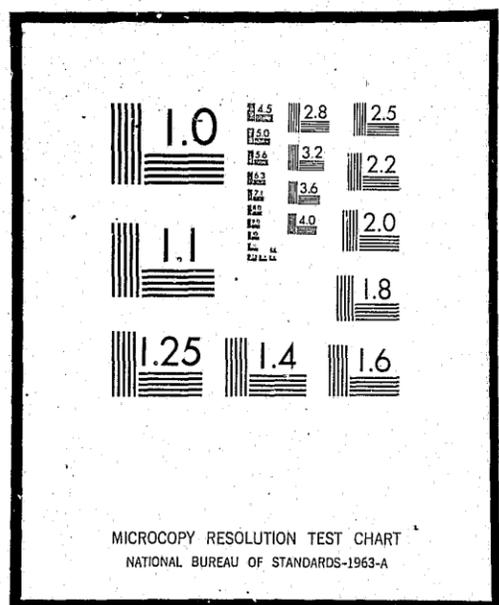


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MITRE Technical Report  
MTR-6872

## AN ANALYSIS OF RECORD-KEEPING IN FELONY COURT CASES

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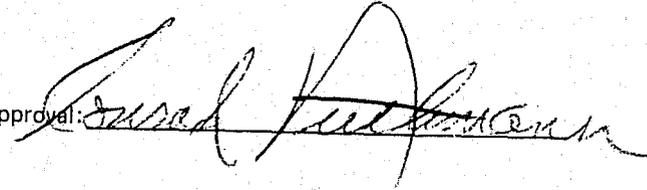
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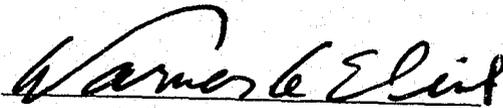
ABSTRACT

This is a report of a study of the record-keeping operations in the felony court cases of a major metropolitan jurisdiction. The study was undertaken to ascertain the accessibility and accuracy of manual records and computerized records of adult criminal cases. Individual case records of a random sample that was representative of the overall population were the basis of the study. Problems in the record-keeping operations are defined and solutions are suggested.

Department Approval:



MITRE Project Approval:



## ACKNOWLEDGMENT

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EXECUTIVE SUMMARY

This report presents the findings and conclusions resulting from a study of the record-keeping operations in the felony court cases of a major metropolitan jurisdiction. The purpose of the study was to determine the accessibility and accuracy of individual case records in adult criminal cases. The manual and computerized records of a random sample representative of the total population were compared and analyzed.

The study resulted in findings of incompleteness, inconsistency, error, and delay in retrieval of records. The accuracy of the case record was questionable in 100 percent of the manual case records examined and in 96 percent of the computer records.

The conclusions are that the accessibility of records is generally inadequate, that the reliability and validity of manual records are questionable, that the method of input of manual data into the computer requires improvement, and that the absence of error detection procedures is a serious deficiency.

The problems in the record-keeping operations can have an impact on the cost and efficiency of the justice process and perhaps on the quality of justice as well.

Solutions that address these problems are suggested. These include a) a centralized storage system with identified administrative responsibility and accountability, b) an organizational unit with data quality audit responsibility, c) an expanded use of computer files, and d) an improved procedural system for entering data.

Two appendix sections containing detailed data displays are included in the report.

## I. INTRODUCTION

### A. Purpose of the Report

The purpose of this report is to present the findings that resulted from a study of the record-keeping operations with respect to felony court cases in a major metropolitan jurisdiction.

### B. Nature of the Study

The study was undertaken to determine the accessibility and accuracy of individual records in adult criminal cases. Since the primary sources of such records are the case file folders (manual records) and the computerized case records, these records constituted the major source for this study. A third source, the District Attorney file, was used only for cross-reference purposes.

The results of the study -- findings of inadequacies in both accessibility and accuracy -- reveal a readily apparent impact on the cost and the efficiency of the justice process. Their potential for impact on the quality of justice, though not so readily apparent, is nonetheless inescapable.

This study does not purport to be a definitive study of the quality of record-keeping in all major jurisdictions. It does, however, indicate that the problem of inadequate record-keeping does exist and can be of such a magnitude as to pose a threat to the criminal justice process.

Its value lies in its being a preliminary attempt to identify the problems in the area and to propose solutions to those problems.

The study was conducted during the months March through May, 1973.

### C. Contents of Following Sections

Section II explains the procedures that were followed in undertaking this study; Section III presents the findings; Section IV presents the conclusions and proposes solutions to the problems uncovered in this study. Two appendix sections contain detailed data displays.

## II. STUDY PROCEDURES

### A. Sample Selection

Sample cases were drawn randomly from the entire population of open felony court cases. From a table of random numbers at an arbitrary starting place, 100 random numbers between 0000 and 9999 were selected. These numbers were then placed in ascending order and used as record locators in the selection of active cases from a computer listing. The list of 9,823 active cases was obtained during the computer reload operation at the beginning of the April, 1973, court term.

Two of the 100 random numbers fell outside the range of 9,823 active cases. Time constraints permitted the examination of only 76 case records and of these, three case folders were inaccessible.\* Consequently, of the original proposed sample of 100 cases, 73 were finally considered for purposes of this study.

Although the sample was numerically small, a comparison between the defendant status of the sample and of the overall population shows that it is a representative sample. (See Exhibit 1.)

### B. Data Gathering Procedures

Two data collection forms were designed for use in the study. The first, the Court Data Quality Analysis Form (Exhibit 2), was used to record objective data that included defendant status, next court action, location of the court case folder, time required to retrieve the folder, and a checklist of documents that would be expected to be found in the folder. In addition, the form included a place to indicate discrepancies among the computer record, the court file and the District Attorney file.

The second form, the Court Data Quality - Case History Form (Exhibit 3), was used to record specific actions in each case taken from information contained in the Bill of Indictment (i.e., the official record of a case) and the District Attorney file.

For each case in the sample, the following steps were taken:

1. The case status data in the computer records were obtained through on-line terminal displays. Four types of displays were used:

- Docket Information
- Detailed Information on Charges and Bills of Indictment and Their Disposition

---

\* One case folder was missing; one had been moved to the warehouse; and one was on loan to the Supreme Court.

EXHIBIT 1  
DEFENDANT STATUS DISTRIBUTION

	SAMPLE	POPULATION*
AVAILABLE FOR TRIAL	38.5%	40%
SENTENCE DEFERRED	12.5%	11
FUGITIVES	41	38
OTHER DEFERRED INDICTMENT	8	11
TOTAL	100%	100%

\* The population data used in the above comparison were taken from the court's statistical report for the end of March, 1973.



- Open Cases Against the Defendant
- Prison Activity Record

2. The case status data were recorded on Form Number 1 (Court Data Quality Analysis Form) showing the defendant's status, court decision, most serious charge, next court action, and the expected location of the court's case folder.

3. The court's case folder was sought and its actual location and the length of time required to retrieve it were noted on Form Number 1.

4. Each folder was thoroughly examined and documents contained in the folder were noted on Form Number 1.

5. Discrepancies in data from the three sources -- computer, court file and District Attorney file -- were listed on Form Number 1.

6. The chronology of actions and results as reflected in the official court record (Bill of Indictment) and the District Attorney file was recorded on Form Number 2 in an effort to reconstruct the case history.

### III. FINDINGS

This study of the record-keeping operations of the jurisdiction resulted in findings of incompleteness, inadequacy, inconsistency, error, and delay in retrieval of records.

The findings were in the following five areas:

- Missing Case Folders and Delay in Retrieval
- Incomplete Documentation Within Case Folders
- Incomplete Computerized Data
- Discrepancies Between Computerized Data and Manual Records Data
- Insufficient or Erroneous Data

#### A. Findings About Missing Case Folders and Delay in Retrieval

Approximately 90 percent of the case folders in the sample were retrieved at the expected locations with minimal delay. However, the present system of decentralizing the storage and control of case folders among a number of administrative units caused considerable delay in ascertaining the location of the remaining 10 percent. Of these, approximately one-half had been improperly consigned to the Disposed Criminal File Unit. The other 5 percent were unavailable for one of the following reasons:

- Case folders for cases initiated prior to 1960 were in warehouse storage and the storage box number was not readily available.
- Case folders for cases on appeal to the Supreme Court were on loan to that court.
- Case folders were misfiled.
- Case folders were being used and stored by officials in private files.

#### B. Findings About Incomplete Documentation Within Case Folders

More serious deficiencies were in the findings related to specific documents missing from individual case folders. These are documents essential to the reconstruction of a case history, to the initiation of the adjudication process, and/or to the accurate determination of current defendant status.

The specific essential documents missing and the percentage of incidence follows:

1. Felony Court Transcript

The felony court transcript is essential to reconstruction of the case history and was found missing in 7 percent of the folders. Frequently when this document was missing other documents were missing as well.

2. Complaint Form

The complaint form is essential for initiating the adjudication process and should be present in all folders. It was found missing in 11 percent of the folders.

3. Hearing Record

The hearing record -- a summary of offenses for which the defendant was arrested -- was missing from 37 percent of the folders, primarily in those for older cases.

4. Criminal History Extract

In every case, a criminal history extract is an essential document -- even for defendants with no prior record since the extract would bear a notation to this effect. In 36 percent of the folders, the extract was missing.

5. Arrest Report

Arrest reports were found missing in 77 percent of the folders -- particularly in earlier cases.

6. Bail Piece

Bail pieces, the various papers recording information regarding the posting of bail, were missing in 10 percent of the applicable folders (i.e., folders for those cases in which defendants had been released on bail). In addition, the history of bail action was frequently incomplete and the most recent bail bond or certificate was not in the folder.

7. Defendant Subpoena

Few case folders contained complete sets of subpoenas -- the means by which a defendant is officially notified of his court date. In 68 percent of the folders, the most recent subpoena was missing, and in 44 percent of the folders, there were no subpoenas.

8. Defense Counsel Order

In 31 percent of the folders none of the various forms used to indicate the appointment of an attorney was present.

9. Preliminary Hearing Notes of Testimony

It is standard procedure for notes of testimony in preliminary hearings to be recorded and transcribed. In 68 percent of the folders, however, these transcribed notes were missing.

Exhibit 4 is a summary listing of the foregoing essential documents and the percentage of case folders in which they were present and missing.

C. Findings About Incomplete Computerized Data

Thirteen data elements in the computer's Criminal Master Record were cross-checked against manual records for each of the sample cases. With respect to five of these 13 elements, in a significant percentage of the sample cases the computer record contained no data although such data were available in the court file folder and should have been entered into the computer record. These five elements -- Date of Arrest, Date of Indictment, Bail Code, Bail Amount, and Disposition at Trial -- are essential factors in the reconstruction of the case history and in the determination of the correct status of an individual defendant.

D. Findings About Discrepancies Between Computerized Data and Manual Records Data

In 12 of the 13 data elements that were the basis for comparison, inconsistencies between computerized data and manual records data were found. The occurrence of inconsistency ranged from 3 percent to 64 percent.

Exhibit 5 is a summary of the percentages of occurrence of incomplete computerized data and inconsistent computerized data.

E. Findings About Insufficient or Erroneous Data

Insufficiency and error were found frequently in individual case records -- both in the computer records and in the manual records. These instances of error and insufficiency were in the following areas:

1. In the various means of identification -- e.g., police photo identification numbers, defendant identification numbers, case control numbers, indictment numbers, and so on.

EXHIBIT 4

SUMMARY OF PRESENT AND MISSING  
CASE FILE FOLDER DOCUMENTS

<u>TYPE OF DOCUMENT</u>	<u>PRESENT</u>	<u>MISSING</u>
FELONY COURT TRANSCRIPT	93%	7%
COMPLAINT FORM	89%	11%
HEARING RECORD	63%	37%
CRIMINAL HISTORY EXTRACT	64%	36%
ARREST REPORT	23%	77%
BAIL PIECE	90%	10%
DEFENDANT SUBPOENA	56%	44%
DEFENSE COUNSEL ORDER	69%	31%
PRELIMINARY HEARING NOTES OF TESTIMONY	12%	88%

EXHIBIT 5

SUMMARY OF OCCURRENCE OF INCOMPLETE  
AND INCONSISTENT COMPUTERIZED DATA

<u>DATA ELEMENT</u>	<u>INCOMPLETE</u>	<u>INCONSISTENT</u>
DATE OF ARREST	18%	64%
DATE OF INDICTMENT	20%	
ARRAIGNMENT DATES		18%
TRIAL DATES		15%
ADDRESS OF DEFENDANT		10%
BAIL CODE	8%	5%
BAIL AMOUNT	29%	15%
SURETY NAME OR ADDRESS OR BOTH		7%
STATUS OF DEFENDANT		11%
DISPOSITION AT ARRAIGNMENT		3%
DISPOSITION AT TRIAL	21%	8%
BILL LINKAGE		7%
CHARGE CODE		8%

2. In the defendant and/or case status. Included also were findings of insufficient documentation for determination of current defendant/case status and inadequate follow-up on cases. Additionally, in approximately 10 percent of the cases, the defendant address or status in the computer record was not up-to-date.

3. In appropriate and timely notification of defendant regarding pending court action.

4. In a number of miscellaneous data items -- e.g., incorrect entry into the computer of the date of arrest as the preliminary hearing date in cases initiated after July 1968, inadequate explanation of the unusually large number of bench warrants issued, and so on.

(See Data Error Incidence column in Appendix A.)

#### IV. CONCLUSIONS AND SOLUTIONS

##### A. Conclusions

In none of the case file folders for the sample group of cases was there complete documentation -- i.e., the accuracy of the record was questionable in 100 percent of the cases in the sample. Of nine essential documents expected to be found for any given case, the number missing ranged from one to eight. (See Appendix B for detailed data display.)

In only three of the sample of 73 cases were the computerized records complete, consistent, and error-free. Therefore, in approximately 4 percent of the cases one might expect to find an accurate record. The accuracy of the remaining 96 percent of the cases in the sample would be questionable. (See Appendix A for detailed data display.)

The conclusions reached as a result of this study are in four major areas:

- The accessibility of records is generally inadequate. The decentralization of storage and control causes time lag in retrieval and, in some cases, virtual irretrievability of the records. For the variety of reasons previously stated, case folders may be diverted to other places and must be traced as to their whereabouts.
- The reliability and validity of the case records are questionable. Essential documents are missing from case folders and, with regard to particular documents, the percentage missing is surprisingly high. The case folder is regarded as the official -- and, therefore, presumably the most accurate -- record of a case. When it is inaccurate or incomplete, difficulty ensues in ascertaining a particular defendant's case history and current status.
- The current method of input of case folder data into the computer requires improvement. There is a significant rate of inconsistency and error in computerized data as compared with case folder data.
- The absence of error detection procedures is a serious deficiency. The large number of errors found in individual data items both in case folders and in computer records underscores the lack of such procedures.

##### B. Solutions

In order to correct the problems related to the quality and control of the record-keeping functions, the following solutions are suggested:

1. A system of centralized storage and control of all active case folders be considered. Further, that procedures be instituted that would vest in an administrative unit the responsibility and the facility for locating important documents missing from the case folder or for procuring legally acceptable substitutes.

2. A "Data Quality Control" unit be organized in either a data processing organization or a research and planning group. This unit would conduct continual audits of the accuracy, completeness, and currency of computer case records and of documents contained in case folders.

3. A more extensive utilization of computer capability in the record-keeping function be considered -- particularly with regard to the following:

- The investigation of the feasibility and cost benefits of computer-aided case folder routing control. (Several Federal agencies are successfully using such a capability.)
- The redesign and expansion of the Master Criminal Record in the computer to allow for a complete history of important court actions.
- The incorporation of error detection functions in the computer program to flag potentially incorrect police photo numbers and case control numbers when new master records are created in the computer.
- The establishment of procedures for reporting to the data processing unit by users noting discrepancies in on-line displays and in printed reports generated by the court's computer system.

4. A system of procedures be implemented to improve the accuracy of individual items in the notification, supervision, adjudication and trial processes, e.g., bail actions, defendant status, issuance of bench warrants and so on.

APPENDIX A

INCONSISTENT OR INCOMPLETE COMPUTERIZED  
DATA AND DATA ERROR

**APPENDIX A  
INCONSISTENT OR INCOMPLETE COMPUTERIZED  
DATA AND DATA ERROR**

COMPUTER RECORD CONTROL NUMBER	DATE OF ARREST	DATE OF INDICTMENT	ARRAIGNMENT DATES	TRIAL DATES	ADDRESS OF DEFENDANT	BAIL CODE	BAIL AMOUNT	SURETY NAME OR ADDRESS OR BOTH	STATUS OF DEFENDANT	DISPOSITION AT ARRAIGNMENT	DISPOSITION AT TRIAL	BILL LINKAGE	CHARGE CODE	DATA ERROR INCIDENCE
6108-0327	o	o	.	.			o			o				
6208-0850	o	o					o							
6510-1266	o	o					o							
6600-3851							o							
6602-0006	o	o	.	.			o	.	.	.				o o
6606-1787	o	o	.	.			o							
6611-0215	o	o					o							o
6612-1147	o	o					o							
6705-0584	o	o					o	.						o
6707-2614	o	o			.	.	o			o				o
6711-0218	o	o	.	.			o			o				o
6712-0140	o	o					o							
6712-0433	o	o					o							o
6803-1486	o	o					o							o
6804-2237	o	o					o			.				o
6807-1510	.							.		o				o
6808-0754							o	.				.		o
6811-0554	.		.				o	.				.		o
6902-1036							o	.						o
6903-1038	.		.		.		o	.						o
6907-1029	.			.			o	.		.				o
6908-0518	.						o	.		.				o
6910-2586								.						
7006-2140								.						
7007-1247											.			o
7007-1484						.	.							o
7012-0706						.	.							o
7102-0767				.						o				o
7103-0093														o
7105-0731	.													o
7105-1861	.													o
7109-0491	.						.							o
7110-0985	.		.		.		o					.		o
7111-1019	.		.	.	.									o
7112-0144	.		.		.									o
7202-0074	.													o
7202-1548	.					o	o	.						o
7204-1018	.		.			o	o						.	o
7204-1555	.					o	o						.	o
7205-0336	.					o	o						.	o
7205-1815	.		.	.						o				o
7205-1913	.		.	.						o				o
7207-0121	.									o				o
7207-0260	.									o				o
7207-1059	.				.		.	.		o				o
7208-0669	.				.		.	.		o				o
7208-0669	.				.		.	.		o				o
7208-0732	.									o				o
7208-1272	.				.		o		.	o	.	.		o
7208-1749	.		.	.	.					o	.	.		o
7209-1782	.									o	.	.		o
7210-0380	.									o	.	.		o
7210-0718	.									o	.	.		o
7210-1846	.		.					.		o	.	.		o
7212-0941	.							.		o	.	.		o
7212-1320	.							.		o	.	.		o
7301-0755	.						.	.		o	.	.		o
7301-1197	.						.	.		o	.	.		o
7301-1354	.		.		.					o	.	.		o
7302-0154	.		.	.	.					o	.	.		o
7302-0356	.									o	.	.		o
7302-0581	.									o	.	.		o
7302-0780	.						.	.						o
7302-0838	.						.	.						o
7302-1149	.												.	o
7302-1226	.												.	o
7302-1263	.					o	o	.				.		o o
7303-0485	.							.				.		o
7303-0516	.							.				.		o
7303-0938	.							.				.		o
7303-1065	.							.				.		o
7303-1193	.					o	o	.				.		o
7303-1275	.							.				.		o

LEGEND: o = INCOMPLETE COMPUTERIZED DATA  
 . = INCONSISTENT COMPUTERIZED DATA  
 o = DATA ERROR

APPENDIX B

INCOMPLETE DOCUMENTATION  
WITHIN CASE FILE FOLDERS

**APPENDIX B  
INCOMPLETE DOCUMENTATION  
WITHIN CASE FILE FOLDERS**

COMPUTER RECORD CONTROL NUMBER	FELONY COURT TRANSCRIPT	COMPLAINT FORM	HEARING RECORD	CRIMINAL HISTORY EXTRACT	ARREST REPORT	BAIL PIECE	DEFENDANT SUBPOENA	DEFENSE COUNSEL ORDER	PRELIMINARY HEARING NOTES
6105-0327		▲	▲	▲	▲	▲	▲	▲	▲
6218-0650			▲	▲	▲		▲	▲	▲
6510-1266			▲	▲	▲		▲	▲	▲
6600-3861			▲	▲	▲		▲	▲	▲
6902-0005	▲	▲	▲	▲	▲		▲	▲	▲
6906-1787			▲	▲	▲		▲	▲	▲
6911-0215			▲	▲	▲		▲	▲	▲
6912-1147			▲	▲	▲		▲	▲	▲
6705-0584			▲	▲	▲		▲	▲	▲
6707-2614	▲	▲	▲	▲	▲		▲	▲	▲
6711-0218			▲	▲	▲		▲	▲	▲
6712-0140			▲	▲	▲		▲	▲	▲
6712-0433			▲	▲	▲		▲	▲	▲
6803-1486			▲	▲	▲		▲	▲	▲
6804-2237			▲	▲	▲		▲	▲	▲
6807-1510			▲	▲	▲		▲	▲	▲
6808-0754			▲	▲	▲		▲	▲	▲
6811-0554			▲	▲	▲		▲	▲	▲
6902-1036		▲	▲	▲	▲		▲	▲	▲
6903-1038			▲	▲	▲		▲	▲	▲
6907-1029			▲	▲	▲		▲	▲	▲
6908-0618			▲	▲	▲		▲	▲	▲
6910-2686	▲	▲	▲	▲	▲	▲	▲	▲	▲
7006-2140			▲	▲	▲		▲	▲	▲
7007-1247			▲	▲	▲		▲	▲	▲
7007-1484			▲	▲	▲		▲	▲	▲
7012-0706			▲	▲	▲		▲	▲	▲
7102-0787			▲	▲	▲	▲	▲	▲	▲
7103-0093			▲	▲	▲		▲	▲	▲
7105-0731			▲	▲	▲		▲	▲	▲
7105-1861			▲	▲	▲		▲	▲	▲
7108-0491			▲	▲	▲		▲	▲	▲
7110-0986			▲	▲	▲	▲	▲	▲	▲
7111-1019			▲	▲	▲		▲	▲	▲
7112-0144			▲	▲	▲	▲	▲	▲	▲
7202-0074			▲	▲	▲	▲	▲	▲	▲
7202-1648			▲	▲	▲		▲	▲	▲
7204-1018			▲	▲	▲	▲	▲	▲	▲
7204-1555			▲	▲	▲	▲	▲	▲	▲
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7207-0121			▲	▲	▲	▲	▲	▲	▲
7207-0260			▲	▲	▲	▲	▲	▲	▲
7207-1059			▲	▲	▲	▲	▲	▲	▲
7208-0659			▲	▲	▲	▲	▲	▲	▲
7208-0669			▲	▲	▲	▲	▲	▲	▲
7206-0732			▲	▲	▲	▲	▲	▲	▲
7208-1272			▲	▲	▲	▲	▲	▲	▲
7208-1749			▲	▲	▲	▲	▲	▲	▲
7209-1782			▲	▲	▲	▲	▲	▲	▲
7210-6390			▲	▲	▲	▲	▲	▲	▲
7210-0718			▲	▲	▲	▲	▲	▲	▲
7210-1846			▲	▲	▲	▲	▲	▲	▲
7212-0941			▲	▲	▲	▲	▲	▲	▲
7212-1320			▲	▲	▲	▲	▲	▲	▲
7301-0755	▲	▲	▲	▲	▲	▲	▲	▲	▲
7301-1197			▲	▲	▲	▲	▲	▲	▲
7301-1354			▲	▲	▲	▲	▲	▲	▲
7302-0154			▲	▲	▲	▲	▲	▲	▲
7302-0356			▲	▲	▲	▲	▲	▲	▲
7302-0581			▲	▲	▲	▲	▲	▲	▲
7302-0780			▲	▲	▲	▲	▲	▲	▲
7302-0838			▲	▲	▲	▲	▲	▲	▲
7302-1149	▲	▲	▲	▲	▲	▲	▲	▲	▲
7302-1226			▲	▲	▲	▲	▲	▲	▲
7302-1253			▲	▲	▲	▲	▲	▲	▲
7303-0495			▲	▲	▲	▲	▲	▲	▲
7303-0616			▲	▲	▲	▲	▲	▲	▲
7303-0939			▲	▲	▲	▲	▲	▲	▲
7303-1086			▲	▲	▲	▲	▲	▲	▲
7303-1193			▲	▲	▲	▲	▲	▲	▲
7303-1276			▲	▲	▲	▲	▲	▲	▲

LEGEND: ▲ = ITEM MISSING

**END**