



National Prosecutors' Consortium

Survey Highlights

Missouri



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MISSOURI REPORT

Acknowledgements

The National Prosecutors' Consortium (NPC) is a collaboration funded by the Office of Justice Programs of the United States Department of Justice between Justice & Security Strategies, Inc. and Prosecutors' Center for Excellence.

The effort would not have been possible without the dedication of Darrell Moore, Executive Director of the Missouri Office of Prosecution Services. We thank you for your excellent and tireless assistance with this project. We offer a special thank you to those in each of the 47 offices who completed the survey.

To cite this report:

Solomon, S. E., Uchida, C. D., Connor, C., Swatt, M. L., Revier, L., Quigley, A. M., Hock, S., & Barrera, V. (2019). National Prosecutors' Consortium Survey Highlights: Missouri. Justice & Security Strategies, Inc.



This project was supported by Award No. 2015-DP-BX-K004 awarded to Justice & Security Strategies, Inc. by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this paper are those of the authors and do not necessarily reflect those of the Department of Justice.



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BACKGROUND

The National Prosecutors' Consortium (NPC), a collaboration between Justice & Security Strategies (JSS) and the Prosecutors' Center for Excellence (PCE), is designed to collect information on innovative programs employed by prosecutors' offices, to assist prosecutors in developing and deploying new programs, and to expand the research capacities of prosecutors' offices. The team developed a survey that is being administered at the county level across the United States on a state-by-state basis. This survey seeks to accomplish two objectives to support prosecution needs: 1) collection of a thorough baseline of information on the operation of county prosecutors' offices across the country, and 2) identification of those offices that have adopted innovative programs.



METHODOLOGY

NPC conducted focus groups with prosecutors and prosecutor coordinating offices. As part of this effort, NPC identified the desired topic areas and reviewed survey questions. The survey is designed as an agency-based questionnaire intended to collect data on the characteristics and operations within each prosecutor's office. The survey is delivered through an online, secure, cloud-based service using the Qualtrics survey platform. States are being offered this survey on a rolling basis.

As part of the data quality assurance process, we have identified a battery of 84 questions that provide the core information requested by the survey. To minimize the proportion of missing data, the weighted number of completed responses is compared to a threshold. Offices in counties where the responses did not pass this threshold will be contacted and additional responses will be requested. This report discusses responses from all partially complete surveys, but there may be changes in the number of valid cases for some questions as follow-ups with agencies continue.

THE CURRENT STATE - MISSOURI

This report discusses preliminary results from the state of Missouri. Out of the 115 prosecutors' offices operating in Missouri, at the time of this report (September 19, 2019), 47 counties (41%) had completed the survey.



TYPES OF CASES

Figure 1 depicts the percentage of prosecutors' offices handling specific types of cases. All responding offices reported handling all or at least some felonies, misdemeanors, and infractions. In the state of Missouri, juvenile cases are processed separately from the adult circuit court. Just 13 percent of responding offices reported handling juvenile cases. The Juvenile Division of the Circuit Court, also known as the Family Court, has exclusive jurisdiction over juvenile matters. A majority of the responding offices (N = 42) reported handling civil matters. **Figure 2** highlights the percentage of prosecutors' offices involved in various types of civil matters. For those offices that reported handling civil matters, all but one office reported handling civil forfeitures and FOIA or other public information requests. Child support matters were reported by 28 offices, and mental health commitments were reported by 15 offices. Nuisance abatement was reported to be handled by 11 offices. Finally, four offices reported handling child protection matters, and three offices reported handling adult protection matters.

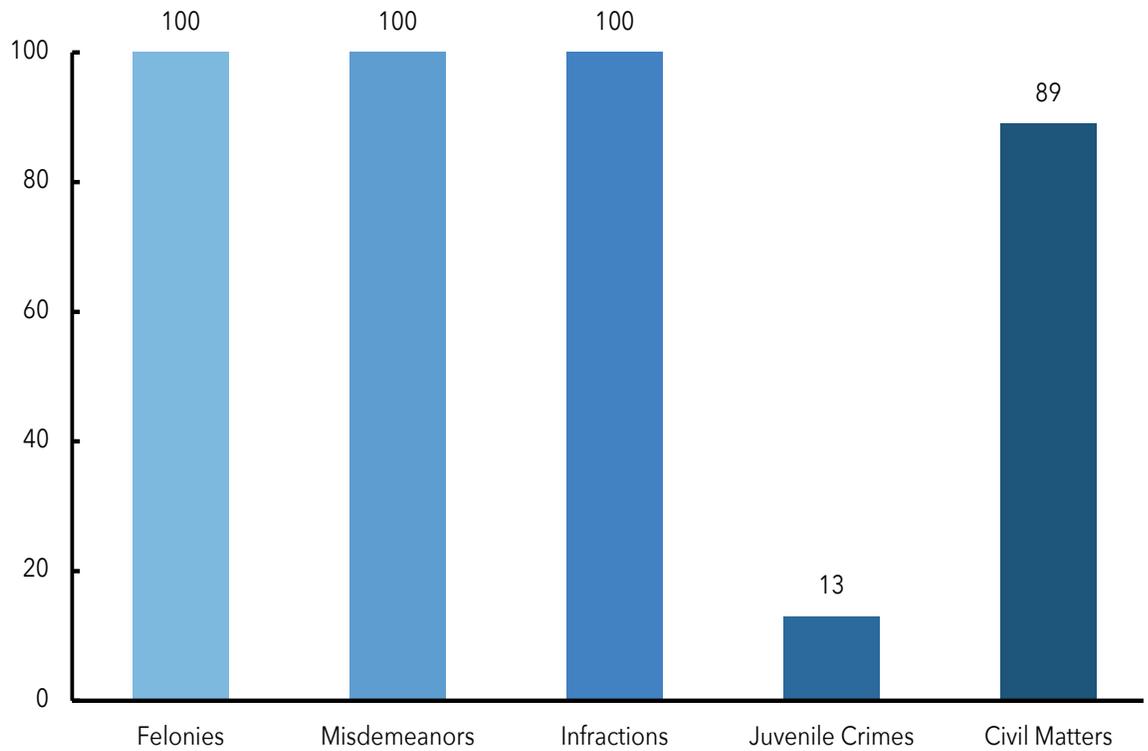


Figure 1. Percentage of Prosecutors' Offices with Jurisdiction over Cases by Type (N =47).

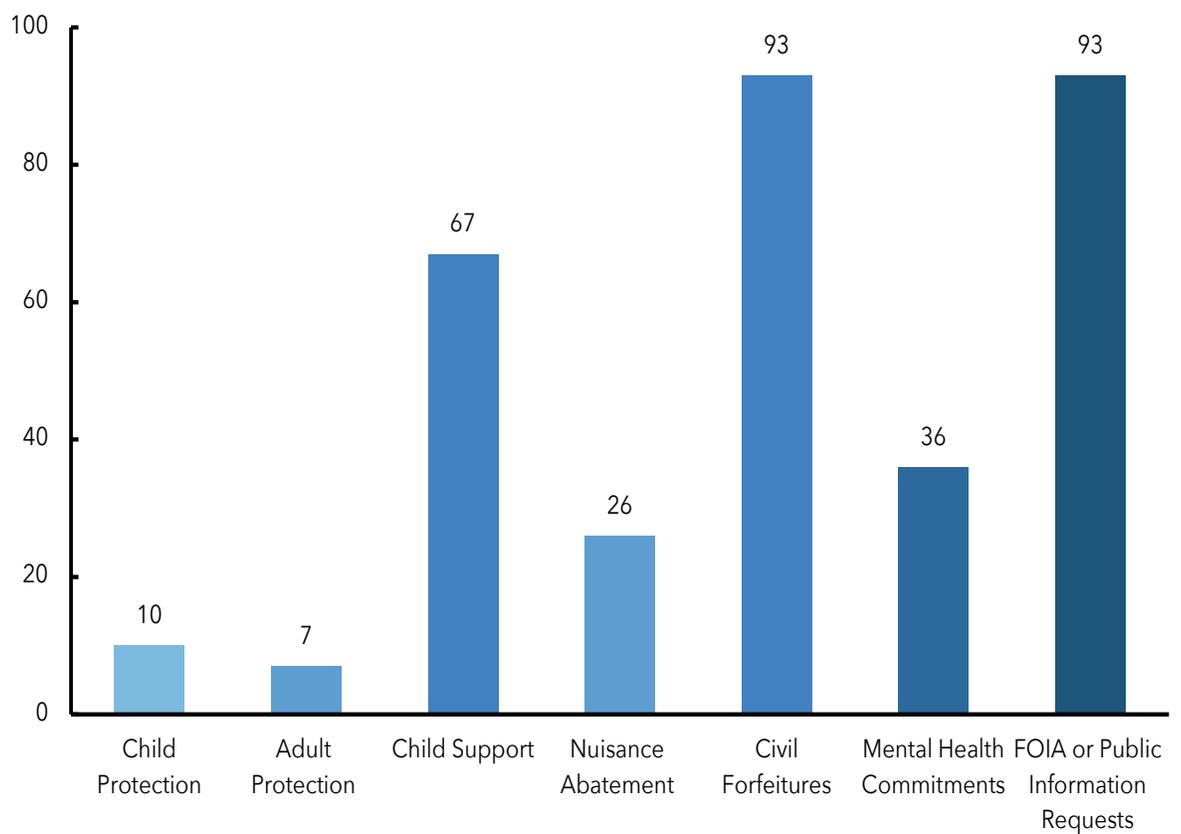


Figure 2. Percentage of Prosecutors' Offices with Jurisdiction over Civil Matters by Type (N = 42).

CHIEF PROSECUTOR

Of the 47 counties that responded to the survey, all indicated that their Chief Prosecutor was elected. On average, the Chief Prosecutors had been in office for about 6 years. The tenure of the Chief Prosecutor ranged from less than one year to 21 years. As seen in **Figure 3**, 21% of prosecutors had been in office for less than 1 year, 36% for 1-5 years, 28% for 6-10 years, and 15% for more than 10 years.

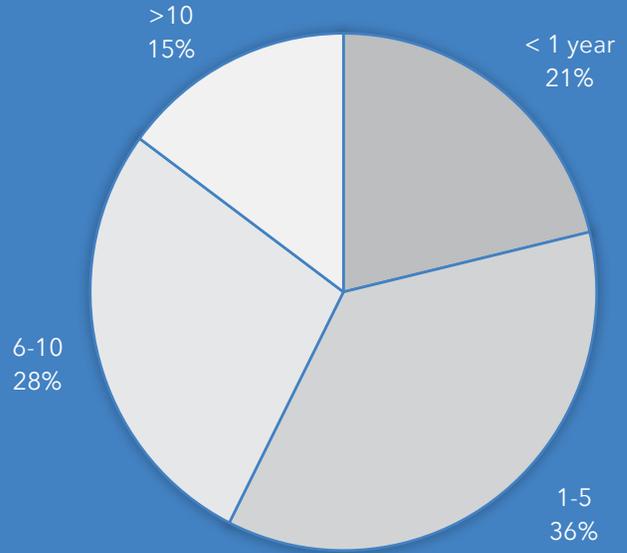


Figure 3. Chief Prosecutor Years in Office (N =47).

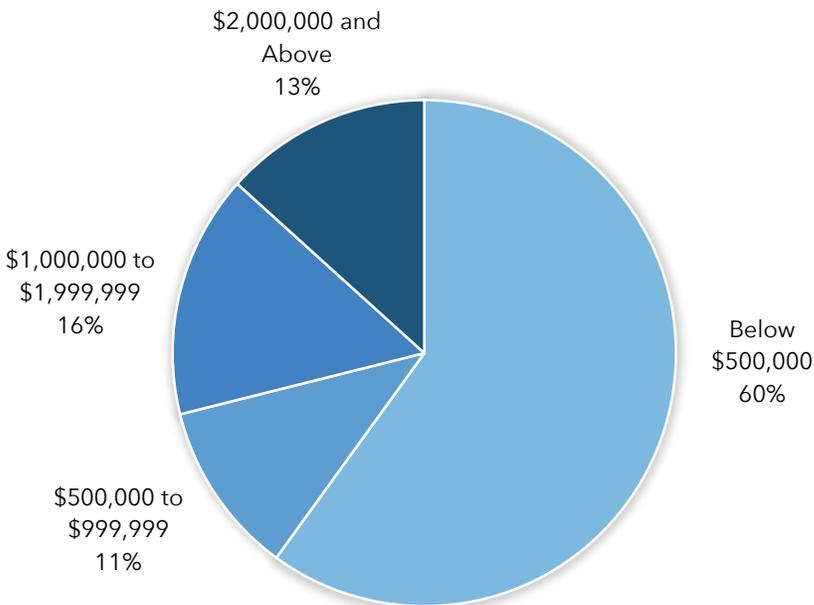


Figure 4. Ranges of 2018 Total Budgets (N = 45).

OFFICE BUDGET

The 2018 average budget for prosecutors' offices was approximately \$1,724,885. **Figure 4** depicts that 60% of the offices had a budget under \$500,000, 11% had budgets between \$500,000 and about \$999,999, 16% had budgets between \$1,000,000 and about \$1,999,999, and 13% had budgets over \$2,000,000.

The average 2018 personnel budget for Missouri prosecutors' offices was \$1,202,291. **Figure 5** presents the ranges of personnel budgets. Approximately 41% of the offices had a personnel budget under \$300,000, 27% had budgets between \$300,000 and \$499,999, 9% had budgets between \$500,000 and \$999,999, and 23% had budgets over \$1,000,000.

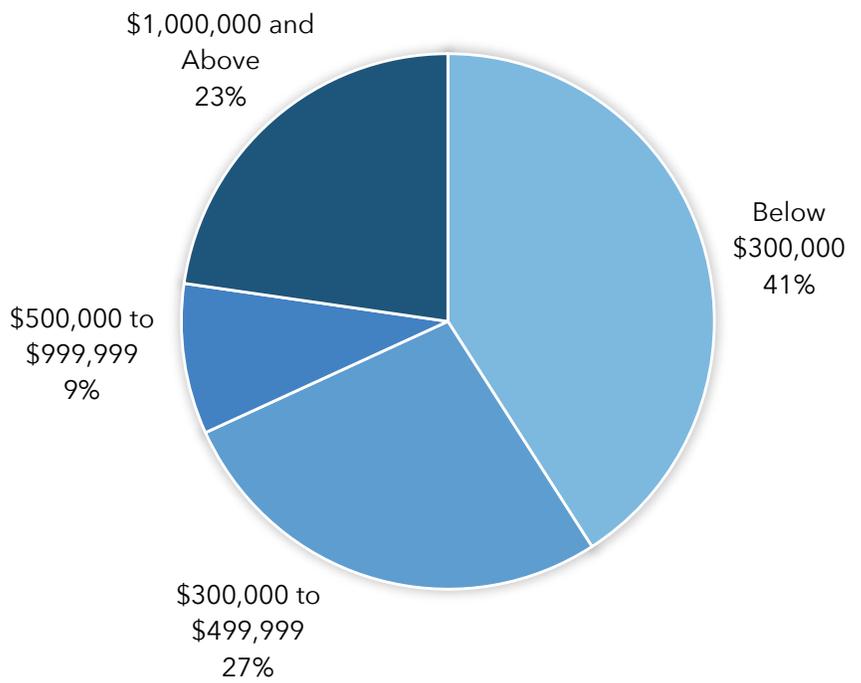


Figure 5. Ranges of 2018 Personnel Budgets (N = 44).

The average percentage of personnel to total budget by budget category is displayed in **Figure 6**. This graph provides a method to determine whether agencies with large budgets spend a disproportionate amount of their budget on personnel costs. From this graph it appears that average percentage of personnel to total budget was similar across all budget categories with agencies spending an average of 78% of their total budget on personnel costs.

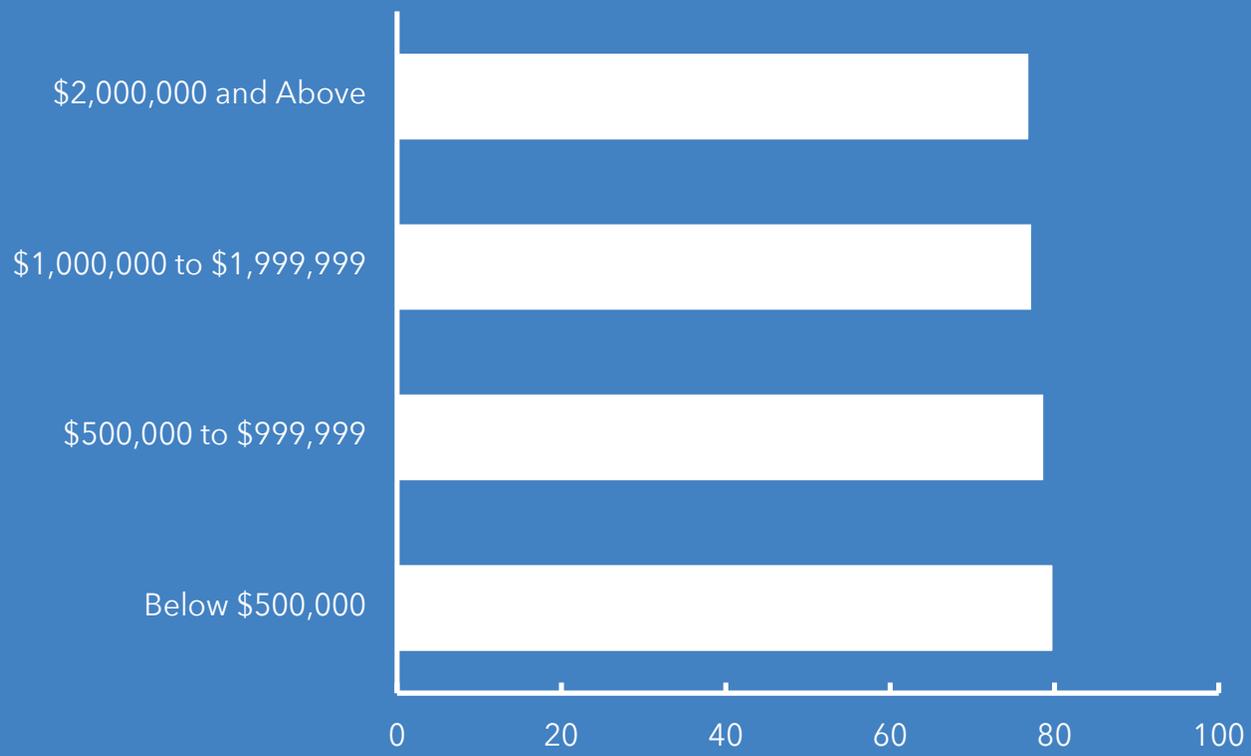


Figure 6. Average Percentage Personnel to Total Budget by Budget Category (N = 43).

STARTING SALARIES

The 2018 starting salaries of recently graduated law students hired as prosecutors in Missouri ranged from a minimum of \$26,000 to a maximum of \$60,000. The average of the 35 responding offices was \$50,902.

CASE PROCESSING

In 2018, the offices surveyed reviewed on average 1,219 felony cases, resulting in 892 cases charged, 413 cases with at least one conviction, and 80 cases diverted. Further, on average, the offices reported reviewing 1,845 misdemeanor cases, resulting in 1,439 cases charged, 751 cases with at least one conviction, and 74 cases diverted.¹

¹ Juvenile caseloads were excluded from this analysis due to the exclusive jurisdiction over these matters by the Juvenile Division of the Circuit Court.

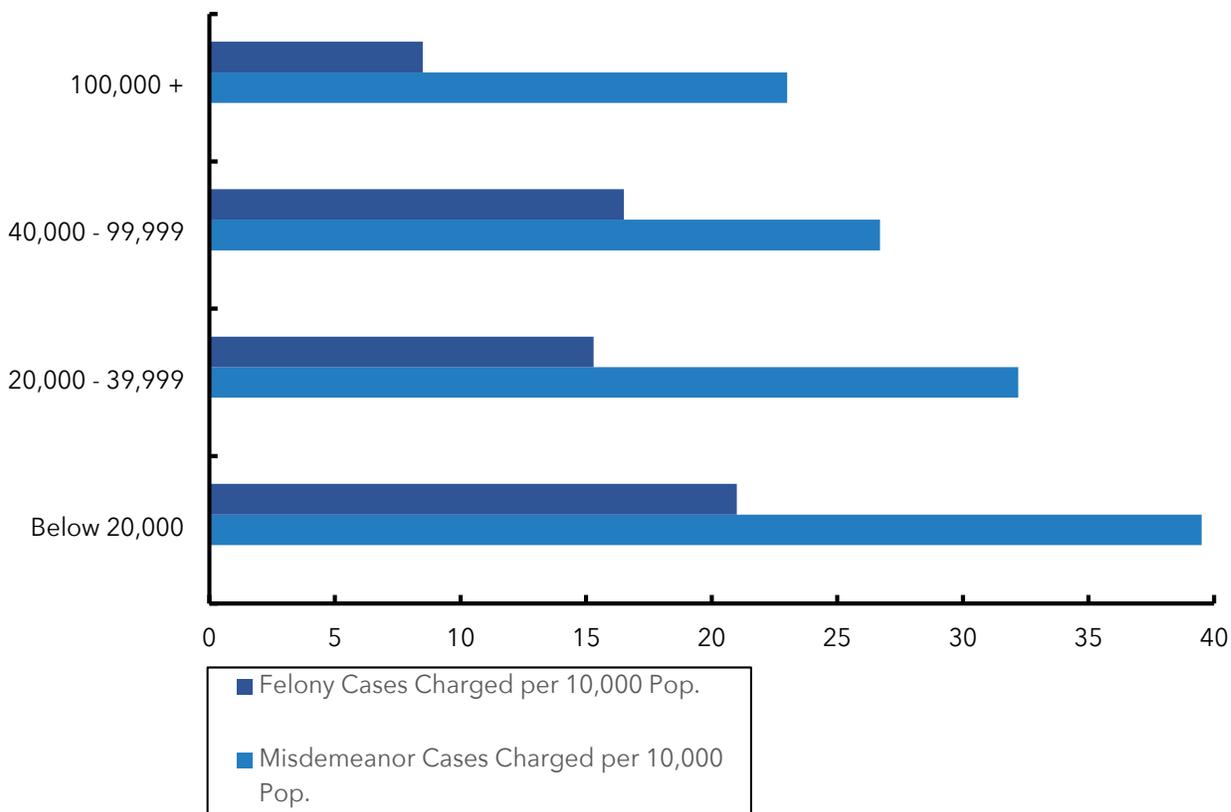


Figure 7. Cases Reviewed per 10,000 Population by Population Category (N = 43).

Figure 7 depicts the number of felony and misdemeanor cases charged by county population category. The smaller offices (below 20,000 residents) charged the most felonies and misdemeanors per 10,000 residents. Mid-sized offices (20,000 to 99,999 residents) charged a similar number of felony cases per capita, while the largest offices (100,000 or more residents) charged the least felonies and misdemeanors per capita.

Figure 8 presents the average number of reviewed cases per full-time attorney for felonies, misdemeanors, and both felonies and misdemeanors combined. While these data are limited, the estimated workloads can provide a useful benchmark for agencies. Across reporting offices, there were an average of 289 reviewed felony cases per full-time attorney and 452 reviewed misdemeanor cases per full-time attorney. Overall, this resulted in an average of 721 reviewed misdemeanor and felony cases per full-time attorney.

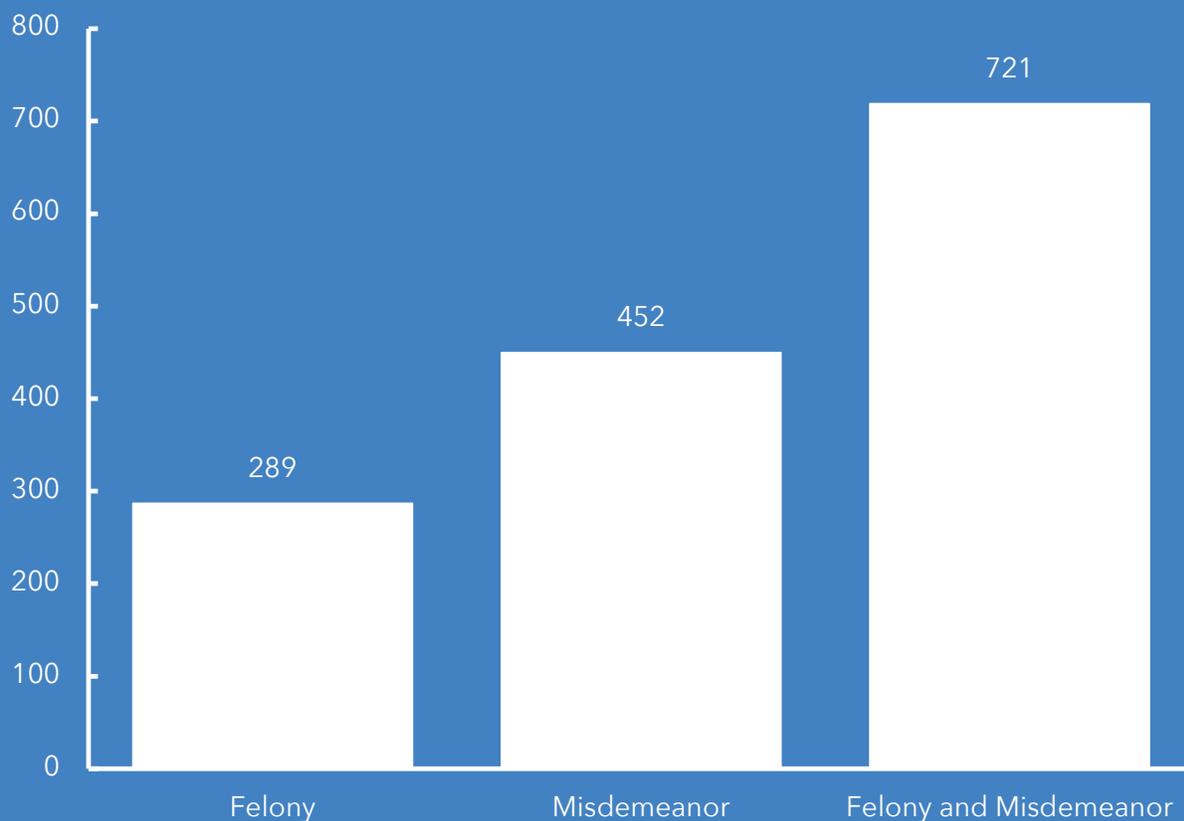
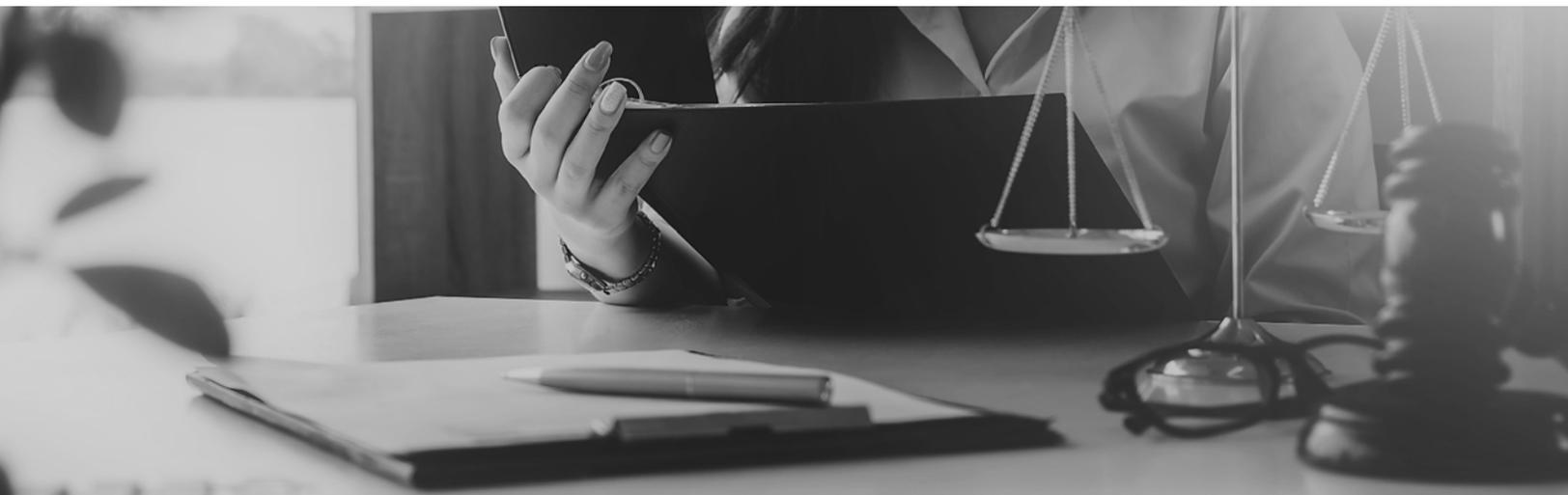


Figure 8. Average Number of Cases per Full-Time Attorney by Type of Case (N =33).



NUMBER OF EMPLOYEES

On average, prosecutors' offices in Missouri reported employing 7 full-time and 0.8 part-time attorneys. These offices also reported employing 12 full-time and 0.7 part-time non-attorneys.

Figure 9 presents the number of full-time employees per 10,000 population by population category. Offices covering more than 100,000 residents had the highest number of full-time employees and full-time attorneys per 10,000 residents. Offices across all population categories had a similar number of full-time non-attorneys per 10,000 residents.

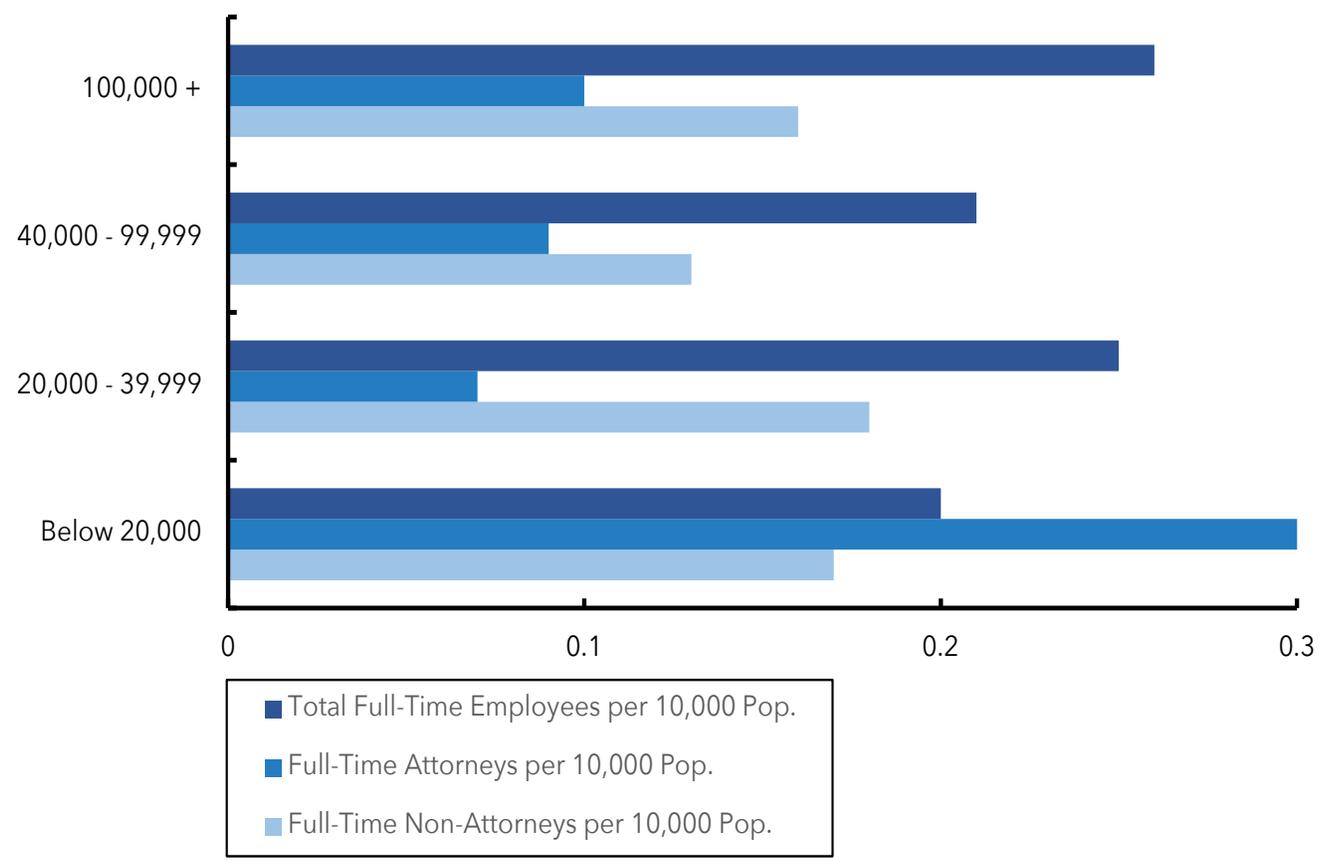


Figure 9. Full-Time Employees per 10,000 Population by Population Category (N = 47).

A different strategy for examining staffing information is to consider the ratio of staff to a measure of workload. **Figure 10** presents the average number of full-time employees per 1,000 felony and misdemeanor cases reviewed. Counties covering 100,000 or more residents had the most full-time employees, full-time attorneys, and full-time non-attorneys per 1,000 cases.

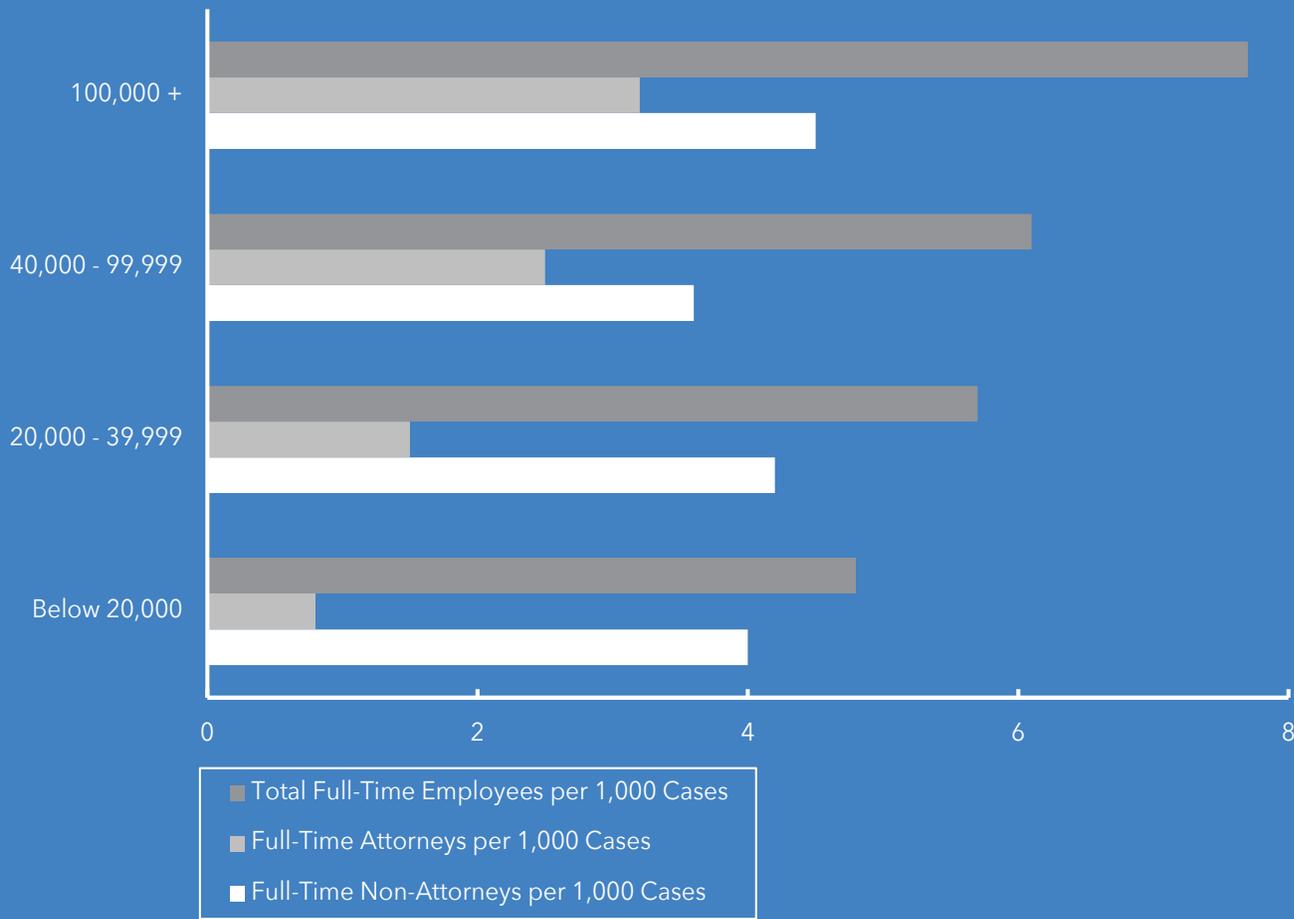


Figure 10. Average Number of Employees per 1,000 Felony and Misdemeanor Cases by Population Category (N = 40).



PROSECUTOR INITIATIVES

A total of 85% of responding offices reported engaging in problem solving courts or other programs that offered alternatives to incarceration in 2018. The majority of offices reported that non-violent felony offenders (72%) and offenders with low-level felonies (71%) were eligible for participation in these programs. Significantly fewer offices reported that misdemeanor offenders (45%) and offenders with violent felonies (21%) were eligible for participation in these programs.

SPECIALTY COURTS

We asked respondents about nine different types of specialty courts: Drug courts, Veterans' courts, Mental Health courts, Human Trafficking courts, Homeless courts, Alcohol/Driving Sobriety courts, Domestic Violence courts, Community courts, and Re-entry courts. **Figure 11** provides the frequency of counties with each type of specialty court in 2018. While the majority of offices reported Drug courts (93%), fewer than half of respondents reported Alcohol/Driving Sobriety (48%), Veterans' (41%), Mental Health (24%), and Domestic Violence (9%) courts. One office reported Community (2%), and Re-entry (2%) courts. No offices reported offering Human Trafficking or Homeless courts.

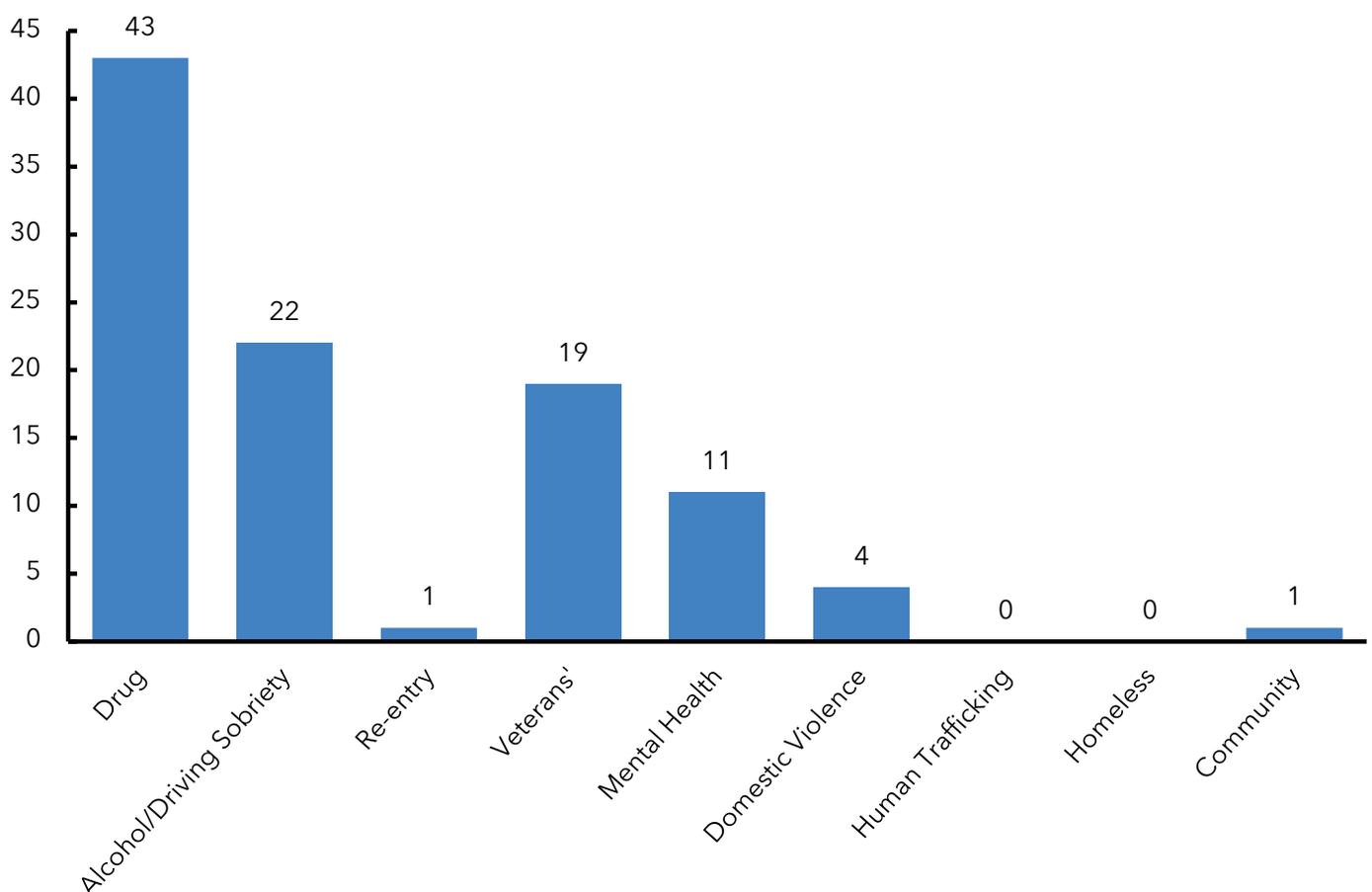


Figure 11. Number of Judicial Circuits Reporting Specialty Courts by Type (N = 46).

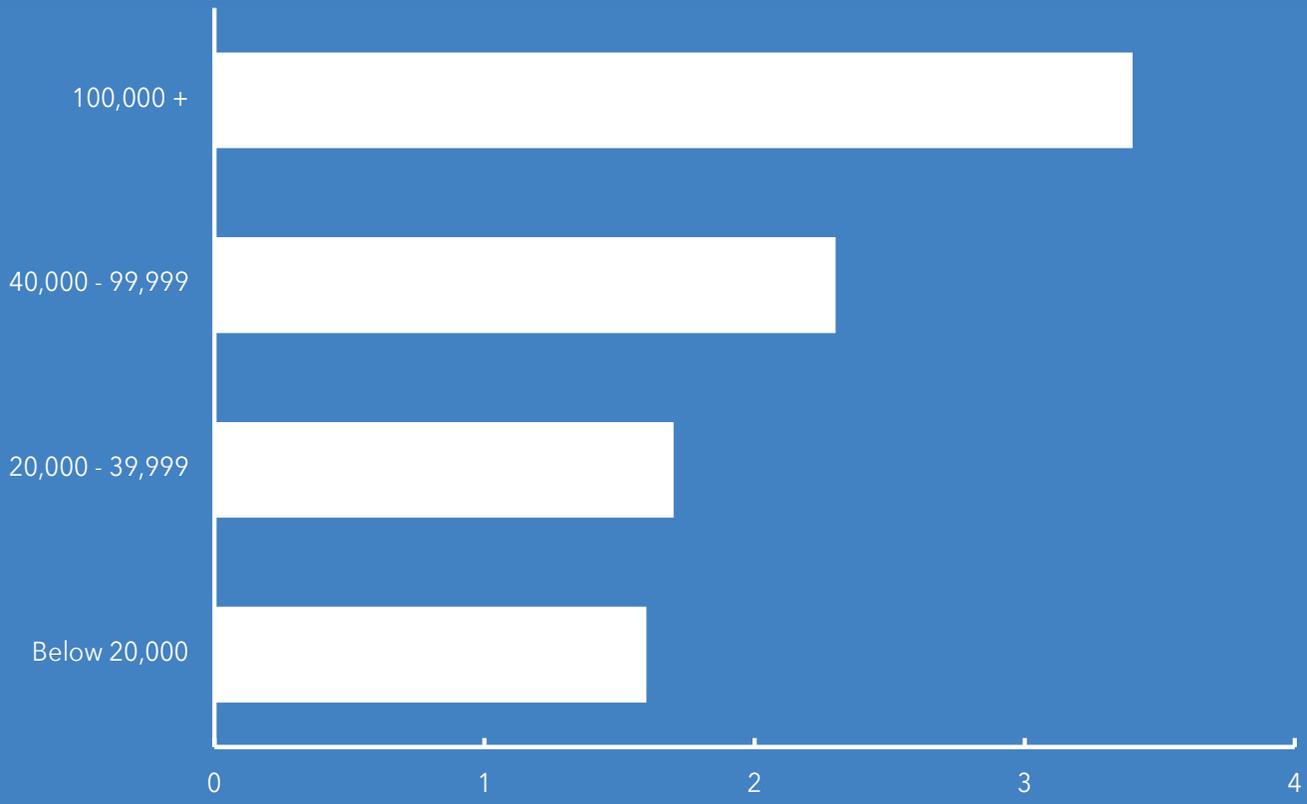


Figure 12. Average Number of Specialty Court Types by Population Category (N = 47).

Figure 12 shows the number of specialty court types compared to the population category of the county. Counties with more than 100,000 residents had on average 3.4 specialty court types compared to about 1.5 to 2.3 types for the other categories.





ALTERNATIVES TO INCARCERATION

We also asked whether the offices in each county offered alternatives to incarceration in 2018, as shown in **Figure 13**. Drug/alcohol treatment (76%) and community service (73%) were the most common offerings. Anger management or domestic violence diversion was offered in 64 percent of counties. Slightly less often were training/education programs (51%) and mental health services (44%) offered as alternatives to incarceration. Deflection (24%) and restorative justice (18%), were the least commonly offered programs.

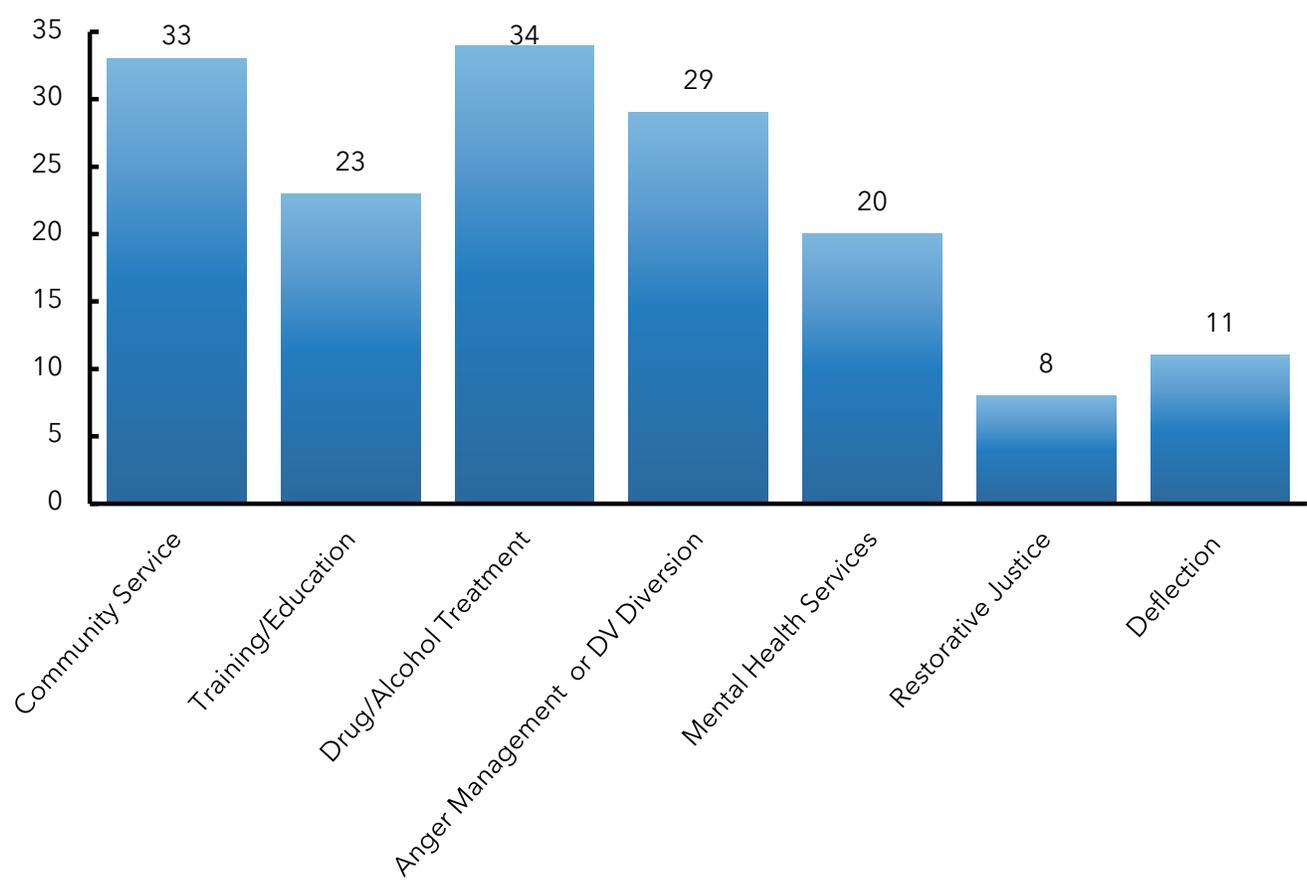


Figure 13. Number of Counties Reporting Alternatives to Incarceration by Type (N = 45).

SPECIALIZED PROGRAMS

Figure 14 presents the number of prosecutors' offices that reported operating specialized programs. The most common types of programs were Restitution (96%) and Victim Assistance (89%). Witness Assistance and Victim Services without Arrest programs were offered in 57% of counties. Slightly less common were Victim/Witness Relocation (33%) and Community Affairs Units (28%). Rarely did prosecutors' offices report running Conviction Review Units (11%), Community Prosecutors programs (4%), or Crime Strategies Units (4%).

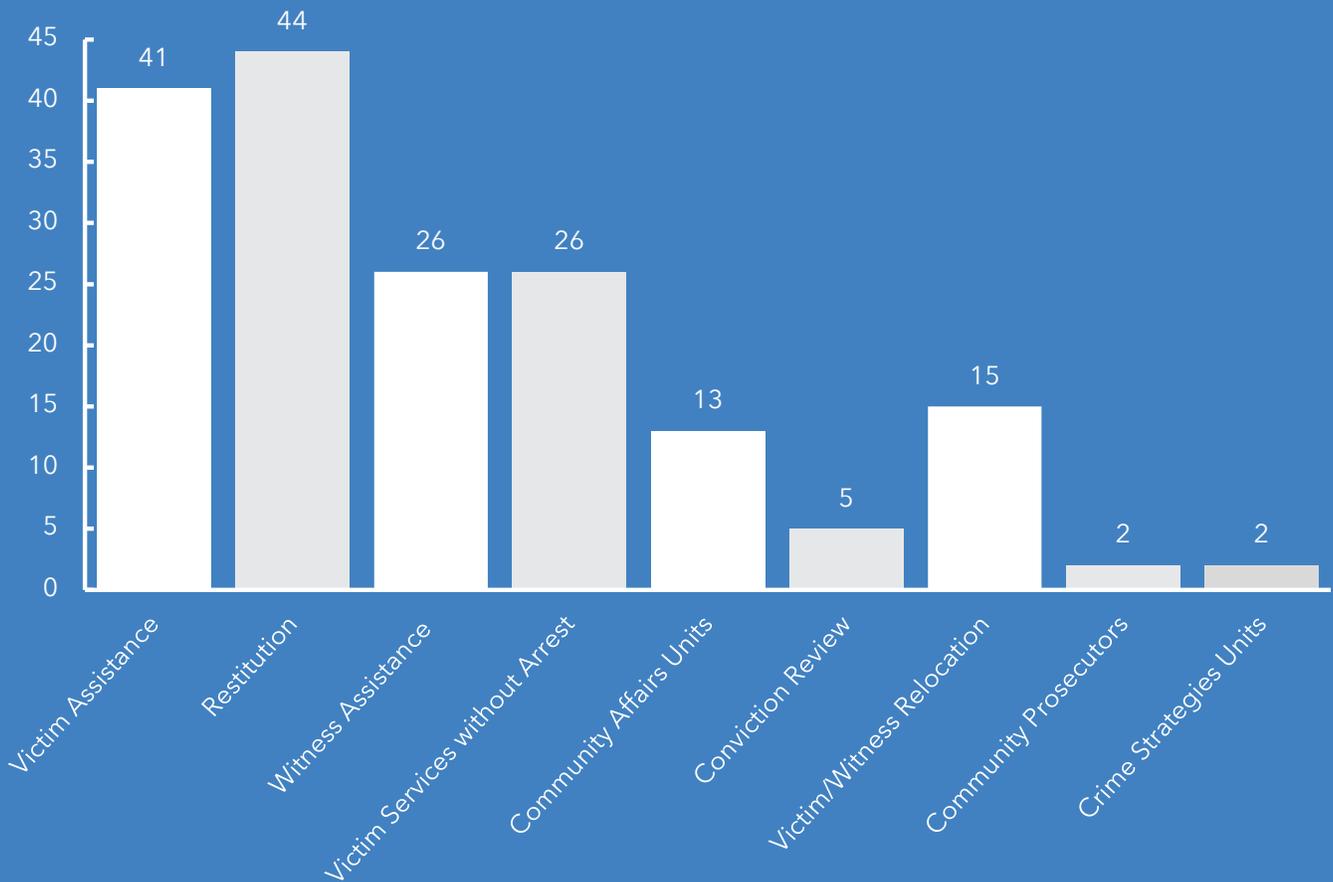


Figure 14. Counties Reporting Specialized Programs by Type (N = 46).



COMMUNITY PROGRAMS

Finally, we asked whether Missouri prosecutors' offices ran or participated in several different community programs. These results are presented in **Figure 15**. Slightly fewer than half of responding offices reported participating in Co-located Child Abuse (48%) programs. Slightly fewer offices reported Community Engagement (40%) and Co-located Domestic Violence (28%) programs. Truancy programs and Youth Education programs were reported by 24% of offices. Few offices reported participating in Adult Education (15%) and Violence Reduction (13%) programs. Considerably fewer offices reported participating in Neighborhood Clean-up (7%), Neighborhood Courts (2%), Re-entry (2%), Sports programs (2%), or Children of Inmates (2%) programs.

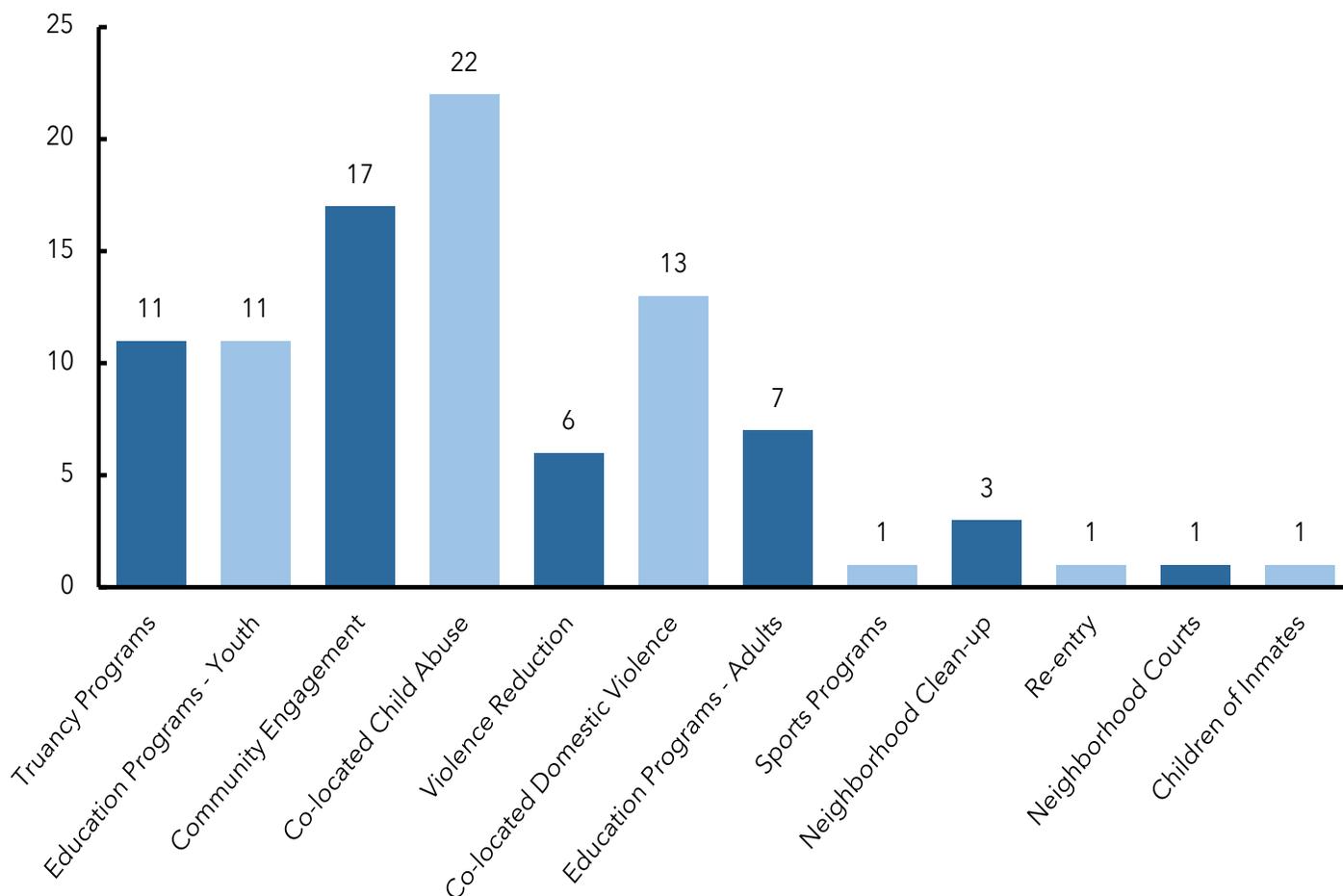


Figure 15. Participation in Community Programs by Type (N = 46).

TECHNOLOGY

In the following section, we asked respondents about the use of technology within their offices. **Figure 16** displays technology use within prosecutors' offices by type. Seventeen percent (17%) of the offices reported having a technology unit responsible for the computers, data, software, and hardware functioning within their offices. All responding offices reported using an electronic case management system, and 81% of the offices reported using electronic discovery. Eighty-five percent (85%) of responding offices reported using technology in their courtrooms, and 70% reported having staff to support them with the use of this technology.

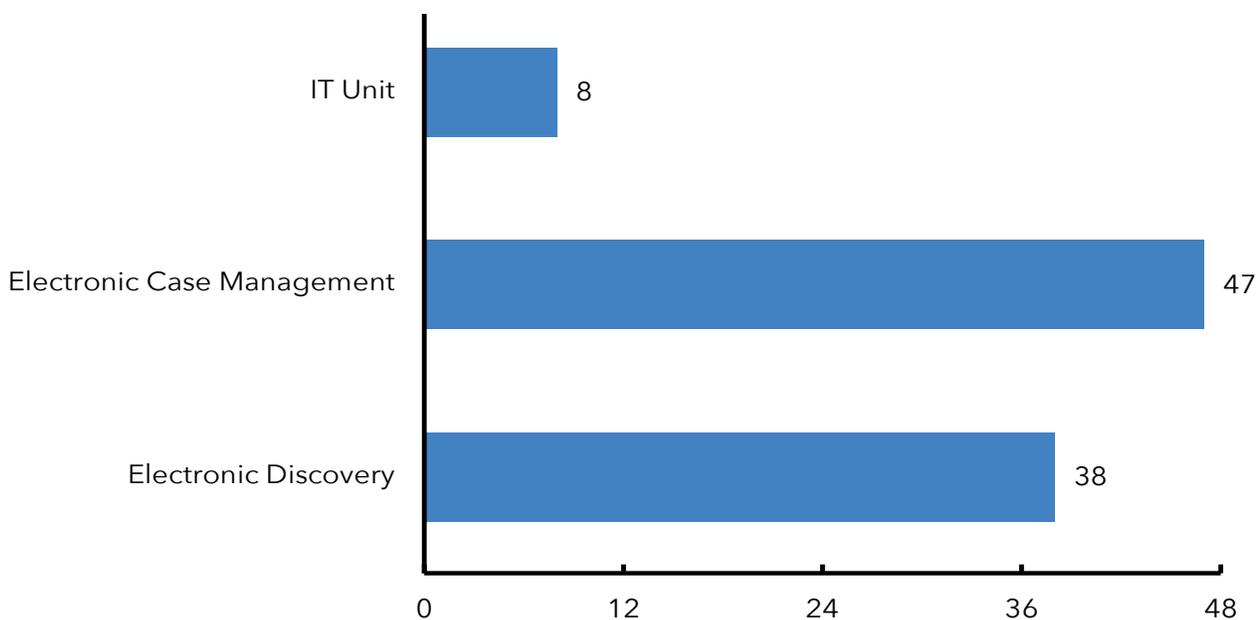


Figure 16. Technology Use within Prosecutors' Offices by Type (N = 47).



BODY-WORN CAMERAS

In addition, 79% of the respondents reported having at least one police agency within their jurisdiction that has implemented a body-worn camera (BWC) program. **Figure 17** presents the method of delivery for BWC video. Of those receiving BWC video, 70% were using DVDs, 13% were using both DVDs and cloud-based interfaces, and 5% were solely using cloud-based interfaces. Additionally, 65% of survey respondents reported needing additional staff to view and manage the evidence collected by BWCs.

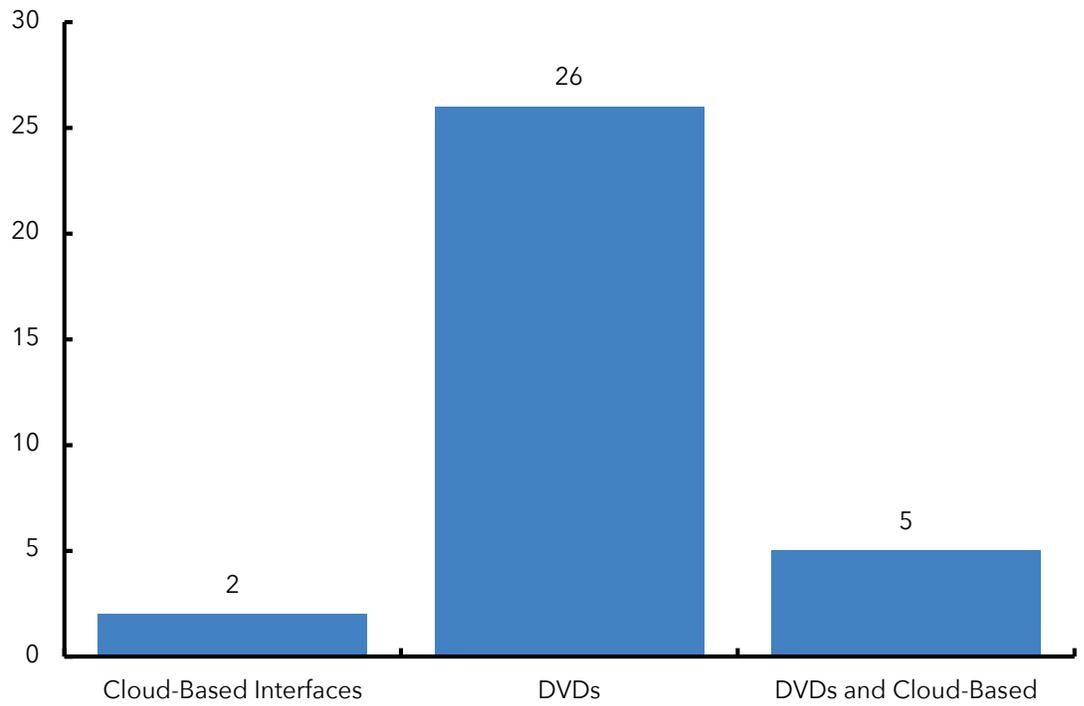


Figure 17. BWC Recordings Received by Prosecutors' Offices by Type (N = 37).

Figure 18 below shows the percentage of offices by jurisdiction size that reported needing additional staff to view and manage BWC footage. Eighty-six percent (86%) of jurisdictions with more than 100,000 residents stated that they needed additional staff for reviewing BWC footage. About 54% of offices in the smallest two population categories and 75% of offices covering 40,000 to 99,999 residents reported needing additional staff to review BWC footage.

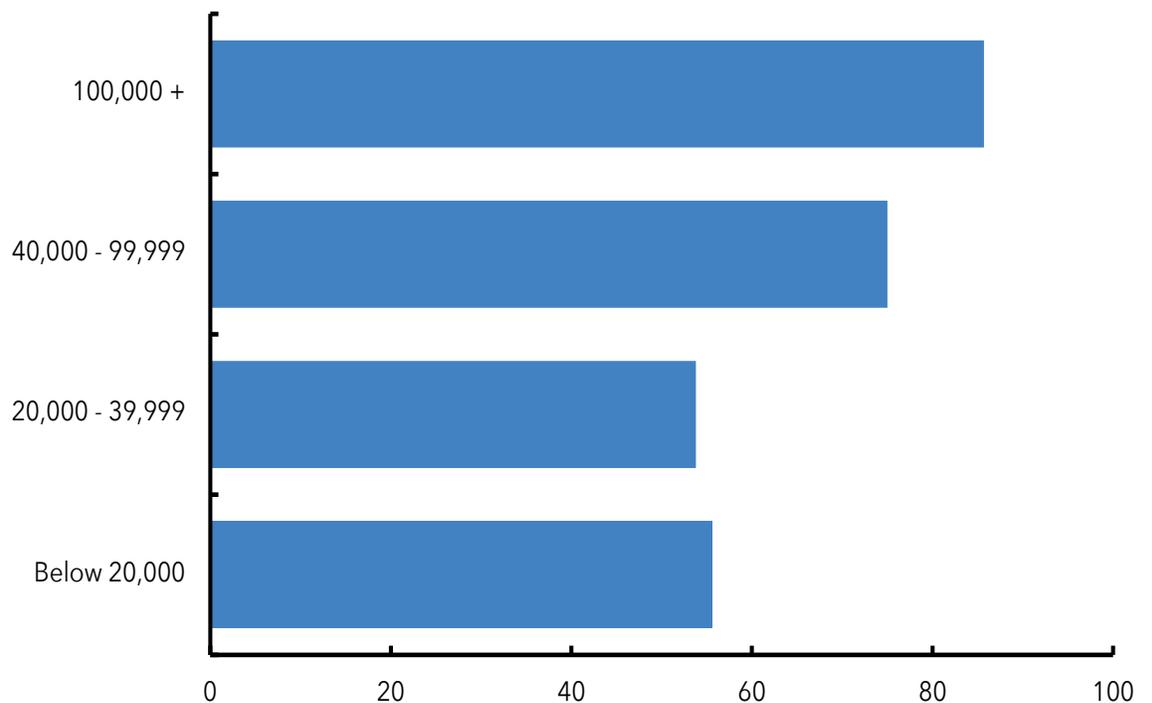


Figure 18. Need for Additional Staff to Review BWC Footage by Jurisdiction Size (N = 37).

WEBSITES

Asked what they share with the public online, 53% of survey respondents reported having office websites and 64% reported updating their websites routinely (monthly, quarterly, or annually).

RESEARCH

A minority of the responding offices reported engaging in research and analysis. Thirty percent (30%) of offices reported involvement in a research project in the last two years with a university, college, consultant, or independent research firm.

Thirty-four percent (34%) of offices reported analyzing crime data, caseloads, or other types of information routinely on a monthly, quarterly, or annual basis. Nineteen percent (19%) of offices provide an annual report to the public on the work of the office.

Fifty-three percent (53%) of the responding counties have participated in major U.S. Department of Justice grant-based programs. Of those offices, 68% have participated in Violence Against Women Act programs. Forty percent (40%) reported participating in Federal Victims of Crimes Act programs, and 12% reported participating in Project Safe Neighborhoods programs. Eight percent (8%) of offices have participated in a Smart Prosecution Initiative and 4% in a Violence Reduction Network program.



STATE-SPECIFIC QUESTIONS

The State of Missouri also requested some specific information from each Circuit Court. Specifically, prosecutors in Missouri were interested in the divisions of the Circuit Court, prosecutor workload, and participation in state initiatives and in a multi-county child support enforcement project.

On average, prosecutors in Missouri appeared in front of 3 Associate Division judges and 3 Circuit Division judges. On average, Associate Division Courts in Missouri held criminal dockets 2.7 days per week, while Circuit Division Courts held criminal dockets 1.8 days per week. In Circuit Courts with multiple divisions holding felony cases, 49% were pre-trial coordinated and 59% were jury coordinated. In addition, 78% of responding offices consisted of multi-county Circuits. Of those Circuits, there were an average of 3.2 counties per Circuit.

Prosecutors were also asked how many hours on average they spend traveling between courthouses in their jurisdiction. Prosecutors reported traveling an average of 11 hours per month. On average, responding prosecutors' offices reported receiving cases from 4.3 municipal police departments within their jurisdiction.

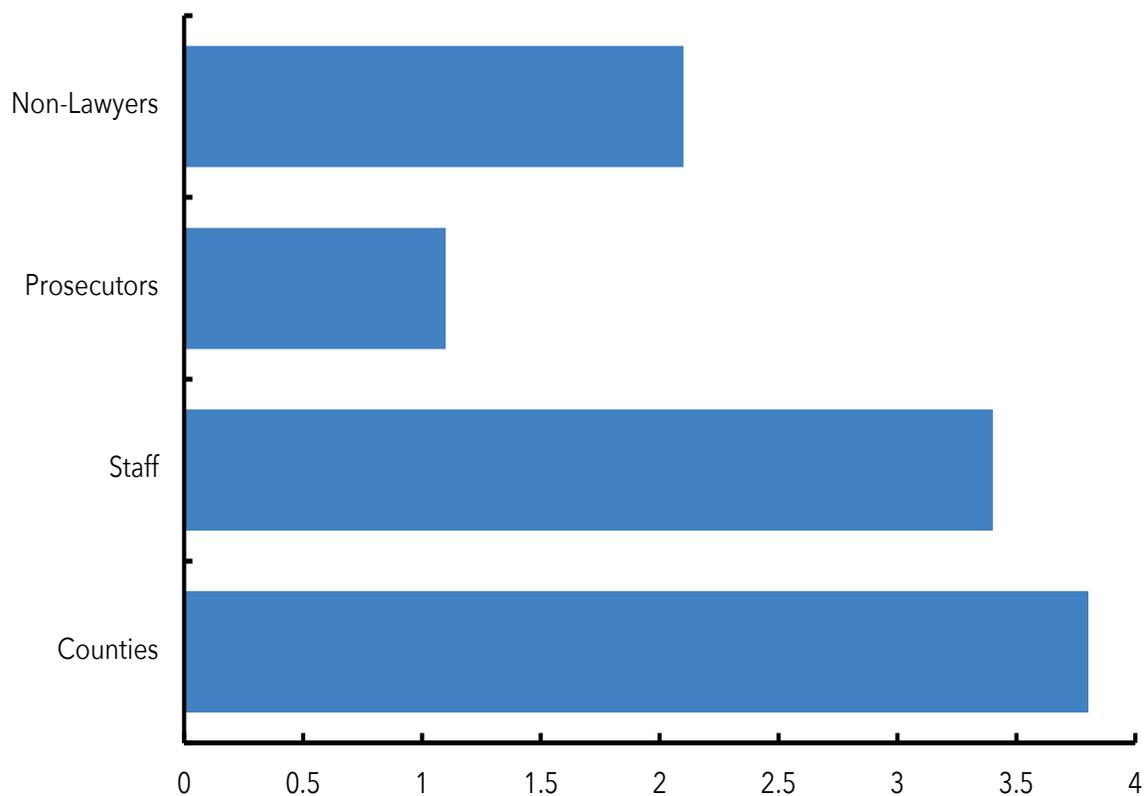


Figure 19. Average Number of Participants in the Multi-County Child Support Enforcement Project (N = 31).

Asked whether they participate in a multi-county child support enforcement project, 66% reported participating in this type of project. **Figure 19** depicts the average number of participants in the child support enforcement project by type. On average, 3.8 Counties, 3.4 Staff, 1.1 Prosecutors, and 2.1 Non-Lawyers participated. Offices also reported processing an average of 307 of these cases annually. Of the 307 child support enforcement cases, Missouri Prosecutors' offices reported that 13% were civil cases and 49% were criminal. Finally, the average of the respondents' average annual child support collected by the project over the past 5 years was \$1,527,914.

Half of Missouri Prosecutors' offices reported participating in the Department of Revenue (DOR) program to collect delinquent taxes for the state. Asked about their use of on-call prosecutors, all offices (N = 46) reported having after-hours on-call prosecutors. Forty-three percent (43%) of on-call prosecutors were on a fixed assignment, and 57% were on a rotating assignment. On average, on-call prosecutors were on duty 346 days out of the year.

Of the 44 responding offices, 41% reported cooperating with the "Know Your Numbers Initiative" of the Missouri Association of Prosecuting Attorneys (MAPA).



CONCLUSIONS

The statewide survey administered by JSS and PCE has provided many insights into the day-to-day functioning of Missouri prosecutors' offices. From the wide range of submissions from Missouri counties thus far, a number of trends have emerged.

In the survey, Missouri prosecutors' offices reported handling felonies, misdemeanors, and infractions. Few offices reported handling juvenile cases, and most reported handling civil matters.

All of the responding prosecutors' offices had elected Chief Prosecutors serving an average of 6 years. Sixty percent (60%) of the offices had budgets under \$500,000. The number of full-time employees per 10,000 population was highest for the largest counties.

The per capita rates of felony and misdemeanor cases charged were very similar for counties in the mid-sized population categories. Offices in the smallest population category (below 20,000 residents) charged more than twice as many felony cases per 10,000 residents than the largest population category. Additionally, the largest offices had the highest number of full-time attorneys and total employees per capita.

It is apparent that nearly all offices offered specialized or problem-solving courts and that some courts were significantly more common than others. While a majority of offices reported

offering Drug courts, fewer offices reported offering Domestic Violence courts and Community courts. No offices reported Human Trafficking or Homeless courts.

Most offices reported running specialized programs. The most common specialized programs offered fell under the headings of Restitution and Victim Assistance programs. On the other hand, only a few offices had Community Prosecutors programs and Crime Strategies Units.

The majority of respondents reported providing specific community programs to the areas they serve. The most common offerings were Co-located Child Abuse and Community Engagement programs.

This research has provided great insight into the basic needs of prosecutors' offices. Further research based on these findings should focus on prosecutors' caseloads. Specifically, researchers should continue to investigate ideal caseloads for prosecutors and evaluate proper resource management.

All in all, the Missouri offices that completed the statewide prosecutor survey provided vital data that have increased the knowledge base on the functioning of Missouri prosecutors' offices as well as on the role of Missouri prosecutors.