on this scale. Informality plays a part here too, because a judge could not maintain highly formal relations with other participants and still become integrally involved in shaping the outcome of cases. A more formal judge would either simply react to proposed pleas or dispositions, or prefer to supervise the conduct of trials. The role of the Trial Preference variable in the composite is not as clearcut. It may be that judges who dislike trials believe they can have a greater impact, or at least a more meaningful impact, upon a case in a more informal setting. However, the causal relationship may in fact be the other way around; some judges may dislike trials so much that they have come to rely on the informal setting. Whichever is the case, it cannot be definitively resolved with the available data. Suffice it to say that more "involved" judges prefer to work in an informal setting.

Factor analyses performed on the attorney data revealed two independent dimensions: Attorney Responsiveness, a composite variable, and Trial Competence, which is based upon the single question concerning the trial skills of the attorney. Responsiveness measures how well attorneys relate to the social needs of coworkers. This is considered quite important for the conduct of business in an informal setting. Trial Competence indicates how others assess an attorney's formal skills, which are important for the conduct of more formal tasks. While these two dimensions may not exhaust the concept of operating styles, they provide a good beginning by covering both formal and informal aspects of courtroom behavior.

The Attorney's Responsiveness scale comes from the Informality, Accommodativeness, Trustworthiness, and Predictability questions. The Informality and Accommodativeness questions are important because they also appeared in the construction of the Judge's Responsiveness scale. This, of course, reinforces the interpretation of responsive participants as those who structure their

behavior to meet or accommodate the social and personal needs of coworkers. Trustworthiness and Predictability are simply other facets of being a responsive coworker. Trustworthiness, or keeping one's word, is an integral part of this general trait because participants must frequently go "out on a limb" to get a particular plea approved, to set a particular bail, or to persuade a client to plead guilty. If a participant cannot rely upon the veracity of a coworker, many problems, some potential embarrassment, and much additional work is created. Predictability, although it is less important than the other traits, is relevant because it reduces the need to worry about the antics or stratagems of coworkers. Predictable participants will operate in a consistent manner, and coworkers can depend upon their actions.

A more detailed description of the derivation of these measures is contained in Appendix II. It also reports the results of the role specific factor analyses, which produced a corresponding set of measures.

Case-based Data

To obtain information on case and defendant characteristics, as well as on case dispositions, we collected an extensive amount of information from the files of the prosecutors' and clerks' offices. To ensure that we obtained comparable data and to facilitate the analysis of these data, a common data collection sheet was developed. The types of data collected are presented in Table 3-10. Most of the information is fairly standard, although some of the evidence data and the information on legal motions have not been routinely employed even in very recent studies. The real promise of these case data lies not in their uniqueness, but in the fact that they are available from a number of very different jurisdictions. Moreover, they exist in conjunction with other data on the characteristics of those responsible for the case's disposition.

Table 3-10

Examples of Data Collected from Case Files

Case Characteristics	Defendant Characteristics	Intermediate Process Characteristics	Case Outcome Variables
<p>Charge Common code for each stage of proceedings</p>	<p>Social Age, race, sex, marital status,* occupation,* education,* employment status*</p>	<p>Delay Total and intermediate delays</p>	<p>Bail Outcomes Type, amount, size and direction of any bail change, pretrial release status</p>
<p>Seriousness Type and use of weapon, nature of injury, amount of stolen/damaged property, amount of drugs involved</p>	<p>Criminal History Number of prior arrests, convictions, jail or penitentiary commitments; present probation or parole status; number of other pending indictments</p>	<p>Legal Motions Number, type, outcome Prosecutor's initial plea offer* Type of plea, sentence offered</p>	<p>Type of Disposition Dismissal, trial, guilty plea, etc.</p>
<p>Evidence Availability of statement, proceeds, polygraph results, weapon, etc.</p>		<p>Identity of Judge, Prosecutor, Defense Attorney At bail, lower court disposition,* trial court disposition, sentence</p>	<p>Sentence Type, length, amount of costs, etc.</p>
<p>Victim Characteristics Type of victim, age,* sex,* race,* existence of prior relationship with defendant*</p>			

*Indicates that this information was not available in every jurisdiction.

A problem that was as difficult as deciding what data to collect was the question of how it should be collected. We wanted to collect data on comparable samples in each jurisdiction. In addition we wanted to sample, for each county, a large number of cases during a time frame in which the practitioners we interviewed handled a large number of cases. These requirements presented a number of problems. Illinois, for example, has a unified court system with information readily available on lower court and trial court proceedings. Michigan and Pennsylvania have separate systems with separate record-keeping systems. Moreover, in some counties recent elections led to large-scale personnel turnover in the prosecutor's offices. This required us to pursue a different sampling frame than we would have used if the offices had been more stable. It also reduced the number of available cases that met our needs.

Table 3-11 summarizes some of the characteristics of the case samples in each county. Systemwide samples were available only in the Illinois counties. In the other states all of the sample cases were disposed of by the trial courts; those disposed of at the lower court level were not included. This will require some adjustment when certain statistical comparisons are made; we simply exclude the Illinois cases disposed of at the preliminary hearing. As the selection criteria presented in Table 3-11 show, the universe of cases disposed of during a designated period of time was the sampling frame in most counties. In Oakland County the universe of cases disposed of by one division of the circuit judges was selected, while in Montgomery County every other case for a nine-month period was selected. In Kalamazoo no diversion cases could be accessed, but we obtained an estimate of the number of diverted cases for the five-year period preceding the study. It revealed that about 21 percent of the defendants that made it through the prosecutor's initial screen were admitted to a diversion program. This figure was fairly stable and will be used to adjust

Table 3-11

Overview of Sampling Procedures Used in Selected Counties

	DuPage	Peoria	St. Clair	Oakland	Kalamazoo	Saginaw	Montgomery	Dauphin	Erie
Sample type	Felony system sample (includes felonies disposed of at both preliminary hearing and trial court level)	Felony system sample (includes felonies disposed of at both preliminary hearing and trial court level)	Felony system sample (includes felonies disposed of at both preliminary hearing and trial court level)	Felony trial court sample	Felony trial court sample	Felony trial court sample	Felony trial court sample	Felony trial court sample	Felony trial court sample
Selection criteria	All felony cases disposed of between 1-78 and 5-80	The last 1042 cases disposed of before 5-80	The last 1162 cases disposed of before 5-80	All trial court cases disposed of by one of 7 judges, in "Division I," between 7-79 and 6-80	All trial court cases disposed of between 7-79 and 6-80	All trial court cases arraigned and bound over in District Court between 1-79 and 6-80	All trial court cases disposed of between 1-80 and 10-80; every other case selected	All trial court cases disposed of between 1-80 and 10-80, except ARD cases; every third ARD case selected	All trial court cases disposed of between 1-80 and 10-80
Status of case when sampled	Closed	Closed	Closed	Closed	Closed	Open	Closed	Closed	Closed
Source of information used to identify eligible cases	Clerk's listing of all cases were initiated between 1-78 and 5-80	Prosecutor files of completed cases were sequentially ordered	Prosecutor files of completed cases were sequentially ordered	Printout of closed quarterly reports of assigned defense attorneys	PROMIS list of closed cases	District Court preliminary hearing schedule, prosecutor	Prosecutor's office's list of completed cases	Trial list, miscellaneous court list (guilty plea cases) ARD List	Trial list arraignment list

Kalamazoo sentencing data where needed. In Dauphin County every other ARD (diversion) case was selected, which meant that a weighting scheme had to be used to obtain the proper representation of cases. Missing ARD cases in Erie were less of a problem but were random and no weights could be calculated to adjust for them. In every county but Saginaw the only cases selected were those that were already completed. In Saginaw all cases bound over by the lower court were selected, which meant that some cases remained open at the completion of our field work.

In Michigan and Pennsylvania the determination of which cases met the selection criteria was made on the basis of a list produced by the clerk or prosecutor's office. In Peoria and St. Clair completed cases were sequentially filed in separate files for each year. Coders simply worked backwards through the files for the designated time period. In DuPage workers had to use a list of all cases introduced into the system at the preliminary hearing level. The files of many of the cases on that list could not be found, indicating that the cases were still in the system or that the files were lost. A similar problem was encountered in Kalamazoo. The impact of these missing cases upon the representativeness of the sample is not known, but the types of offenses involved suggest that it was a fairly random occurrence.

The last row in Table 3-11 refers to the procedure used to determine whether a defendant had any other pending indictments--resulting from independent arrest encounters--at the time the sampled case was disposed of. To determine systematically the existence of other pending indictments, coders in each jurisdiction checked the defendant's name in an alphabetical file used to record the local criminal history of all defendants recently processed within the county. DuPage County had no such file, but this information was contained in a memo prepared for each case by the prosecutor.

A final point should be stressed regarding the sampling procedure. Defendants were sampled, not cases. If defendants were indicted separately on a string of charges arising from the same occurrence, these were simply treated as additional charges, not additional cases. This was done to maintain comparability across jurisdictions, since charging practices vary considerably across prosecutors. Also this procedure is necessary to obtain a realistic measure of what happened to a defendant. Dismissals of "string indictments" are not very meaningful if the defendants also plead guilty to a charge.

Measures of Case and Defendant Attributes

Most of the measures of case and/or defendant attributes did not require computations. Such things as age, race, sex, prior relationship with victim, type of injury, existence of a statement, availability of physical evidence, etc. were coded directly from the file data. Data on offenses was coded directly from the case files. However, before a common offense code for the three state codes could be constructed, a good deal of analysis of certain offenses was required. Some state codes break down offenses such as aggravated assault, battery, theft, forgery, and drug violation into a variety of separate offenses. Not all of these categories are meaningfully different to local decision makers. For these troublesome offenses we used such things as statutory descriptions and average sentences to create as simple a set of offense categories as possible. The result was approximately forty discrete categories, with only a handful of cases coded "miscellaneous." Not all counties or states had cases in each category.

One defendant attribute that required extensive analysis was the severity of the defendant's criminal record. We had independent measures of prior arrests, convictions, jail commitments, and penitentiary commitments. However,

these were highly intercorrelated. A factor analysis revealed that various measures could be reduced to one composite measure.⁴ While this is a more abstract measure of prior record, it summarizes a good deal of information and facilitates complex, multivariate analyses. Thus, the composite measure as well as a trichotomized version of it will normally be used in the empirical analyses to be reported in Sections III and IV.⁵

One final case level measure that required a good deal of analysis and calculation was the derivation of offense seriousness, which is always challenging because statutorily defined measures are usually too crude. Moreover, they seldom correspond to the county specific norms that actually prevail in most county court systems. These problems are compounded here by the existence of three different criminal codes, nine different sets of norms, and the need for a single measure of offense seriousness across all offenses and counties. Our solution was to construct a set of dummy offense variables for each offense that was represented in an appreciable number of cases. The dummy variables for the most serious offense at the sentencing stage were then entered into a regression equation for each county (using all sentenced defendants in that county) with minimum jail time (probation coded as 0) as the dependent variable. The results of these nine equations ($A + B_1 * DUMMY1 + B_2 * DUMMY2 + \dots + B_n * DUMMYn$) were then used in conjunction with the case's county to assign an offense seriousness score for each case. The score assigned to each offense is equivalent to the mean score accorded defendants convicted on that offense in a given county.

A second version of the offense seriousness measure was computed by using all sentenced cases in the nine counties--as opposed to individual county samples--to derive the offense weights. These pooled or grand scores do not show county specific norms, but they do permit us to control for offense

seriousness when we want to determine the impact of county characteristics upon the sentencing process.⁶

The sites, data, and procedures just outlined comprise the "stuff" from which we will mold our analyses of the guilty plea process. Before we present them, however, it will be fruitful to use some of these data to explore in more detail the environmental and contextual characteristics of our counties. This will set the stage for the empirical analyses. More importantly, it will add flesh to the skeletal theoretical structure we introduced in Chapter Two and enhance our understanding of how criminal courts operate. It is to be hoped that later researchers will use and develop the insights from this chapter--as well as those in Section II--not only to guide their data gathering and concept formation, but also to help in site selection. This will facilitate the development of selection more enlightened comparative studies, thereby enriching even further our understanding of how these courts operate.

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- 1 See Christie and Geiss (1970). Of the several versions of the Machiavellian scale available, two were used here. First, eight items from the full "Mach IV" scale were chosen on the basis of their patterns of correlation in prior studies. In addition, six sets of questions were chosen from the "MACH V" version of the scale. It is different in format from the "MACH IV" since respondents face a triadic choice among socially undesirable alternatives. It is hoped that this will mitigate the bias toward socially desirable alternatives. It has been termed a "Machiavellian" Mach scale.
 - 2 In a Q-sort procedure a respondent is given a set of cards or objects and is asked to sort or categorize them according to certain criteria or rules.
 - 3 The actual procedure used here was as follows: Each of the questions reported in Tables 3-8 and 3-9 was printed on a colored sheet of paper. The sheet of paper also had a scale from 1 to 5 on it, with directions concerning which characteristics were to be given high and low scores. Each sheet of paper was presented to each evaluator, one at a time. The evaluator was also given a set of color-coded index cards, which matched the color of the paper on which the question was printed. Each index card had the name of an evaluatee. The evaluator was then asked to rank each individual on the dimension in question by dropping the color-coded index card with the individual's name on it into a slotted "ballot box." The slots were marked from 1 to 5; in addition there was one "Don't Know" slot. The evaluator was given a separate set of colored index cards for each question. The responses were then coded with the evaluator as the unit of analysis. The variables for each respondent corresponded to that evaluator's assessment of

each evaluatee on each of 8 or 9 questions.

- 4 The results of the factor analysis used to compute the "Criminal Record" variable are reported below. They show a strong, simple factor solution which yields a straightforward interpretation. The factor score for a given case is computed by summing its scores on the weighted standardized variables (weights = factor loadings) used in the factor analysis.

Table 3-12

Results of Factor Analyses for Criminal Record Variable

Variable	Factor Loading
Prior Arrests	.68
Prior Penitentiary Commitments	.64
Prior Convictions	.93
Prior Jail Commitments	.76
Eigenvalue	2.3

- 5 n analysis of the composite criminal record variable revealed that about half of all defendants were first offenders, and these defendants were given a score of "1" on the trichotomized version of the scale. The other defendants were evenly split into a less and more serious offender category.
- 6 A few comments should be made regarding these procedures. First, while some may view the use of a variable containing mean sentences for a given offense (especially in an analysis of sentencing) as "circular," the results are identical (by definition) to using a dummy offense variable approach-- which is considered entirely legitimate and "noncircular." And, like the traditional dummy variable approach, it allows us to control for the effect

of offense so that the effects of other, more theoretically interesting variables can be confidently examined. In one important respect it differs from the dummy variable approach; it is more economical and flexible. It permits us to control for offense seriousness with one variable which can then be employed in an interactive statistical model. This is essential for our analysis. It also provides us with information needed to assign seriousness scores to each charge in a case. In this instance we had seriousness scores for as many as three charges at four stages (arrest, preliminary hearing, indictment, sentencing). It should also be pointed out that the approach used here is extremely conservative in controlling for offense seriousness, especially for a sentencing analysis. It permits offense to explain as much variance as possible before other types of variables are permitted to enter into the equation.

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APPENDIX I

Derivation of the Attitudinal Composites

The "Belief In Punishment" Scale

Repeated attempts at analyzing various combinations of punishment related variables resulted in a single factor solution (Table I-1). It should be stressed that while a unidimensional solution (eigenvalue = 4.6) is produced, the factor loadings are not exceptionally high. None is as high as .7 although several come close. The correlations ranged from .21 to .56. although most were between .35 and .45.

Several explanations may account for the somewhat weak structure underlying the "Belief in Punishment" composite. It may be due to the fact that criminal court actors in different roles view the sentencing process in fundamentally different terms. To examine this possibility, the punishment related variables were factor analyzed separately for each of the three roles. This procedure did not produce clear-cut results. The various loadings for the different roles tended to be weaker overall than the loadings reported in Table I-1. However, no distinctively different patterns emerged in any of the three separate analyses. The reason for the weaker overall loadings may well be that by separating the different actors, the range of variation in each of the individual variables was significantly reduced, which in turn weakened the correlations. Defense attorneys generally tended toward one extreme, prosecutors to the other, with judges in the middle. When the whole population is analyzed together, a stronger and more parsimonious solution results.

A second plausible explanation for the somewhat weak structure of the punishment variables is that the analysis suffers from conceptual ambiguities concerning the structure of views toward punishment. These views may be common across roles yet more complex than we realized when the questions were assembled. If the eleven items loading on the factor reported in Table I-1 have a common element, it is that the various items touch upon the respondents'

belief in punishment as a tool to deal with criminal defendants. As such, they tap a very broad dimension. Two items (CJ23, CJ28) deal with pretrial detention, so the composite does not relate simply to sentencing. It does not really tap respondents' belief in the effectiveness of punishment in deterring crimes nor does it necessarily say anything about who the respondents blame for the acts of the defendant. Viewed in their entirety, the questions seem to indicate that the factor simply measures the respondents' belief about whether punishment (incarceration in particular) is an appropriate way to give defendants their "just desserts."

Although it is fairly general, the "Belief in Punishment" scale is appropriate for a study such as this, and the parsimonious nature of the factor solution may prove very beneficial in later analyses, which will become quite complex. The rather weak loadings suggest that views on sentencing may be more complex than the single factor solution indicates. Future analyses may want to devote more resources at the item formulation stage to the strong possibility that punishment views are multidimensional. Belief in the effectiveness of incarceration, the accountability of defendants for their actions, the importance of simple incapacitation, and other dimensions may be fertile grounds for investigation.

The "Regard for Due Process" Scale

The results of the factor analysis for the due process items were much stronger and more straightforward than those for the punishment items. These results are reported in Table I-2. Not only are the factor loadings considerably stronger, all three items designed to tap views on due process "hung together" (eigenvalue = 1.6). The interpretation of the composite also seems to be rather straightforward. Those scoring high on the scale reflect a greater

concern with the procedural rights of the accused. They tend to support the Supreme Court's decisions expanding defendants' rights. In addition, they seem to be more concerned with threats to individual liberties than with threats to the community.

Table I-2
Factor Loadings for
Criminal Justice Attitude Variables and
"Regard for Due Process" Factor

Variable	Factor Loading	Interpretation of Factor Loading
CJ09	.85	Agree that Supreme Court's decisions expanding defendant's rights are basically sound.
CJ17	.55	Agree that it is better to free the guilty than convict the innocent.
CJ19	-.74	Disagree that court decisions protecting rights which might harm community should be curtailed.

The "Concern for Efficiency" Scale

The factor analysis of the variables tapping views on efficiency did not yield particularly strong results. While four of the five efficiency items did yield a single factor solution with a minimally acceptable eigenvalue score (eigenvalue = 1.0), the individual factor loadings are only moderate (Table I-3). This notwithstanding, the factor analysis does perform a useful function here. It reduces the various items into a single composite with a straight-

forward interpretation. Clearly, people scoring high on this composite evidence a high regard for efficiency and little tolerance for people or procedures that hamper the efficient processing of criminal cases.

Table I-3
Factor Loadings for
Criminal Justice Attitude Variables and
"Concern for Efficiency" Factor

Variable	Factor Loading	Interpretation of Factor Loading
CJ04	.49	Believe that in handling cases efficiency is an end in itself.
CJ12	.54	Agree that court practices hampering expeditious processing of cases should be modified.
CJ25	-.42	Disagree with the idea that programs which speed up the litigation process produce unjust and improper resolutions to criminal cases.
CJ26	.51	Agree that criminal courts should be run like a business.

Table I-1
 Factor Loadings for
 Criminal Justice Attitude Variables and
 "Belief in Punishment" Factor

Variable	Factor Loading	Interpretation of Factor Loading
CJ02	.62	Agree that punishment of criminals is required as repayment of debt to society.
CJ03	.64	Agree that probation should only be given to first offenders.
CJ06	.69	Agree that criminal rehabilitation advocates do not weigh seriousness of crime enough.
CJ11	.61	Agree that frequent use of probation wrongly minimizes gravity of crime committed.
CJ18	.52	Agree that failure to punish crime amounts to a license for it.
CJ22	.45	Agree that prisons should be places of punishment.
CJ23	.68	Agree that people charged with serious crimes should be kept in jail until trial.
CJ24	-.54	Disagree with the idea that sentencing according to individual need rather than on basis of the crime is important.
CJ27	.64	Agree criminals should be punished for crime whether or not punishment benefits criminal.
CJ28	-.64	Disagree that people with prior record but strong tie to community should not be detained prior to trial.
CJ30 - .67		Disagree that present treatment of criminals is too harsh.

APPENDIX II

Derivation of the Operating Style Composites

While the preparation and implementation of the Q-sort procedure was lengthy and expensive, it was well worth the effort. Many participants enjoyed this exercise far more than completing the attitudinal questionnaire. A wealth of data was produced and virtually no one refused to participate in it. However, the exercise also produced a set of analytical problems, the most basic of which was how best to use the resulting data. In its raw form the data base contained individual evaluations of a number of individuals by a number of other individuals on eight or nine questions. The "purest" use of these data might be an attempt to match individual evaluations of participants in the particular triad. For example, if Judge X, Prosecutor Y, and Defense Attorney Z handled case 0123, then only Judge X's evaluations of the two attorneys, Prosecutor Y's evaluations of Judge X and Defense Attorney Z, and Defense Attorney Z's evaluation of judge X and Prosecutor Y would be matched with case 0123.

This approach offers a fairly direct means of assessing the impact of interpersonal relations upon case outcomes. However appealing this approach appears at first glance, it is fraught with methodological and technical problems. Thus questions concerning such matters as the stability of individual evaluations, the potential for large numbers of missing data for individual cases, and the technical problems involved in matching triad specific evaluations to individual cases led us to examine alternative ways of utilizing the data.

After extended consideration we chose an aggregated approach (averaging multiple assessments of an actor) to analyzing the Q-Sort data, thereby eliminating a whole set of analytical problems and providing us with some insights into an actor's operating style. Despite this, we still encountered a number of methodological problems which we could not decide on an a priori basis. This

led us to develop and compare different approaches to deviation of these measures.

One problem dealt with the issue of across evaluator comparability. Evaluators were asked to rank individuals on a scale from 1-5. But we had no way of knowing whether the evaluators' "internal scales" were similar. Some may evaluate most individuals around a score of "2", while another may consistently evaluate the same set of individuals at about "3." To examine the nature and implications of any problems emanating from this possibility, two sets of mean scores were produced. One set was derived simply by computing the mean score for each person evaluated on each question. "Raw scores" were used to compute these means. A second set of means was computed by averaging scores that had been standardized by evaluator. This set of means controlled for the evaluator comparability problem because each of the scores used in the computation of the standardized mean was expressed in terms of its deviation from the individual evaluator means. In other words, standardized scores were used to calculate these means. Both the raw and standardized means were then used in separate factor analyses to produce separate measures of operating style.

A second problem was the possibility that a given individual was evaluated very differently by evaluators who occupied different roles. This led us to develop a role specific approach to the analysis of the Q-Sort data in addition to a general, across-role approach. The reasons for the development of this approach will be clearer once the general approach is more fully described.

Operating Styles - A General Approach

Table II-1 reports the results of the factor analyses used to produce the Judge's Responsiveness measure; the results using means derived from both the raw and standardized scores are reported. However, as Table II-1 shows, the

Table II-1

Results of Factor Analysis for Judge's Responsiveness

Variable	Factor Loading for Raw Mean Variables	Factor Loading for Standardized Mean Variables	Interpretation of Factor Loading
Informality	.60	.72	Attorneys feel it is easy to deal with the judge informally
Accommodativeness	1.0	1.0	Attorneys feel that the judge is willing to be accommodating and helpful with their problem.
Reasonableness	.68	.80	Attorneys feel that the judge can be persuaded to change his mind.
Eigenvalue	1.8	2.1	

structure of the results is very similar for both. The analysis using the standardized scores is somewhat stronger. What both analyses show is that the qualities of informality, accommodativeness, and reasonableness "hang together" quite tightly. The factor loadings are quite high, in the .6 to 1.0 range, with accommodativeness being the most important variable. Table II-2 reports the results of the factor analysis used to produce the Judge's Involvement composite. Again the structure of the results is similar for both the raw and standardized mean variables. Here, however, the results for the raw score variables are somewhat stronger. The results are not quite as strong as those for Judge's Responsiveness but the factor loadings, especially for the raw mean variables are still quite respectable (.56 - .94).

Table II-3 reports the results of the factor analysis used to construct the Attorney Responsiveness composite. Again, both the raw and standardized mean variables were analyzed and are reported. As before, the structure of the loadings is remarkably similar. Moreover, both represent very solid solutions. The loadings are all above .90 except for the predictability variable, i.e., trustworthiness, accommodativeness, and informality all play a similar role in the construction of Attorney Responsiveness.

Operating Styles---A Role Specific, Aggregated Approach

While the results reported in the previous section represent a parsimonious and reasonable first attempt at defining important dimensions of operating style, one rather obvious and potentially troublesome problem exists. The general approach combines the evaluations of people from different roles into one overall measure of a given individual's Responsiveness, Trial Competence, Involvement, etc. While this may be perfectly acceptable, it rests on two assumptions. The first is that people in each role (judges, prosecutors,

Table II-2
Results of Factor Analysis
for Judge's Involvement

Variable	Factor Loading for Raw mean Variables	Factor Loading for Standardized Mean Variables	Interpretation of Factor Loading
Informality	.56	.41	Attorneys feel it is easy to deal with the judge informally
Active	.94	.90	Attorneys feel that the judge plays an active role in the disposition of a case
Trial Preference	.59	.48	Attorneys feel that the judge tries to avoid trials whenever possible.
Eigenvalue	1.5	1.2	

Table II-3
Results of Factor Analysis
for Attorney Responsiveness

Variable	Factor Loading for Raw Mean Variables	Factor Loading for Standardized Mean Variables	Interpretation Factor Loading
Trustworthiness	.91	.93	Others feel this attorney is trustworthy and keeps his word.
Accommodativeness	.95	.96	Others feel this attorney is willing to be accommodating and helpful with their problems.
Predictability	.62	.58	Others feel that this attorney is very predictable in how he handles his cases.
Informality	.92	.94	Others feel it is easy to deal informally with this attorney.
Eigenvalue	3.0	3.0	

defense attorneys) view the various dimensions and subdimensions of operating style similarly, i.e., that trustworthiness, informality, accommodativeness, etc. play a similar role in the way each set of participants views Responsiveness. The second assumption--and it rests on the first--is that individuals across different roles will evaluate a given individual similarly. That is, both judges and defense attorneys in a given county will evaluate prosecutor X's Responsiveness in a similar manner. If that is not the case, some serious bias could result. If judges and defense attorneys evaluate prosecutors in a systematically different way, a prosecutor's aggregated score, which is a mean, will normally be biased toward the defense attorneys' view since we interviewed far more attorneys than judges. Moreover, the nature of the bias may vary from county to county depending upon the ratio of judges to attorneys.

To examine this problem, the evaluation data were recalculated so that a mean was derived for each variable by role. For example, prosecutor means on each of the eight variables were recalculated using just judge evaluations and just defense attorney evaluations. Thus for each set of participants two sets of means were calculated. Only the raw scores were used in these calculations. Eliminating the standardized scores simplified matters greatly at a minimal cost--the two sets of measures produced highly similar results in the general approach just reported.

The correlations for the separate means are reported in Tables II-4 and II-5. For the judicial evaluations there are some high (.81) to moderate (.43) correlations. The correlations tend to be higher on more objective questions (Active, Trial Preference) and lower on those tapping social relations (Accommodativeness, Reasonableness). They do not appear to be high enough overall, however, to overcome the criticism that individuals in different roles evaluate judges differently. Moreover, the correlations are even lower when attorneys

Table II-4
Correlations Between
Prosecutor and Defense Attorney
Evaluations of Judges

Familiarity	.43 (53)
Informality	.56 (53)
Active	.81 (53)
Predictability	.44 (53)
Trial Preference	.68 (53)
Accommodativeness	.46 (53)
Reasonableness	.47 (53)
Overall Assessment	.53 (53)
Docket Concern	.52 (53)

Table II-5

Correlations Between
Judge Evaluation and Prosecutor
(or Defense Attorney) Evaluations
of Prosecutors (or Defense Attorneys)

	Prosecutor as Evaluatee	Defense Attorney as Evaluatee
Familiarity	.29 (94)	.44 (171)
Trial Competence	.64 (94)	.61 (171)
Trustworthiness	.26 (94)	.58 (171)
Accommodativeness	.25 (94)	.46 (171)
Predictability	.15 (94)	.32 (171)
Informality	.07 (94)	.25 (171)
Importance	.43 (94)	.44 (171)
Overall Assessment	.44 (94)	-.35 (171)

are evaluated. While the highest correlations in Table II-5 deal with a fairly objective trait, Trial Competence, there are extremely low correlations (.07, .15), and even one negative one. This suggests, of course, the need to examine the various evaluations in a role specific manner.

The Judge's Data

Table II-6 reports the results of the factor analysis for the role specific Judge Responsiveness variables. Two things stand out. First, the same variables "hang together" in the role specific analyses as in the general ones. Second, the factor loadings across the prosecutor and defense attorney variables are remarkably similar. This suggests that both sets of participants tend to view this attribute in a similar way. Moreover, the similarity of results in the three samples indicates that the responsiveness measure is fairly stable. When interpreted in light of the correlations reported in Table II-4, however, the results suggest that prosecutors and defense attorneys may rank the judges differently even though they define responsiveness similarly. This in itself may prove to be useful information.

Table II-7 reports the results of the role specific factor analyses for the Involvement variables. The results here are not quite as similar to the general analysis as those reported in Table II-6. The "Active" variable is still the most central variable as was the case earlier (col. 3). However, the loading of the "Informality" variable for prosecutors is somewhat weaker than the original loadings, as is the loading for the "Trial Preference" variable for defense attorneys. The results suggest that the notion of "Informality" is somewhat more central to a defense attorney's definition of involvement than to that of a prosecutor. Similarly, a judge's trial preference is more central for a prosecutor than a defense attorney. However, the differences are not so great

Table II-6

Result of Role Specific Factor Analyses
of Judge Responsiveness

Variable	Factor Loading for Prosecutor Evaluations	Factor Loading for Defense Attorney Evaluations	Factor Loading for Combined Roles (Raw Mean Variables)
Informality	.68	.62	.60
Acommodativeness	.86	1.0	1.0
Resonableness	.64	.73	.68
Eigenvalue	1.6	1.9	1.8

Table II-7

Results of Role Specific Factor Analyses
of Judge Involvement

Variable	Factor Loading for Prosecutor Evaluations	Factor Loading for Defense Attorney Evaluations	Factor Loading for Combined Roles (Raw Mean Variables)
Informality	.29	.54	.56
Active	1.0	.91	.94
Trial Preference	.61	.38	.59

Eigenvalue	1.45	1.25	1.5
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as to suggest that the concept of "Involvement" is not shared by both defense attorneys and prosecutors. Obviously, however, the measure used here is not as stable as the responsiveness measure.

Table II-8 reports the correlations between the role specific composites and the general composites. Without exception, the correlations among the composite scores are much higher than those among the individual variables reported in Table II-4. What appears to be happening is that more disagreement emerges across roles where individuals are ranked on individual attributes. When all of the attributes defining a more abstract concept are considered together, the differences across roles are significantly reduced. Thus the correlations between defense attorney and prosecutor evaluations of judge responsiveness, involvement, and docket concern are .54, .76, and .52, respectively. Moreover, when the general composites are compared with the role specific ones, the correlations are all in the .8 to .9 range. This, of course, indicates that the general composites are not terribly flawed and, in the interests of parsimony, may well prove to be acceptable indicators of the various concepts.

The Attorneys Data

Table II-9 and II-10 report the results of the role specific analyses of Responsiveness for both prosecutors and defense attorneys. A comparison of columns 1 and 2 with column 3 in each table demonstrates that, with one exception, the role specific analyses are again very similar to the general results. The sole exception is the "Informality" variable for judges for both prosecutors and defense attorneys. Obviously, because of their role, judges do not view informality to be as central to the notion of responsiveness as attorneys do. Most prosecutors and defense attorneys, in most situations, would undoubtedly be as informal in dispositional discussions as the judge would permit. It provides

Table II-8

Correlations Between
the Role Specific and General Composites
for the Judge Measures

	Judge's Responsiveness-- General	Judge's Responsiveness-- Defense Attorney's View	Judge's Responsiveness-- Prosecutors' View
Judge's Responsiveness-- General	1.0 (53)	.83 (54)	.83 (54)
Judge's Responsiveness-- Defense Attorney's View		1.0 (53)	.54 (53)
Judge's Responsiveness-- Prosecutors'			1.0 (53)
	Judge's Involvement-- General	Judge's Involvement-- Defense Attorneys' View	Judge's Involvement-- Prosecutors' View
Judge's Involvement-- General	1.0 (53)	.96 (54)	.92 (54)
Judge's Involvement-- Defense Attorney's View		1.0 (53)	.76 (53)
Judge's Involvement-- Prosecutors' View			1.0 (53)

Table II-8 (continued)

Correlations Between
the Role Specific and General Composites
for the Judge Measures

	Judge's Docket Concern-- General	Judge's Docket Concern-- Defense Attorneys' View	Judge's Docket Concern-- Prosecutors' View
Judge's Docket Concern-- General	1.0 (53)	.91 (53)	.82 (54)
Judge's Docket Concern-- Defense Attorney's View		1.0 (53)	.52 (53)
Judge's Docket Concern-- Prosecutors' View			1.0 (53)

Table II-9

Results of Factor Analyses
for Prosecutor Responsiveness

Variable	Factor loading for Judge's Evaluation	Factor Loading for Defense Attorney's Evaluations	Factor Loading for Combined Roles (Raw Mean Variables)
Trustworthiness	.84	.89	.91
Accommodativeness	.88	.95	.95
Predictability	.61	.69	.62
Informality	.26	.99	.92
Eigenvalue	1.9	3.1	3.0

Table II-10

Results of Factor Analyses
for Defense Attorney Responsiveness

Variable	Factor Loading for Judge Evaluations	Factor Loading for Prosecutor Evaluations	Factor Loading for Combined Roles
Trustworthiness	.91	.92	.91
Accommodativeness	.85	.94	.95
Predictability	.59	.45	.62
Informality	.46	.92	.92
Eigenvalue	2.1	2.8	3.0

them with some insights about the judge's position in their cases and gives them valuable information as to their options. Thus, from the judge's vantage point, the "Informality" of attorneys may be more of a constant, and therefore less relevant, than among attorneys.

Tables II-11 and II-12 report the correlations between the role specific composites for the prosecutors and defense attorneys, respectively. Much the same pattern emerges here as emerged with respect to the judge correlations. The extent of disagreement across roles is much less for the composites than for the individual evaluation variables. The exception is prosecutor Responsiveness. Judges and defense attorneys clearly evaluate individual prosecutors differently. The correlation between the two role specific composites is only .29. Moreover, as feared, the general responsiveness measure for prosecutors is largely determined by defense attorney evaluations. The defense attorney measure is virtually identical to the general responsiveness measure ($r = .96$), while the judge measure is much less strongly correlated ($r = .51$). The correlations among the other role specific composites and the general composites range from .76 to .98, with most in the .8 to .9 range.

Table II-11

Correlations Between
the Role Specific and General Composites
for the Prosecutor's Measures

	Prosecutor's Responsiveness- General	Prosecutor's Responsiveness- Judges' View	Prosecutor's Responsiveness- Defense Attorney's View
Prosecutor's Responsiveness- General	1.0 (96)	.51 (96)	.97 (96)
Prosecutor's Responsiveness- Judges' View		1.0 (96)	.29 (94)
Prosecutor's Responsiveness- Defense Attorneys' View			1.0 (96)
	Prosecutor's Trial Competence- General	Prosecutor's Trial Competence- Judges' View	Prosecutor's Trial Competence- Defense Attorneys' View
Prosecutor's Trial Competence- General	1.0 (96)	.79 (96)	.98 (96)
Prosecutor's Trial Competence- Judges' View		1.0 (96)	.64 (94)
Prosecutor's Trial Competence- Defense Attorneys' View			1.0 (96)

Table II-12

Correlations Between
the Role Specific and General Composites
for the Measures

	Defense Attorney's Responsiveness- General	Defense Attorney's Responsiveness- Judges' View	Defense Attorney's Responsiveness- Prosecutors' View
Defense Attorney's Responsiveness- General	1.0 (171)	.76 (171)	.96 (171)
Defense Attorney's Responsiveness- Judges' View		1.0 (171)	.56 (171)
Defense Attorney's Responsiveness- Prosecutors' View			1.0 (171)
	Defense Attorney's Trial Competence- General	Defense Attorney's Trial Competence- Judges' View	Defense Attorney's Trial Competence- Prosecutors' View
Defense Attorney's Trial Competence- General	1.0 (173)	.81 (172)	.95 (173)
Defense Attorney's Trial Competence- Judges' View		1.0 (173)	.61 (171)
Defense Attorney's Trial Competence Prosecutor's View			1.0 (173)