



DATA ADVISORY

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State Court Processing Statistics Data Limitations

For 22 years the Bureau of Justice Statistics (BJS) has supported the State Court Processing Statistics (SCPS) project—a statistical series describing the characteristics of felony defendants and the processing of their cases by state courts. The SCPS data are routinely used by pretrial practitioners, bail bondsmen, criminal justice policymakers, district attorneys, state courts, lawmakers,

academics, journalists, and members of the public. Inherent in the SCPS design are a number of limitations in the uses and capabilities of these data. In particular, the following limitations must be considered when analyzing SCPS data, drawing any conclusions based on the data, and citing BJS reports.

LIMITATIONS

SCPS data are insufficient to explain causal associations between the patterns reported.

BJS reports and analyses describe patterns associated with case processing, such as misconduct during pretrial release. However, the data are insufficient to explain causal associations between the patterns reported, such as the efficacy of one form of pretrial release over another. To understand whether one form of pretrial release is more effective than others, it would be necessary to collect information relevant to the pretrial release decision and factors associated with individual misconduct. Some of the relevant factors include a defendant's community ties, employment status, income, educational background, drug abuse history, and mental health status. For reasons related to cost and data accessibility, these measures are not currently collected in SCPS.

Evaluative statements about the effectiveness of a particular program in preventing pretrial misconduct may be misleading.

BJS does not support the use of SCPS data for such evaluative statements. Detailed measures of pretrial monitoring practices are critical to any evaluation of the efficacy of a pretrial release program. SCPS does not have the capacity to distinguish highly functioning

pretrial diversionary programs from those operating under limited staffing and budgetary constraints. Also, SCPS cannot distinguish defendants released under conditions that involve intensive pretrial monitoring from defendants released under less stringent pretrial conditions. Any evaluative statement about the effectiveness of a particular program in preventing pretrial misconduct based on SCPS is misleading. BJS does not support such use of these data.

The potential for misconduct is only one of many factors that jurisdictions consider in developing and implementing pretrial release policies.

Many complex issues are involved in determining a jurisdiction's policy for release or detention of the criminally accused and the best method for releasing defendants. State and local officials consider an array of interrelated factors when developing and implementing pretrial release policies, including jail overcrowding, pretrial incarceration of individuals accused of minor offenses, the utility of pretrial risk assessments, and the capacity of pretrial diversion programs. BJS reports and SCPS data, as currently collected, cannot be used to evaluate such factors.

RELATED BJS REPORTS

BJS reports based on SCPS data routinely describe the limitations of the data and factors that must be considered when analyzing SCPS. A full list of SCPS products can be found at <http://bjs.ojp.usdoj.gov/index.cfm?ty=dcdetail&iid=282>, and include:

Felony Defendants in Large Urban Counties, 2004
<http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=891>

Felony Defendants in Large Urban Counties, 2002
<http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=896>

Felony Defendants in Large Urban Counties, 2000
<http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=897>

Felony Defendants in Large Urban Counties, 1998
<http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=899>

Juvenile Felony Defendants in Criminal Courts: Survey of 40 Counties, 1998

<http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=1039>

Pretrial Release of Felony Defendants in State Courts, 1990–2004

<http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=834>

Pretrial Release of Felony Defendants, 1992: National Pretrial Reporting Program

<http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=835>

Violent Felons in Large Urban Counties

<http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=596>

SCPS DATA COLLECTION MANAGERS

Thomas Cohen, Statistician, BJS,
thomas.cohen@usdoj.gov

Tracey Kyckelhahn, Statistician, BJS
tracey.kyckelhahn@usdoj.gov

