



Bureau of Justice Statistics Special Report

National Survey of Prosecutors

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State Court Prosecutors in Small Districts, 2001

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In 2001 across the Nation an estimated 9 in 10 prosecutors' offices served a district with a population of less than 250,000. These 2,113 prosecutors' offices represented almost 40% of the Nation's population. Three-quarters or 1,581 of these offices had a full-time chief prosecutor. Results from the National Survey of Prosecutors (NSP) indicate that these offices with a full-time chief prosecutor closed over 893,000 felony cases and had combined budgets totaling over \$1.1 billion for prosecutorial functions. The median number of felony cases closed per office was 288, and the median budget was \$379,000.

The 2001 NSP was a census of all chief prosecutors that tried felony cases in State courts of general jurisdiction.¹ The census did not include municipal attorneys or county attorneys who primarily operate in courts of limited jurisdiction.

This is the third report based on results from the 2001 NSP which focuses on prosecutors' offices with a full-time chief prosecutor serving a district with a population under 250,000.²

¹The 1990, 1992, 1994, and 1996 NSP data collections surveyed a nationally representative sample of chief prosecutors that tried felony cases in State courts of general jurisdiction.
²*State Court Prosecutors in Large Districts, 2001*, NCJ 191206, and *Prosecutors in State Courts, 2001*, NCJ 193441 are available <<http://www.ojp.usdoj.gov/bjs>>.

Highlights

	All	Full-time offices serving districts with a population of —			
		100,000 to 249,999	50,000 to 99,999	20,000 to 49,999	Under 20,000
Number of prosecutors' offices	1,581	335	357	488	401
Median					
Population served, 1999	41,319	148,788	69,331	32,774	11,837
Total staff size	10	31	15	8	4
Salary of chief prosecutor	\$90,000	\$100,000	\$93,000	\$88,000	\$66,000
Budget for prosecution	\$379,000	\$1,351,000	\$600,000	\$325,000	\$150,000
Felony cases closed in 12 months	288	1,200	400	214	75

- In 2001 two-thirds of all full-time chief prosecutors and all 532 part-time chief prosecutors served a prosecutorial district with a population under 250,000.
- Full-time offices serving districts with a population under 250,000 employed a workforce of 25,884 attorneys, investigators, victim advocates, and support staff; the total accounted for about a third of the total employment for all prosecutors' offices nationwide.
- Full-time offices serving districts with a population under 250,000 had combined budgets for prosecutorial functions totaling over \$1 billion. Forty-six percent of full-time offices serving districts with a population under 20,000 received all of their funding from the county government.
- Nine out of ten full-time prosecutors' offices serving districts with a population under 250,000 handled domestic violence and child abuse cases.
- Nearly two-thirds of full-time offices serving districts with a population between 100,000 and 249,999 reported prosecuting either felony or misdemeanor computer crimes under their State's statutes.
- Over 890,000 felony cases were closed by full-time offices serving districts with a population under 250,000. Staff also participated in over 28,000 jury trials that resulted in a verdict.
- About 15,500 juvenile cases were proceeded against in criminal court by full-time offices serving districts with a population under 250,000. Half of the full-time offices proceeded against 5 or more juvenile cases in criminal court.
- Almost two-thirds of full-time offices serving districts with a population under 250,000 used DNA evidence in plea negotiations and half of the full-time offices used it during felony trials.

Even though they constitute the majority of prosecutors' offices nationwide, little information has been reported about prosecutors' offices serving smaller districts with a population under 250,000. The 2001 NSP provides the first opportunity to comprehensively examine these offices.

Generally, the 2001 NSP results revealed that compared to offices serving districts with a population of 500,000 or more, full-time offices serving districts with a population under 250,000 had fewer assistant prosecutors (including supervisory attorneys) per 100,000 residents (8.3 versus 11.5), had smaller per resident amounts budgeted (\$11.30 versus \$23.70), closed more felony cases per assistant prosecutor (including supervisory attorneys) (109 versus 72), and closed more felony cases per 100,000 residents (903 versus 823).

The size of the prosecutorial district varied considerably among the 1,581 full-time offices. For example, the prosecutors' office in Galveston County, Texas, served a population of about 248,000 while the prosecutors' office in Banner County, Nebraska, served a population of 831. Since staffing, budget, and workload often differ according to the size of the prosecutorial district, this report presents information in the aggregate for all 1,581 offices with a full-time chief prosecutor and then by categories for offices that served a district with a population bracketed as follows: 100,000-249,000, 50,000-99,999, 20,000-49,999, and under 20,000.

Eight out of ten full-time prosecutors' offices serving a population under 250,000 had a prosecutorial district consisting of one county. Virtually all full-time offices that served a population under 20,000 had a prosecutorial district comprised of one county compared to two-thirds of offices serving a population between 100,000 and 249,999. Half of all full-time prosecutors' offices represented a district with a population of 41,000 or fewer. The average population served by the 1,581 full-time offices was 63,000 (not shown in a table).

Table 1. Prosecutors' offices, by size of district and percentage of population served, 2001

Prosecutorial districts	Number of offices	Percent of —	
		Offices	U.S. population served
All	2,341	100.0%	100.0%
Jurisdictions with less than 250,000	2,113	90.2	39.7
Full-time	1,581	67.5	36.2
Part-time	532	22.7	3.5
Jurisdictions with 250,000 or more	228	9.8	60.3

Staffing

In 2001 full-time prosecutors' offices serving districts with a population under 250,000 employed almost 26,000 staff, including assistant prosecutors, paralegals, victim advocates, investigators,

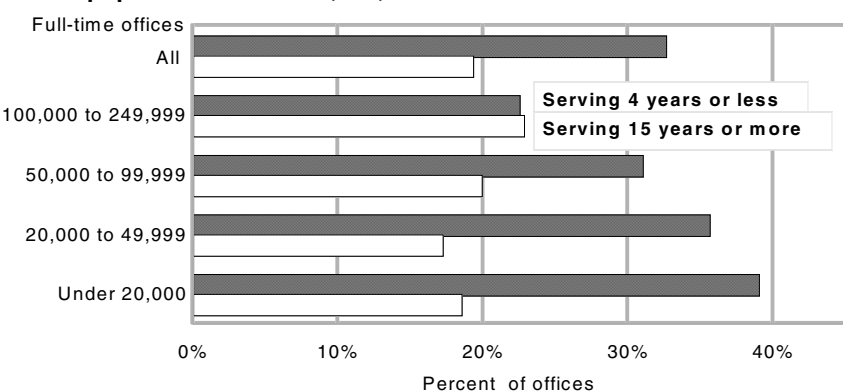
and support staff. Attorneys (assistant prosecutors, civil attorneys, and supervisory attorneys) and support staff (administrative and clerical) comprised two-thirds of total staff. Victim advocates made up 9% of total staff and staff investigators 8%.

Table 2. Median staff size in full-time prosecutors' offices serving districts with a population under 250,000, by personnel categories, 2001

	Median staff size for full-time prosecutors' offices serving a population of —				
	All	100,000 to 249,999	50,000 to 99,999	20,000 to 49,000	Under 20,000
Total staff size ^a	10	31	15	8	4
Number of —					
Assistant prosecutors	3	11	5	2	1
Civil attorneys	0	0	0	0	0
Supervisory attorneys ^b	0	1	0	0	0
Managers ^c	0	0	0	0	0
Victim advocates	1	3	1	1	0
Legal services personnel ^d	0	0	0	0	0
Staff investigators ^e	0	2	1	0	0
Support staff ^f	3	9	5	3	1
Number of offices	1,581	335	357	488	401

Note: Data on types of personnel were available for 1,525 prosecutors' offices and estimated for 56 offices.
^aIncludes the chief prosecutor.
^bAttorneys in managerial positions who litigate cases.
^cAttorneys or non-attorneys in primarily managerial positions who do not litigate cases.
^dIncludes law clerks and paralegals.
^eIncludes investigators on contract.
^fIncludes administrative staff, clerical staff, computer personnel and fiscal officers.

Length of service for full-time chief prosecutors serving districts with a population under 250,000, 2001



Data for length of service were available for 1,486 prosecutors' offices.

Figure 1

Over 8,200 assistant prosecutors including supervisory attorneys were employed by full-time offices serving districts with a population under 250,000. The number of assistant-prosecutors including supervisory attorneys per 100,000 residents was 8.3.

Overall, the ratio of assistant prosecutors (including supervisory attorneys) to investigators was 4.1 attorneys to 1 investigator; to victim advocates, 3.6 to 1; and support staff, 1 to 1. Twenty-two percent of the full-time offices serving districts with a population under 250,000 did not employ a full-time assistant prosecutor.

About 9% of the total staff worked part time. In full-time offices serving a district with a population under 20,000, 19% of the total staff worked part time, and in offices serving a district with a population from 20,000 to 49,999, 14%. The median total size for full-time offices serving districts with a population under 250,000 was 10, including the chief prosecutor (table 2).

Half of the offices reported 3 or more assistant prosecutors. The median number of support staff was 3 and of victim advocates, 1.

The median total staff varied considerably by population. The median total staff for full-time offices serving a district with a population between 100,000 and 249,999 was 31 compared to 15 for districts serving a population between 50,000 and 99,999, 8 for districts serving a population between 20,000 and 49,999, and 4 for districts serving a population under 20,000.

Term of office, length of service, and salary of full-time chief prosecutor

Most full-time chief prosecutors that served a district with a population under 250,000 were elected or appointed to 4-year terms (85%), with half serving 6.7 years or more (not shown in a table). Seven percent of the full-time chief prosecutors were elected or appointed to a 6-year term and 5%, a 2-year term.

About a third of full-time chief prosecutors serving a district with a population under 250,000 served 4 years or less (figure 1). Approximately 39% of the full-time chief prosecutors representing a district with a population under 20,000 had served 4 years or less, compared to 22% representing a district with a population between 100,000 and 249,999. Nineteen percent of the full-time chief prosecutors had served 15 years or more. About 23% of the full-time chief prosecutors in a district with population between 100,000 and 249,999 served 15 years or more; 20% in a district with population between 50,000 and 99,999; 17% in a district with population between 20,000 and 49,999; and 18% with a district with a population under 20,000.

Half of the full-time prosecutors' offices serving districts with a population under 250,000 reported that the chief prosecutor earned \$90,000 or more per year (table 3). The chief prosecutor earned

an annual salary of \$100,000 or more in 30% of the offices. Fifty-two percent of chief prosecutors serving a district with a population between 100,000 and 249,999 earned \$100,000 or more, compared to 19% serving a district with a population under 20,000.

Attorney recruitment and retention

Problems with recruiting new staff attorneys were reported by a third of offices serving districts with a population under 250,000 (not shown in a table). Two-thirds of the prosecutors' offices with recruitment problems indicated that the primary obstacle was noncompetitive salaries. Problems with recruiting new staff attorneys were cited more often in offices serving a district with a population between 100,000 and 249,999 than their full-time counterparts serving a lesser population. Three out of ten prosecutors' offices serving districts with a population under 250,000 also reported

Table 3. Annual salary for full-time chief prosecutor serving districts with a population under 250,000, 2001

Full-time chief prosecutor	Full-time offices serving a population of —				
	All	100,000 to 249,999	50,000 to 99,999	20,000 to 49,999	Under 20,000
Median					
Annual salary	\$90,000	\$100,000	\$93,000	\$88,000	\$66,000
Percent					
With annual salary \$100,000 or more	30.0%	52.1%	31.4%	22.7%	18.7%

Note: Data on annual salary were available for 1,453 prosecutors' offices.

Table 4. Budget for prosecutorial functions in full-time prosecutors' offices serving districts with a population under 250,000, 2001

Budget for prosecutorial functions	Full-time offices serving a population of —				
	All	100,000 to 249,999	50,000 to 99,999	20,000 to 49,000	Under 20,000
Total (in \$1,000's)	\$1,120,000	\$594,000	\$252,000	\$193,000	\$78,064
Median	379	1,351	600	325	150
Mean	706	1,772	705	396	195
Number of prosecutors' offices	1,581	335	357	488	401
Percent of offices where budget includes:					
Staff salaries	97.6%	98.4%	94.8%	98.9%	97.8%
Expert services	65.9	70.1	65.7	68.2	59.5
Investigator services	53.5	73.1	56.1	53.3	33.0
DNA testing	38.0	50.2	37.6	32.5	34.4
Child support enforcement	33.0	30.8	33.9	35.9	30.4
Interpreter services	27.8	46.1	30.0	21.3	16.9
Social services	14.7	20.0	15.9	13.6	10.4

Note: Data on total budget for prosecutorial functions were available for 1,496 prosecutors' offices and estimated for 85 prosecutors' offices. Data on percentage of prosecutors' offices budget includes staff salaries were available for 1,463 offices, expert services 1,390 offices, investigator services 1,346 offices, interpreter services 1,275 offices, social services 1,249 offices, child support enforcement 1,310 offices, and DNA testing 1,315 offices.

problems with retaining staff attorneys. Fifty-seven percent of the offices with retention problems reported that the salary level was the primary obstacle. Retaining staff members was cited more often as a problem in offices serving a district with a population between 100,000 and 249,999 than in the offices from districts with a smaller population.

Budget

In 2001 full-time offices serving districts with a population under 250,000 had combined total budgets of over \$1.1 billion for prosecutorial functions (table 4). More than half (53%) of the \$1.1 billion was for budgets in the 335 offices serving a district with population between 100,000 and 249,999. Half of the offices reported an annual budget of \$379,000 or more. The median annual budget for offices serving a district with a population between 100,000 and 249,999 (\$1.4 million) was almost 10 times greater than the median annual budget for offices serving a district with a population under 20,000 (\$150,000).

Half of the full-time offices serving districts with a population under 250,000 received 76% or more of their funding from the county government (not shown in a table). Six out of ten offices reported receiving some portion of funding from their State government. Seven percent of the offices reported 100% funding from their State government.

A quarter of the full-time prosecutors' offices serving districts under 250,000 relied exclusively on the county government for their budget. Forty-six percent of offices serving a district with a population under 20,000 received 100% of their funding from the county government, as did 25% of offices serving a district with a population between 20,000 and 49,999. Fourteen percent of the offices reported no funding from the county government.

About 4% of full-time offices serving districts with a population under 250,000 reported some portion of funding from the city government and 38% funding from grant funds.

Types of cases handled

Full-time offices serving a district with a population under 250,000 handled a variety of felony matters. In addition to felony cases, 90% of offices serving districts with a population under 250,000 handled misdemeanor cases. Juvenile matters were handled by 89%, traffic violations by 84%, and misdemeanor appeals by 73% (table 5). About half of the offices serving districts with a population under 250,000 represented the government

in civil lawsuits (51%) and had jurisdiction over felony appeals (50%) and child support enforcement (49%).

Special categories of felony offenses prosecuted

Over 90% of full-time offices serving districts with a population under 250,000 reported prosecuting domestic violence (97%) and child abuse offenses (95%) (table 6). Firearm offenses were prosecuted by 87% of the offices, stalking by 63%, bank or thrift fraud by 47%, elder abuse by 42%, and health care fraud by 23%. Less than 10% of the full-time offices serving districts with a population under 250,000 prosecuted telemarketing fraud (9%) or police excessive use of force (7%).

Table 5. Types of cases other than felonies handled in full-time prosecutors' offices serving districts with a population under 250,000, 2001

Type of cases	Percent of full-time offices serving a population —				
	All	100,000 to 249,999	50,000 to 99,999	20,000 to 49,000	Under 20,000
Misdemeanor	89.7%	87.6%	83.2%	89.0%	98.1%
Misdemeanor (only associated with a felony)	11.5	14.9	16.2	9.5	6.9
Misdemeanor appeals	73.0	74.3	72.8	69.4	76.5
Felony appeals	50.1	49.2	51.2	51.8	47.9
Traffic violations	83.6	77.8	76.9	84.1	93.7
Juvenile matters	89.1	89.5	82.3	88.3	95.5
Child support enforcement	49.2	47.9	52.1	53.3	42.9
Represent government in civil lawsuit	51.1	33.7	44.9	55.3	66.1
Number of prosecutors' offices	1,481	315	334	454	378

Note: 85 offices reported both a misdemeanor caseload and a caseload of misdemeanors only if associated with felonies.

Table 6. Special categories of felony offenses prosecuted in full-time prosecutors' offices serving districts with a population under 250,000, 2001

Felony case type	Percent of full-time offices serving a population of —				
	All	100,000 to 249,999	50,000 to 99,999	20,000 to 49,000	Under 20,000
Hate crime	18.2%	36.6%	22.1%	11.7%	6.4%
Domestic violence	96.7	99.7	97.3	96.9	93.4
Elder abuse	42.3	62.2	49.9	39.6	21.1
Stalking	62.7	81.9	71.3	56.9	45.2
Child abuse	94.6	99.1	98.5	95.4	85.9
Health care fraud	22.9	27.8	25.7	25.0	13.3
Bank or thrift fraud	47.1	56.9	54.0	51.1	26.9
Telemarketing fraud	9.1	14.4	12.2	7.5	3.3
Illegal sale or possession of a firearm	86.7	95.9	91.9	87.4	72.9
Police use of excessive force	6.7	14.4	9.3	3.1	2.2
Number of prosecutors' offices	1,468	320	335	452	361

Computer-related crime prosecuted

Over the previous year, 4 out of 10 full-time offices serving districts with a population under 250,000 prosecuted computer-related crime (felony or misdemeanor) under their State's computer statutes (figure 2). Computer-related crimes were also handled by the relatively small offices. Forty-one percent of full-time offices serving a district with a population between 20,000 and 49,999 reported prosecuting computer-related offenses as did 22% of offices serving a district with a population under 20,000. In terms of specific computer-related crimes, 30% of the offices indicated prosecuting transmitting child pornography crimes; 28% credit card fraud; 23% bank card fraud; and 17% identity theft (table 7).

Number of cases and convictions

Over 890,000 felony cases or 38% of all felony cases nationwide were closed in full-time offices serving districts with a population under 250,000 during the 12 months preceding the survey (not shown in a table). These full-time offices also closed 2.8 million misdemeanor cases during this period.

About 903 felony cases were closed per 100,000 residents. Approximately 109 felony cases per assistant prosecutor were closed.³ Staff from full-time offices serving districts with a population under 250,000 participated in over 28,000 felony jury trials that resulted in a verdict.

Half of the full-time offices serving districts with a population under 250,000 closed 288 or more felony cases (table 8). In at least half of the offices, 90% or more of felony cases resulted in either a felony or misdemeanor conviction. There was a median of 10 felony jury trial verdicts per office in 2001. The median number of felony cases closed by

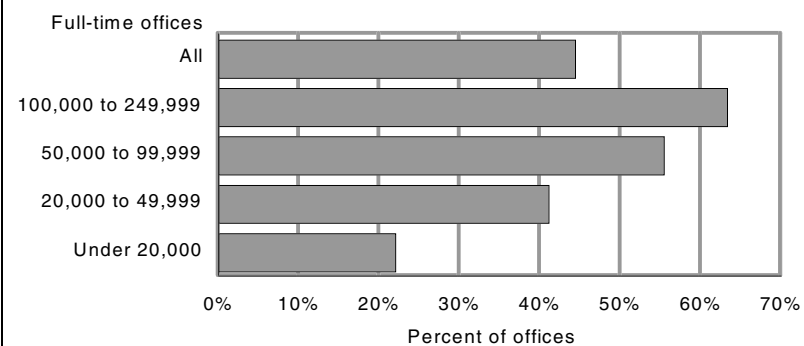
³This estimate was calculated by dividing the total number of felony cases closed by the number of assistant prosecutors including supervisory attorneys. An assumption made in calculating the estimate is that all assistant prosecutors handled felony cases, which may not always be the case.

offices serving a district with a population between 100,000 and 249,999 was 3 times more than the median number of felony cases closed in offices serving a district with a population between 50,000 and 99,999; 6 times more than the median number of felony cases closed in offices serving a district with a population between 20,000 and 49,999, and 16 times the median number of felony cases closed in offices serving a district with a population under 20,000.

Juveniles proceeded against in criminal courts

Over the 12 months preceding the survey, 7 out of 10 full-time prosecutors' offices serving districts with a population under 250,000 proceeded against juveniles in criminal court (table 9). Over 15,000 juvenile cases were handled in criminal court by full-time prosecutors' offices serving districts with a population under

Full-time prosecutors' offices serving districts with a population under 250,000 prosecuting any computer-related crime, 2001



Data on computer-related crime were available for 1,474 prosecutors' offices.

Figure 2

Table 7. Types of computer-related crimes prosecuted in full-time prosecutors' offices serving districts with a population under 250,000, 2001

Type of computer crime prosecuted	Percent of full-time offices serving a population of —				
	All	100,000 to 249,999	50,000 to 99,999	20,000 to 49,000	Under 20,000
Credit card fraud	28.2%	47.0%	37.8%	24.1%	9.4%
Bank card fraud ^a	22.6	42.4	30.5	17.1	6.2
Computer forgery ^b	12.8	24.1	17.4	11.0	2.4
Computer sabotage ^c	3.8	8.0	4.7	2.9	1.2
Unauthorized access to computer system ^d	8.8	14.1	12.0	8.5	2.4
Unauthorized copying or distribution of computer programs ^e	1.8	4.0	1.8	1.3	0.6
Cyberstalking ^f	15.1	27.5	18.1	13.5	4.7
Theft of intellectual property	2.3	4.1	2.9	2.3	0.3
Transmitting child pornography	30.4	53.8	41.3	24.1	7.3
Identity theft	17.2	34.2	19.7	14.5	5.2

Note: Data were available on credit card fraud for 1,349 prosecutors' offices, bank card fraud 1,317 offices, forgery 1,277 offices, sabotage 1,248 offices, unauthorized access to computer system 1,265 offices, unauthorized copying or distribution of computer programs 1,242 offices, cyberstalking 1,296 offices, theft of intellectual property 1,241 offices, transmitting child pornography 1,372 offices, and identity theft 1,295 offices.

^aATM or debit.

^bAlteration of computerized documents.

^cTo hinder the normal function of a computer system through the introduction of worms, viruses, or logic bombs.

^dHacking.

^eSoftware copyright infringement.

^fSending harassing or threatening e-mail to other users.

Table 8. Criminal cases closed and convicted in full-time prosecutors' offices serving districts with a population under 250,000, 2001

Criminal cases closed	Median criminal cases closed for full-time prosecutors' offices serving a population of —				
	All	100,000 to 249,999	50,000 to 99,999	20,000 to 49,000	Under 20,000
All cases ^{a,b}	1,134	4,649	1,850	978	350
Percent convicted	87.3%	83.5%	86.4%	87.5%	89.6%
Felony cases ^c	288	1,200	400	214	75
Percent convicted	90.0%	86.7%	90.0%	90.0%	90.0%
Misdemeanor cases ^d	800	3,098	1,250	740	275
Percent convicted	87.5%	83.8%	87.8%	86.6%	90.0%
Felony jury trial verdicts	10	30	15	8	2

Note: Respondents were asked to provide caseload data for the previous 12 months. Accordingly, not all data are for 2001. Data on total cases closed were available for 1,278 prosecutors' offices, misdemeanor cases closed 1,228 offices, and felony jury verdicts for 1,412 offices. Data on the number of felony cases closed were available for 1,389 offices and were estimated for 192 offices. Data on percentage of total cases convicted were available for 1,215 prosecutors' offices, percentage felony cases convicted 1,345 offices, and percentage misdemeanor cases convicted 1,154.

^aCase was defined by the respondent.

^bClosed case means any case with a judgment of conviction, acquittal, or dismissal with or without prejudice, entered by the court.

^cEach respondent categorized cases as felonies according to State statute.

^dMisdemeanor cases refer to cases in which criminal defendants had no felony charges against them.

250,000, which represented almost half of the juvenile cases proceeded against in criminal court nationwide in the 12 months preceding the survey. Half of the offices proceeded against 5 or more juvenile cases.

About 5% of the offices serving districts with a population under 250,000 reported a specialized unit for handling juvenile cases in criminal court, and 41% reported designated attorneys. Written guidelines about proceeding against juveniles in criminal court were reported by 16% of full-time prosecutors' offices serving districts with a population under 250,000.

Work-related threats or assaults against staff

Forty-one percent of full-time offices serving districts with a population under 250,000 indicated that a staff member experienced a work-related threat or assault (table 9). Overall, a third of full-time prosecutors' offices serving districts with a population under 250,000 reported that the chief prosecutor was threatened or assaulted. Chief prosecutors serving a district with a population between 50,000 and 99,999 had the highest percentage of work-related threats or assaults (37%). Assistant prosecutors were threatened or assaulted in 23% of full-time offices serving districts with a population under 250,000, and staff investigators in 5%.

Security measures

In general, 4 out of 10 full-time prosecutors' offices serving districts with a population under 250,000 reported they did not use security measures (not shown in a table).

Table 9. Juveniles proceeded against in criminal court by full-time prosecutors' offices serving districts with a population under 250,000, 2001

Juveniles proceeded against in criminal court	Full-time offices serving a population of —				
	All	100,000 to 249,999	50,000 to 99,999	20,000 to 49,999	Under 20,000
Percentage of prosecutors' offices proceeding against juvenile cases in criminal court	71.1%	85.0%	79.6%	68.7%	54.9%
Case total, 2001*	15,562	7,751	3,452	2,877	1,482
Median number, per office	5	8	5	4	3
Percentage of prosecutors' offices with:					
Specialized unit	4.6%	16.3%	3.7%	0.2%	0.8%
Designated attorney(s)	40.6	46.6	51.9	45.9	19.6
Written guidelines for handling juvenile cases in criminal court	16.1	22.2	14.9	13.9	14.4

Note: Respondents were asked to provide the number of juvenile cases proceeded against in criminal court for the previous 12 months. Accordingly, not all juvenile cases reported were proceeded against in criminal court during 2001. Data on the percentage of offices proceeding against juvenile cases in criminal court were available for 1,503 offices. Data on number of juveniles cases proceeded against in criminal court were available for 1,032 of 1,069 prosecutors' offices. Data on the percentage of offices with a specialized unit were available for 1,437 offices, percentage of offices with designated attorney(s) 1,437, and percentage of offices with written guidelines for handling juvenile cases in criminal court 1,433 offices offices.

*Juveniles proceeded against in criminal court include cases that reached criminal court by judicial waiver, statutory exclusion, direct filing by a prosecutor's office, or any other mechanism available in the prosecutor's State.

Electronic security systems were used by 22% of full-time offices serving districts with a population under 250,000; metal detectors or building guards by 20%, electronic surveillance by 12%, and police protection, by 10% (figure 3). Two-thirds of offices serving a district with a population under 20,000 reported employing no security measures.

The chief prosecutor carried a firearm for personal safety or security in 23% of full-time offices serving districts with a population under 250,000. Twenty percent of offices serving districts with a population under 250,000 reported that an assistant prosecutor carried a firearm for personal safety, and 31% indicated a staff investigator did so.

DNA evidence

The use of DNA evidence was widespread among full-time offices serving districts with a population under 250,000. During the 12 months before the survey, almost three-fourths of all full-time offices reported use of DNA evidence either during plea negotiations or felony trials (table 11). Even 43% of full-time offices serving districts with a population under 20,000 indicated the use of DNA evidence during plea negotiations or felony trials.

Overall, full-time offices serving districts with a population under 250,000 used DNA evidence more often in plea negotiations (64%) than

during felony trials (51%). A state-operated forensic laboratory performed the DNA analysis for 67% of the full-time offices serving districts with a population under 250,000, a privately operated forensic laboratory for 21%, the FBI for 7%, and a local agency for 2%. The FBI was more likely to perform the DNA analysis for full-time offices serving a district with a population between 100,000 and 249,999 than for their full-time counterparts.⁴

When asked about problems in the use of DNA evidence, a third of the full-time offices serving districts with a population under 250,000 reported at least one instance of excessive delay in getting DNA results from the laboratory. About half of the full-time offices serving a district with a population between 100,000 and 249,999 and from 50,000 to 99,999 reported excessive delays in getting DNA results from the laboratory. Other problems reported with the use of DNA evidence included inconclusive DNA results by 15% of the full-time offices and improper collection of evidence by the police by 6%.

Community prosecution

Community prosecution has been defined by prosecutors as a way to involve the community to solve crime and coordinate residents, local agencies, and organizations to improve public safety and quality of life.⁵

⁴For more information on DNA laboratories, see BJS report *Survey of DNA Crime Laboratories, 2001*, NCJ 179104.

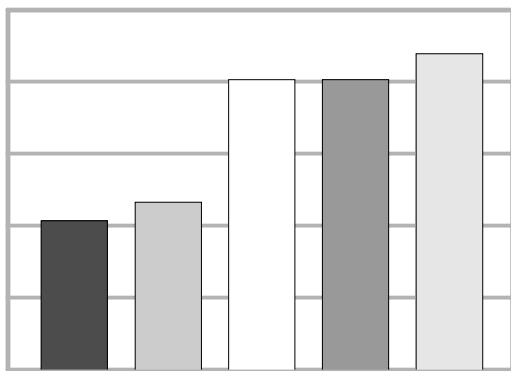
⁵For more information on community prosecution see Elaine Nugent and Gerard A. Rainville, "The State of Community Prosecution: Results from a National Survey," *The Prosecutor*, March/April 2001, pp. 26-33, and the Office of Justice Programs website <<http://www.ojp.usdoj.gov/prosecution/commlinks.htm>>.

Table 10. Work-related threats and assaults received by members of full-time prosecutors' offices serving districts with a population under 250,000, 2001

	Percent of full-time offices serving population under 250,000				
	All	100,000 to 249,999	50,000 to 99,999	20,000 to 49,999	Under 20,000
Offices experiencing work-related threats and/or assaults	40.9%	44.8%	48.9%	37.6%	34.2%
Member of office receiving work-related threat —					
Chief prosecutor	31.8%	25.4%	36.9%	32.2%	32.4%
Assistant prosecutor	23.2	37.9	33.0	18.0	8.0
Staff investigator	4.9	8.2	6.6	4.2	1.3

Note: Data on threats and/or assaults were available for 1,476 prosecutors' offices. Threats and assaults include threatening letters or phone calls, face-to-face threats, and battery or assaults.

Security measures used for protection by full-time prosecutors' offices serving districts with a population under 250,000, 2001



Data on police protection, electronic surveillance, metal detectors, and electronic security systems were available for 1,456 prosecutors' offices.

Figure 3

Table 11. DNA evidence used by full-time prosecutors' offices serving districts with a population under 250,000, 2001

Use of DNA evidence	Percent of full-time offices serving a population of —				
	All	100,000 to 249,999	50,000 to 99,999	20,000 to 49,999	Under 20,000
Used during plea negotiations or felony trials	73.1%	96.5%	86.7%	71.8%	42.6%
Stage of case					
Plea negotiations	63.6%	84.6%	75.3%	62.6%	36.5%
Trial	50.7	86.8	60.8	44.7	18.0
Forensic laboratory performing DNA analysis					
FBI	6.8%	14.2%	7.5%	5.1%	1.9%
State-operated	66.5	88.4	78.7	65.9	37.8
Local agency	2.4	4.7	4.2	1.6	0.0
Privately operated	20.6	35.5	27.6	15.1	8.0
Problems with use of DNA evidence					
Improper collection of evidence by police	6.4%	12.5%	8.2%	4.3%	2.4%
Inconclusive DNA results	14.9	27.8	17.7	13.2	3.8
Excessive delay in getting DNA results from laboratory	34.4	49.5	49.1	30.0	14.0
Difficulty in getting DNA results admitted in court as evidence	1.3	1.9	2.1	1.1	0.3

Note: Data on use of DNA any time, during plea negotiations, and during felony trials were available for 1,470 prosecutors' offices. Data on FBI performing DNA analyses, state-operated forensic laboratory, local agency operated forensic laboratory, and privately operated forensic laboratory were available for 1,473 prosecutors' offices. Data on improper collection of evidence by police, inconclusive DNA results, excessive delay in getting DNA results, and difficulty in getting DNA results submitted in court were available for 1,459 prosecutors' offices.

During the previous year 68% of full-time offices serving districts with a population under 250,000 used tools other than criminal prosecution to address community problems; 55% involved the community to identify crime and other problem areas; and 16% assigned prosecutors to specific geographic areas (table 12). A third of full-time offices serving a district with population between 100,000 and 249,999 and a quarter serving a district with a population between 50,000 and 99,999 assigned prosecutors to specific geographic areas.

Almost all of the full-time offices serving districts with a population under 250,000 had a formal or informal relationship with law enforcement agencies. Eighty-seven percent reported a formal or informal relationship with other governmental agencies, 70% community associations, and 61% private organizations.

Table 12. Community-related activities engaged in by full-time prosecutors' offices serving districts with a population under 250,000, 2001

Community-related activities	Percent of full-time offices serving a population of —				
	All	100,000 to 249,999	50,000 to 99,999	20,000 to 49,999	Under 20,000
Engage in any of the following —					
Involved the community to identify crime and/or problem areas	55.2%	63.6%	55.0%	57.5%	45.8%
Assigned prosecutors to specific geographic areas	16.4	35.3	25.3	9.3	1.8
Used tools other than criminal prosecution to address community problems	68.3	73.5	67.2	71.2	61.5
Formal and/or informal relationships with —					
Law enforcement agencies	99.2%	99.0%	100.0%	99.3%	98.6%
Other government agencies	87.1	88.8	84.0	91.3	83.3
Private organizations	61.1	69.0	60.7	59.0	57.2
Community associations	70.3	76.4	69.6	68.6	67.5
Member of office meet regularly with local community groups or organizations* —					
Neighborhood associations	28.6%	45.5%	29.4%	23.9%	16.8%
Tenant's associations	5.8	11.7	6.1	3.6	2.1
Youth service organizations	50.0	55.9	52.4	47.3	45.4
Advocacy groups	71.1	79.0	76.0	71.2	57.9
Business groups	46.8	53.1	47.6	47.0	39.3
Religious groups	23.3	30.7	21.3	19.7	22.5
School groups	73.3	76.6	74.0	73.8	68.6
Office assigned prosecutors to handle community-related activities	22.0%	36.7%	26.4%	19.9%	7.8%

Note: Data on involving the community to identify crime and/or problem areas were available for 1,363 prosecutors' offices, assigning prosecutors to specific geographic areas 1,296 offices, and using tools other than criminal prosecution 1,408 offices. Data on formal and/or informal relationship with law enforcement agencies, other government agencies, private organizations, and community associations were available for 1,436 prosecutors' offices. Data on whether prosecutors' offices in large districts meet regularly with neighborhood associations, tenants' associations, youth service organizations, advocacy groups, business groups, religious groups, and school groups were available for 1,251 offices. Data on prosecutors assigned to handle community related activities were available for 1,447 prosecutors' offices.

*Member refers to the chief prosecutor, assistant prosecutors, staff investigators, or any other professional staff.

Seven out of ten full-time offices serving districts with a population under 250,000 met regularly with school groups and advocacy groups. Half of the full-time offices reported meeting

regularly with youth service organizations and business groups. Twenty-three percent of the offices indicated meeting regularly with religious groups and 6% tenant associations. Assigning

prosecutors to handle community-related activities was done by 22% of the full-time offices serving districts with a population under 250,000.

Prosecutors' offices with a part-time chief prosecutor, 2001			
	All part-time offices	Population served by part-time offices	
		10,000 or more	Under 10,000
Number of offices	532	254	278
Total			
Population served	9,488,298	8,098,271	1,390,027
Number of —			
Staff ^a	2,699	1,972	727
Full-time staff ^a	1,083	960	123
Part-time staff ^a	1,616	1,012	604
Assistant prosecutors ^b	624	541	83
Support staff	996	724	272
Felony cases closed	79,059	70,986	8,073
Felony trial verdicts	2,180	1,896	284
Budget for prosecutorial functions	\$78,787,607	\$60,375,534	\$18,412,073
Median			
Population served, 1999	9,589	20,423	4,761
Total staff size ^a	3	5	2
Felony cases closed	50	149	20
Felony jury trial verdicts	2	4	0
Budget for prosecution	\$95,000	\$156,500	\$60,000
Special categories of felonies prosecuted (percent of offices)			
Domestic violence	89.7%	92.6%	86.5%
Elder abuse	20.5	27.1	13.0
Stalking	41.0	49.3	31.5
Child abuse	85.5	92.1	78.0
Bank fraud	28.0	33.2	22.0
Possession of an illegal firearm	64.3	79.5	47.0
Types of cases other than felonies handled (percent of offices)			
Misdemeanor	96.3%	92.6%	100.0%
Misdemeanor appeals	80.4	77.0	83.8
Felony appeals	47.8	42.6	53.0
Traffic violations	93.8	89.6	97.9
Juvenile matters	85.8	80.0	91.5
Child support enforcement	48.3	49.1	47.4
Represent government in civil lawsuits	74.6	63.0	85.9
Part-time chief prosecutors			
Median			
Annual salary	\$39,750	\$47,367	\$30,000
Length of service (in years)	6.7	6.4	8.0

^aIncludes the chief prosecutor.

^bIncludes supervisory attorneys.

Data on the total number and types of staff were available for 495 prosecutors' offices and estimated for 37 offices. Data on budget for prosecutorial functions were available for 492 offices and estimated for 40 offices. Data on felony cases closed were available for 456 offices and estimated for 76 offices. Data on special categories of felony offenses were available for 429 prosecutors' offices. Data on types of cases other than felonies handled were available for 464 offices. Data on annual salary of the chief prosecutor were available for 456 offices and length of service of the chief prosecutor 469 offices.

- In about 23% of the Nation's prosecutors' offices the chief prosecutor occupied a part-time position. These offices served a population of almost 9.5 million, representing about 4% of the total U.S. population. The median population served per office was 9,589.
- In 2001 the total workforce in offices with a part-time prosecutor was 2,699, which accounted for 3% of the total employment for all prosecutors' offices in the country.
- Forty percent of the staff in offices with a part-time prosecutor worked full time.
- Half of the offices with a part-time prosecutor employed 3 or more staff.
- A total of 624 assistant prosecutors (including supervisory attorneys) were employed by part-time offices. Eighty-seven percent of these assistants were located in offices serving a district with a population of 10,000 or more.
- Offices with a part-time prosecutor had combined budgets for prosecutorial functions totalling over \$78 million. The median budget per office was \$95,000.
- Part-time prosecutors' offices closed over 79,000 felony cases. Nine out of ten of these cases were closed in part-time offices serving a district with a population of 10,000 or more.
- Staff from part-time offices were involved in approximately 2,100 jury trials that resulted in a verdict. Half of the offices participated in 2 or more felony jury trials that ended with a verdict.
- Nine out of ten part-time offices handled domestic violence cases, eight out of ten child abuse cases, and six out of ten possession of an illegal firearm.
- Offices with a part-time prosecutor serving a district with a population under 10,000 were more likely to handle misdemeanor appeals, felony appeals, traffic violations, juvenile matters and represent the government in civil lawsuits than part-time offices serving a district with a population of 10,000 or more.
- The median annual salary for part-time chief prosecutors serving a district with a population of 10,000 or more was \$47,367 compared to \$30,000 for those serving a district with a population under 10,000.

Methodology

Respondent selection

The 2001 National Survey of Prosecutors (NSP) was a census of the 2,341 chief prosecutors in the United States that handled felony cases in State courts of general jurisdiction. In 2001 there were 2,341 prosecutorial districts in the Nation, each with one chief prosecutor. The prosecutor coordinator office in each State was contacted and asked to provide the names and addresses of all chief prosecutors in their State and the counties that these chief prosecutors served.

Data collection

The data collection for the 2001 NSP was conducted by the National Opinion Research Center (NORC) through a mailed questionnaire consisting of 35 questions on such topics as staffing, funding, special categories of felony prosecutions, caseload, juvenile matters, work-related threats or assaults, DNA evidence, and community related activities. The 2001 NSP questionnaire is available at the BJS website <<http://www.ojp.usdoj.gov/bjs/pub/pdf/ns01.pdf>>.

In May 2001 NORC mailed the 2001 NSP questionnaire to the 114 prosecutors' offices that served districts with a population of 500,000 or more. The remaining 2,228 prosecutors' offices were sent questionnaires in June 2001. After the initial mailings, NORC engaged in an extensive follow-up to obtain a returned survey from each of the prosecutors' offices. The follow-up process involved phone calls, e-mail communication, re-mailing questionnaires, and sending follow-up letters. Staff of the National District Attorneys Associations as well as the Prosecutor Coordinator Office in each State also assisted NORC in providing follow-up.

NORC conducted additional telephone, fax, and email follow-up on completed surveys to obtain responses to unanswered items and to clarify responses to other items.

Survey response

Overall, 2,243 or 96% of the 2,341 prosecutors' offices nationwide responded to the 2001 NSP. The response rate for full-time offices serving a district with a population under 250,000 was 97%.

Data imputations

Prior to doing imputations, data on the total budget for prosecutorial functions for 2 of the 56 nonrespondents for this report were retrieved from a secondary source (for example, office web page, telephoning the county budget or treasurer's office) and entered into the data set. Similarly, data on the number of full-time assistant prosecutors and the total number of full-time staff for 2 of the 56 nonrespondents were collected from a secondary source and entered into the data set. Since these data were retrieved from proxy sources other than the prosecutors' offices, they were treated as imputed data.

The simple hot deck method, in which a value was copied from a donor case having similar values or related variables, to impute various variables for the 2001 NSP. Initially, the number of full-time chief prosecutors, the number of part-time chief prosecutors, the number of part-time assistant prosecutors, the total number of part-time staff, and the number of various full-time and part-time staff members (for example, investigators, victim advocate, support staff) were imputed for 56 prosecutors' offices; the number of full-time assistant prosecutors and the number of full-time staff for 54 offices; the total budget for prosecutorial function for 83 offices; and the number of felony cases closed for 192 offices.

To impute any variable by the hot deck method, the prosecutorial district size was used to sort the completed cases (such as prosecutor office surveys) in descending order. A missing value for each variable was imputed as the value of the variable on the case immediately preceding the case with missing data. For example, a missing value for felony cases closed was imputed as the value of felony cases

closed on the case that immediately proceeded the case with missing data.

For the 56 prosecutors' offices where the full-time or part-time status of the chief prosecutor was imputed, BJS staff verified this information with the prosecutor coordinator's office in States where the 56 offices were located.

The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Lawrence A. Greenfeld is director.

Carol J. DeFrances, wrote this report. At BJS, Gerard Rainville provided statistical review; David Carlis, Dorothea Proctor, and Keonna Feaster assisted in compiling the list of 2,341 chief prosecutors; Keonna Feaster also assisted in data collection.

Data collection was performed by the National Opinion Research Center (NORC): Natalie Suter was the project director and Annmarie Rosenlund, the assistant project director. At NORC other project staff included Haider Baig, Angeline Bregianes, Nakia Brown, Lashanda Carter, Valarie Cook, Angela Herrmann, Irv Horowitz, Robert Johnson, Ellen Kaplowitz, Adam Levine, Patricia Mikkelson, Gloria Rauens, Joanna Small, Victoria Sudler, Lakecia Whimper, and Michael Yang. Paula Wulff of the National District Attorneys Association, as well as the Prosecutor Coordinator Office in each State, assisted with data collection. Elaine Nugent from the American Prosecutors Research Institute, James Polley IV from the National District Attorneys Association, and Paula Wulff reviewed the report. Tina Dorsey and Tom Hester produced and edited the report. Jayne Robinson prepared the report for printing.

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