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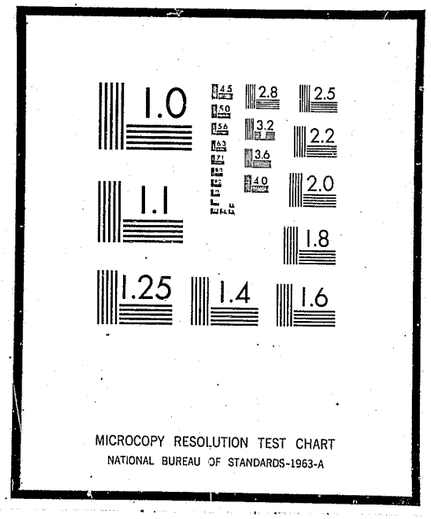

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REPORT TO THE BRONX COUNTY DISTRICT ATTORNEY ON THE CASE EVALUATION SYSTEM

November 30, 1974 —

NATIONAL DISTRICT ATTORNEYS ASSOCIATION

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REPORT TO THE
BRONX COUNTY DISTRICT ATTORNEY
ON
THE CASE EVALUATION SYSTEM

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PREFACE

The development of a case evaluation system for the Bronx District Attorneys Office was undertaken by the National District Attorneys Association at the request of Mario Merola, District Attorney.

The purposes of this project were to develop an efficient, objective, uniform and consistent method of identifying cases for referral to the Major Offense Bureau; to design the system in such a manner that its extension throughout the office would be feasible; and to develop forms to support and control the case evaluation system.

To perform the task, the National District Attorneys Association utilized the services and expertise of the National Center for Prosecution Management and consultants expert in the field of numerical evaluation systems and analysis.

The findings and results reported in this document reflect the latest improvements in designing case evaluation systems to meet the needs of the prosecutor.

ACKNOWLEDGEMENTS

The National Center for Prosecution Management gratefully acknowledges the following people, without whose assistance this project could not have been possible.

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BACKGROUND AND SCOPE

In February, 1973, the Bronx District Attorney's Office under the leadership of Mario Merola, Bronx District Attorney, applied for LEAA funding to establish a "Major Felony Processing and Ranking System", which has subsequently become known as the Major Offense Bureau (MOB). The District Attorney's office was acutely aware of the problems that confronted a large prosecutor's office in the areas of case screening and processing. There was a need to ensure that all important cases were recognized as soon as they entered the system, and were given proper attention. There was similar need to rid the Grand Jury and Supreme Court calendars of those cases which did not merit their attention and could be otherwise handled.

Intake review in the Bronx has traditionally taken place in the Complaint Room which served as the "cockpit" of the office's activities. An assistant prosecutor assigned to this room reviewed all incoming cases with the arresting police officers. In the Complaint Room, the initial decision whether or not to charge was rendered. This decision was based upon the resolution of three related issues: (1) Is there sufficient information available to reasonably infer that the suspect is guilty?, (2) If so, what specific charges should be brought and at what level?, and (3) If the prosecution is not in the best interests of the community, what alternative dispositions are available?

It was recognized that this type of complex and sophisticated decision-making process required support and structure. The Bronx District Attorney's Office is large. It is staffed by

approximately 150 attorneys, a preponderance of whom have been in the office three years or less. To District Attorney Merola, it was crucial that formalized guidance and control procedures be established for this large organization.

Furthermore, proper control at intake was also deemed essential to the efficient processing and disposition of cases through the court system. This control needed not only to function at an operational level, but should also reflect the District Attorney's policy on charging, pleas, sentence negotiation and recommendation. It was necessary therefore to develop a method of ensuring policy consistency from the intake level through disposition, and to find a way of monitoring the policy's application and continuation throughout the process.

The purpose of establishing a Major Offense Bureau in the Bronx District Attorney's Office was to provide an objective and effective method of identifying those cases in which the seriousness of the offense or the seriousness of the offender warranted special prosecutorial attention. The Major Offense Bureau program could direct its efforts to minimizing inconsistencies in the treatment of similar cases and reduce the time required between arrest and final disposition of a case. All these activities would reflect policies of the District Attorney.

While not implemented initially, it was the clearly-stated intention of the District Attorney that once the model screening and referral program had been developed, tested and implemented for the Major Offense Bureau, the screening and evaluation components

were to be extended to the entire office. Hence the task of establishing the Major Offense Bureau Program, from the outset, included consideration of and planning for the potential impact on procedures for the entire office.

The development of the Major Offense Bureau included six basic tasks: (1) the organization and staffing of the proposed Bureau; (2) the acquisition of adequate space; (3) the application of modern office equipment to the tasks of the Bureau; (4) the design of a transition plan; (5) the development of forms for project control and case processing; and (6) the development of a numerical case evaluation system.

Tasks 5 and 6 were the primary focus of the National Center for Prosecution Management. The project also included an evaluation model to measure the effectiveness of the program using control and test groups.

In April, 1973, approval of the grant application for LEAA funding was obtained and on July 2, 1973, the Major Offense Bureau began operation. The results of the first year of operation are documented in the "First Annual Report of the Major Offense Bureau; July 1, 1973 - July 1, 1974; Office of the District Attorney, County of the Bronx", Assistant District Attorney, Paul T. Gentile, Chief of the Major Offense Bureau.

In June, 1973, the Bronx County contracted with the National District Attorneys Association for the services of the National Center for Prosecution Management. The Center was (1) to develop

a case ranking system for the management and operational functions of the Bronx District Attorney's Office; (2) to identify by using the case ranking system, those cases which were to referred to the Major Offense Bureau; and (3) design trial preparation forms which would support the operations of the Major Offense Bureau and, where feasible, the entire office.

The National Center was chosen for this task because of its extensive experience in Washington, D. C., Denver, Colorado, Detroit, Michigan, and West Palm Beach, Florida.
Mrs. Joan E. Jacoby, NCPM's Executive Director, had been instrumental in the initial development of the techniques used in these systems while directing the D. C. Government Office of Crime Analysis, which initiated the prototype system (PROMIS) for the Superior Court Division of the United States Attorney's Office in Washington.

The National Center, as well, was enthusiastic about the potential of this proposed project. It recognized the opportunity to assist the Bronx District Attorney in developing a useful tool for increasing the efficiency of his office, as well as the criminal justice system. Moreover, because the project was designed with foresight and industry, its potential for transfer to other similar offices around the country was recognized. The control established by the Bronx allowed for detailed analysis of the effectiveness of this new system, and for replication of the findings of the basic program structure in other jurisdictions.

The scope of the project then was directed at essentially three levels: (1) developing methods to evaluate cases for referral to the Major Offense Bureau for special prosecution; (2) expanding these methods so that they could be used as a screening tool for the entire office; and (3) analyzing the methodology for its utility in transfer to other jurisdictions. With the cooperation and assistance of the Bronx District Attorney's Office, the project objectives were completed.

THE MAJOR OFFENSE BUREAU

The characteristics of the Major Offense Bureau and its operations should be summarized before the tasks, methodology and results of the Center's effort are delineated. The staff of the Major Offense Bureau (MOB) consists of: the Bureau Chief; ten experienced Assistant District Attorneys; two trial preparation assistants; a detective investigator; a process server; a legal secretary; five clerks and two typists.

The Major Offense Bureau has jurisdiction over all serious felonies (except the Homicide, Narcotics and Rackets cases which are handled by separate Bureaus). These felonies are screened at the intake stage of the Criminal Court by a trained ranking clerk assigned to the Major Offense Bureau. If the case appears to warrant referral to the Major Offense Bureau (based on the case evaluation system and office policy), it is sent immediately to an Assistant District Attorney in the Major Offense Bureau. "After reviewing the facts of the case and the criminal records of the defendant, the Assistant District Attorney decides whether or not

to accept the case for prosecution by the Major Offense Bureau. The Assistant District Attorney directs the drafting of the complaint and personally handles the Criminal Court arraignment. Arrangements are made for a presentation to the Grand Jury within 24 hours. . . The same Assistant District Attorney marshalls the evidence and presents the entire matter to the Grand Jury. The arraignment and every appearance thereafter in the Supreme Court is handled by the same Assistant District Attorney. Every case is prepared initially in great depth and with a view towards trial. As a consequence, the Government's case is ready at the time of arraignment. No Major Offense Bureau has been adjourned at the request of an Assistant District Attorney, and such a request is not anticipated in the future." [1/]

The initial alert time is critical to the Major Offense Bureau since the case should be accepted before arraignment in order to provide the maximum prosecutorial impact. As a result, there is a Major Offense Bureau clerk on duty 16 hours a day, 7 days a week, and an Assistant District Attorney on duty 24 hours a day, 7 days a week. An electronic signal receiver is carried by Major Offense Bureau Assistant on duty to ensure his immediate notification of any case meriting his attention.

1/ Excerpted from "First Annual Report of the Major Offense Bureau, July 1, 1973-July 1, 1974, Office of the District Attorney, County of the Bronx" pps. 8-9.

An efficient Major Offense Bureau must be supported by other components of the criminal justice system if it is to operate successfully. In cooperation with the District Attorney's needs, the New York City Police Department, the New York City Housing Authority Police Department, and the New York City Transit Police Department agreed to notify the Major Offense Bureau immediately of the arrest of persons charged with serious crimes. During the period of fiscal year 1974, 1,028 such notifications were made and acted upon.

On September 1, 1973, the administrative Judge of the City of New York with the concurrence of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department designated two trial "parts" (courtrooms) for the exclusive litigation of Major Offense Bureau cases. The combination of early notification by the police, effective screening and administrative support by the prosecutor, and the availability of courtrooms or trial parts has maximized the effectiveness of this program. This is a major step forward in improving the management of the criminal justice system.

The results of this program are impressive. At the end of its first year of operation, [2/] the Major Offense Bureau had accepted for prosecution 454 defendants named in 309 indictments. Ninety-seven percent of all cases prosecuted by the Major Offense Bureau

2/ Ibid, pp. 11-19

resulted in convictions. Of equal importance, the median time from arrest to final disposition was 74 days. During the first year, over 70% of the cases handled by the Major Offense Bureau reached disposition as compared to 30% of those cases in the control group.

Based on the statistical analysis of the program as presented in the Annual Report of the Major Offense Bureau, the sentences received by Major Offense Bureau cases, compared with those received by the control group, were significantly longer and harsher. Ninety-five percent of the defendants prosecuted by the Major Offense Bureau received sentences of incarceration as compared to 66% of defendants in the control group. The Court imposed a minimum sentence in 62% of the Major Offense Bureau cases and in 21% of the control group cases. Finally, the average minimum sentence imposed on defendants prosecuted by the Major Offense Bureau was 3.0 years in contrast to an average of less than 0.5 years in the control group.

CASE EVALUATION SYSTEMS

Case evaluation systems, particularly those currently being employed by many prosecutors, are tools for supporting selective prosecution. Selective prosecution is the process by which special attention is given to crimes that are particularly troublesome in the community and to criminals who are repeat

and serious offenders. Selective prosecution has been shown to be an effective way of dealing with both troublesome crime and recidivism.

The concept of selective prosecution has long been a part of the American criminal justice system. It received great impetus in 1942 when the Department of Justice regionalized its task force system to deal with organized crime on a local basis. 3/ During the early 1960s, this concept was further strengthened by the creation of multi-agency strike forces which provided a wide range of back-up and investigative services to special U.S. Prosecutors who were fighting organized crime. These strike forces were aided by the legislation of a number of statutes designed to stifle large-scale, criminal organization.

More recently, local prosecutors and district attorneys have begun to experiment with the concept of selective prosecution. The prosecutor has found that certain types of crimes, for example, the sale of hard narcotics or child abuse, are sensitive issues to which he must respond in a dramatic way. Many prosecutors have established policies of assigning these types of cases to their most astute assistants, holding a strict line on plea negotiations in such cases, and widely publicizing the intent of his office to prosecute these crimes to the fullest extent of the law.

3/ "The Strike Force: Organized Law Enforcement vs. Organized Crime" Columbia Journal of Law & Social Problems (1970), Vol. 6, p. 498

Task Force Report: Organized Crime; The President's Commission on Law Enforcement & the Administration of Justice, p. 11-12 (1967).

While selective prosecution is hardly a new concept, some of its applications are only now being fully appreciated. For example, in some jurisdictions, the selective prosecution concept is not only used to ensure full trial adequacy in cases of repeat offenders, but it is also applied as a screening tool for identifying first offenders of less serious crimes for admission to diversion and community treatment programs.

Many prosecutors have come to realize that selective prosecution is essential as a management tool in offices handling a large volume of cases where manpower and other resources are strained or limited. The concept can help the prosecutor ensure that his priorities and policies are pursued in the enforcement of the law.

Until more recently, most cases were referred to special bureaus according to type of crime or the characteristics of the offender. (For example, in the Bronx there exists the Homicide and Narcotics Bureaus.) With the advent of statistical scaling techniques and their modification for application to the prosecutor's operations, the prosecutor is freed from the traditional referral by offense type and can start to examine the caseload and work load in his office in terms of the case's urgency for prosecution - independent of crime type.

Case evaluation systems independent of crime type were first used in the U.S. Attorney's Office, Superior Court Division,

Washington, D.C. when they were developed as part of the PROMIS system in 1970. The design, creation and implementation of the PROMIS system was a major step forward in providing the prosecutor with tools and techniques which would permit him to rise above the limitations of simple offense criteria for the selective prosecution process. The case weighting systems derived for PROMIS and modified for the Bronx District Attorney's Office were essentially similar in that they attempted to measure (1) the seriousness of the offense - based primarily on the extent of personal injury and property loss or damage; (2) the seriousness of the defendant - based primarily on his prior arrest and/or conviction records, the density of the frequency of arrests and his community stability; and (3) the strength of the case - based primarily on the facts and evidence available.

Case evaluation systems are management and operational tools. They identify, on a uniform and consistent basis, the gross characteristics of the work load in the office and rank the work load in order of importance to the prosecutor. Case evaluation systems will never replace the individual case preparation and trial expertise of the individual prosecutor. Their value lies in identifying quickly and consistently, serious cases for special prosecutorial attention. They do not assure guilt or innocence, they do not discriminate, except in order of seriousness. How the systems are used depends on the response of the individual prosecutor and his policies to the needs of his office and his community.

The Major Offense Bureau concept and the case evaluation system were a natural outgrowth of the results of studies on criminal activity

in Bronx County. Based on experience, it was established by the Bronx District Attorney's Office that a small percentage of the population was responsible for the large proportion of serious crimes being committed. In the belief that the most effective deterrent to crime is swift, sure and certain justice, the District Attorney decided that his office needed a new and dynamic approach to prosecution. Mr. Merola, therefore, directed that an efficient screening system be established to alert the District Attorney and his staff to the apprehension of a major offender, i.e. a recidivist who had previously committed a serious offense against the public. Once alerted, the Bronx District Attorney directed that the office respond administratively with the creation of a "Major Offense Bureau" to handle the special prosecution of cases referred through the screening system.

The National Center for Prosecution Management's task was to take the rudimentary weighting system developed by the Assistant District Attorneys and, through rigorous statistical analysis, develop a statistically reliable system which would reflect the policy and priorities of the District Attorney. Since the case evaluation function would be performed by ranking clerks who were not trained legally, the system had to be designed so that the clerk could use it quickly and easily. Finally, the case evaluation system had to have the potential for application throughout the office when the screening function was expanded outside of the Major Offense Bureau. Additionally, the Center was charged with the design of case and trial preparation forms which could be used to support the office's operations.

The Bronx case evaluation system was the first attempt ever made to isolate and identify those factors which could be used to measure the evidentiary strength of a case. Such factors are powerful determinants in assessing the seriousness of the case for prosecution. Until the Bronx project, evidentiary strength had been measured merely by subjective assessment of the probability of winning. Since the assessment is subjective and dependent upon the experience of each different assistant assigned to intake review, a more consistent method was sought in this project in the form of objective and measurable data elements. If objective standards could be established, the utility and reliability of case evaluation systems for prosecution would be vastly expanded.

Under the direction of the Major Offense Bureau chief, the Assistant District Attorneys generated detailed information and data elements which they felt contributed to the evidentiary strength of the case. The information was summarized where possible and incorporated into the analysis of the case evaluation system. The results were very good and have been incorporated into this system.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Case evaluation systems are emerging as valuable tools to assist the prosecutor in the management of his office. [4/] They serve to translate the prosecutor's policies and priorities into clear and specific guidelines for use by all office personnel. The numerical scores derived for this type of system are designed to be indicative of the way in which the District Attorney, himself, would order each case in terms of importance for processing. As a result, any staff member processing a case - an Assistant District Attorney, an investigator, or a clerk - can rank it in order of importance to the District Attorney's policy by utilizing this system. To complete the cycle of policy, from implementation to control; the prosecutor, by proper monitoring of the disposition of cases, can check the work of his staff and ensure the integrity of their implementing his policies.

The advantage of a case evaluation system lies in its inherent objectivity. Since each case, presented for prosecution, is evaluated and scored on the basis of the same factors, the evaluation of cases can be uniform and consistent. Objectivity is also achieved because the factors used for the evaluation are statistically derived (hence quantifiable) and require only minimal, subjective interpretation. Finally, because this case

4/ Some of the principles summarized below may have applicability to the prosecutor if the problems of "Special Offender" designations (Catalano v. U.S., U.S.D.C.Conn., October 9, 1974, 16 Cr. L. 2096) are directed towards selective prosecution.

evaluation system is based on factual information, its fairness in application can be monitored and evaluated.

Further, the case evaluation system is managerially efficient and flexible. It serves to classify cases by seriousness for prosecution, not by an arbitrary legal definition of crime. This permits an office to respond managerially, with efficient resource allocation programs. Organizationally, the prosecutor can establish special prosecution units (e.g., the Major Offense Bureau in the Bronx) and use the system to identify cases which require the unit's special attention. He can then monitor the special units, and adjust the minimum scores required for referral to the unit to maintain the work load as the need arises. Over a period of time, this system permits the prosecutor to monitor the changes in crime in his community in terms of seriousness and to respond with proper management support. Most important, however, the system is flexible. As priorities and policies change within the community and over time, the system can be monitored and up-dated with minimal effort.

It should be understood that numerical weighting systems as management tools for the prosecutor, are still in a prototype stage. Each application contributes to the overall development of the concept. The knowledge gained from this project will inevitably aid the next project. In many respects, this application of research to the problems of the prosecutor is so new that we are, in a sense, at the frontier - with a whole

universe yet to be explored. The Bronx project should not be thought of as finished or static. To yield its maximum value, it should be considered as a dynamic, on-going process capable of further refinement and the production of new knowledge.

The findings and recommendations, presented below for consideration by the Bronx District Attorney, have been developed within this context. We hope that they will be of assistance.

FINDINGS

1. It is possible to develop case evaluation systems for large offices which can be operated manually and supported by non-legal personnel. The recognition and development of good records management procedures, and the forms to support them, are the basis for a successful manual operation as well as an automated one. Since the case evaluation system used by the Bronx Major Offense Bureau is based on the non-legal description of offenses, it can be, and is, supported by non-lawyers. The information required is factual, not evaluative, thereby lending itself to this type of non-legal staffing at the intake, collection and referral stages.

2. Case evaluation systems can be used successfully as initial screening or referral devices. Their validity and efficiency are limited only by the availability of the requisite facts. In this respect, it is essential that the arrest and conviction record of the defendant be made available to the Ranking Clerk in the Complaint Room. Because rap sheets were

not uniformly available, at the time of this project, the case evaluation system had to be designed to produce the independent scores (one for the seriousness of the crime, the other for the seriousness of the defendant's record). The two scores should be multiplied to obtain an overall score which reflects the seriousness of the case.

3. The case evaluation system reflects the policies and priorities of the District Attorney of Bronx County. The scores derived from the Case Evaluation Form enable this policy to be translated and implemented at the intake stage of the office. Obviously, if and when the policy changes, the system must be controlled and re-scored to reflect these changes when necessary.

4. For the first time, it has been possible to extract and measure the importance of some evidentiary information critically affecting the strength of the case. This is a major step away from relying on an Assistant District Attorney's subjective judgment of the probability of winning. It is encouraging that not only did some of the evidentiary facts occur as statistically significant, but that the basic assumption of the Center's research program has been supported: that is that the prosecutor can subjectively identify those factors which affect his case, and that the Center can statistically verify his information and assign the proper weights to rank it in order of relative importance. This finding is a further substantiation of the

value of applying statistical and sociological tools to solve the problems of the prosecutor.

5. The success of the Major Offense Bureau in the Bronx has been due to a number of factors: most importantly, police cooperation; administrative and operational support of the Major Offense Bureau by the District Attorney; and courtroom availability. Equally important has been the "esprit de corps" quality of prosecution produced by the Major Offense Bureau assistants who were stimulated by their knowledge that a clearly defined set of cases was under their control, capable of being monitored and evaluated. The referral criteria, based on the case evaluation system, has identified a particular set of cases for special handling and has demonstrated the success which can be achieved by properly allocating resources to classifiable types of cases.

6. Due to the fact that (1) cases are classifiable; (2) that criteria for referral have been objectively derived; (3) that referral criteria is applied uniformly to all cases; and (4) that the Major Offense Bureau is organizationally identifiable, the net result has been to produce better management information control and statistical reporting in this unit. Witness the publication of the first Major Offense Bureau Annual Report and the fact that reasons now are being recorded for the rejection of cases by the Major Offense Bureau.

7. The Case Evaluation Form itself has expanded into a multi-purpose form. Originally intended to collect the data necessary to weight cases for Major Offense Bureau referral, the form

rapidly assumed the function of a "case summary sheet", summarizing the facts of the case. Additionally, since reasons for rejecting a case by the Major Offense Bureau were collected on this form, it became a source document for the establishment of a statistical reporting system. A good test for the worthiness of forms is the number of uses to which they can be put or the number of needs they fulfill. It is apparent that, in this respect, the case evaluation form is meeting this test of worthiness.

RECOMMENDATIONS

1. In line with the Bronx District Attorney's pre-stated objective of developing a system of case evaluation for use by the entire office, it is recommended that this be done under controlled evaluation and on an experimental basis. As part of this activity, it is recommended that the Bronx District Attorney experiment with the establishment of other units addressing themselves to a classifiable set of cases to determine the feasibility of this type of approach to prosecution.

2. Since the case evaluation system has been primarily designed for Major Offense Bureau use, and secondarily for the entire office; and since a monitor for policy change should be incorporated into the system; and since all such systems benefit from more knowledge; it is recommended that the system be re-scaled and reanalyzed after 6 months of operation.

3. Because the system is subject to a certain amount of statistical error, it is recommended that monitoring procedures

be established (similar to quality control procedures) to identify not only those cases which were incorrectly referred to MOB but those cases which should have been referred to MOB and were not. The recording of this information would be invaluable to the research being performed in this area, as well as operationally valid for the Bronx District Attorney's Office.

4. Since the Case Evaluation Form serves a multi-purpose, and since the informational needs of the office are only minimally satisfied, it is recommended that this form be analyzed in depth and, from it, a statistical reporting system be designed to meet the many needs of the Bronx District Attorney's Office. Those needs not only refer to the operational functions in the office but management and planning as well.

5. The Case Evaluation Form records information regarding the reasons for rejection of a case by MOB and other disposition information, it is recommended that the disposition section of this form be examined and perhaps modified so that a copy of this secion can be forwarded to the appropriate law enforcement agency for its information, action and records.

6. Since the form is simple to complete, and since the information is available to and collected by the law enforcement agency in the course of its paperwork, it is recommended that the feasiblity of this Form being completed by the police agencies be studied. One apparent advantage of this recommendation is that the policy of the District Attorney is translated to the law

enforcement agencies. The arresting police officer or detective immediately knows whether he has a serious case in which the prosecutor is vitally interested.

7. Since case evaluation systems such as this are pioneers in applying this type of research to the prosecutor, it is recommended that the Bronx District Attorney's Office, continue its cooperation with the Center in exploring and analyzing the findings. The actual results of the Bronx implementation are of vast importance to the delineation of this case evaluation task.

METHODOLOGY AND WORK STATEMENT

This section describes the methodology and tasks performed by the National Center for Prosecution Management with the cooperation and assistance of the Bronx District Attorney's Office to satisfy the following objectives:

1. To establish a case ranking system for management and operational control of the Bronx District Attorney's Office;
2. To identify, by utilizing the case ranking system, cases which are to be referred to the Major Offense Bureau for intensive review and speedy prosecution;
3. To modify existing forms or design new forms to assist in case and trial preparation.

The tasks were broken down into sequential steps to be followed by NCPM staff members, consultants and members of the staff of the Bronx District Attorney's Office. The following steps outline the procedures followed.

STEP 1: Development of Criteria and Policy for Case Referral Determination

This step involved meetings with representatives of the Bronx District Attorney's Office to specify the criteria and prosecution policy that was to be the basis for referral of a case to the Major Offense Bureau. Written policy of the office was reviewed and analyzed for potential use in the system.

STEP 2: Classify Reference Criteria

Criteria and policy identified and developed in Step 1 were classified into 3 areas, i.e., those relating to (1) the nature of the case, (2) defendant evaluation and (3) evidentiary matters. Based on previous research, the experience of the Major Offense Bureau, and with the advice of staff and consultants, the preliminary data elements were selected within the classification system.

STEP 3: Initial Form Preparation

The form already in use with the original scoring system was adapted for this project. The elements considered important as a result of the data analysis were included in the expanded form. In order to permit the orderly operation of the Major Offense Bureau while this design and development effort was underway, it was decided that the test document (the form which would collect the information for the case ranking system), would be superimposed on the existing document. In this manner, the case ranking clerk could continue to rate cases without interruption while, at the same time, collecting the information necessary for this project. A copy of the data collection form MOB-1 is attached. The data elements without point

scores were added by the NCPM staff. The points on this form represent the subjective judgment of the Major Offense Bureau personnel.

STEP 4: Case Data Collection

Actual data collection was made from a sample of 300 cases sent to the Indictment Bureau over a period of approximately 3 weeks. It was assumed that this would constitute a representative enough sample to encompass the major proportion of serious felonies coming into the office. Not all of these 300 cases would be necessarily Major Offense Bureau material; nor were they expected to be. To ensure the adequacy of the Major Offense Bureau intake, all cases handled by the Major Offense Bureau since its inception were pulled and the data collected on form MOB-1 for transmittal to NCPM.

STEP 5: Case Priority of Importance Determined

The Chief of the Major Offense Bureau each day received the case folders of the selected cases. He reviewed each case and ranked it in order of importance on the back of the Form MOB-1. Using a scale of 1-5 points, he rated each case in two areas: (1) how serious the offense was, and (2) how serious the offender was. His third score was based on whether the case should be referred to MOB.

STEP 6: Coding, Keypunching and Verification

The case data was batched and transmitted to the Center for coding and transcription. Edit checks for completeness and consistency were developed by the Center and the systems analyst consultant at the University of Delaware. The forms were transmitted to the University of Delaware for keypunching, verification, coding, and processing on the computer.

STEP 7: Computer Analysis

A preliminary analysis of the data collected was designed and implemented by the NCPM consultants. Using statistical techniques which involved such methodologies as multiple regression analysis and automatic interaction detection (AID), the statistically significant variables were identified. Weights were assigned where the multiple regression analysis was used. The results were analyzed by the Center staff for reasonableness and meaning. This resulted in further computer analysis until the "bugs" were worked out to the satisfaction of all parties.

STEP 8: Review by Bronx District Attorney's Office Staff

The results of the preliminary analysis were presented to the Bronx District Attorney's Office staff. During the review, it was decided that the office needed three separate scores, one for the offense, one for the defendant and the third for referral to the Major Offense Bureau. The separate scales were preferable because, in many instances, the police rap sheet was not available at intake and was obtained only at a later date. In this way, the seriousness of the crime and the strength of the evidence could be immediately evaluated and some determination could be made.

STEP 9: Reanalysis of the Data

Based on the results of the meeting with the MOB Bureau Chief, the data were reanalyzed and the results of the analysis prepared for Major Offense Bureau review.

STEP 10: Review by Bronx District Attorney's Office Staff

The results of the analysis were presented to the Bronx District Attorney's Office staff. At this time, particular attention was given to the deviant cases. Each was examined individually and the reasons for deviance ascertained for the final analysis.

STEP 11: Final Analysis of the Data

Noting the results of the examination of deviant cases, appropriate corrections, edits and modifications were made to the data. A final computer analysis run identified the significant variables and assigned each an appropriate weight.

STEP 12: Case Evaluation Form

The case evaluation form as finally constructed was designed to serve the many purposes of this program. It included the significant variables and the weights for measuring the seriousness of the offense; the significant variables and weight for measuring the seriousness of the defendant; and the interactions which were statistically significant in identifying the referral criteria to MOB. In addition, because the form was serving other informational purposes, room was left to collect any additional data desired by the prosecutor even though not statistically significant for the case ranking system. Finally, since the action of an Assistant District Attorney on a case was being recorded and used for statistical and management purposes, space on the form was retained and expanded to include other dispositions. The form was sent to the MOB for review and approval. With the exception of the deletion of the interactions from the form - and the addition of desired information in the space left available,

little was changed. The form was sent to the printer and is identified as BCDA Form 53 dated September, 1974.

STEP 13: Forms Designs - Other

During the course of this project, the Center was given 3 forms currently being used by the Bronx District Attorney's Office and was asked to redesign and simplify them where possible. These forms were: (1) Fact Sheet, (2) Defendant Form, and (3) Witness Form. It was requested that the Witness Form be divided into two forms: (1) a Citizen Witness Form and (2) a Police Witness Form. During the course of the project, the NCPM redesigned the forms, reviewed them with the Bronx office staff and printed 10,000 for use, testing the evaluation (See attached).

STEP 14: Procedures Manual

A procedures manual for the use of the Case Evaluation Form has been prepared for persons whose duty it is to complete the form and for Assistants who must review the form.

ANALYSIS AND RESULTS OF THE CASE EVALUATION SYSTEM

Prior to the participation by the National Center, the Major Offense Bureau had developed a form which assigned point scores to elements of a case in three major areas: (1) the nature of the case, (2) the defendant evaluation, and (3) the strength of the case. The points were assigned by the chief of the Major Offense Bureau, based upon his subjective assessment and prosecutorial policy. One of the purposes of the statistical analysis performed by the Center was to examine the point scores previously set by MOB, to determine if they were statistically significant and, to modify the weights

to reflect with statistical accuracy the policy of the District Attorney.

The second purpose of the analysis was to identify those cases to be referred to the Major Offense Bureau for review and action. In order to perform a statistical analysis, it was necessary to redesign the form used by MOB at the time. This gave the Center an opportunity to incorporate additional data elements which were considered as having potential significance in the evaluation of cases based upon past research and the experience of the Center and its consultants. Therefore, a new form entitled "The MOB Offense Evaluation Form" was designed and printed for MOB use. This form collected the basic information necessary for the statistical analysis of the scaling systems. It should be noted that the original point scores were maintained for operational purposes. The added data elements were not assigned weights. These would be generated after statistical analysis.

A sample of 300 cases was used to perform the analysis and to develop the scales. This sample was selected on a daily basis from all cases which were presented to the Indictment Bureau. For each case the Major Offense Bureau evaluation form was completed by a ranking clerk in the Criminal Court Complaint Room. The case was then forwarded to the Chief of the Major Offense Bureau. He reviewed each case and ranked it in terms of: (1) seriousness of the offense, (2) the criminal record of the defendant, and (3) whether the cases should be referred to the Major Offense Bureau.

After his review, the MOB evaluation forms were sent to the Center, where they were transcribed and coded and forwarded to the

University of Delaware for processing and analysis. The following describes the analysis, techniques and the results.

The data received from the coders was initially examined for consistency and completeness. A univariate analysis was then performed to derive the distribution of each of the 72 possible variables, and to determine if any inconsistent values were present in the data set. Some were found and were subsequently corrected.

Some additional problems were also uncovered. First, in cases where multiple defendants appeared only one set of individual or defendant data was supplied. In other cases the defendants were described separately for the same crime. Secondly, many of the scores used by the Bronx office for the various sub-totals and totals were calculated incorrectly. An attempt was made to properly compute those scores since any clerical error would profoundly affect the operating system. Similar errors were found when the numbers of victims, persons intimidated and weapon data were scrutinized.

After stage one was completed, a total of 254 cases were available for statistical analysis. The next task was to predict urgency for prosecution using the crime score developed by the existing office system. If the weights assigned were correct and the effect was additive then a large portion of urgency would be explained by the score. A regression analysis determined that by using the original MOB scores only 5% of the variation in urgency could be explained by the crime score. In fact, no statistically reliable prediction of urgency could be made using the crime score as it was being computed.

Similar results were found for the defendant and evidentiary sections of the form. There was one alternative explanation for the failure of the original scores to explain so little of the original variance; that is, the clerical process which produced these scores was so error prone that the scores were somewhat random. This alternative was not pursued in the analysis; it was noted.

The second step in the analysis was to determine whether the Sellin-Wolfgang weights were more appropriate. These were computed for each case and a second regression was run. The explained variation increased to 7%, an improvement which was far from being operationally acceptable. At this point, a set of possible alternative explanations for the poor performance in predicting urgency was isolated.

1. The prosecutor randomly assigned urgency scores without regard to the variables measured here.
2. The model was highly interactive - meaning that nonadditive combinations of characteristics lead to high urgency.
3. An entirely new set of weights was required.

Discussions with the scoring prosecutor eliminated alternative one as a possible explanation. He clearly had a consistent manner of assigning urgency. An A.I.D. analysis indicated that while some interaction was present an additive model would probably suffice. Thus the search for alternative models for predicting the seriousness of a crime and defendant began. Since there were

72 different variables which could be introduced into the equations, a procedure was followed to select the variables which were most closely correlated to urgency. If two variables were highly correlated with one other and with the dependent variable, only one was used. Others were simply eliminated after reviewing factor analytic models, A.I.D. models, and subgroup regression models. In addition, decisions were made as to the appropriate form of the variable. Some which were originally continuous variables (i.e. victims ran from 1 to 6) were dichotomized into no victims and one or more victims since, according to the data, that best described the way the prosecutor seemed to evaluate the case. This process was followed for each and every variable of each model ensuring the best possible fit. The result was two models both predicting accurately 60% or more of the time. The improvement represented a quantum jump from the 5% figure obtained from the existent system.

The new equations were very simple to use since they were additive and all of the components were yes-no variables. That is, if a variable applied to the crime or individual, the appropriate score was added. If not, nothing was added. This had the effect also of eliminating at least 90% of the clerical error which was possible under the old system.

The final objective of the study was to develop a system for referring cases to the Major Offense Bureau. The dependent variables were dichotomous in this case with each indictment receiving a 1 if it was to be referred to the Major Offense Bureau and 0 otherwise. A variety of models were tested which would aid

the prosecutor in determining systematically whether a case should go to MOB or not. Both additive (regression) and interaction (A.I.D.) techniques were used. The first of the two models suggested for use was a combination of intuitive and systematic approaches. This model automatically excludes all cases except rape, attempted murder, robbery and assault. Only cases in these categories are ever referred to the Major Offense Bureau (based on the sample cases analyzed). The final decision, after this initial cut depends on a combination of the crime, injury to the victim and previous record of the defendant. This system will accurately predict 90% of the time. A second model was also tested. In this system cases may be referred to MOB when the product of the first two equations (crime scores times criminal scores exceeds 1000). This assumes a maximum score of 2500 (50 x 50) for the worst crime and the worst criminal. This system predicts accurately approximately 75% of the time when rape cases are automatically assigned a value significant to send them to the Major Offense Bureau. This first model was recommended to the Bronx because of its more precise predictive power although it is somewhat more complex.

Table A shows the conditions for referral to MOB under the first model. This analysis demonstrated that the criteria for referral of cases to the Major Offense Bureau, is actually based upon 4th and 5th order interactions rather than additions of simple first order effects.

TABLE A

CRITERIA FOR REFERRAL TO
MOB BASED ON AID ANALYSIS. *

/__/ RAPE

/__/ ATTEMPTED MURDER and VICTIM HOSPITALIZED and DEFENDANT HAS PRIOR CONVICTIONS.

/__/ ROBBERY

/__/ A) Victim hospitalized and defendant has prior convictions.

/__/ B) Victim treated and released and defendant has 3 or more convictions.

/__/ C) Defendant carried weapon and has prior felony conviction.

/__/ D) Defendant carried weapon and has prior arrest for violent crime.

/__/ ASSAULT if victim hospitalized and defendant has prior felony conviction

---

* Rape cases are based on office policy, not as a result of AID analysis.

Of particular interest in examining the interactions is the fact that the prosecutor judges cases in terms of the seriousness of the crime and the seriousness of the defendant's record. For less serious crimes, greater emphasis is placed on "how bad" the defendant is. For more serious crimes, less emphasis is placed on the defendant's prior record.

An example of this phenomenon are the weights assigned to the four classes of robbery. The more serious robbery offense places less weight on the record of the defendant than does the least serious type of robbery.

Table B presents a summary analysis of data items on the Major Offense Bureau form. The form which was used to collect the data for the analysis contained 72 data items. 43 had been originally weighted by the prosecutor prior to NCPM involvement. Twenty-nine items were added at the suggestion of the Center. After the analysis was performed, 23 data items received new weights and the other 49 were deleted as not significant for the scoring system. Thus the original 72 data items collected by the prosecutor were reduced to 23. In terms of the original system, a 56% reduction in data collection was obtained from the statistical analysis.

Table C identifies the items which were found to be statistically significant and added to the MOB form. It should be noted that items which detracted from the prosecutor's case showed up as a negative value in the analysis - a logical result

TABLE B

SUMMARY OF ANALYSIS

Data Items on MOB Form

	Weighted	Not Weighted	Total
Number of Data Items	43	29	72
Number Receiving New Weights.....	19	4	23
Number Deleted as not Significant	24	25	49

TABLE C

ITEMS ADDED TO CASE EVALUATION FORM
AS STATISTICALLY SIGNIFICANT WITH WEIGHTS

Items	Weights
Victim Injury	
Received minor injury	2.4
Treated and released	3.0
Identification - lineup	3.3
Exculpatory evidence present	-5.0

which supports the soundness and validity of the statistical procedures. For example, the existence of exculpatory evidence weakens the cases and this is shown by the analysis as minus 5 points.

Table D identifies those items which are not statistically significant and which could be deleted from the MOB evaluation form. It should be noted that the majority of the items were offense-oriented or crime-specific: for example, burglary, arson and kidnapping. The Sellin-Wolfgang scale is not crime specific and focuses on the extent of injury, property loss and damage. Thus it is not surprising that the crime specific data would not be significant in this evaluation. The other items not statistically significant were basically items which determined the strength of the case, such as evidentiary matters. This is not to say that they were not important for case or trial preparation by the individual prosecutor; it merely means that they were not statistically significant.

Table E is a comparative analysis of the original and the revised rates for the selected data elements. While the original weights assigned intuitively by the prosecutor were in the right direction, many scores needed to be revised and refined. A number of weights were fairly accurate while the rest were re-scaled. For example, the original form assigned 10 points for each victim hospitalized while the revised analysis showed a weight of 4.2. The original form assigned 10 points for a loaded weapon; the revised analysis gave 15.7 points, and included

TABLE D

ITEMS NOT STATISTICALLY SIGNIFICANT
ON MOB EVALUATION FORM

Item	MOB Weights
Victim Law Officer	2
Attempted murder of officer	10
Weapon	
Knife	5
Other	3
Burglary	
Night Time	10
Forcible entry	5
Church, school, public building	5
Arson	
Dwelling or public building	10
Person present	10
Extensive property damage	5
Kidnapping	10
Time of abduction if in excess of 12 hours	5
Ransom demanded	10
Victim under 12 years	5
Sexual abuse	5
Weapon recovered	5
At scene	3
From defendant	5
Property recovered	1
At scene	5
From defendant's person	10
Elsewhere, but connected to defendant	5
Crime observed by police officer	5
Fingerprints recovered	10

TABLE E

COMPARATIVE ANALYSIS OF
ORIGINAL AND REVISED WEIGHTS

MOB ORIGINAL		REVISED	
Victim			
No. of victims (each)	1	One or more victims	2
Hospitalized	10	Hospitalized	4.2
Intimidation			
No persons (each)	1	One or more persons	1.3
Weapon			
Gun loaded	10	Fired shot, carried loaded gun or explosives	15.7
Value of Stolen Property			
Under $250	1	Any value	7.5
$250 - $1499	2		
$1500 - $25,000	3		
Over $25,000	10		
Prior Relationship			
Between defendant and victim	-5	Victim and defendant same family	-2.8
Arrest			
At scene	10	At scene	4.6
Within 24 hours	3	Within 24 hours	2.9
Evidence			
Admission or statement	5	Admission or statement	1.4
Additional witnesses	5	Additional witnesses	3.1
Defendant			
Felony conviction (for each)	10	Felony conviction	
		one	9.7
		more than one	18.7

TABLE E

(continued)

MOB ORIGINAL		REVISED	
Defendant (Con't)			
Misdemeanor convictions (for each)	5	Misdemeanor convictions	
		one	3.6
		more than one	8.3
Prior arrests same as charged for each	5	Prior arrests same as charged	
		one	4.5
		more than one	7.2
Prior arrests - weapons top charge, for each	3	Prior arrests - weapons top charge, more than one	6.4
Status when arrested		Status when arrested	
State parole	3	State parole	7.1
Wanted	1	Wanted	4.2

situations where a shot was fired, a loaded gun was carried or explosives were used. Prior relationships between the defendant and the victim was given a negative 5 on the original form and statistically showed negative 2.8. Arrest within 24 hours was given 3 points by the prosecutor originally; statistically it scaled 2.9. In all, the comparative evaluation supported the Center's basic assumption: a prosecutor knows how he ranks cases. Statistical analysis can properly quantify this intuitive process and eliminate the potential for arbitrary choices.

A proposed evaluation form was designed and sent to the Bronx District Attorney's Office reflecting the results of these statistical analyses. The Center recognized that the prosecutors in the Major Offense Bureau used and depended upon the evaluation forms, not just as a statistical tool, but as a ready reference for summarizing the facts of a case and the materials in the case jacket. The evaluation form, in effect, served a dual purpose. Because of this, the form was designed to contain not only the statistically significant data elements which were essential for the case evaluation system, but also space for the prosecutor to incorporate other items of information which were not statistically significant but were of importance to him.

The original draft reserved space for the Chief of the Major Offense Bureau to add supplemental information. After reviewing the draft, the Bronx office decided that it did not want to use the interactive model and selected the multiplicative model. They also recommended that the data element weighting the

presence of "exculpatory evidence" be eliminated since the non-legal ranking clerk would not be capable of making this evaluation. This item was eliminated as requested.

Finally, the Bronx form was designed so that the action of the Assistant District Attorney screening the cases could be reported in writing. This feature increases the management control of the Bronx District Attorney's Office and allows the form to serve as a vehicle for informing other components of the criminal justice system of the reasons why a decision was made.

APPENDICES

M.O.B. OFFENSE EVALUATION

APPENDIX 1

DOCKET NO. _____ INDICTMENT NO. _____

PEOPLE vs. _____ CHARGE _____ DATE _____

Please record those points which apply to your case. Where there are multiple defendants, compute a base on defendant with most serious offense(s).

A. NATURE OF CASE

Victim

		(for each)
___ 1.10	No. of victims	1 pt
___ 1.11	Receiving minor injuries	
___ 1.12	Treated and released	
___ 1.13	Hospitalized and/or permanent injury	10 pts.
___ 1.20	Law Officer?	2 pts.
___ 1.21	Attempted murder of officer	10 pts.

Intimidation

		(for each)
___ 2.10	No. of persons intimidated	1 pt

Weapon

___ 3.10	Gun	
___ 3.11	Loaded (any not recovered)	10 pts.
___ 3.20	Knife	5 pts.
___ 3.30	Other (club, billy, etc.)	3 pts.
___ 3.40	Bomb or explosive	10 pts.

Burglary (Must be dwelling)

___ 4.10	Night-time	10 pts.
___ 4.20	Evidence of forcible entry	5 pts.
___ 4.30	Church, School, Public Building	5 pts.
___ 4.40	No. of premises burglarized	

Arson

___ 5.10	Dwelling or Public Building	10 pts.
___ 5.20	Person present	10 pts.
___ 5.30	Extensive property damage	5 pts.

Value of Stolen Property

___ 6.10	Under $250	1 pt.
___ 6.20	$250 to $1499	2 pts.
___ 6.30	$1500 to $25,000	3 pts.
___ 6.40	Over $25,000	10 pts.

Kidnapping

___ 7.10	Kidnapping	10 pts.
___ 7.20	Time of abduction if in excess of 12 hours	5 pts.
___ 7.30	Ransom demanded	10 pts.
___ 7.40	Victim under 12 years	5 pts.
___ 7.50	Sexual abuse	5 pts.

Sex Crimes

___ 8.10	Rape or sodomy (no prior relationship between parties)	
___ 8.20	Other sexual assault	

A. SUB-TOTAL _____

B. DEFENDANT EVALUATION

Prior Criminal Record

___ 1.10	Felony conviction	(for each)	10 pts.
___ 1.20	Misdemeanor convictions	(for each)	5 pts.
1.30	Number of prior arrests—		
___ 1.31	Same as charged	(for each)	5 pts.
___ 1.32	Violent crimes	(for each)	5 pts.
___ 1.33	Weapon (top charge)	(top charge)	3 pts.
___ 2.0	Evidence of Drug Addiction		1 pt.
___ 3.0	Principal Participant (multiple defendant cases)		3 pts.

Defendants Status When Arrested

___ 4.10	Pending cases	4 pts.
___ 4.20	Probation	2 pts.
___ 4.30	State parole	3 pts.
___ 4.40	Wanted	1 pt.

B. SUB-TOTAL _____

C. STRENGTH OF CASE

Prior Relationship

___ 1.10	Spouse	
___ 1.20	Other family	
___ 1.30	Neighbor	
___ 1.40	Friend	
___ 1.50	Acquaintance	
___ 1.60	Other	

Identification

___ 2.10	Line up	
___ 2.20	Photograph	
___ 2.30	On or nearby scene	
___ 2.40	Other	
___ 2.50	No. of persons making I.D.	
2.60	Time delay of I.D.	
___ 2.61	Hours	
___ 2.62	Days	
___ 2.63	Week	
___ 2.64	More than one week	

Weapon Recovered

___ 3.10	Recovered	5 pts.
___ 3.20	At scene	3 pts.
___ 3.30	From defendant	5 pts.

Property Recovered

___ 4.10	Recovered	1 pt.
___ 4.20	At scene	5 pts.
___ 4.30	From defendant's person	10 pts.
___ 4.40	Elsewhere, but connected to defendant	5 pts.

Prior Relationship Between Defendant and Victim

* Not to be deducted if relationship is only relevant on issue of identity — 5 pts.

Arrest

___ 6.10	At scene	10 pts
___ 6.20	Within 24 hours	3 pts.
___ 6.30	Crime observed by Police Officer	5 pts.

Supporting Evidence

___ 7.10	Admission of statement	5 pts.
___ 7.20	Additional witnesses	5 pts.
___ 7.30	Fingerprints recovered	10 pts.
___ 7.40	Other scientific or incriminating evidence	
___ 7.50	Exculpatory evidence present	

C. SUB-TOTAL _____

D. TOTAL _____

E. DISTRICT ATTORNEY'S EVALUATION OF CASE (Range = +15 to −15) (SCORE) _____

FINAL SCORE _____

RANKING CLERK _____

A.D.A. NOTICED

Action by A.D.A.:

Accepted for M.O.B. _____ Rejected _____

Reasons: _____

BRONX CASE EVALUATION

APPENDIX 2

DOCKET NO._____ INDICTMENT NO._____

PEOPLE v._____ CHARGE_____ DATE_____

Please record those points which apply to your case. Where there are multiple defendants, compute a base on the defendant with the most serious offense(s).

A. NATURE OF CASE	check if applicable	pts.
VICTIM		
one or more persons	☐	2.0
VICTIM INJURY		
received minor injury	☐	2.4
treated and released	☐	3.0
hospitalized	☐	4.2
INTIMIDATION		
one or more persons	☐	1.3
WEAPON		
defendant armed	☐	7.4
defendant fired shot or carried gun, or carried explosives	☐	15.7
STOLEN PROPERTY		
any value	☐	7.5
PRIOR RELATIONSHIP		
victim and defendant - same family	☐	–2.8
ARREST		
at scene	☐	4.6
within 24 hours	☐	2.9
EVIDENCE		
admission or statement	☐	1.4
additional witnesses	☐	3.1
IDENTIFICATION		
line-up	☐	3.3
TOTAL CASE SCORE		_____

B. NATURE OF DEFENDANT

FELONY CONVICTIONS		
one	☐	9.7
more than one	☐	18.7
MISDEMEANOR CONVICTIONS		
one	☐	3.6
more than one	☐	8.3
PRIOR ARRESTS - SAME CHARGE		
one	☐	4.5
more than	☐	7.2
PRIOR ARRESTS		
one	☐	2.2
more than one	☐	4.2
PRIOR ARREST-WEAPONS TOP CHARGE		
more than one	☐	6.4
STATUS WHEN ARRESTED		
state parole	☐	7.1
wanted	☐	4.2
TOTAL DEFENDANT SCORE		_____

C. REFER TO M.O.B. IF ANY OF THE FOLLOWING CONDITIONS APPLY:
(check those applicable-offense is most serious charge)

- ☐ FORCIBLE SEXUAL OFFENSES BETWEEN UNRELATED PARTIES
- ☐ ARSON WITH SUBSTANTIAL DAMAGE OR HIGH POTENTIAL FOR INJURY
- ☐ CHILD ABUSE, CHILD SEVEN OR UNDER
- ☐ MULTIPLE ROBBERIES OR BURGLARIES

D. SUMMARY INFORMATION

NO. OF VICTIMS _____
- ☐ received minor injury
- ☐ treated and hospitalized
- ☐ hospitalized and/or permanent injury
- ☐ law officer
- ☐ attempted murder of officer

WEAPON
- ☐ gun
- ☐ knife
- ☐ bomb or explosive
- ☐ other_____

BURGLARY
- ☐ night-time
- ☐ evidence of forcible entry
- ☐ Church, School, Public Bldg.
- ☐ no. of premises burglarized

VALUE OF STOLEN PROPERTY	recovered	not
☐ under $250	☐	☐
☐ $250 to $1499	☐	☐
☐ $1500 to $25,000	☐	☐
☐ over $25,000	☐	☐

PRIOR RELATIONSHIP
- ☐ other family
- ☐ neighbor
- ☐ friend
- ☐ acquaintance
- ☐ other

IDENTIFICATION
- ☐ photograph
- ☐ on or nearby scene
- ☐ other
- ☐ no. of persons making I.D. _____
- ☐ time delay of I.D._____

SUPPORTING EVIDENCE
- ☐ crime observed by police officer
- ☐ fingerprints recovered

E. DISTRICT ATTORNEY'S EVALUATION_____

TOTAL SCORE _____

RANKING CLERK_____

A.D.A. NOTICED yes☐ no☐

ACTION BY A.D.A.:
- ☐ accepted ☐ furthered
- ☐ rejected ☐ referred to M.O.B.

reasons:_____

APPENDIX 3(a)

OFFICE OF THE DISTRICT ATTORNEY OF BRONX COUNTY, N.Y.
FACT SHEET

DATE: | DOCKET NUMBER:
ASST. D.A. | INDICTMENT NUMBER:

I. DEFENDANT(S)

NAME (LAST, FIRST, MIDDLE)	AGE	ADDRESS (INCLUDE APT. NO.)	PRED FELON

II. CRIME FACTS

	TIME	DATE	LOCATION (DETAILED)
OFFENSE:			
ARREST:			

BASIS FOR ARREST

III. EVIDENCE

WEAPONS (OPERABLE?)	DESCRIBE	RECOVERED: WHERE/WHEN/WHO	
PROPERTY	DESCRIBE	RECOVERED: WHERE/WHEN/WHO	
STATEMENTS	TO WHOM	TIME/DATE/LOCATION	NATURE

INJURIES SUSTAINED

IV. WITNESS

POLICE – IDENTIFY BY ARRESTING (A) – PARTNER (P) – EXPERT (E) – FIRST AT SCENE (F)

NAME	SHIELD	COMMAND	ASSIGNMENT	TYPE

CITIZEN NAME	AGE	ADDRESS (INCLUDE APT. NO.)	PHONE	TYPE

V. IDENTIFICATION FOR EACH WITNESS

NAME	TIME	DATE	TYPE	LOCATION	WADE PROBLEM(S)

VI. CRIMINAL COURT

DATE AND PART	ASST. D.A.	JUDGE	DEFENSE ATTORNEY	
ADJ DATE AND PART	REPORTER	NOTICE 190, 710, MOB	BAIL REQ.	BAIL SET

VII. GRAND JURY

ASST. D.A.	REPORTER	INTERPRETER	PANEL	DATES PRES.
EXHIBITS				VOTE
WITNESSES (DETAILS IF NOT LISTED IN IV)				SIGNED
DEFENDANT TESTIFY?	RELEASE G.J. MINUTES TO DEFENSE?	IF NO, WHY?		

APPENDIX 3(b)

OFFICE OF THE
DISTRICT ATTORNEY
OF BRONX COUNTY, N.Y.
DEFENDANT FORM

DATE:
ASST. D.A.
CHARGE(S)
INDICTMENT NO.
DOCKET NO.

I. IDENTIFICATION

DEFENDANT'S TRUE NAME (LAST, FIRST, MIDDLE)
D O B (MO DY YR)
HT
WT
RACE
S#
NYS IIS #
DEFENDANT'S STATED NAME OR ALIAS
RESIDES WITH (NAME AND RELATIONSHIP)
ADDRESS (INCLUDE APT. NO.)
PHONE NO.
NON LOCAL
MARITAL STATUS LIST SPOUSE AND CHILDREN BY NAME AND AGE (IF ANY)
LANGUAGE
INTERPRETER NEEDED
[ ] YES [ ] NO

II. WORK STATUS

EMPLOYER'S NAME	ADDRESS	PHONE	NATURE OF WORK	HOW LONG	SALARY (HR DY/WK)
IF UNEMPLOYED LAST EMPLOYER'S NAME	ADDRESS	PHONE	NATURE OF WORK	HOW LONG	SALARY (HR DY/WK)
IF WELFARE: CENTER NAME	ADDRESS	PHONE	CASE WORKER	REC'D LAST	AMOUNT

IF NO WELFARE, DESCRIBE MEANS OF SUPPORT

III. PERSONAL DATA

LEVEL OF EDUCATION	MILITARY: BRANCH	YEARS	TYPE OF DISCHARGE	DECORATIONS	PRESENT STATUS
NARCOTICS HISTORY TYPE:	DAILY USE AND COST	YEARS	SUPPORT METHOD	DRUG PROGRAMS (PAST AND PRESENT)	

PSYCHIATRIC HISTORY (DESCRIBE COMPLETELY)

PHYSICAL HISTORY (DESCRIBE BRIEFLY)

DEMEANOR: (1) PHYSICAL (2) SPEECH (3) CREDIBILITY
MEMBER OF GANG OR NOTORIOUS ORGANIZATION

IV. CRIMINAL HISTORY (ACCORDING TO DEFENDANT)

JUVENILE (UNDER 16) HISTORY			ADULT HISTORY				
NO. OF ARRESTS	CHARGES	INCARCERATION	NO. OF ARRESTS	NO. CONVICTIONS	NO. TIMES SENT TO PRISON	NO. PLEAS	NO. TRIALS

FOR EACH CASE (USE RAP SHEET AS REFERENCE WHEN POSSIBLE)

DATE	CHARGE	FACTS	DISPOSITION

NUMBER PENDING CASES	BAIL OR PAROLE	CHARGES	ATTORNEY(S)	COURTS

ON PROBATION: CHARGE	NAME OF PROBATION OFFICER	CHARGE	NAME OF PROB. OFFICER
PRESENT		PAST	

V. THIS CASE

	TIME OF CRIME	TIME OF ARREST	UNDER INFLUENCE
ALCOHOL CONSUMPTION			NARCOTICS
	VERBAL		PHYSICAL
REACTION TO ARREST			

	WHO	WHERE	WHEN
DEFENSE ALIBI ALIBI			

BRONX D.A. OFFICE — FORM MOB-5 1/74

STATEMENT OF WITNESS: (CONTINUED)

APPENDIX 3(c)

OFFICE OF THE
DISTRICT ATTORNEY
OF BRONX COUNTY, N.Y.
CITIZEN WITNESS FORM

DATE | DOCKET (INDICTMENT) NUMBER

ASST. D.A. | DEFENDANT(S)

I. WITNESS

NAME (LAST, FIRST, MIDDLE) | DOB MO DY YR | SEX | HT | WT | RACE | LANGUAGE | INTERPRETER NEEDED? [ ] YES [ ] NO

ADDRESS (INCLUDE APT. NO.) | PHONE NO. RES: BUS. | HOW LONG? | ALTERNATE CONTACT NAME: ADDRESS: PHONE:

MARITAL STATUS | LIST SPOUSE AND CHILDREN BY NAME AND AGE (IF ANY) | YEARS MARRIED | RESIDES WITH WHOM AND RELATIONSHIP

II. WORK STATUS

EMPLOYER'S NAME | ADDRESS | PHONE | NATURE OF WORK | HOW LONG? | SALARY (HR/DY/WK)

IF UNEMPLOYED, LAST EMPLOYER'S NAME | ADDRESS | PHONE | NATURE OF WORK | HOW LONG? | SALARY (HR/DY/WK)

IF WELFARE: CENTER NAME | ADDRESS | I.D. NO. | CASE WORKER | REC'D LAST | AMOUNT

IF NO WELFARE, DESCRIBE MEANS OF SUPPORT:

III. PERSONAL DATA

LEVEL OF EDUCATION | MILITARY: BRANCH | YEARS | TYPE OF DISCHARGE | DECORATIONS | PRESENT STATUS

NARCOTIC HISTORY: TYPE | DAILY USE AND COST | YEARS | SUPPORT METHOD | DRUG PROGRAMS (PAST AND PRESENT)

PSYCHIATRIC HISTORY (DESCRIBE COMPLETELY)

PHYSICAL HISTORY (DESCRIBE BRIEFLY)

DEMEANOR AND CREDIBILITY PROBLEMS | MEMBER OF GANG OR NOTORIOUS GROUP | ALCOHOL CONSUMPTION DAY OF: INCIDENT ID INTERVIEW

III. CRIMINAL RECORD (ACCORDING TO WITNESS)

JUVENILE (UNDER 16) HISTORY: NO. OF ARRESTS | CHARGES | INCARCERATION

ADULT HISTORY: NO. OF ARRESTS | CHARGES | INCARCERATION

PRIOR RELATIONSHIP TO DEFENDANT AND/OR WITNESS(ES)

STATEMENT OF WITNESS: RELATE IN DETAIL THE COMPLETE STATEMENT OF THE WITNESS AND INCLUDE THEREIN THE FOLLOWING: FACTS LEADING UP TO THE INCIDENT, TIME SEQUENCE, LOCATIONS, DESCRIPTIONS, LIGHTING CONDITIONS, DETAILS OF ALL OUT OF COURT IDENTIFICATIONS AND REACTION TO THE CRIME. INCLUDE ANY MAJOR PROBLEMS WITH THIS WITNESS.

PROBLEMS IN CASE

VIII. FACTS OF THE CASE

APPENDIX 3(d)

OFFICE OF THE
DISTRICT ATTORNEY
OF BRONX COUNTY, N.Y.
POLICE WITNESS FORM

DATE

DOCKET NUMBER

ASST. D.A.

DEFENDANT(S)

I. WITNESS

NAME (LAST, FIRST, MIDDLE)	PHONE-RES.	DOB MO DA YR	HT	WT	RACE	MILITARY SERVICE BRANCH	YRS.
ADDRESS (INCLUDE APT. NO.)	PHONE-BUS.	MARITAL STATUS # OF CHILDREN				DECORATIONS	
SHIELD NO. / COMMAND	RANK	COMMENDATIONS FOR VALOR					
ASSIGNMENT (INCLUDE RMP NO., SECTOR, DRESS)						YEARS ON FORCE	
TOUR OF DUTY / EXPECTED VACATION	DAYS OFF	CHART	NO. OF ARRESTS	NO. OF TIMES TESTIFIED: CRIM CT	GRAND JURY	SUPREME CT	
PARTNER'S NAME (LAST, FIRST, MIDDLE)	SHIELD NO.	PRIOR RELATIONSHIP TO DEFENDANT OR WITNESS(ES)					
EVALUATION OF: (1) CASE	(2) DEFENDANT	(3) WITNESS(ES)					

DEMEANOR AND CREDIBILITY PROBLEMS

LIST ALL FORMS COMPLETED BY POLICE OFFICER

STATEMENT OF WITNESS: RELATE IN DETAIL THE COMPLETE STATEMENT OF THE WITNESS AND INCLUDE THEREIN THE FOLLOWING: FACTS LEADING UP TO THE INCIDENT, TIME SEQUENCE, LOCATIONS, DESCRIPTIONS, LIGHTING CONDITIONS, DETAILS OF ALL OUT OF COURT IDENTIFICATIONS AND REACTION TO THE CRIME, INCLUDE ANY MAJOR PROBLEMS WITH THIS WITNESS. (REVERSE SIDE MAY BE USED)

RELATE TO EXTENT AVAILABLE THE DEFENDANT'S VERSION OF FACTS IN DETAIL. MUST INCLUDE THE FOLLOWING INFORMATION:
1. STATEMENTS (TO WHOM, WHERE, WHEN, ADMISSIBILITY)
2. DEGREE OF KNOWLEDGE OF INCIDENT
3. RELATIONSHIP TO PHYSICAL EVIDENCE
4. WITNESS(ES) TO DEFENSE

Appendix 4 - Results of AID Analysis

4 (a)--Results of AID* Analysis to Identify MOB Referral Criteria

(Numbers Indicate Responses)

1. Is most serious charge a crime against person?

   Yes (241) Continue
   No (87) Reject

2. Is most serious charge rape?

   Yes (26) MOB
   Yes (attempted rape or sodomy) (6) Reject
   No (209) Continue

3. Is most serious charge kidnap?

   Yes (6) Reject
   No (203) Continue

4. Is most serious charge attempted murder?

   Yes (32) Q 4a
   No (171) Continue Q 5

4a. Was victim hospitalized and did defendant have any previous conviction?

Results 4a

Hosp

Prev Conv	Yes	No	Total
Yes	2	8	10
No	16	6	22
Total	18	14	32

Actual

Predicted	1	2
1	2	0
2	2	28

Yes to both (2) MOB
No (30) Reject

5. Is most serious charge robbery?

Yes (88) go to Q 5a
Yes (attempted or 2nd) (14) Reject
No (69) Continue go to Q 6.

5a. Was defendant hospitalized and any previous record.

Yes (6) MOB
No (82) Continue 5b

5b. Was defendant hospitalized or treated and released, and at least three convictions?

Yes (4) MOB
No (78) Continue 5c

5c. Did the defendant have a weapon and does he either have a felony conviction or arrest for violent crime?

Yes (17) MOB
No (61) Reject

6. Is most serious charge assault?

Yes (69) go to Q 6a
No (0)

6a. Was victim hospitalized and did defendant have weapon and does defendant have felony conviction?

Yes (8) MOB
No (61)

4 (b) - Summary of AID

Reject		Error Type I	Error Type II
87	Not a crime against person	0	0
6	Attempted rape or sodomy	1	0
6	Kidnap	1	0
30	Not hosp. or no prev. conv.(att. murder)	2	0
14	Attempted robbery or 2nd degree	1	0
61	Robbery criteria fail	2	0
61	Assault criteria fail	1	0
265			
Accept			
26	Rape	0	0
2	Attempted Murder	0	0
6	5a	0	2
4	5b	0	1
17	5c	0	11
8	6a	0	3
63			

4 (c)- Summary of Predictive Value of Criteria

If Form Says:	Then Actual Result is: To MOB	Not to MOB	Total
To MOB	46	17 2/	63
Not To MOB	8 1/	257	265
Total	54	274	328

1/ Type I error

2/ Type II error

END