Thank you for participating in the National Survey of Prosecutors Cognitive Test. Please track:

- The total time it takes for you to complete the survey
- The time it took you to complete section C of the survey

If there are questions that are too difficult to answer, please flag the questions and estimate the amount of time it would take you to retrieve the information.

If an answer is "0 (zero)" or "none", please enter a 0 (zero).

If you cannot provide an exact count for a question, provide an estimate and check the estimate box.

| Section A: Staffing and Services |
|---|
| A1. In what year did the current chief prosecutor first assume the official duties of chief prosecutor for this office? |
| The chief prosecutor is the elected or State-appointed head of the prosecutorial district. |
| If there was an interruption in the chief prosecutor's term, please select the most recent year elected or appointed. |
| [YEAR ELECTED OR APPOINTED] |
| A2. As of September 30, 2019, is the chief prosecutor a full-time or part-time employee of your office? |
| [] Full Time [] Part time |
| A3. As of September 30, 2019, is the chief prosecutor male or female? |
| [] Male [] Female |
| A4a. Please provide the ethnicity of the chief prosecutor as of September 30, 2019. |
| [] Spanish, Hispanic, or Latino [] Not Spanish, Hispanic, or Latino |
| A4b. Please provide the race of the chief prosecutor as of September 30, 2019. Please select all that apply. |
| [] White |
| [] Black or African American |
| [] American Indian or Alaska Native |
| [] Asian [] Native Hawaiian or Other Pacific Islander |
| [] Other (Please specify): |

| A5. For the pay period that included September 30, 2019, how many full- and part-time litigating attorneys were employed in your office? If none, enter "0." If you are uncertain, please provide your best estimate and check the 'estimate' box. If you do not track this information, please check the 'Do not track this information' box. A litigating attorney is an attorney who carries an assigned caseload (e.g., assistant prosecutors, civil attorneys). | | | |
|--|------------------------------|--|--|
| a Full-time litigating attorneys [] Estimate b Part-time litigating attorneys [] Estimate c TOTAL NUMBER OF LITIGATING ATTORNEYS (Sum of A5a and A5b) [] Estimate | | | |
| [] Do not track this information | | | |
| A6. For the pay period that included September 30, 2019, how many full-time litigating attorney female? If none, enter "0." If you are uncertain, please provide your best estimate and check the 'e not track this information, please check the 'Do not track this information' box. The total number of litigating attorneys should sum to the total in column A5c. | stimate' box. If you do | | |
| A litigating attorney is an attorney who carries an assigned caseload. | | | |
| a Male litigating attorneys [] Estimate b Female litigating attorneys [] Estimate | | | |
| [] Do not track this information | | | |
| A7. Please provide the number of full-time litigating attorneys by race and ethnicity who were employed by your office during the pay period including September 30, 2019. If none, enter "0." If you are uncertain, please provide your best estimate and check the 'estimate' box. If you do not track this information, please check the 'Do not track this information' box. The total number of litigating attorneys should sum to the total in column A5c. A litigating attorney is an attorney who carries an assigned caseload. | Number | | |
| a. White (non-Hispanic) | [] Estimate | | |
| b. Black or African American (non-Hispanic) | [] Estimate | | |
| c. Hispanic | [] Estimate | | |
| d. American Indian or Alaska Native (non-Hispanic) e. Asian (non-Hispanic) | [] Estimate [] Estimate | | |
| f. Native Hawaiian or Other Pacific Islander (non-Hispanic) | [] Estimate | | |
| g. Two or more races | [] Estimate | | |
| h. Not known | [] Estimate | | |
| i. TOTAL FULL-TIME LITIGATING ATTORNEYS (sum of rows a through h) | [] Estimate | | |
| [] Do not track this information | | | |

employed in your office? If none, enter "0." If you are uncertain, please provide your best estimate and check the 'estimate' box. If you do not track this information, please check the 'Do not track this information' box.

Full-time staff: Enter the number of full-time personnel according to their PRIMARY job responsibility for the pay period that included September 30, 2019. Count each full-time employee only once. If full-time staff perform more than one job function, enter their count in the job category where they spend most of their time.

Instrument: 3/18/2020

Part-time staff: Enter the number of employees who work fewer hours than your standard work week, including employees in job-sharing arrangements, according to their PRIMARY job responsibility for the pay period that included September 30, 2019. Count each part-time employee only once. If part-time staff perform more than one job function, enter their count in the job category where they spend most of their time.

| Staff position | A8. Number Full-time | A9. Number Part-time |
|--|-------------------------|-------------------------|
| a. Investigators | | |
| A person who investigates crime for the prosecutor's office, interviews witnesses, and evaluates evidence | [] Estimate | [] Estimate |
| b. Victim/ witness staff | | |
| A professional who supports crime victims and witnesses by promoting rights, assessing needs, and linking to support services. Please include paid staff only, and include anyone in your office whose main tasks are to assist victims (e.g., advocates, compensation claims processors). | [] Estimate | [] Estimate |
| c. Support staff | | |
| Examples include administrative staff, clerical staff, human resources, paralegals, information technology (IT) staff, accounting staff, etc. | [] Estimate | [] Estimate |
| d. Review/redaction staff | | |
| Staff member(s) whose position is devoted to the review and redaction of digital evidence | [] Estimate | [] Estimate |
| e. TOTAL ACTUAL STAFF (sum of rows a through d) | [] Estimate | [] Estimate |
| [] Do not track this information | ' | ' |

| A10. Please provide the minimum and maximum dollar amounts that best encompass the range of entry-level salaries |
|--|
| of full-time litigating attorneys hired by your office during the 12-month period ending on September 30, 2019. If there |
| is no range, please provide the same value for the minimum and maximum entry-level salaries. |

b. \$_____.00 [MAXIMUM]

[] Estimate

A11. During the 12-month period ending on September 30, 2019, how many full-time litigating attorneys were hired by your office and how many separated from your office? If none, enter "0." If you are uncertain, please provide your best estimate and check the 'estimate' box. If you do not track this information, please check the 'Do not track this information' box.

| A litigating | g attorney is an attorney who carries an assig | gned caseload. |
|--------------|--|---|
| - | Full-time litigating attorneys hired Full-time litigating attorneys separated | |
| [] Do not | track this information | |
| uncertain, | | n-call position at any given time? If none, enter "0." If you are k the 'estimate' box. If you do not track this information, please |
| An on-call | position is one where the attorney is require | ed to respond at any time in a 24-hour period. |
| | [NUMBER ATTORNEYS] | |
| [] Estima | te | |
| 1 Do not | track this information | |

A13. Are staff in your office responsible for any of the following non-litigating activities? Select (X) all that apply.

| Activities | 1. Yes – Attorney(s) | 2. Yes – Other staff | 3. No |
|----------------------------|-------------------------|-------------------------|-------|
| a. Community events | [] | [] | [] |
| b. Expungements | [] | [] | [] |
| c. FOIA requests | [] | [] | [] |
| d. Restoration of rights | [] | [] | [] |
| e. Training | [] | [] | [] |
| f. Other. Please describe: | [] | [] | [] |

A14. Does your office provide any direct victim assistance or referrals for victims or their families in any of the following situations? Select (X) all that apply.

| | | 1. Provide direct victim assistance Someone on your staff is providing victim assistance | 2. Provide referrals for victims or their families Someone on your staff refers the person to an outside organization | 3. Not Provided |
|----|--|--|---|--------------------|
| a. | Child abuse and other youth violence | [] | [] | [] |
| b. | Domestic or other dating violence | [] | [] | [] |
| c. | Elder abuse | [] | [] | [] |
| d. | Hate crime victimization (i.e., basis for crime is related to race, religion, disability, sexual orientation, ethnicity, gender, or gender identity) | [] | [] | [] |
| e. | Homicide support (family members/co-victims of homicide) | [] | [] | [] |
| f. | Human trafficking | [] | [] | [] |
| g. | Sexual assault | [] | [] | [] |

Section B: Budget

B1. During the fiscal year including September 30, 2019, what were the total operating expenditures of your office, excluding capital outlays for construction? If you are uncertain, please provide your best estimate and check the 'estimate' box.

Operating expenditures or budget are defined as all recurring fixed and variable costs associated with the management and administration of your system. It does not include non-recurring fixed capital costs such as building construction and major equipment purchases.

Total office expenditures during the fiscal year that included September 30, 2019:

| \$ | | 00 [OFFICE EXPENDITURES] |
|----|------------|---------------------------------|
| [|] Estimate | |

| B2. From which of the following sources did your office receive funding during the fiscal year including September 30, 2019? Select Yes or No for each option. | | |
|--|-----|----|
| Please consider only direct revenue from these sources. | Yes | No |

| a. Federal government | [] | [] |
|--|----|----|
| b. State government | [] | [] |
| c. County government (Including multi-county prosecution districts) | [] | [] |
| d. Traffic tickets/Court fees (directly or through collection efforts) | [] | [] |
| e. Grant funding [IF NO, SKIP TO QUESTION C1] | [] | [] |
| f. Other. Please describe: | [] | [] |

B3. [IF QUESTION B2e (Grant Funding) = Yes]:

| How much direct revenue did you receive in the form of grant funding during the fiscal year including September 30, |
|--|
| 2019? If you cannot provide an exact amount, please provide an estimate and check the estimate box. If you do not track |
| this information, please check the 'Do not track this information' box. |

| \$ | 00 [DIRECT REVENUE] |
|----|---------------------------------|
| [|] Estimate |
| [|] Do not track this information |

management system?

[] YES

| C2 | During the 12-month period ending on September 30, 2019, did your office prosecute the | ., | |
|----|---|-----------------|--------|
| | following types of felony offenses? Select Yes or No for each option. | Yes | No |
| a. | Computer hacking or network disruption (cybercrime) | [] | [] |
| b. | Elder abuse/neglect | [] | [] |
| c. | Gang-related violence | [] | [] |
| d. | Hate crime (i.e. basis for crime is related to race, religion, disability, sexual orientation, ethnicity, gender, or gender identity) | [] | [] |
| e. | Human trafficking | [] | [] |
| f. | Methamphetamine production or distribution | [] | [] |
| g. | Mass murder (the killing of four or more people at the same place and time) | [] | [] |
| h. | Opioids distribution (including prescription fraud) | [] | [] |
| i. | Police use of excessive force | [] | [] |
| j. | Use of internet for child exploitation/child sexual abuse/child pornography/child abuse | [] | [] |
| | During the 12-month period ending on September 30, 2019, did your office have jurisdiction for ninal cases (misdemeanor and/or felonies) occurring on tribal lands? | the prosecut | ion of |
| | term "tribal lands" includes areas also labeled Indian Country, federal or state recognized reserva ska Native villages, and/or tribal communities. | tions, trust la | nds, |
| [] | YES NO | | |

Instrument: 3/18/2020

C4. During the 12-month period ending on September 30, 2019, did your office have a digital/electronic case

| [] NO | | |
|--|---------------------|-------------|
| | | |
| C5. During the 12-month period ending on September 30, 2019, was your office responsible for prosecuting or litigating the following case types? Select Yes or No for each option. | Yes | No |
| a. Felony matters | [] | [] |
| b. Misdemeanor matters | [] | [] |
| c. Juvenile matters | [] | [] |
| d. Civil matters [IF NO, SKIP TO QUESTION C7] | [] | [] |
| e. Other matters (including municipal and traffic) | [] | [] |
| [PLAINTIFF] [] Estimate [] Do not track this information | | |
| C6b. If your office was responsible for prosecuting or litigating civil matters during this did your office act as counsel for the defendant? [DEFENDANT] [] Estimate [] Do not track this information | time period, how | many times |
| C7. Does your jurisdiction allow police to file cases directly in court without prosecutori municipal, and infraction cases)? [] Yes [] No [SKIP DIRECTLY TO C9] | ial review (includi | ng traffic, |

| C8a. [IF YES] After a case is filed directly in court by the police, does your office | then handle those cases? |
|--|--------------------------|
| [] Yes [] No [SKIP DIRECTLY TO C9] | |
| C8b. [IF YES] If your office handles cases that were filed directly in court by the your office prosecute without review in the 12-month period ending on Septem | |
| [NO REVIEW] | |
| [] Estimate | |
| Do not track this information | |
| | |

| | Prosecution was almost always pursued | Prosecution was pursued more than half the time | Prosecution was pursued less than half the time | Prosecution was rarely or never pursued | My office has jurisdiction but no cases of this type were referred to my office | My office has no jurisdiction over this offense |
|---|--|--|--|---|---|--|
| Public Order Offenses | | | | | | |
| Driving under the influence of alcohol | [] | [] | [] | [] | [] | [] |
| Driving under the influence of marijuana | [] | [] | [] | [] | [] | [] |
| Driving with a suspended license | [] | [] | [] | [] | [] | [] |
| Fare evasion, including turnstile jumping, etc. | [] | [] | [] | [] | [] | [] |
| Drinking in public, or open container | [] | [] | [] | [] | [] | [] |
| Public intoxication | [] | [] | [] | [] | [] | [] |
| Disorderly conduct | [] | [] | [] | [] | [] | [] |
| Resisting arrest | [] | [] | [] | [] | [] | [] |
| Vagrancy | [] | [] | [] | [] | [] | [] |
| Public urination/defecation | | | | | | |
| Prostitution | [] | [] | [] | [] | [] | [] |
| Solicitation of prostitution | [] | [] | [] | [] | [] | [] |

| | Prosecution was almost always pursued | Prosecution was pursued more than half the time | Prosecution was pursued less than half the time | Prosecution was rarely or never pursued | My office has jurisdiction but no cases of this type were referred to my office | My office has no jurisdiction over this offense |
|--|--|--|--|--|---|---|
| Drug Offenses | | | | | | |
| Smoking marijuana in public | [] | [] | [] | [] | [] | [] |
| Marijuana possession | [] | [] | [] | [] | [] | [] |
| Marijuana possession with intent to distribute | [] | [] | [] | [] | [] | [] |
| Non-marijuana drug possession | [] | [] | [] | [] | [] | [] |

C9c. In the 12 months ending on September 30, 2019, how regularly did your office prosecute cases referred for the following property offenses?

| | Prosecution was almost always pursued | Prosecution was pursued more than half the time | Prosecution was pursued less than half the time | Prosecution was rarely or never pursued | My office has jurisdiction but no cases of this type were referred to my office | My office has no jurisdiction over this offense |
|--|--|--|--|--|---|--|
| Property Offenses | | | | | | |
| Breaking and entering | [] | [] | [] | [] | [] | [] |
| Breaking into a motor vehicle | [] | [] | [] | [] | [] | [] |
| Shoplifting | [] | [] | [] | [] | [] | [] |
| Pickpocketing or purse- snatching | [] | [] | [] | [] | [] | [] |
| Possession of stolen property | [] | [] | [] | [] | [] | [] |
| Criminal trespassing | [] | [] | [] | [] | [] | [] |
| Vandalism/intentional damage to property | [] | [] | [] | [] | [] | [] |

| Offender had prior offenses | [] More likely to prosecute | [] Less likely to prosecute | [] No effect on decision |
|--------------------------------------|------------------------------|------------------------------|---------------------------|
| Offender was intellectually disabled | [] More likely to prosecute | [] Less likely to prosecute | [] No effect on decision |
| Offender was a non-U.S. citizen | [] More likely to prosecute | [] Less likely to prosecute | [] No effect on decision |
| Offender was a minor | [] More likely to prosecute | [] Less likely to prosecute | [] No effect on decision |
| Other characteristics (specify): | | | |

C11. In the 1st column below, please indicate the number of cases reviewed by your office during the 12-months ending September 30, 2019. Next, please indicate the number of each type of case in Columns 2 through 3 for which your office was responsible during the 12-month period ending on September 30, 2019. The sum of Columns 2 through 3 should not exceed the number in Column 1. If you are uncertain, please provide your best estimate and check the estimate box. Check NA if your office is not responsible for prosecuting or litigating these types of cases – Not selected in question C5.

| | 1. Number of cases reviewed by office during 12-months ending 9/30/19 | 2. Number of cases filed in court | 3. Number of cases diverted/declined (Diverted post arrest prior to filing in court / Prosecuting party does not pursue charges) | 4. NA Not selected in question C5 |
|--|--|-----------------------------------|---|---|
| a. Felony matter | s[] Estimate | [] Estimate | [] Estimate | [] |
| b. Misdemeanor matters | [] Estimate | [] Estimate | [] Estimate | [] |
| c. Other matters (including, juvenile, municipal, and traffic) | | [] Estimate | [] Estimate | [] |

C12. Of the cases filed in court (reported in the second column of question C11), how many were concluded by...

If you are uncertain, please provide your best estimate and check the estimate box. Check NA if your office has not filed cases named in question C5 or handled these types of cases.

| | 1. Number of cases concluded by court or jury trial | 2. Number of cases concluded by plea | 3. Number of cases referred to Problem-Solving Court (Court dockets designed to serve a particular group of offenses or offenders) | 4. Number of cases concluded by Nolle prosequi or dismissal | 5. NA Not reported in question C5 |
|---|---|--|---|---|-----------------------------------|
| a. Felony matters | [] Estimate | [] Estimate | [] Estimate | [] Estimate | [] |
| b. Misdemeanor matters | [] Estimate | [] Estimate | [] Estimate | []Estimate | [] |
| c. Other matters (including juvenile, municipal and traffic) | [] Estimate | [] Estimate | [] Estimate | []Estimate | [] |

| C13. Of the felony cases o matters), how many resu | • | | | | oox. |
|---|------------------------|-----------------------|-------------------------|------------------|------|
| | imate | | | | |
| C14. If values were entere concluded: | ed in C13d above (Othe | r), please describe t | he other way that the f | elony cases were | |

Se

| ect | ion D: Evidence in Prosecution | |
|----------------------------|--|--|
| que the 'est oled | During the 12-month period ending on September 30, 2019, what percentage of the feestion C11a, column 2 did your office prosecute that involved the collection, analysis, refollowing types of digital evidence? If you are uncertain, please provide your best estimate box. If your office did not collect, analyze, review, and/or admit the following type are mark the percentage as 0. | view, and/or admission of ate and check the s of digital evidence, |
| | | Percentage of cases |
| a. | Cameras (police body-worn, police dashcam, other camera evidence): | [] Estimate |
| b. | Cell phones | [] Estimate |
| c. | Computer hard drive | [] Estimate |
| d. | Calls from jail/prison: | [] Estimate |
| e. | Social media | [] Estimate |
| | | |
| C11 follobox | During the 12-month period ending on September 30, 2019, what percentage of the feta, column 2 did your office prosecute that involved the collection, analysis, review, and owing types of forensic evidence? If you are uncertain, please provide your best estimated. If your office did not collect, analyze, review, and/or admit the following types of forensistenesses as 0. | l/or admission of the and check the 'estimate' |
| | | Percentage of cases |
| a. | Autopsy | [] Estimate |
| b. | Ballistics | [] Estimate |
| C. | Chemical/drug testing | [] Estimate |
| d. | DNA or other blood evidence | [] Estimate |
| e. | Fingerprints | [] Estimate |
| f. | Sexual assault evidence | [] Estimate |
| g. | Toxicology | [] Estimate |

| 3. Does your office have an established policy on how digital evidence is provided to defense attorneys? |
|---|
|] Yes] No - [IF NO, SKIP TO QUESTION D4] 3a. If your office has an established policy on the sharing of digital evidence with defense attorneys, what is the sual method by which this information is shared? Please select only the most frequently used method. |
| saar method by which this information is shared. Thease select only the most frequently used method. |
|] Digital platform only (e.g., <u>www.evidence.com</u>)] Hard handoff only (e.g., CD or USB flash drive)] Both platform and hard handoff |
|] Method of sharing depends on specifics of case |
| torage of digital evidence (including licensing fees, maintenance fees, IT support, and storage costs)? If you are ncertain, please provide your best estimate and check the estimate box. |
| 00 [EXPENDITURES]] Estimate |
| 5. During the fiscal year that included September 30, 2019, what were the expenditures of your office for the hysical storage of forensic evidence? If you are uncertain, please provide your best estimate and check the estimate ox. |
| |

Section E: Diversion Programs and Specialty Courts

| E1. Within your jurisdiction, do individuals in the following positions refer offenders to diversion programs? Select Yes or No for each option. | Yes | No |
|--|-----|----|
| a. Judge | [] | [] |
| b. Law enforcement | [] | [] |
| c. Prosecutor [IF NO, GO TO QUESTION E3] | [] | [] |
| d. Someone else. Please describe: | [] | [] |
| e. Referrals are mandated by statute | [] | [] |

| E2. During the 12-month period ending on September 30, 2019, did your jurisdiction divert the following types of offenses from prosecution prior to adjudication? Select (X) all that apply. | Yes – Felony cases | Yes – Misdemeanor cases | No | |
|--|-----------------------|-------------------------------|-----|--|
| a. Child abuse | [] | [] | [] | |
| b. Child neglect | [] | [] | [] | |
| c. Drug manufacturing/dealing offenses | [] | [] | [] | |
| d. Drug simple possession offenses | [] | [] | [] | |
| e. Domestic violence offenses | [] | [] | [] | |
| f. DUI/DWI offenses | [] | [] | [] | |
| g. Simple assault (other than domestic violence offenses) | [] | [] | [] | |

| E3. Within your jurisdiction, do individuals in the following positions refer offenders to <u>problem-solving courts</u> ? Select Yes or No for each option. | Yes | No |
|--|-----|----|
| a. Judge | [] | [] |
| b. Law enforcement | [] | [] |
| c. Prosecutor | [] | [] |
| d. Someone else. Please describe: | [] | [] |
| e. Referrals are mandated by statute | [] | [] |

| 4. To what types of <u>problem-solving courts</u> do you refer offenders? Select Yes or No for ach option. | Yes | No | |
|---|-----|----|--|
| a. Adult drug court | [] | [] | |
| o. Juvenile court | [] | [] | |
| . Mental health court | [] | [] | |
| I. Family court | [] | [] | |
| . Hybrid DWI/Drug court | [] | [] | |
| . DWI court | [] | [] | |
| . Domestic violence court | [] | [] | |
| 1. Veterans court | [] | [] | |
| . Tribal wellness court | [] | [] | |
| . Environmental court (e.g. refineries) | [] | [] | |

E5. Is the prosecutor expected to monitor cases that are referred to problem-solving courts?

| Γ. | Vec - | Δ men | her c | f the | nrosecui | or's | office | is nresen | t and i | s resnor | nsihle | for m | onitoring | PSC cases |
|----|-----------|---------|--------|---------|----------|------|--------|------------|-----------|-----------|--------|---------|--------------|-----------|
| | 1 1 5 5 - | AIIIEII | ושכו נ | יו וויכ | DIOSECU | UI S | UIIICE | 12 DI E2EH | ıt anıu i | 2 I E2DOI | ISIDIC | ווו וטו | וטווונטווווצ | rac cases |

- [] Yes Prosecutors are not required to be present, but do receive reports from PSC teams and are expected to provide some feedback
- [] No Prosecutor only knows if the defendant completes the court or is terminated from the court [IF SELECTED, YOU HAVE COMPLETED THIS SURVEY. THANK YOU FOR YOUR TIME.]

E6. How are prosecutors assigned to the problem-solving courts?

- [] Original prosecutor assigned to case is responsible for handling case while in problem-solving court
- [] Dedicated prosecutor(s) are assigned to all cases in one specific problem-solving court (e.g., one prosecutor for drug, one prosecutor for veterans, one prosecutor for DWI)
- [] Dedicated prosecutor(s) are assigned to all cases in multiple problem-solving courts (e.g. one prosecutor for drug, veterans and DWI courts)

BJS 2019 National Survey of Prosecutors

Return the survey to RTI by email, mail, or fax to the addresses listed in the email or letter that accompanied this survey.