Prosecutor Data Elements

Measures for Justice (MFJ) believes that, without accurate and comprehensive data, policy-makers and system actors are limited in their ability to make informed decisions to protect the public, to ensure the legal process is fair and equitable, and to allocate resources on effective initiatives.

The two lists below offer recommendations on the key data elements Prosecutor Offices should consider collecting to make sure they have detailed data to look at patterns across multiple decision points. The first list focuses on data elements to be collected by the case management system (CMS) at the charge, case, and defendant level. The second list focuses on office-level data, particularly information around staffing and caseloads, and access to certain resources that are of interest to both policy-makers and the public.

Granular CMS Data Elements

Data Element	Definition
Court case number	Number used by the courts to identify the case. This number should be assigned to each and every charge within the case.
Case number assigned by the CMS	Random or structured number assigned by the CMS to each case.
Arresting agency	Identification (e.g., name, code) of law enforcement agency that conducted the arrest.
Location where suspect was arrested	Town, municipality, city, or unincorporated area where the arrest took place.
Case status (e.g., pending, closed, on appeal, inactive)	Indication of whether the case is pending/still open, closed, on appeal, or inactive (e.g., when the defendant is at large).
Date of offense	Date when the offense occurred.
Date of arrest	Date when law enforcement took the defendant into custody.
Date of issuance of citation, desk appearance ticket, notice to appear, or summons	Date when a citation, desk appearance ticket, notice to appear or summons was issued.
Date of charge referral	Date when law enforcement referred the charge(s) to the prosecutor.
Date of charge screening/review decision	Date when the prosecutor made a case screening decision (i.e. decline to prosecute, place the defendant in a diversion or deferral

Data Element	Definition
	program, or file the charge(s) in court).
Date of filing of initial accusatory instrument (i.e., information, indictment) in court	Date when the prosecutor (or law enforcement, in jurisdictions where they are allowed to file cases directly in court without prosecutorial review) filed the charge(s) in court.
Date of arraignment or first appearance where defendant is informed of charges against them	Date when the defendant appeared in court for the first time to hear the charge(s) against them.
Date of initial bond setting	Date when the court originally set a bond for the defendant.
Date of discovery	Daten when the prosecutor submitted discovery materials to the defense.
Date of first plea offer	Date when the prosecutor made the first plea offer to the defense.
Date of pretrial diversion offer	Date when the office offered the defendant to enter a pretrial diversion program.
Date of pretrial diversion agreement	Date when the defendant signed an agreement to enroll in a deferred prosecution or pretrial diversion program.
Date of pretrial diversion outcome	Date when the defendant successfully completed pretrial diversion or date when they failed pretrial diversion, whichever is applicable.
Date when defendant entered guilty plea	Date when the defendant entered a final plea.
Date of charge dispositions (e.g, dismissal, nolle prosequi, acquittal, guilty verdict at trial, guilty plea, transfer)	Date when each charge received a judgment or disposition.
Date when sentence is imposed	Date when sentence(s) was imposed
Action or legal instrument that initiated the case referral (i.e., arrest vs. citation/summons/notice to appear/desk ticket)	Whether the case was initiated by an arrest warrant, a warrantless arrest, a sworn complaint or call for service, or a citation/ticket/promise to appear.
Charging authority	Whether the charge(s) was filed in court by law enforcement, by the prosecutor via information or complaint, or by Grand Jury indictment.
Referred charge (i.e., charge received from law enforcement) unique identifier within a case in CMS	Sequence number uniquely identifying each referral charge within a case. NOTE: Referral charges are those referred by law enforcement for prosecutorial review.
Referred charge description	Text describing the nature or name of each charge against the defendant that was referred to the prosecutor.

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Referred charge statute number	The statute number that identifies and describes the alleged behavior as a criminal offense for each charge against the defendant that was referred to the prosecutor
Referred charge level (i.e., felony, misdemeanor)	Whether each charge against the defendant that was referred to the prosecutor is a felony or a misdemeanor.
Referred charge class (e.g., Felony 1, Felony 2, Felony 3, Misdemeanor A, Misdemeanor B)	The specific class severity provided by statutory laws for each charge against the defendant that was referred to the prosecutor (e.g., Felony 1, Felony 2, Misdemeanor A, Misdemeanor B, etc.)
Referred charge drug type, for drug charges	The specific type of drug and offense (e.g., marijuana possession, marijuana distribution, cocaine possession, cocaine distribution, etc.) associated with each drug charge against the defendant that was referred to the prosecutor.
Defendant's custody status at the time of prosecutor's review	Whether the defendant was in the custody of the police department, the jail administrator or any other legal authority at the time the prosecutor reviewed the case.
Prosecutor's decision after reviewing the charge (i.e., decline to prosecute, offer pre-filing diversion, file in court)	The prosecutorial screening decision (i.e. decline to prosecute, divert/defer, file in court) for each charge against the defendant that was referred to the prosecutor.
Filing charge unique identifier within a case in CMS	Sequence number uniquely identifying each filing charge within a case.
Filing charge description	Text describing the nature and name of each charge against the defendant that was filed in court by the prosecutor.
Filing charge statute number	The statute number that identifies and describes the alleged behavior as a criminal offense for each charge against the defendant that was filed in court by the prosecutor.
Filing charge level (i.e., felony, misdemeanor)	Whether each charge against the defendant that was filed in court by the prosecutor is a felony or a misdemeanor.
Filing charge class (e.g., Felony 1, Felony 2, Felony 3, Misdemeanor A, Misdemeanor B)	The specific class severity provided by statutory laws for each charge against the defendant that was filed in court by the prosecutor (e.g., Felony 1, Felony 2, Misdemeanor A, Misdemeanor B, etc.)
Filing charge enhancement (e.g., prior convictions, victim's age, etc.)	The specific type of modifiers or enhancers, when applicable, that could lead to more serious punishment for each charge against the defendant that was filed in court by the prosecutor. Common charge modifiers include domestic violence and using a weapon in the commission of a crime.
Filing charge drug type, for drug charges	The specific type of drug and offense (e.g., marijuana possession, marijuana distribution, cocaine possession, cocaine distribution, etc.) associated with each drug charge against the defendant that was filed in court by the prosecutor.

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Filing charge disposition (e.g., nolle prosed, dismissed, acquitted, guilty plea, guilty verdict at trial, post-filing diversion)	The judgment or disposition entered by the court for each charge against the defendant that was filed in court by the prosecutor.
Conviction charge unique identifier within case in CMS	Sequence number uniquely identifying each conviction charge within a case.
Conviction charge description	Text describing the nature or name of each conviction charge.
Conviction charge statute number	The statute number that identifies and describes the behavior as a criminal offense for each conviction charge.
Conviction charge level (i.e., felony, misdemeanor)	Whether each conviction charge is a felony or a misdemeanor.
Conviction charge class (e.g., Felony 1, Felony 2, Felony 3, Misdemeanor A, Misdemeanor B)	The specific class severity provided by statutory laws for each conviction charge (e.g., Felony 1, Felony 2, Misdemeanor A, Misdemeanor B, etc.)
Conviction charge drug type, for drug charges	The specific type of drug and offense (e.g., marijuana possession, marijuana distribution, cocaine possession, cocaine distribution, etc.) associated with each conviction drug charge.
Pretrial diversion offer outcome	Whether the defendant accepted the diversion offer, rejected it, or was deemed ineligible after the offer was made.
Pretrial diversion outcome	Whether the defendant successfully completed or failed to complete the diversion program.
Prosecutor's pretrial release recommendation (e.g., ROR, supervised release, monetary bond, electronic monitoring, held without bail)	The recommendation the prosecutor in the case gave the court regarding whether the defendant was released on recognizance, monetary bond, any other type of release, or held without bail.
Initial pretrial release decision by a court or magistrate (e.g., ROR, supervised release, monetary bond, electronic monitoring, held without bail)	Type of pretrial release bond imposed by the court at the initial bond/bail hearing. Bond types include: release on recognizance (aka signature bond), release on supervision, monetary bond, electronic monitoring, held without bail.
Initial monetary bond amount set by a court or magistrate	Dollar amount of the initial monetary bond imposed at the bond/bail hearing.
If defendant is not in custody, whether they failed to appear to any court hearing in this case	Flag indicating that the defendant failed to appear at a scheduled court hearing at least once.
Method of disposition (i.e., plea bargain, bench trial, jury trial)	Whether each charge was disposed via plea bargain, bench trial, or jury trial.

Data Element	Definition
Prosecutor's sentence type(s) recommendation (e.g., death penalty, life in prison, state prison, jail, lifetime supervision, split sentence, probation, fine, restitution, community service, time served, other)	The recommendation the prosecutor in the case gave the court regarding the type of sentence that the defendant should receive.
Prosecutor's sentence length(s) recommendation	The recommendation the prosecutor in the case gave the court regarding the sentence length that the defendant should receive.
Sentence type(s) imposed by the court (e.g., death penalty, life in prison, state prison, jail, lifetime supervision, split sentence, probation, fine, restitution, community service, time served, other)	Type(s) of sentence(s) the defendant was mandated to serve. Common sentence types include: death penalty, life in prison, state prison, jail, lifetime supervision, extended supervision/split sentence, probation, fine, restitution, community service, time served, other.
Sentence length(s) imposed by the court	Length (in days and months) of confinement or probation imposed by the court. The sentence length should be recorded separately for each type of sentence.
Fine dollar amount(s)	Dollar amount the defendant was sentenced to pay in fines.
Restitution dollar amount(s)	Dollar amount of the restitution the defendant was sentenced to pay.
Defendant's partial date of birth	Month and year when the defendant was born (YYYY/MM)
Defendant's anonymized unique identifier assigned by CMS (tracking the same individual across cases)	Anonymized series of characters that identify the same individual across all cases they may have with the office.
Defendant's race (i.e., White, Black or African American, American Indian or Alaska Native, Asian, Native Hawaiian or Other Pacific Islander, Other)	Defendant's identification with one or more social groups, including White, Black, American Indian or Alaskan, Asian or Pacific Islander, Other. NOTE: In the absence of self-identification, the perception of race by the criminal justice officer(s) who had the first contact with the defendant can serve as a proxy.
Defendant's ethnicity (i.e., Hispanic, Not Hispanic)	Defendant's ethnicity determines whether a person is of Hispanic origin or not. NOTE: In the absence of self-identification, the perception of ethnicity by the criminal justice officer(s) who had the first contact with the defendant can serve as a proxy.
Defendant's sex assigned at birth (i.e., male, female)	Defendant's biological sex at birth.
Defendant's gender identification (i.e., male, female, non-binary)	Defendant's gender identification.
Defendant's zip code of last known residential address	Zip code of last known residence for the defendant.

Data Element	Definition
Defendant's indigent status	An indication of whether the defendant was determined to be indigent according to the state's indigence eligibility criteria.
Defendant's homelessness status	An indication of whether the defendant was unhoused at the time of arrest.
Victim's race (i.e., White, Black or African American, American Indian or Alaska Native, Asian, Native Hawaiian or Other Pacific Islander, Other)	Victim's identification with one or more social groups, including White, Black, American Indian or Alaskan, Asian or Pacific Islander, Other. NOTE: In the absence of self-identification, the perception of race by the criminal justice officer(s) who had contact with the victim can serve as a proxy.
Victim's ethnicity (i.e., Hispanic, Not Hispanic)	Victim's ethnicity determines whether a person is of Hispanic origin or not. NOTE: In the absence of self-identification, the perception of ethnicity by the criminal justice officer(s) who had contact with the victim can serve as a proxy.
Victim's sex assigned at birth (i.e., male, female)	Victim's biological sex at birth.
Victim's gender identification (i.e., male, female, non-binary)	Victim's gender identification.
Victim's age at the time of the offense	Victim's age at the time of the offense.
Victim's relationship to the defendant	Whether the defendant was known to the victim (i.e. intimate partner, family member, known non-family member) or a stranger.
Whether case involved domestic violence	An indication of whether the case involved domestic violence as defined by the state's statutory laws.
Whether case involved a hate crime	An indication of whether the case involved a hate crime as defined by the state's statutory laws.
Whether case involved a child victim	An indication of whether the case involved a victim who was younger than 18 years old.
Whether case involved gang-related offense	An indication of whether the case involved a gang-related offense.
Whether case involved a firearm	An indication of whether a firearm was used in the commission of the offense.
Whether case was sealed	An indication of whether the case has been sealed.
Whether case was expunged	An indication of whether the case has been expunged.
Whether defendant is registered sex offender	An indication of whether the defendant is registered as a sex offender.
Whether defendant has any prior arrests	An indication of whether the defendant had any prior arrests in their criminal history.
Whether defendant has any prior	An indication of whether the defendant had any prior convictions in

Data Element	Definition
convictions	their criminal history.
Whether defendant has prior violent convictions	An indication of whether the defendant had any prior convictions for violent offenses in their criminal history.
Whether defendant has prior felony arrests	An indication of whether the defendant had any prior arrests for felony offenses in their criminal history.
Whether defendant has prior felony convictions	An indication of whether the defendant had any prior convictions for felony offenses in their criminal history.
Whether the defendant filed an appeal	An indication of whether the defendant filed a formal appeal of their conviction.

Office Level Data Elements

Data Element	Definition
Number of full-time prosecutors	Number of full-time (or full-time equivalent) prosecutors who carry non-appellate, adult criminal caseloads.
Number of part-time prosecutors	Number of part-time prosecutors who carry non-appellate, adult criminal caseloads.
Number of investigators	Number of investigators employed by the office.
Number of victim services personnel	Number of personnel dedicated to providing victim services employed by the office.
Annual prosecutor office budget	Annual budget appropriated for the operations of the prosecutor's office.
Prosecutor felony caseload	Average annual felony caseload for prosecutors who carry non-appellate, adult criminal caseloads.
Prosecutor misdemeanor caseload	Average annual misdemeanor caseload for prosecutors who carry non-appellate, adult criminal caseloads.
Prosecutor office caseload limits for felonies	Prosecutor's office limits regarding the number of felony cases a single prosecutor can carry over a one-year period.
Prosecutor office caseload limits for misdemeanors	Prosecutor's office limits regarding the number of misdemeanor cases a single prosecutor can carry over a one-year period.
Conviction integrity unit	Does the prosecutor's office have a conviction integrity unit?
Discovery policy	Does the prosecutor's office have an open or closed file policy regarding discovery of evidentiary materials?