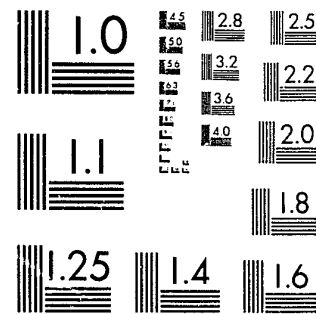


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National Institute of Justice
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Towards a Prosecutorial and Defense Production Function:
Constructing a Measure of Output

92952

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American Society of Criminology
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ACQUISITIONS

I. Introduction

During the past five years, the measurement of productivity and performance in the public sector has become more important. Faced with falling real revenues and a public even more resistant to tax increases, government decision-makers have been forced to produce the same level of service with a declining resource base. Those that have tried to come to grips with the problem have been challenged by a myriad of problems. While it is somewhat easy to measure the tons of refuse collected per man hour or the number of houses inspected, it is much more difficult to measure output in agencies like the prosecutor or defender. In fact, it is difficult even to specify what output is much less measure it. This research addresses elements of this issue.

If we make the problem more tractable by limiting the function of these two agencies to the criminal side of their production function, it is at least possible to discuss some possible measures. While this assumption sets aside the civil function, most prosecutors offices are dominated by the criminal component of their responsibilities.

Traditionally, there has been a tendency to judge the output of the prosecutor by rates. Such rates include those for conviction, dismissal, and acquittals. For most offices, conviction rates hover around 90% while dismissal and acquittal rates are 8% and 2% respectively. Unfortunately, such outputs are inadequate for explaining differences in the cost of achieving a given disposition. It is the relationship between cost and output which is one focus of this research and is the key which managers in the public sector must find in order to allocate resources.

Quite apart from the nature of rates as outputs, there is the simple fact that prosecutors tend to treat convictions in a more complex way than would be indicated by a simple binary result. How many times have we seen the prosecutor allocate a tremendous amount of resources to achieve a conviction only to watch the defendant receive a sentence quite different than what the prosecutor expected? The reaction of the prosecutor is predictable only if the result is not the conviction but the sanction. Further, since 90% of all cases will be resolved by plea, a conviction is in effect a certainty. However, considerable time is spent in negotiating charges or sentences. Both of these elements are constraints on the court. Finally, cases that go to trial invariably take that route because there is disagreement as to the appropriate sanction or the expected value of the sanction given the probability of conviction is less than one.

This research suggests that prosecutors pursue convictions but more precisely convictions with at least a "minimum acceptable sanction". The logic underlying this hypothesis is that prosecutors form a judgement as to the desired sanction depending upon the seriousness of the offense and the criminality of the offender. The quality of the case, assuming that it passes at least the point of legal sufficiency, then becomes the third factor. That factor is effectively the probability of winning if the case is contested. There are essentially two ways in which the prosecutor can modify the probability of winning. By the application of additional prosecutorial resources to the case subject to diminishing marginal productivity, the quality of the case can be improved. Alternatively, the prosecutor can lower the desired sentence to that point where the probability of a conviction is certainty, i.e. a plea.

The limit of this lower bound is the minimum accepted sanction. It should be obvious that the manager of prosecutorial resources can choose to expend large amounts of resources on a selected number of cases or to achieve at least the minimum sanction on a larger number of cases. Consider a composite output measure which is the achieved sentence divided by the desired sentence subject to the constraint that the value of that index ranges between 0 and 1 where the achieved sanction is limited between the minimum and the desired sanction. The problem then is to maximize output (sum of the index values) for the resources available.

In order to create such an output measure, several relationships are necessary. First, we need to have a function that specifies the recommended and the minimum acceptable sanctions given the seriousness of the crime and the criminal. Second, we need a cost function that describes the cost of achieving a desired sanction given the characteristics of the case. This last function in fact is two or possibly three separate functions depending on the particular process route i.e. plea, trial or dismissal.

The key factor in all of these functions is some measure of the minimum acceptable and the desired sanction. The balance of this paper will examine the viability of the concept, the approach to measurement, and preliminary results estimating the range of acceptable sanctions in two large urban prosecutor offices.

II. Methodology

An examination of the research in the area of scaling criminal penalties revealed several shortcomings. First, the scaling in general did not involve practitioners from the criminal justice system. Second, the penalties evaluated did not reflect the complex nature of those usually imposed.

Confronted with these limitations, a scaling experiment was designed which presented sentences in random order, used prosecutors as the evaluators, and used simple and complex penalties. The penalties tested included conditional discharge, restitution, treatment programs, mediation, fines, probation, restitution, jail, penitentiary, and execution. Four levels of fines including \$10, \$100, \$1000, and \$10000 were used. Time measures included 30, 60, and 90 days as well as 1, 2, 2-5, 5, 5-10, 10, 10-20, 20, 99 years and life. The simple penalties were concatenated to form complex combinations limited only by the sensibility of the sentence. In all some 172 sentences were utilized.

Each prosecutor was presented with a set of 75 drawn randomly from the total population. Each sentence was evaluated using a response from 0 to 10. While this choice leads to some truncation when contrasted with a 1000 point scale, prosecutors seemed to be able to adequately differentiate. Examples of the scale scores and the test instrument are attached.

The second part of the research involved the measurement of the range of acceptable sanctions. The results reported here were derived from two major urban prosecutor offices with 121 and 194 assistants participating. Eight additional offices with smaller staffs were also tested and will be included in the larger study.

The test instrument consisted of 30 simulated cases, all of which were evaluated by every attorney. Two different sets were employed in the two offices although they obeyed a symmetrical design (3 x 3) seriousness by criminality with the reverse diagonal augmented by one case. A sample of the instrument is attached.

After responding to a series of questions about the case, each attorney was presented with 10 penalties drawn from a stratified random sample of the original 172 penalties. The test instrument was constructed so that each set of 10 penalties were different not only by attorney but also by case. While the design is obviously incomplete it provided the broadest evaluation of penalties. For each case the attorney checked off all penalties which were considered to be unacceptable. This provides a series of potential methods for determining the minimum acceptable sanction and the range of acceptable sanctions.

III. Analysis

The measure chosen for the evaluating the acceptable penalties was the minimum and maximum penalties where 67% of those attorneys presented with that option selected it.

The detailed results showing the actual penalties selected are found in the appendix. Each case is presented with three penalties. The first is the minimum; the second is the most preferred; and the third is the maximum penalty approved by two-thirds who had the option to choose it. The values of the penalties according to the index used in this study are found to the right of each sentence.

Project: Prosecutor Productivity
Component: Minimum Acceptable Sanction
Site: 1B

CASE # 9	A= 100.0	P= 15.1	T= 84.9	R= 12.0	L= 96.4	SW= 11	CR= 121
1110 PENITENTIARY 3 YEARS					(5.54)		
1120 PENITENTIARY 5 YEARS					(6.21)		
1140 PENITENTIARY 10 YEARS					(7.43)		
CASE # 13	A= 75.8	P= 41.7	T= 45.1	R= 30.6	L= 50.0	SW= 0	CR= 0
1905 FINE \$100 & PROBATION 2 YEARS					(1.55)		
0920 PROBATION 4 YEARS					(2.04)		
2018 JAIL 1 YEAR FINE \$1,000					(4.26)		
CASE # 15	A= 98.4	P= 97.4	T= 1.6	R= 67.2	L= 50.3	SW= 0	CR= 150
1905 FINE \$100 & PROBATION 2 YEARS					(1.55)		
2600 PROBATION 1 YEAR & JAIL 30 DAYS					(2.6)		
1030 JAIL 6 MONTHS					(3.85)		
CASE # 25	A= 99.5	P= 60.9	T= 30.2	R= 22.9	L= 58.3	SW= 7	CR= 309
0400 MEDIATION					(0.54)		
0400 MEDIATION					(0.54)		
2608 PROBATION 2 YEARS & JAIL 1 YEAR					(4.42)		
CASE # 27	A= 98.5	P= 61.1	T= 37.4	R= 47.4	L= 95.3	SW= 4	CR= 50
2018 JAIL 1 YEAR FINE \$1,000					(4.26)		
1100 PENITENTIARY 2-5 YEARS					(5.54)		
1120 PENITENTIARY 5 YEARS					(6.21)		
CASE # 28	A= 96.9	P= 85.5	T= 10.8	R= 59.7	L= 11.3	SW= 0	CR= 0
0820 UNSUPERVISED PROBATION 1 YEAR					(0.6)		
0300 RESTITUTION					(1.18)		
2009 JAIL 90 DAYS FINE \$100					(3.04)		
CASE # 53	A= 73.4	P= 34.8	T= 54.6	R= 16.3	L= 33.3	SW= 1	CR= 195
1905 FINE \$100 & PROBATION 2 YEARS					(1.55)		
1901 FINE \$100 & PROBATION 1 YEAR					(1.64)		
2607 PROBATION 2 YEARS & JAIL 90 DAYS					(3.35)		
CASE # 58	A= 80.3	P= 91.0	T= 2.6	R= 14.8	L= 5.8	SW= 0	CR= 246
0110 FINE \$100					(0.81)		
1613 FINE \$100 & TREATMENT 1 YEAR					(1.7)		
1613 FINE \$100 & TREATMENT 1 YEAR					(1.7)		
CASE # 60	A= 80.6	P= 89.0	T= 3.9	R= 50.0	L= 7.1	SW= 0	CR= 50
0200 CONDITIONAL DISCHARGE					(0.48)		
0910 PROBATION 2 YEARS					(1.51)		
000 JAIL 30 DAYS					(2.61)		
CASE # 69	A= 73.1	P= 32.6	T= 63.1	R= 24.1	L= 81.6	SW= 26	CR= 362
605 PROBATION 2 YEARS & JAIL 30 DAYS					(2.61)		
608 PROBATION 2 YEARS & JAIL 1 YEAR					(4.42)		
100 PENITENTIARY 2-5 YEARS					(5.54)		
CASE # 75	A= 92.2	P= 37.3	T= 61.6	R= 32.2	L= 44.1	SW= 3	CR= 128
910 PROBATION 2 YEARS					(1.51)		
219 RESTITUTION & JAIL 6 MONTHS					(3.62)		

In order to aid the reader in understanding the nature of the case, a series of attributes are printed with the case #. These include the following:

1. A= % of attorneys who accepted this case for prosecution.
2. P= % of attorneys who believe the case will be pled.
3. T= % of attorneys who think the case will go to trial.
4. R= % of attorneys who think the charge will be reduced.
5. L= % of attorneys who think the defendant should be incarcerated.
6. SW= Sellin-Wolfgang seriousness score.
7. CR= Criminality index based on criminal history.

In certain cases you will find penalties which have the code 0000. These are cases in which not enough of the attorneys accepted the case for prosecution to allow the computation of a reliable set of sanctions.

In Table 1 the important correlation coefficients are shown. In this table we are looking for any results which would be counter-intuitive and are also interested in the levels and directions of these measures. For the most part, the coefficients are significant and have the appropriate sign. Further, the magnitude of the coefficients are quite similar across the two sites. The following conclusions can be drawn from this table:

1. The minimum acceptable sanction will be lower if the case is to be disposed by a plea.

Table 1

Correlation Coefficients

	Minimum		Maximum	
	Site 1B	Site 2D	Site 1B	Site 2D
% Accept	.42	.40	.43	.61
% Plea	-.57	-.76	-.59	-.65
% Trial	.65	.82	.68	.71
% Lock-up	.79	.73	.84	.81
SW	.58	.63	.60	.58
CRIM	.29	.46	.25	.54
Maximum	.91	.85	--	--
Range	.25	.17	.18	.67
Optimum	.88	.88	.92	.90

Note: Coefficients > .40 are significant at .01 level

Coefficients > .23 are significant at .10 level

2. The minimum acceptable sanction will be higher if attorneys expect the case to go to trial.
3. The minimum acceptable sanction will increase with the seriousness of the offense.
4. There is a relatively weak relationship between the level of sanction chosen and the criminality of the defendant.

There are several different ways many of the coefficients can be interpreted. First, with respect to pleas, is the sanction lower because the attorney will have to make a reasonable offer or is it lower because less serious cases tend to plead. A quick review of the cases in summaries in the Appendix suggests that if the minimum acceptable sentence is greater than 90 days in jail, then the odds of the case being disposed of by a plea is less than 50%. In terms of the overall model suggested in the beginning of this paper, if the minimum acceptable sanction includes incarceration, then the attorney will probably have to win the case at trial. This of course will require a far greater resource cost than if it had been pled.

The nature of the choice model posed earlier is supported by these data. Further, it suggests a serious problem which has to be resolved with respect to minimum mandatory sentences. If such penalties are used in a jurisdiction, then the prosecutor is forced to consider their implications at the time of charging or plea bargaining. One would hypothesize a change in the minimum acceptable sanction for other cases if these cases with mandatory minimum's are to be handled with the same resource base.

Another way of looking at this data is found in Table 2. There are two relatively simple regression models presented. Since there are only 60 different cases available for this analysis, we are limited in the number of evidentiary variables which can reasonably be brought into play. This will be addressed in the more detailed paper being prepared for the larger data base. The first two columns represent models which include only the seriousness scale and the criminality index as independent variables. The dependent variable in all cases is the minimum acceptable sanction. Model 1 for both sites are significant as noted by the F statistic. The models however are not statistically the same. Site 1B for example appears to determine the threshold penalty based on seriousness alone. In contrast, the results for Site 1D suggest a model that not only weights seriousness more heavily but also considers the criminality of the defendant. Coefficients of these size will permit a movement of between 4 and 9 points on the penalty scale for the seriousness score and 2 to 3 points considering the criminality index.

The second pair of models in the table include the variable Trial which is the percent of attorneys who expected the case to go to trial. It should be noted at the outset that causation can run two ways depending on how you formulate the underlying model. First, one would expect the probability of going to trial to increase if the minimum acceptable sanction passes the threshold which includes jail time. The second way to view it is as a control on the seriousness measure. That is, do the more serious cases go to trial and thus the expectation of attorneys on an acceptable sanction is increased. In other words, it makes absolutely no sense to go to trial, if an acceptable sanction can be achieved by plea. The minimum acceptable sanction at trial must in some sense be higher to compensate for the probability of winning the case being less than 100%.

Table 2

Selected Models

	Site 1B	Site 2D	Site 1B	Site 2D
SW	.15* (.04)	.31* (.07)	NS	NS
CRIM	NS	.01* (.001)	NS	NS
% Trial	-	-	.05* (.01)	.07* (.01)
Constant	1.69* (.34)	.01 (.44)	1.18* (.41)	3.20* (.45)
R Sqd.	.34	.62	.43	.50
F-Test	21.8	14.4	21.2	28.4

Note: NS- Tolerance too low to enter equation

* Significant at .01 level

(.nn)- Standard error of coefficient

The results of this model show similar relationships between the two sites. The coefficients for Trial are not statistically different although both coefficients are significant at the .01 level. The constant terms are different and suggest in general a higher level of penalty will be sought in 1B versus 2D. It is also interesting to note that neither the seriousness score nor the criminality index reach a tolerance level high enough to enter the model. This suggests not only a high level of correlation but also supports the notion of two different production processes (Plea and Trial) operating in these offices.

In general then, we conclude that the concept of a minimum acceptable sanction is viable subject to refinement of the data base and the techniques used in this work. What remains to be done is the full-scale application of this approach in estimating cost and production functions.

EXAMPLE OF SENTENCES PRESENTED FOR EVALUATION

JEFFERSON INSTITUTE FOR JUSTICE STUDIES
NATIONAL SENTENCING EXPERIMENT

Appendix

SENTENCE	SCORE
2003 JAIL 30 DAYS FINE \$10,000	()
1180 PENITENTIARY LIFE	()
2402 TREATMENT PROGRAM 30 DAYS & SUSPENSION OF DRIVERS LICENSE	()
1909 FINE \$100 & PROBATION 4 YEARS	()
2600 PROBATION 1 YEAR & JAIL 30 DAYS	()
0600 SUSPENSION OF DRIVERS LICENSE 30 DAYS.	()
2600 PROBATION 1 YEAR & JAIL 30 DAYS	()
2010 JAIL 90 DAYS FINE \$1,000	()
2001 JAIL 30 DAYS (SUSPENDED) FINE \$100	()
1120 PENITENTIARY 5 YEARS	()
0100 FINE \$10	()
2209 RESTITUTION & SUSPENSION OF DRIVERS LICENSE 1 YEAR	()
2215 RESTITUTION & PROBATION 4 YEARS	()
2301 MEDIATION & TREATMENT PROGRAM 90 DAYS	()
2201 RESTITUTION & MEDIATION	()
2007 JAIL 60 DAYS (SUSPENDED) FINE \$10,000	()
2403 TREATMENT PROGRAM 30 DAYS & SUSPENSION OF DRIVERS LICENSE 1 YEAR	()
2408 TREATMENT PROGRAM 6 MONTHS & SUSPENSION OF DRIVERS LICENSE 30 DAYS	()
2010 JAIL 90 DAYS (SUSPENDED) FINE \$1,000	()
2219 RESTITUTION & JAIL 6 MONTHS	()
2205 RESTITUTION & TREATMENT PROGRAM 1 YEAR	()
2201 RESTITUTION & MEDIATION	()
0130 FINE \$10,000	()
2213 RESTITUTION & PROBATION 1 YEAR	()
2006 JAIL 60 DAYS FINE \$1,000	()
1714 FINE \$1,000 & SUSPENSION OF DRIVERS LICENSE 1 YEAR	()
2209 RESTITUTION & SUSPENSION OF DRIVERS LICENSE 1 YEAR	()
1806 FINE \$1,000 UNSUPERVISED PROBATION 6 MONTHS	()
1906 FINE \$1,000 & PROBATION 2 YEARS	()
2003 JAIL 30 DAYS FINE \$10,000	()

AFTER EACH SENTENCE LISTED ABOVE, ENTER YOUR OPINION
OF THE SEVERITY FROM 0 TO 10.

Jefferson Institute for Justice Studies
Washington, D.C.

Standard Case Set Evaluation Worksheet

Your Initials: WGM

Case #: 85

Form: P-110182

<p>1. Circle the number that best represents the PRIORITY you feel that this case should have for prosecution.</p> <p>1 2 3 <u>4</u> 5 6 7</p> <p>Lowest Average Highest</p> <p>2. How strong is the evidence in this case?</p> <p>1 2 3 <u>4</u> 5 6 7</p> <p>Weakest Average Strongest</p>	<p>3. How serious is the defendant's record?</p> <p>1 2 3 <u>4</u> 5 6 7</p> <p>Not Average Very Serious Serious</p> <p>4. After reviewing this case would you accept it for prosecution?</p> <p><input checked="" type="checkbox"/> 1. Yes: GO TO 5 (below).</p> <p><input type="checkbox"/> 2. NO: GO TO NEXT CASE.</p>
--	--

5. Considering the characteristics of this case and your court, how would you expect it to be disposed? (Check only one).

1. Plea of guilty 2. Trial 3. Dismissal 4. Other: _____ (Specify)

6. At what level will this case be disposed?

1. Felony (as charged) 3. Misdemeanor (as charged) 5. Violation or Infraction

2. Felony (lesser charge) 4. Misdemeanor (lesser charge) 6. Other: _____ (Specify)

7. In your opinion and irrespective of the court, what would be a reasonable and appropriate sentence for this defendant? (Use any combination).

1. Suspended Sentence and Restitution: \$ _____

2. Suspended Sentence and Fine: \$ 500

3. Suspended Sentence and Treatment: Time _____

4. Restitution: \$ _____

5. Fine: \$ _____

6. Unsupervised Probation: Time _____

7. Supervised Probation: Time _____

8. Incarceration: Time 60 days

9. Other: _____ (Specify)

8. Among the sanctions listed below, check ALL that are UNACCEPTABLE for this case.

0100 FINE \$10 1605 FINE \$100 & TREATMENT 90 DAYS

2214 RESTITUTION & PROBATION 2 YEARS 0120 FINE \$1,000

1802 FINE \$1,000 & UNSUPERVISED PROBATION 90 DAYS 2017 JAIL 1 YEAR FINE \$100

2605 PROBATION 2 YEARS & JAIL 30 DAYS 1020 JAIL 90 DAYS

1040 JAIL 1 YEAR 1200 DEATH

CASE NUMBER 013

1. On June 21, 1977, at 12:07 A.M., the defendant, a white male, was arrested for Possession of a Deadly Weapon (Pistol and Shotgun).

2. On the above date the arresting officers were sent to a wooded area where it had been reported a subject was heard screaming. As the officers approached, a car carrying the defendant and 2 subjects was seen coming out of the woods. The car was stopped and the defendant said he and the 2 others had been looking for his wallet which he had lost in the woods. A search of the "defendant's vehicle was made for the officers' safety." A .38 cal. pistol with one round in the cylinder was found under the driver's seat. A loaded 12 gauge sawed off shotgun was found under the front passenger side seat. Similar type shotgun shells were found on the defendant's person.

The defendant admitted the pistol was his and that he had a permit to carry it issued in South Dakota when he lived there.

3. Witnesses -
- #1. Arresting officers
4. Evidence - Physical Property, Statements, Other
- a. Pistol
- b. Sawed-off shot gun
- c. Shells.

Defendant #32

Date of Birth: 1/20/47

Age at Arrest

Offense

Disposition

16	Loitering
17	Burglary
19	Burglary
20	Possession of Marijuana
22	Traffic Offense
23	Burglary
24	Probation Violation
25	Heroin
25	Larceny
26	Marijuana
27	Cocaine
28	Cocaine
29	Receiving Stolen Property
30	Heroin

Object: Prosecutor Productivity
Component: Minimum Acceptable Sanction
Rate: .1B

SE # 9	A= 100.0	P= 15.1	T= 84.9	R= 12.0	L= 96.4	SW= 11	CR= 121
10	PENITENTIARY 3 YEARS					(5.54)	
20	PENITENTIARY 5 YEARS					(6.21)	
40	PENITENTIARY 10 YEARS					(7.43)	
SE # 13	A= 75.8	P= 41.7	T= 45.1	R= 30.6	L= 50.0	SW= 0	CR= 0
05	FINE \$100 & PROBATION 2 YEARS					(1.55)	
20	PROBATION 4 YEARS					(2.04)	
18	JAIL 1 YEAR FINE \$1,000					(4.26)	
SE # 15	A= 98.4	P= 97.4	T= 1.6	R= 67.2	L= 50.3	SW= 0	CR= 150
05	FINE \$100 & PROBATION 2 YEARS					(1.55)	
00	PROBATION 1 YEAR & JAIL 30 DAYS					(2.6)	
30	JAIL 6 MONTHS					(3.85)	
SE # 25	A= 99.5	P= 60.9	T= 30.2	R= 22.9	L= 58.3	SW= 7	CR= 309
00	MEDIATION					(0.54)	
00	MEDIATION					(0.54)	
08	PROBATION 2 YEARS & JAIL 1 YEAR					(4.42)	
SE # 27	A= 98.5	P= 61.1	T= 37.4	R= 47.4	L= 95.3	SW= 4	CR= 50
18	JAIL 1 YEAR FINE \$1,000					(4.26)	
00	PENITENTIARY 2-5 YEARS					(5.54)	
20	PENITENTIARY 5 YEARS					(6.21)	
SE # 28	A= 96.9	P= 85.5	T= 10.8	R= 59.7	L= 11.3	SW= 0	CR= 0
20	UNSUPERVISED PROBATION 1 YEAR					(0.6)	
00	RESTITUTION					(1.18)	
09	JAIL 90 DAYS FINE \$100					(3.04)	
SE # 53	A= 73.4	P= 34.8	T= 54.6	R= 16.3	L= 33.3	SW= 1	CR= 195
05	FINE \$100 & PROBATION 2 YEARS					(1.55)	
01	FINE \$100 & PROBATION 1 YEAR					(1.64)	
07	PROBATION 2 YEARS & JAIL 90 DAYS					(3.35)	
SE # 58	A= 80.3	P= 91.0	T= 2.6	R= 14.8	L= 5.8	SW= 0	CR= 246
10	FINE \$100					(0.81)	
13	FINE \$100 & TREATMENT 1 YEAR					(1.7)	
13	FINE \$100 & TREATMENT 1 YEAR					(1.7)	
SE # 60	A= 80.6	P= 89.0	T= 3.9	R= 50.0	L= 7.1	SW= 0	CR= 50
00	CONDITIONAL DISCHARGE					(0.48)	
10	PROBATION 2 YEARS					(1.51)	
00	JAIL 30 DAYS					(2.61)	
SE # 69	A= 73.1	P= 32.6	T= 63.1	R= 24.1	L= 81.6	SW= 26	CR= 362
05	PROBATION 2 YEARS & JAIL 30 DAYS					(2.61)	
08	PROBATION 2 YEARS & JAIL 1 YEAR					(4.42)	
00	PENITENTIARY 2-5 YEARS					(5.54)	
SE # 75	A= 92.2	P= 37.3	T= 61.6	R= 32.2	L= 44.1	SW= 3	CR= 128
10	PROBATION 2 YEARS					(1.51)	
19	RESTITUTION & JAIL 6 MONTHS					(3.62)	
40	JAIL 1 YEAR					(4.17)	

Project: Prosecutor Productivity
 Component: Minimum Acceptable Sanction
 Site: 1B

ASE # 83	A= 98.4	P= 89.4	T= 6.9	R= 48.9	L= 47.3	SW= 7	CR= 125
900 PROBATION 1 YEAR					(1.29)		
505 PROBATION 2 YEARS & JAIL 30 DAYS					(2.61)		
507 PROBATION 2 YEARS & JAIL 90 DAYS					(3.35)		
ASE # 90	A= 99.5	P= 89.5	T= 9.4	R= 66.5	L= 65.5	SW= 6	CR= 135
300 RESTITUTION					(1.18)		
110 PENITENTIARY 3 YEARS					(5.54)		
100 PENITENTIARY 2-5 YEARS					(5.54)		
ASE # 100	A= 100.0	P= 94.8	T= 4.2	R= 75.0	L= 88.0	SW= 3	CR= 166
510 PROBATION 4 YEARS & JAIL 60 DAYS					(3.18)		
510 PROBATION 4 YEARS & JAIL 60 DAYS					(3.18)		
508 PROBATION 2 YEARS & JAIL 1 YEAR					(4.42)		
ASE # 103	A= 99.5	P= 34.9	T= 64.1	R= 21.9	L= 98.4	SW= 2	CR= 313
110 PENITENTIARY 3 YEARS					(5.54)		
140 PENITENTIARY 10 YEARS					(7.43)		
140 PENITENTIARY 10 YEARS					(7.43)		
ASE # 106	A= 98.4	P= 85.7	T= 12.2	R= 62.4	L= 88.9	SW= 2	CR= 255
005 JAIL 60 DAYS FINE \$100					(2.82)		
017 JAIL 1 YEAR FINE \$100					(3.79)		
508 PROBATION 2 YEARS & JAIL 1 YEAR					(4.42)		
ASE # 113	A= 100.0	P= 31.6	T= 68.4	R= 20.7	L= 98.5	SW= 31	CR= 202
160 PENITENTIARY 20 YEARS					(8.13)		
160 PENITENTIARY 20 YEARS					(8.13)		
190 PENITENTIARY LIFE + 99 YEARS					(9.38)		
ASE # 114	A= 99.4	P= 67.2	T= 17.5	R= 49.7	L= 34.4	SW= 2	CR= 114
520 TREATMENT PROGRAM 6 MONTHS					(1.28)		
520 TREATMENT PROGRAM 6 MONTHS					(1.28)		
920 PROBATION 4 YEARS					(2.04)		
ASE # 129	A= 96.4	P= 17.2	T= 81.2	R= 15.1	L= 91.9	SW= 6	CR= 239
100 PENITENTIARY 2-5 YEARS					(5.54)		
140 PENITENTIARY 10 YEARS					(7.43)		
140 PENITENTIARY 10 YEARS					(7.43)		
ASE # 156	A= 99.5	P= 71.7	T= 26.7	R= 55.5	L= 97.4	SW= 4	CR= 259
511 PROBATION 4 YEARS & JAIL 90 DAYS					(3.46)		
110 PENITENTIARY 3 YEARS					(5.54)		
100 PENITENTIARY 2-5 YEARS					(5.54)		
ASE # 158	A= 100.0	P= 63.7	T= 35.8	R= 48.7	L= 98.5	SW= 3	CR= 194
006 JAIL 60 DAYS FINE \$1,000					(3.07)		
130 PENITENTIARY 5-10 YEARS					(6.57)		
130 PENITENTIARY 5-10 YEARS					(6.57)		
ASE # 162	A= 99.5	P= 83.8	T= 15.2	R= 57.6	L= 79.6	SW= 0	CR= 253
920 PROBATION 4 YEARS					(2.04)		
920 PROBATION 4 YEARS					(2.04)		
018 JAIL 1 YEAR FINE \$1,000					(4.26)		

Project: Prosecutor Productivity
 Component: Minimum Acceptable Sanction
 Site: 1B

ASE # 165	A= 87.5	P= 91.7	T= 5.4	R= 13.7	L= 11.9	SW= 0	CR= 154
000 CONDITIONAL DISCHARGE					(0.48)		
000 CONDITIONAL DISCHARGE					(0.48)		
001 FINE \$100 & PROBATION 1 YEAR					(1.64)		
ASE # 173	A= 87.1	P= 57.7	T= 26.8	R= 28.0	L= 23.2	SW= 1	CR= 299
010 UNSUPERVISED PROBATION 6 MONTHS					(0.72)		
10 FINE \$100					(0.81)		
010 JAIL 60 DAYS					(2.98)		
ASE # 177	A= 92.2	P= 96.1	T= 3.4	R= 46.9	L= 54.2	SW= 0	CR= 169
001 FINE \$100 & UNSUPERVISED PROBATION 90 DAYS					(0.94)		
000 PROBATION 1 YEAR					(1.29)		
013 JAIL 6 MONTHS FINE \$100					(3.46)		
ASE # 183	A= 99.5	P= 87.0	T= 12.5	R= 24.0	L= 92.2	SW= 0	CR= 378
005 JAIL 60 DAYS FINE \$100					(2.82)		
017 JAIL 1 YEAR FINE \$100					(3.79)		
040 JAIL 1 YEAR					(4.17)		
ASE # 205	A= 99.5	P= 82.3	T= 17.2	R= 70.3	L= 96.9	SW= 0	CR= 188
007 PROBATION 2 YEARS & JAIL 90 DAYS					(3.35)		
100 PENITENTIARY 2-5 YEARS					(5.54)		
120 PENITENTIARY 5 YEARS					(6.21)		
ASE # 207	A= 100.0	P= 91.2	T= 7.8	R= 62.0	L= 93.8	SW= 5	CR= 450
012 PROBATION 4 YEARS & JAIL 6 MONTHS					(3.73)		
008 PROBATION 2 YEARS & JAIL 1 YEAR					(4.42)		
100 PENITENTIARY 2-5 YEARS					(5.54)		
ASE # 214	A= 100.0	P= 19.8	T= 79.7	R= 13.5	L= 97.4	SW= 12	CR= 402
019 JAIL 1 YEAR FINE \$10,000					(4.79)		
100 PENITENTIARY 2-5 YEARS					(5.54)		
130 PENITENTIARY 5-10 YEARS					(6.57)		
ASE # 225	A= 94.2	P= 38.8	T= 57.9	R= 24.7	L= 65.7	SW= 7	CR= 227
007 PROBATION 2 YEARS & JAIL 90 DAYS					(3.35)		
100 PENITENTIARY 2-5 YEARS					(5.54)		
100 PENITENTIARY 2-5 YEARS					(5.54)		

Project: Prosecutor Productivity
 Component: Minimum Acceptable Sanction
 Site: 2D

CASE # 1	A= 75.0	P= 47.4	T= 34.6	R= 31.3	L= 13.9	SW= 7	CR= 26
300 UNSUPERVISED PROBATION 90 DAYS					(0.66)		
900 PROBATION 1 YEAR					(1.29)		
040 JAIL 1 YEAR					(4.17)		
CASE # 3	A= 95.2	P= 71.7	T= 25.3	R= 47.4	L= 93.7	SW= 0	CR= 320
000 PROBATION 1 YEAR & JAIL 30 DAYS					(2.6)		
017 JAIL 1 YEAR FINE \$100					(3.79)		
010 PENITENTIARY 3 YEARS					(5.54)		
CASE # 6	A= 98.1	P= 83.3	T= 11.8	R= 77.0	L= 61.4	SW= 0	CR= 186
010 PROBATION 2 YEARS					(1.51)		
006 PROBATION 2 YEARS & JAIL 60 DAYS					(3.07)		
030 JAIL 6 MONTHS					(3.85)		
CASE # 7	A= 100.0	P= 85.7	T= 10.5	R= 65.1	L= 88.4	SW= 0	CR= 236
005 PROBATION 2 YEARS & JAIL 30 DAYS					(2.61)		
040 JAIL 1 YEAR					(4.17)		
008 PROBATION 2 YEARS & JAIL 1 YEAR					(4.42)		
CASE # 13	A= 44.2	P= 70.2	T= 10.6	R= 56.8	L= 76.7	SW= 0	CR= 210
020 PROBATION 4 YEARS					(2.04)		
006 PROBATION 2 YEARS & JAIL 60 DAYS					(3.07)		
030 JAIL 6 MONTHS					(3.85)		
CASE # 15	A= 94.2	P= 82.5	T= 13.4	R= 40.2	L= 91.5	SW= 0	CR= 215
006 FINE \$1,000 & PROBATION 2 YEARS					(2.46)		
003 PROBATION 1 YEAR & JAIL 6 MONTHS					(3.5)		
000 PENITENTIARY 2-5 YEARS					(5.54)		
CASE # 22	A= 99.1	P= 29.4	T= 58.8	R= 24.8	L= 99.0	SW= 8	CR= 325
000 PENITENTIARY 2-5 YEARS					(5.54)		
030 PENITENTIARY 5-10 YEARS					(6.57)		
060 PENITENTIARY 20 YEARS					(8.13)		
CASE # 25	A= 99.1	P= 47.1	T= 33.7	R= 19.6	L= 87.1	SW= 7	CR= 276
005 JAIL 60 DAYS FINE \$100					(2.82)		
007 PROBATION 2 YEARS & JAIL 90 DAYS					(3.35)		
020 PENITENTIARY 5 YEARS					(6.21)		
CASE # 46	A= 99.0	P= 97.1	T= 1.0	R= 90.4	L= 32.4	SW= 3	CR= 26
000 RESTITUTION					(1.18)		
010 PROBATION 2 YEARS					(1.51)		
020 RESTITUTION & JAIL 1 YEAR					(4.29)		
CASE # 50	A= 69.2	P= 87.7	T= 1.4	R= 81.7	L= 6.9	SW= 0	CR= 103
010 PROBATION 2 YEARS					(1.51)		
010 PROBATION 2 YEARS					(1.51)		
009 JAIL 90 DAYS FINE \$100					(3.04)		
CASE # 53	A= 43.3	P= 32.6	T= 45.7	R= 10.0	L= 45.0	SW= 1	CR= 182
010 PROBATION 2 YEARS					(1.51)		
010 PROBATION 2 YEARS					(1.51)		
000					(1.51)		

Project: Prosecutor Productivity
 Component: Minimum Acceptable Sanction
 Site: 2D

CASE # 58	A= 51.4	P= 62.3	T= 18.9	R= 13.7	L= 31.4	SW= 0	CR= 295
900 PROBATION 1 YEAR					(1.29)		
900 PROBATION 1 YEAR					(1.29)		
013 JAIL 6 MONTHS FINE \$100					(3.46)		
CASE # 60	A= 70.5	P= 86.5	T= 5.4	R= 68.5	L= 11.1	SW= 0	CR= 26
010 PROBATION 2 YEARS					(1.51)		
010 PROBATION 2 YEARS					(1.51)		
002 FINE \$1,000 & PROBATION 1 YEAR					(2.16)		
CASE # 61	A= 100.0	P= 31.7	T= 60.6	R= 10.8	L= 100.0	SW= 12	CR= 126
020 PENITENTIARY 5 YEARS					(6.21)		
030 PENITENTIARY 5-10 YEARS					(6.57)		
040 PENITENTIARY 10 YEARS					(7.43)		
CASE # 74	A= 99.1	P= 87.4	T= 5.8	R= 81.4	L= 37.6	SW= 4	CR= 1
010 PROBATION 2 YEARS					(1.51)		
030 JAIL 6 MONTHS					(3.85)		
008 PROBATION 2 YEARS & JAIL 1 YEAR					(4.42)		
CASE # 83	A= 94.2	P= 64.7	T= 29.3	R= 33.3	L= 30.5	SW= 7	CR= 1
001 FINE \$100 & PROBATION 1 YEAR					(1.64)		
000 PROBATION 1 YEAR & JAIL 30 DAYS					(2.6)		
014 JAIL 6 MONTHS FINE \$1,000					(3.68)		
CASE # 85	A= 93.3	P= 77.6	T= 18.4	R= 33.3	L= 54.2	SW= 0	CR= 222
000 TREATMENT PROGRAM 30 DAYS					(0.93)		
009 FINE \$100 & TREATMENT 6 MONTHS					(1.48)		
018 JAIL 1 YEAR FINE \$1,000					(4.26)		
CASE # 101	A= 52.9	P= 20.0	T= 49.1	R= 27.8	L= 85.0	SW= 6	CR= 163
019 RESTITUTION & JAIL 6 MONTHS					(3.62)		
040 PENITENTIARY 10 YEARS					(7.43)		
040 PENITENTIARY 10 YEARS					(7.43)		
CASE # 103	A= 100.0	P= 43.3	T= 48.1	R= 38.8	L= 100.0	SW= 2	CR= 216
004 PROBATION 1 YEAR & JAIL 1 YEAR					(3.75)		
020 PENITENTIARY 5 YEARS					(6.21)		
060 PENITENTIARY 20 YEARS					(8.13)		
CASE # 108	A= 98.1	P= 7.8	T= 70.9	R= 5.4	L= 100.0	SW= 9	CR= 227
030 PENITENTIARY 5-10 YEARS					(6.57)		
050 PENITENTIARY 10-20 YEARS					(7.95)		
080 PENITENTIARY LIFE					(9.22)		
CASE # 112	A= 100.0	P= 21.9	T= 74.3	R= 14.6	L= 99.0	SW= 6	CR= 333
000 PENITENTIARY 2-5 YEARS					(5.54)		
030 PENITENTIARY 5-10 YEARS					(6.57)		
080 PENITENTIARY LIFE					(9.22)		
CASE # 115	A= 17.1	P= 94.4	T= 5.6	R= 72.2	L= 16.7	SW= 0	CR= 26
000					(0)		
000					(0)		
000					(0)		
CASE # 117	A= 97.1	P= 89.2	T= 6.9	R= 72.3	L= 18.8	SW= 4	CR= 103

Project: Prosecutor Productivity
Component: Minimum Acceptable Sanction
Site: 2D

CASE # 128 A= 99.1 P= 56.9 T= 31.4 R= 47.5 L= 96.1 SW= 8 CR= 207
106 PROBATION 2 YEARS & JAIL 60 DAYS (3.07)
104 PROBATION 1 YEAR & JAIL 1 YEAR (3.75)
110 PENITENTIARY 3 YEARS (5.54)

CASE # 131 A= 99.1 P= 51.9 T= 39.4 R= 44.6 L= 93.1 SW= 4 CR= 245
101 PROBATION 1 YEAR & JAIL 60 DAYS (2.85)
110 PENITENTIARY 3 YEARS (5.54)
120 PENITENTIARY 5 YEARS (6.21)

CASE # 132 A= 95.2 P= 49.0 T= 40.0 R= 50.5 L= 91.7 SW= 2 CR= 298
109 FINE \$100 & PROBATION 4 YEARS (2.13)
110 PENITENTIARY 3 YEARS (5.54)
130 PENITENTIARY 5-10 YEARS (6.57)

CASE # 134 A= 83.7 P= 85.1 T= 5.8 R= 63.1 L= 18.8 SW= 2 CR= 112
110 TREATMENT PROGRAM 90 DAYS (1.25)
110 JAIL 60 DAYS (2.98)
117 JAIL 1 YEAR FINE \$100 (3.79)

CASE # 155 A= 87.5 P= 80.4 T= 9.8 R= 58.2 L= 68.1 SW= 5 CR= 254
100 RESTITUTION & CONDITIONAL DISCHARGE (1.07)
103 PROBATION 1 YEAR & JAIL 6 MONTHS (3.5)
108 PROBATION 2 YEARS & JAIL 1 YEAR (4.42)

CASE # 157 A= 96.2 P= 83.2 T= 7.9 R= 71.0 L= 84.9 SW= 4 CR= 215
115 RESTITUTION & PROBATION 4 YEARS (2.17)
112 PROBATION 4 YEARS & JAIL 6 MONTHS (3.73)
120 PENITENTIARY 5 YEARS (6.21)

CASE # 158 A= 100.0 P= 89.4 T= 7.7 R= 75.2 L= 78.9 SW= 3 CR= 144
120 PROBATION 4 YEARS (2.04)
117 JAIL 1 YEAR FINE \$100 (3.79)
130 PENITENTIARY 5-10 YEARS (6.57)

END