

## Misdemeanor Interview Guide

### Part 1: Jurisdiction legal characteristics

Jurisdiction's definition of a misdemeanor: \_\_\_\_\_

Maximum carceral sentence for misdemeanors: \_\_\_\_\_

Misdemeanors with > 1 year maximum sentence: \_\_\_\_\_

Jailable non-DUI traffic offenses: \_\_\_\_\_

How misdemeanor cases are charged:

Is there only one charge per case or are multiple charges per case permitted? \_\_\_\_\_

Can misdemeanor cases include multiple defendants? \_\_\_\_\_

Jurisdiction is part of \_\_\_\_\_ single-tier court system? \_\_\_\_\_ Multi-tier court system?

Jurisdiction \_\_\_\_\_ has \_\_\_\_\_ does not have municipal courts.

### Part 2: Courts and other agencies involved in processing misdemeanors and where their case-level data are maintained

Determine what agencies are involved in processing misdemeanors in the jurisdiction and what repositories maintain the agency's case-level data. For courts, determine whether there are multiple locations where case-level data exist – for example, a municipal court may have its own data system but also report case data to a county- or state-level court repository.

Agency Type	Name	Where is case-level data maintained or reported to?
Courts that handle jailable state law misdemeanors at the trial level		

<b>Agency Type</b>	<b>Name</b>	<b>Where is case-level data maintained or reported to?</b>
Courts that handle jailable municipal or county code misdemeanors		
Other courts that handle jailable misdemeanors		
Courts that handle felonies at the trial level		
Agencies that make arrests and/or issue citations/summonses for jailable misdemeanors		
Agencies that prosecute state-law misdemeanors		
Agencies that prosecute municipal- and county-code misdemeanors		
Agencies that provide legal representation to the indigent		
Agencies that provide pre-trial supervision and other services		
Agencies that maintain bond records		
Agencies that hold pre-trial detainees		
Agencies that maintain criminal history records		

**Part 3a: Records in the \_\_\_\_\_ (name) \_\_\_\_\_ database**

Does your database have electronic case-level information on:

Jailable misdemeanors filed? all \_\_\_\_; all except \_\_\_\_\_; only \_\_\_\_\_  
Filed at which courts? \_\_\_\_\_

Jailable misdemeanors adjudicated? all \_\_\_\_; all except \_\_\_\_\_; only \_\_\_\_\_  
Adjudicated at which courts? \_\_\_\_\_

Currently open jailable misdemeanor cases? all \_\_\_\_; all except \_\_\_\_\_; only \_\_\_\_\_  
Open at which courts? \_\_\_\_\_

Persons detained pre-trial following arraignment? all \_\_\_\_; all except \_\_\_\_\_; only \_\_\_\_\_  
Arraigned at which courts? \_\_\_\_\_

Other case-level data pertaining to misdemeanor processing? \_\_\_\_\_

What years are covered in your database (how far back do the cases go)? \_\_\_\_\_

Are there major data quality concerns or other issues with data of a certain age? \_\_\_\_\_

To your knowledge, are there common unique identifiers that would allow for linking your records to records held by other agencies involved in processing misdemeanors (arresting agencies, prosecutors, courts, pre-trial services, jails)? \_\_\_\_\_

Are cases that begin in one court identifiable or trackable when transferred to another court (bindover)?

**Part 3b: Availability of individual data elements in the \_\_\_\_\_ (name) \_\_\_\_\_ database**

Determine whether the data repository has the following case-level / individual-level information and if so in what format and if there are any major data quality concerns about the data element.

Category	Data Element	Format (structured / unstructured <sup>1</sup> )	Available on agency website?	Major data quality concerns?	Don't have
General Case Information	Jurisdiction identifier				
	Court identifier				
Defendant Information	Court case identifier <sup>2</sup>				
	Unique defendant identifier <sup>3</sup>				
	Name				
	Date of birth/Age				
	Defendant's home ZIP code				
	Sex				
	Ethnicity				
	Race				
	Citizenship / immigration status				
	Initial appearance and charges	Initiating action (summons, arrest, etc.)			
Offense date					
Arrest date					
Indicators of prior arrests, prior convictions, detainers, outstanding warrants, whether on probation or parole at time of arrest					
Indicators of prior arrest/conviction severity (e.g., misdemeanor or felony record)					
Charge filing date					
Initial appearance date					
Filing charges				e.g., only broad categories	
Indigency status for court-appointed counsel					

<sup>1</sup> Structured = in a database; unstructured = on a docket sheet or otherwise unavailable in electronic format.

<sup>2</sup> Potential linking variable

<sup>3</sup> Potential linking variable

Category	Data Element	Format (structured / unstructured)	Available on agency website?	Major data quality concerns?	Don't have
Pretrial Release	Indicator of a concurrent felony charge				
	Pretrial release decision				
	Bond amount and type				
	Bond amount paid and date				
	Pretrial services supervision indicator				
	Pretrial detention dates				
	Failure(s) to appear				
Disposition and sentencing	Indicators of whether pretrial misconduct occurred leading to revocation of order of release (y/n) and type of misconduct (new arrest, technical violation)				
	Bond revocation date and reason				
	Whether defendant represented by attorney at disposition/sentencing; type of attorney (appointed or retained); and, if no representation, reason no counsel present ( <i>i.e.</i> , waiver or court's refusal to appoint)				
	Charges at adjudication			e.g., only broad categories	
	Disposition date and type				
	Sentence date and type				
	Deferred adjudication type, outcome, and ultimate disposition date				

**Part 3c: Repository's ability to share case-level with BJS**

Can your case management system generate case-level data extracts? For example:

For courts or prosecutor offices:

Does your system allow for exporting details of all misdemeanors  
filed in a date range? \_\_\_\_\_  
adjudicated in a date range? \_\_\_\_\_

For jails:

Does your system allow for exporting details of all persons  
held pretrial in a date range? \_\_\_\_\_  
released pretrial in a date range, including the method and conditions of release? \_\_\_\_\_

Has your agency ever provided case-level data to another agency? \_\_\_\_\_

Which one(s)? \_\_\_\_\_

How recently? \_\_\_\_\_

Formatting and parameters of the data: \_\_\_\_\_

Could your agency provide to BJS:

Case level data that contains no personal identifiers? \_\_\_\_\_

Case level data that contains personal identifiers (e.g., name, DOB)? \_\_\_\_\_

Case level data that contains unique personal identifiers (e.g., State ID #) that could be used to link to another agency's records? \_\_\_\_\_

Case level data on cases that have not yet been adjudicated? \_\_\_\_\_

Are there any limitations to any of these? \_\_\_\_\_

If data are provided without PII (no name or DOB) could age at contact, race/ethnicity, and sex still be provided?

Whether data are provided with PII or without PII, will the data shared include expunged cases? \_\_\_\_\_ Or, are expunged cases no longer available to be shared for research purposes? \_\_\_\_\_

What processes does your agency have in place for sharing data with other agencies? \_\_\_\_\_

Do you have any preferred process for BJS to follow to request the data? \_\_\_\_\_

Are data requests vetted by an internal or external research review committee? \_\_\_\_\_

Are they known to reject applications? \_\_\_\_\_ What are the typical reasons for rejection? \_\_\_\_\_  
Would a Data Use Agreement be required to share the data with BJS? \_\_\_\_\_  
How long would this take to execute? \_\_\_\_\_  
Does requesting data without PII result in time savings throughout the process?

What are the biggest challenges to providing case-level data to BJS or any other requestor? \_\_\_\_\_  
What could BJS do to decrease the challenges in providing data? \_\_\_\_\_  
Are there any times that it is easier (or harder) to respond to data requests? \_\_\_\_\_

Thank you for your time and cooperation.