



Prosecutors in State Courts, 2020

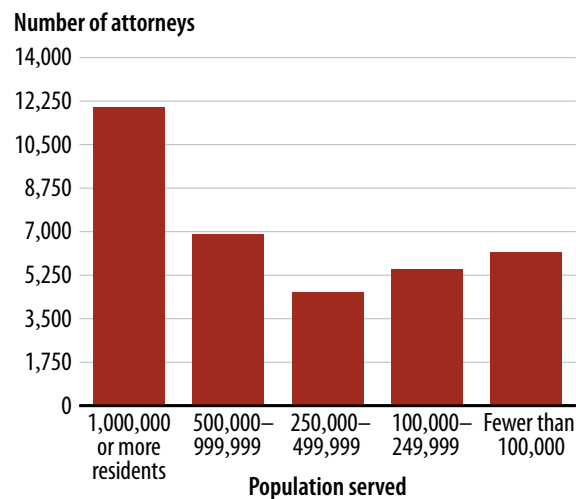
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In 2020, the 2,347 prosecutor offices in the United States employed a total of 35,120 attorneys (figure 1). These offices handled felony cases in state courts of general jurisdiction.¹ Nearly 12,000 attorneys were employed by offices in the largest jurisdictions, those serving populations of 1 million or more residents. Offices that served populations of fewer than 100,000 residents (6,175) had nearly 1,600 more prosecutors than those that served populations of 250,000 to 499,999 residents (4,585). Across all offices, 33,500 (95%) prosecutors were employed full time and 1,620 (5%) were employed part time (not shown in figure).

This report presents findings from the 2020 National Survey of Prosecutors (NSP), which collects data on prosecutorial activities nationwide and on a variety of administrative and legal issues facing prosecutors who handle felony cases in state courts.

¹State courts of general jurisdiction hear serious criminal, juvenile, and civil cases.

FIGURE 1
Number of attorneys employed in state prosecutor offices, by population served, 2020



Note: Population served based on 2018 population estimates. See *Methodology*. Includes both part- and full-time attorneys. Information on number of attorneys was missing for 212 offices (unweighted). See appendix table 1 for estimates and standard errors.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

HIGHLIGHTS

- In 2020, more than 35,000 attorneys were employed by state prosecutor offices across the United States.
- About 80% of full-time attorneys employed at state prosecutor offices were white, and half were female.
- State prosecutor offices reported a 44% increase in staff from 1992 to 2020.
- State prosecutor offices reported more than \$6 billion in operating expenditures in 2020.
- State prosecutor offices charged 78% of all felony matters reviewed.
- Sixty-seven percent of all felony matters concluded by state prosecutor offices were adjudicated following a plea bargain.
- Nearly 9 in 10 (85%) state prosecutor offices reported not having a policy for attorney caseload size.
- About 70% of state prosecutor offices provided direct assistance to domestic violence victims, and 75% provided referrals to outside agencies for assistance.

Findings in this report generally exclude federal, tribal, and municipal prosecutors as well as county prosecutors who operate in courts of limited jurisdiction.² Population data describing the populations served by state court prosecutors are based on the U.S. Census Bureau’s American Community Survey.

The state court prosecutor represents the state in criminal cases and is accountable to the public as an elected or appointed public official. State court prosecutors are afforded broad discretion in determining who is charged with an offense and if a case goes to trial. This report describes the operational and administrative functions of the offices that prosecute criminal offenses in state courts.

State prosecutor offices serving the largest jurisdictions had an average of 235 attorneys per office in 2020

In 2020, about three-quarters (1,728 or 74%) of state prosecutor offices served populations of fewer than 100,000 residents and these offices employed less than a quarter (6,175 or 18%) of state prosecuting attorneys (table 1). Overall, state prosecutor offices had an average of 15 attorneys per office. Those serving the largest jurisdictions (1 million residents or more) had an average of 235 attorneys per office and those serving the smallest jurisdictions (fewer than 100,000 residents) had an average of about 4 attorneys per office.

²The United States Attorney’s Office for the District of Columbia is the only federal prosecutor’s office included in the NSP survey. This office is responsible for the prosecution of serious local crimes charged in D.C. Superior Court and for the prosecution of federal D.C. cases in U.S. district court.

TABLE 1
Attorneys employed in state prosecutor offices, by population served, 2020

Population served	Prosecutor offices		Total attorneys employed*		Average number of attorneys employed per office
	Number	Percent	Number	Percent	
All offices	2,347	100%	35,120	100%	15.0
1,000,000 or more residents	51	2.2	11,987	34.1	235.0
500,000–999,999	94	4.0	6,892	19.6	73.3
250,000–499,999	134	5.7	4,585	13.1	34.2
100,000–249,999	340	14.5	5,481	15.6	16.1
Fewer than 100,000	1,728	73.6	6,175	17.6	3.6

Note: Information on number of attorneys was missing for 212 offices (unweighted). Details may not sum to totals due to rounding. See appendix table 1 for estimates and standard errors.

*Includes part- and full-time attorneys.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

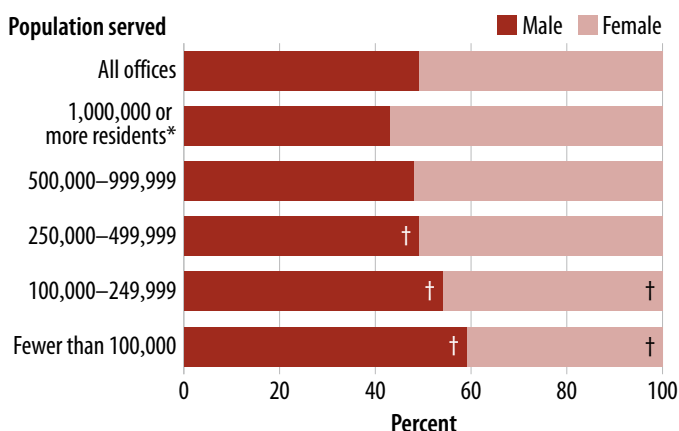
Across all state prosecutor offices, more than 8 in 10 full-time attorneys were white

In 2020, the majority of full-time attorneys employed in state prosecutor offices were white (83%) followed by black (6%), Hispanic (5%), Asian (3%), and other races (2%) (table 2). Ninety-five percent of prosecutors who were employed in the smallest jurisdictions (those serving populations of fewer than 100,000 residents) were white. The largest proportions of Hispanic (10%) and Asian (6%) attorneys were employed in the largest jurisdictions (those serving populations of 1 million or more residents).

Half of all full-time attorneys in state prosecutor offices were female

In 2020, about 51% of all full-time attorneys in state prosecutor offices were female and 49% were male (figure 2). About 57% of attorneys in prosecutor offices serving the largest jurisdictions (1 million or more residents) were female, and about 60% of prosecutors in offices serving the smallest jurisdictions (fewer than 100,000) were male.

FIGURE 2
Sex of full-time attorneys in state prosecutor offices, by population served, 2020



Note: Includes sex of 32,421 full-time attorneys. Information on sex of attorneys was missing for 230 offices (unweighted). Details may not sum to totals due to rounding. See appendix table 3 for estimates and standard errors.

*Comparison group.

†Difference with comparison group is significant at the 95% confidence level.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

TABLE 2
Race and ethnicity of full-time attorneys in state prosecutor offices, by population served, 2020

Population served	Attorney race/ethnicity				
	White ^a	Black ^a	Hispanic	Asian ^a	Other ^{a,b}
All offices	83.4%	6.3%	5.4%	3.3%	1.5%
1,000,000 or more residents*	73.1	9.6	10.2	5.7	1.4
500,000-999,999	82.6	7.4	3.6 †	4.0 ‡	2.3 †
250,000-499,999	89.3 †	5.1 †	3.3 †	1.1 †	1.2
100,000-249,999	88.8 ‡	4.7 †	2.6 †	2.1 †	1.8
Fewer than 100,000	95.1 †	1.1 †	2.4 †	0.6 †	0.8

Note: Includes 27,704 full-time attorneys. Information on race and ethnicity of attorneys was missing for 367 offices (unweighted). Excludes 518 full-time attorneys with unknown race. Details may not sum to totals due to rounding. See appendix table 2 for standard errors.

*Comparison group.

†Difference with comparison group is significant at the 95% confidence level.

‡Difference with comparison group is significant at the 90% confidence level.

^aExcludes persons of Hispanic origin (e.g., “white” refers to non-Hispanic white persons and “black” refers to non-Hispanic black persons).

^bIncludes American Indian or Alaska Native persons, Native Hawaiian or other Pacific Islander persons, and persons of two or more races.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

State prosecutor offices employed more than 44,000 full-time non-attorney staff

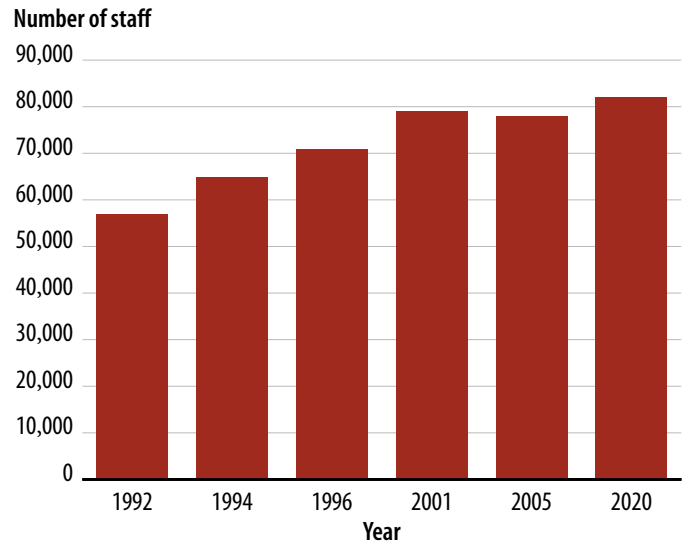
In addition to attorneys, state prosecutor offices employed non-attorney staff, including investigators, victim and witness staff, support staff, review and redaction staff, and other staff. In 2020, there were 44,150 full-time non-attorney staff employed in state prosecutor offices (table 3). Sixty-five percent of full-time non-attorney staff were support staff and 15% were investigators. In jurisdictions that served populations of 250,000 to 499,999 (21%) and 500,000 to 999,999 (19%), one-fifth of non-attorney staff were investigators. Victim and witness staff made up about 20% of full-time non-attorney staff for offices in jurisdictions serving fewer than 100,000 residents and about 9% for jurisdictions serving 1 million or more residents.

The number of staff employed by state prosecutor offices increased by 44% from 1992 to 2020

In 2020, state prosecutor offices employed a workforce of more than 82,000 part-time (4,540) and full-time (77,650) staff, reflecting a 44% increase from 1992 (57,000), the first year the NSP was conducted (figure 3). The number of staff increased steadily from 1992 to 2001, then leveled off from 2001 (79,000) to 2020 (82,000).³

³Staffing totals from the NSP 2007 were not included because they were based on full-time equivalent calculations.

FIGURE 3
Number of staff in state prosecutor offices, 1992–2020



Note: Includes both part- and full-time attorneys and non-attorneys. See appendix table 5 for totals.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 1992, 1994, 1996, 2001, 2005, and 2020.

TABLE 3**Full-time non-attorney staff employed in state prosecutor offices, by population served, 2020**

Population served	All offices		Investigators		Victim/witness staff		Support staff		Review/redaction staff		Other	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
All offices	44,150	100%	6,710	15.2%	6,480	14.7%	28,520	64.6%	590	1.3%	1,860	4.2%
1,000,000 or more residents*	13,820	100	1,760	12.8	1,260	9.1	9,980	72.2	90	0.7	730	5.3
500,000–999,999	9,500	100	1,810	19.1 †	1,450	15.3 †	5,610	59.0	270	2.9 †	350	3.7
250,000–499,999	6,600	100	1,400	21.2 †	1,000	15.1 †	3,760	57.1 ‡	70	1.0	360	5.5
100,000–249,999	7,140	100	1,120	15.7	1,340	18.8 †	4,450	62.3	90	1.2 !	140	2.0 †
Fewer than 100,000	7,100	100	610	8.6 ‡	1,420	20.0 †	4,720	66.4	70	1.0	280	3.9

Note: Information on non-attorney positions was missing for 399 offices (unweighted). Investigators are staff who investigate crimes, interview witnesses, and evaluate evidence for prosecutor offices. Victim and witness staff provide support by promoting rights, assessing needs, and linking victims and witnesses to services. Support staff includes accountants, administrative staff, paralegals, and information technology professionals. Review and redaction staff are employees devoted to the review and redaction of digital evidence. Other staff positions include child support staff, collections clerks, and diversion coordinators. Details may not sum to totals due to rounding. See appendix table 4 for standard errors.

*Comparison group.

†Difference with comparison group is significant at the 95% confidence level.

‡Difference with comparison group is significant at the 90% confidence level.

! Estimate is based on 10 or fewer sample cases, or coefficient of variation is greater than 50%.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

State prosecutor offices' operating expenditures exceeded 6 billion dollars

Operating expenditures refers to recurring fixed and variable costs associated with the management and administration of state prosecutor offices. Examples include employee payroll, building utilities, and office supplies. In 2020, state prosecutor offices' operating expenditures totaled nearly \$6.5 billion (table 4). The average operating expenditures per prosecutor office was more than \$2.7 million. Offices that served jurisdictions of 1 million or more residents had an average operating expenditures of \$36.6 million, and offices that served jurisdictions of fewer than 100,000 had an average operating expenditures of \$488,190. The average operating expenditures per prosecutor was nearly \$185,000. Offices that served jurisdictions of 250,000 to 499,999 residents had an average operating expenditures per attorney of \$253,800, and offices that served jurisdictions of fewer than 100,000 residents had an average operating expenditures of \$137,400.

Nearly 4 in 5 felony matters reviewed by state prosecutor offices were filed in court

A key responsibility of prosecutors is to determine whether to file or decline cases that reach their office. Factors considered when making this determination include the existence of probable cause, the strength of the case, and what is in the best interest of justice. When a matter is declined, the prosecution of that case is not filed formally with the court. A matter filed in the court will continue through various stages, ultimately leading to a case disposition of guilty, not guilty, dismissed, diverted, or other case outcome. In 2020, more than 2.7 million felony matters were reviewed by state prosecutor offices (table 5). Prosecutor offices filed 78% of those cases in court and declined 22%. Eighty-five percent of felony matters reviewed in jurisdictions that served populations of 100,000 to 249,999 residents were filed in court and 15% were declined for prosecution. Seventy-three percent of felony matters reviewed in jurisdictions that served populations of 1 million or more residents were filed in court and 27% were declined for prosecution.

TABLE 4
State prosecutor office operating expenditures, total, per office, and per prosecutor, by population served, 2020

Population served	Total operating expenditures	Average operating expenditures per prosecutor's office	Average operating expenditures per prosecutor ^a
All offices	\$6,493,999,970	\$2,766,940	\$184,910
1,000,000 or more residents*	\$1,865,686,700	\$36,582,090	\$155,640
500,000–999,999	\$1,695,060,160	\$18,032,550	\$245,950
250,000–499,999	\$1,163,663,890 †	\$8,684,060	\$253,800
100,000–249,999	\$921,121,310 †	\$2,709,180	\$168,060
Fewer than 100,000	\$848,467,910 †	\$488,190	\$137,400

Note: Information on total operating expenditures was missing for 272 offices (unweighted). See appendix table 6 for standard errors.

*Comparison group.

†Difference with comparison group is significant at the 95% confidence level.

^aIncludes both part- and full-time attorneys.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

TABLE 5
Total number of felony matters reviewed by state prosecutor offices, by population served, 2020

Population served	Felony matters reviewed		Felony cases filed in court		Felony cases declined	
	Number	Percent	Number	Percent	Number	Percent
All offices	2,749,600	100%	2,144,120	78.0%	605,480	22.0%
1,000,000 or more residents*	764,040	100	557,220	72.9	206,830	27.1
500,000–999,999	488,000	100	372,310	76.3	115,690	23.7
250,000–499,999	381,250	100	312,170	81.9	69,080	18.1 †
100,000–249,999	465,520	100	393,680	84.6	71,840	15.4 †
Fewer than 100,000	650,790	100	508,750	78.2	142,040	21.8

Note: Information on total number of felony matters reviewed was missing for 328 offices (unweighted). Details may not sum to totals due to rounding. See appendix table 7 for standard errors.

*Comparison group.

†Difference with comparison group is significant at the 95% confidence level.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

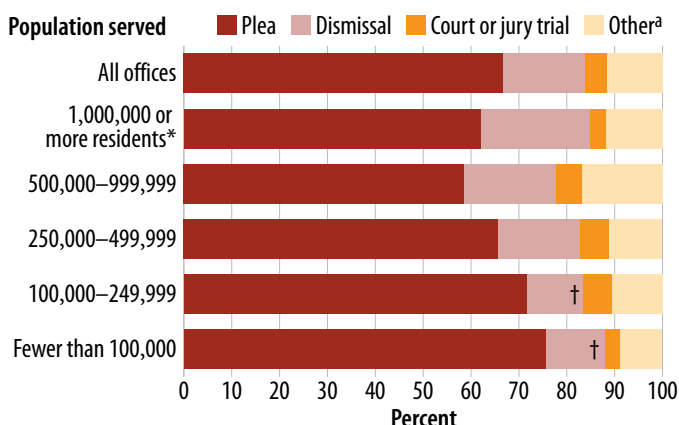
Almost 9 out of 10 state prosecutor offices handled methamphetamine trafficking cases

State prosecutors are responsible for prosecution of crimes that range from traffic violations to violent offenses. The 2020 NSP examined an array of criminal offenses handled by state prosecutors. Over 80% of state prosecutor offices handled methamphetamine trafficking cases (88%), opioid trafficking cases (83%), and use of internet for child exploitation cases (82%) (table 6). One in five (22%) state prosecutor offices handled police use of excessive force cases. The percentage of offices that handled these cases varied by population size. Seventy-six percent of offices in the largest jurisdictions (1 million or more residents) reported handling police use of excessive force cases, and 14% of offices in the smallest jurisdictions (fewer than 100,000) reported handling these cases.

More than three-fifths of all felony matters concluded by state prosecutors were plea bargains

In 2020, prosecutors concluded about 1.9 million felony cases. Of these, 67% were closed by plea bargain, 17% were dismissed, 12% were closed by other dispositions (e.g., deferred prosecution, diversion, or referral to problem-solving courts), and 5% went to court or jury trial (figure 4). Seventy-six percent of felony matters in offices in jurisdictions with fewer than 100,000 residents were concluded by plea bargains. Twenty-three percent of felony matters in offices in jurisdictions that served populations of 1 million or more residents were concluded by dismissals. Six percent of felony matters in offices in jurisdictions that served populations of 250,000 to 499,999 residents were concluded by court or jury trial.

FIGURE 4
Felony case outcomes reported by state prosecutor offices, by population served, 2020



Note: Information on felony case outcomes was missing for 385 offices (unweighted). See appendix table 9 for estimates and standard errors.

*Comparison group.

†Difference with comparison group is significant at the 95% confidence level.

^aIncludes cases involving deferred prosecution, diversion, and referrals to problem-solving courts.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

TABLE 6
Percent of state prosecutor offices that handled selected types of offenses, by population served, 2020

Population served	Type of offense handled				
	Methamphetamine trafficking ^a	Opioids trafficking ^b	Elder abuse	Use of internet for child exploitation ^c	Police use of excessive force
All offices	88.4%	83.0%	59.8%	82.4%	21.6%
1,000,000 or more residents*	82.6	94.4	94.4	94.4	76.1
500,000-999,999	91.5 †	96.8	87.8 †	94.8	57.3 †
250,000-499,999	92.8 †	94.0	85.8 †	95.4	48.2 †
100,000-249,999	86.3	91.4	72.2 †	89.6 ‡	32.6 †
Fewer than 100,000	88.5	79.5 †	52.8 †	79.0 †	13.8 †

Note: Information on selected offenses prosecuted was missing for 395 offices (unweighted). See appendix table 8 for standard errors.

*Comparison group.

†Difference with comparison group is significant at the 95% confidence level.

‡Difference with comparison group is significant at the 90% confidence level.

^aIncludes the production and distribution of methamphetamine.

^bIncludes opioid offenses involving trafficking and prescription fraud.

^cIncludes child sexual abuse and child pornography.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

85% of state prosecutor offices did not have a policy for attorney caseload size

A policy is a shared understanding among prosecutors in the office relating to how a case or type of case is processed. State prosecutor offices can have a written policy (formal rule), unwritten policy (informal rule), or no policy at all. The 2020 NSP examined policies for a variety of common case processing practices and duties. Forty-three percent of all offices had written policies for diversion or problem-solving courts (table 7). Fifty-eight percent of all offices had unwritten policies for plea bargains. Eighty-five percent of prosecutor offices did not have a policy for attorney caseload size.

70% of state prosecutor offices provided direct assistance to domestic violence victims, and 75% provided referrals to outside services

When working with crime victims, prosecutor offices can provide them with services either directly or through referral to outside resources, or provide no assistance. In 2020, 70% of all state prosecutor offices provided direct assistance to victims of child abuse and 73% provided referrals to outside services (table 8). About 70% of prosecutor offices provided direct assistance to victims of domestic violence or other dating violence, and 75% provided referrals to outside services. Fifty-six percent of offices provided direct assistance to victims of elder abuse, and 55% provided referrals to outside services. Three-fifths of prosecutor offices did not provide any assistance for hate crime victimization (60%), and a similar proportion of offices did not provide any assistance for human trafficking (61%).

TABLE 7
Percent of state prosecutor offices with written and unwritten policies for case processing practices and duties, by type of policy, 2020

Type of policy	Case processing practices			
	Total	Written	Unwritten	None
Attorney caseload size	100%	1.0%	14.0%	85.1%
Bail recommendations for felony defendants	100	12.8	53.0	34.2
Bail recommendations for misdemeanor defendants	100	10.7	44.1	45.2
Charging standards (other than bail)	100	16.5	55.4	28.1
Conviction integrity	100	8.2	41.0	50.8
Diversion/problem-solving courts	100	42.9	41.6	15.5
Plea bargains	100	15.9	57.8	26.3
Declining any cases referred without review	100	10.1	35.9	53.9

Note: Information on state prosecutor offices case processing policy practices was missing for 395 offices (unweighted). Details may not sum to totals due to rounding. See appendix table 10 for standard errors.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020.

TABLE 8
Percent of state prosecutor offices directly providing and referring victims to victim services, by type of service, 2020

Type of victim services	Direct assistance ^a	Referrals ^b	None ^c
Child abuse	69.5%	73.2%	8.3%
Elder abuse	55.5	55.0	25.3
Hate crime victimization	28.5	26.5	60.3
Homicide support	58.7	54.2	26.9
Human trafficking	28.4	29.5	60.6
Sexual assault	68.3	69.3	9.8
Domestic or other dating violence	70.0	74.5	5.6

Note: Information on victim assistance and referrals was missing for 403 offices (unweighted). Some offices both provided direct assistance and referred victims to outside services. Offices that reported none did not provide direct assistance or refer victims to outside services for the associated crimes in 2020. Details may not sum to totals because direct assistance and referrals were not mutually exclusive. See appendix table 11 for standard errors.

^aIncludes cases where staff (formally trained or otherwise) provided victim assistance.

^bIncludes cases where victims or their families were connected with an outside organization for assistance.

^cDirect assistance or referrals not provided in 2020. Offices that did not provide any assistance or referrals may have not had any cases or victims for the associated crimes in 2020.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020.

Methodology

The National Survey of Prosecutors (NSP) collects data on a range of topics from a nationally representative sample of state prosecutor offices that prosecute felony cases in state courts of general jurisdiction. The NSP was first conducted in 1990, followed by surveys in 1992, 1994, 1996, and 2005, with a full census in 2001 and 2007. This report presents data from 2020, the most recent iteration. More information on this collection can be found at the BJS website (<https://bjs.ojp.gov/data-collection/national-survey-prosecutors-nsp>).

RTI International (RTI) collected the data on behalf of the Bureau of Justice Statistics. The National District Attorneys Association (NDAA) reviewed the data collection instrument, provided their national directory of district attorneys, provided support advertising the survey, and assisted with nonresponse follow-up strategies. RTI conducted the collection through a multi-mode approach, where the questionnaire was administered online and mailed surveys were used as a follow-up method of recruitment.

Data collection for the NSP 2020 began in February 2021. However, administration of the survey and subsequent tasks were delayed due to the 2020 COVID-19 pandemic. The disruption in court case processing stemming from the pandemic led to a backlog of cases for state prosecutors and limited the ability of respondents to complete the survey. Processing, data analysis, and production of this report were subsequently delayed.

Survey overview

The sampling frame used for the 2020 NSP originated with the 2007 NSP frame, which was updated by matching prosecutor jurisdictions to county-level data from the U.S. Census Bureau’s 2018 5-year American Community Survey and the Federal Information Processing Standards (FIPS) codes. Cross-matching was done to ensure that all counties in the United States

were covered by a prosecutor’s office in the frame. Five categories were created based on the population size of the jurisdiction:

- 1 million or more
- 500,000 to 999,999
- 250,000 to 499,999
- 100,000 to 249,999
- Fewer than 100,000.

Most of the population served by state prosecutor offices included single or multiple counties. However, some state prosecutor offices served populations composed of cities, townships, and parishes. Additionally, some state prosecutor offices served populations in all or part of the same county as other state prosecutor offices. Participation in the survey was voluntary, and offices self-identified the jurisdictions within which they prosecuted.

The 2020 NSP frame contained 2,347 state prosecutor offices. Federal prosecutors, prosecutors handling exclusively juvenile cases, and prosecutors handling cases in limited jurisdiction courts were excluded.

Sample design and selection

Prosecutor offices were grouped into five strata, based on the population size of the primary county in 2018 (table 9). Within each stratum, offices were selected for the sample based on 2018 population parameters. A sample of 750 offices were selected proportional to the total number of offices available in each stratum. Strata 1 and 2 were selected with certainty, and strata 3 to 5 were selected with a probability proportion to size sampling approach. A link to the full online survey was initially sent to all 750 offices in the sample, with the option to request a paper survey. The full survey had four sections with a total of 43 questions, but participants were prompted to skip questions that were not applicable to their office. If offices did not respond to the initial survey

TABLE 9
National Survey of Prosecutors sampling strata, 2020

Stratum	Population served	Number of offices in the stratum	Number of sampled offices
1	1,000,000 or more residents	51	51
2	500,000–999,999	94	94
3	250,000–499,999	134	107
4	100,000–249,999	340	127
5	Fewer than 100,000	1,738	371
	Total	2,347	750

Note: Includes both part- and full-time attorneys.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

after repeated nonresponse follow-up prompts, they were sent the critical item survey, consisting of eight questions.

Office response rate

The full survey was administered to 750 prosecutor offices in February 2021, and 372 offices completed it, for a response rate of 50% (table 10). In August 2021, the critical item survey was administered to the remaining 378 offices. One hundred and thirty-four offices completed the critical item survey, which boosted the final response rate to 67% (506 of 750 surveys) before the survey was closed in December 2021.

Weights and nonresponse adjustment

Survey responses were weighted to produce national estimates. The universe was the population of prosecutor offices handling felony cases in state courts of general jurisdiction. A base weight was assigned to each stratum. Two strata (strata 1 and 2) were sampled with certainty and received a base weight of 1. The sampled offices in the other strata (strata 3, 4, and 5) received a base weight as calculated below:

$$W_{ij}^{base} = \frac{N_i}{n_i}, \text{ where}$$

W_{ij}^{base} = the base weight for the j^{th} sample member in stratum I

N_i = the number of records in stratum I

n_i = the number of records selected to be surveyed in stratum i .

Two sets of final weights were used for NSP 2020: one for the full survey and one for the critical items survey. Three adjustments were made to create the final two survey weights. The first adjustment was for nonresponse to the full survey and critical item survey. For each

survey type, a nonresponse adjustment was calculated using a weighted logistic regression model using SAS software version 9.X PROC SURVEYLOGISTIC. Five known characteristics of total population served, NDAA membership, the four census regions, and two indicators for FIPS codes (rural and metropolitan or urban area designations) were used as independent variables in the logistic regression model to estimate the predicted probabilities of response.⁴

The second adjustment was to address partial responses for the two surveys. The partial response adjustment was used to help reduce any bias that resulted from a survey being deemed complete instead of incomplete. For the full survey weights, complete was defined as having at least 60% of the full questionnaire filled out. Likewise, for critical item survey weights, complete was defined as having at least 60% of the eight critical item questions answered. For these adjustments in both survey weights, three main characteristics were used: total population served, NDAA membership, and the four census regions.

For the full survey weights, some survey data were also used in the adjustments. In addition to the main characteristics presented previously, the adjustments also included the year that an agency’s chief prosecutor assumed office, as well as whether the chief prosecutor was considered a full- or part-time position.

For the partial response adjustment, a weighted logistic regression model was used to calculate estimated predicted probabilities of a complete survey using the known characteristics listed above and SAS software version 9.X PROC SURVEYLOGISTIC. The inverse of the predicted probabilities was multiplied by the nonresponse weights to complete this step.

⁴The four census regions are defined by the U.S. Census Bureau as the following: West, Midwest, Northeast, and South. See https://www2.census.gov/geo/pdfs/maps-data/maps/reference/us_regdiv.pdf.

TABLE 10
National Survey of Prosecutors response rates, 2020

Stratum	Population served	Number of responding offices to full survey	Number of responding offices to critical item survey	Total responses	Response rate
1	1,000,000 or more residents	34	6	40	78.4%
2	500,000–999,999	55	14	69	73.4
3	250,000–499,999	66	18	84	78.5
4	100,000–249,999	62	19	81	63.8
5	Fewer than 100,000	155	77	232	62.5
	Total	372	134	506	67.5

Note: Includes both part- and full-time attorneys.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

The third adjustment to produce the final full and critical item survey weights included a calibration adjustment. The calibration adjustment used known population totals to adjust the weights so that the population totals used during the calibration process could be reproduced. The calibration adjustment was created with SUDAAN 11.0.4 PROC WTADJUST using total population served, NDAA membership, and the four census regions. The final weights for full survey and critical item survey respondents were produced by applying all three adjustments to the base weight.

Accuracy of the estimates

The accuracy of the estimates presented in this report depends on two types of error: sampling and nonsampling. Sampling error is the variation that may occur by chance due to the collection of a sample rather than a complete enumeration of all agencies. Nonsampling error can be attributed to many sources, such as the inability to obtain information about all cases in the sample, inability to obtain complete and correct information from administrative records, and processing errors. The full extent of the nonsampling error is difficult to measure in any survey.

As measured by an estimated standard error, the sampling error varies by the size of the estimate and the size of the sample. Variance and standard error estimates for the 2020 NSP were generated using the IBM SPSS Complex Samples statistical software package. The Taylor Series Linearization method for a “stratified without replacement” design was used for these calculations. (See appendix tables 1 to 4 and 6 to 10 for standard error estimates.) Standard error estimates may be used to construct confidence intervals around the percentages in this report. For example, the 95% confidence interval around the percentage of female attorneys in state prosecutor offices was $50.7\% \pm 1.96 \times 0.95\%$ (or approximately 48.8% to 52.6%). Standard error estimates may also be used to construct confidence intervals around numerical variables such as attorney counts. For example, the 95% confidence interval around the number of attorneys employed in state prosecutor offices was approximately $35,120 \pm 1.96 \times 855$ (or 33,444 to 36,796). Moreover, differences were tested for statistical significance, as indicated in the tables and figures. The primary test procedure was the Student’s t-statistic, which tests the difference between two sample estimates. Findings described in this report passed a test at the 0.05 level (95% confidence level) of significance.

APPENDIX TABLE 1

Estimates and standard errors for figure 1: Number of attorneys employed in state prosecutor offices, by population served, 2020; and table 1: Attorneys employed in state prosecutor offices, by population served, 2020

Population served	Total attorneys employed			
	Estimate		Standard error	
	Number	Percent	Number	Percent
All offices	35,120	100%	855	2.44%
1,000,000 or more residents	11,987	34.1	712	2.03
500,000–999,999	6,892	19.6	268	0.76
250,000–499,999	4,585	13.1	118	0.34
100,000–249,999	5,481	15.6	235	0.67
Fewer than 100,000	6,175	17.6	291	0.83

Note: Population served based on 2018 population estimates. Includes both part- and full-time attorneys. See *Methodology*. Information on number of attorneys was missing for 212 offices (unweighted). Details may not sum to totals due to rounding.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

APPENDIX TABLE 2

Standard errors for table 2: Race and ethnicity of full-time attorneys in state prosecutor offices, by population served, 2020

Population served	Attorney race/ethnicity				
	White	Black	Hispanic	Asian	Other
All offices	0.03%	0.54%	0.59%	0.31%	0.15%
1,000,000 or more residents	6.81	1.42	1.62	0.80	0.20
500,000–999,999	4.10	0.76	0.33	0.58	0.43
250,000–499,999	2.74	0.91	0.96	0.20	0.21
100,000–249,999	4.52	0.97	0.63	0.54	0.45
Fewer than 100,000	5.92	0.39	1.03	0.26	0.34

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

APPENDIX TABLE 3

Estimates and standard errors for figure 2: Sex of full-time attorneys in state prosecutor offices, by population served, 2020

Population served	Estimate		Standard error	
	Male	Female	Male	Female
	All offices	49.3%	50.7%	1.27%
1,000,000 or more residents*	43.1	56.9	2.81	4.28
500,000–999,999	47.7	52.3	2.01	2.29
250,000–499,999	49.4 †	50.6	1.49	1.63
100,000–249,999	54.2 †	45.8 †	2.40	3.13
Fewer than 100,000	59.3 †	40.7 †	3.55	3.26

Note: Includes sex of 32,421 full-time attorneys. Information on sex of attorneys was missing for 230 offices (unweighted). Details may not sum to totals due to rounding.

*Comparison group.

†Difference with comparison group is significant at the 95% confidence level.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

APPENDIX TABLE 4**Standard errors for table 3: Full-time non-attorney staff employed in state prosecutor offices, by population served, 2020**

Population served	All offices		Investigators		Victim/witness staff		Support staff		Review/redaction staff		Other	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
All offices	1,734	3.93%	407	0.92%	283	0.64%	1,316	2.98%	88	0.20%	284	0.64%
1,000,000 or more residents	1,393	10.08	211	1.53	154	1.12	1,119	8.10	18	0.13	202	1.46
500,000–999,999	535	5.64	192	2.02	94	0.99	402	4.24	67	0.70	142	1.50
250,000–499,999	337	5.12	154	2.34	65	0.99	225	3.41	13	0.19	67	1.01
100,000–249,999	610	8.55	212	2.97	144	2.02	394	5.52	45	0.62	54	0.76
Fewer than 100,000	541	7.63	125	1.76	149	2.10	333	4.69	66	0.40	112	1.57

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

APPENDIX TABLE 5**Totals for figure 3: Number of staff in state prosecutor offices, 1992–2020**

Year	Number of staff
1992	57,000
1994	65,000
1996	71,000
2001	79,000
2005	78,000
2020	82,000

Note: Includes both part- and full-time attorneys and non-attorneys.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 1992, 1994, 1996, 2001, 2005, and 2020.

APPENDIX TABLE 6

Standard errors for table 4. State prosecutor office operating expenditures, total, per office, and per prosecutor, by population served, 2020

Population served	Total operating expenditures	Standard error	
		Average operating expenditures per prosecutor's office	Average operating expenditures per prosecutor
All offices	\$204,702,750.73	\$87,218.90	\$239,418.42
1,000,000 or more residents	\$104,132,841.43	\$2,041,820.42	\$146,253.99
500,000–999,999	\$88,119,058.80	\$937,436.80	\$328,802.46
250,000–499,999	\$102,547,499.37	\$765,279.85	\$869,046.60
100,000–249,999	\$92,950,976.39	\$273,385.22	\$395,536.07
Fewer than 100,000	\$64,332,925.71	\$37,015.49	\$221,075.35

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

APPENDIX TABLE 7

Standard errors for table 5: Total number of felony matters reviewed by state prosecutor offices, by population served, 2020

Population served	Felony matters reviewed		Felony cases filed in court		Felony cases declined	
	Number	Percent	Number	Percent	Number	Percent
All offices	113,239	4.10%	95,052	3.46%	32,150	1.17%
1,000,000 or more residents	58,037	7.60	42,807	5.60	21,976	2.87
500,000–999,999	21,812	4.50	20,231	4.15	8,347	1.70
250,000–499,999	26,716	7.00	25,364	6.65	5,767	1.51
100,000–249,999	55,935	12.00	53,225	11.43	9,932	2.13
Fewer than 100,000	71,670	11.00	57,593	8.85	18,686	2.87

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

APPENDIX TABLE 8

Standard errors for table 6: Percent of state prosecutor offices that handled selected types of offenses, by population served, 2020

Population served	Type of offense handled				
	Methamphetamine trafficking	Opioids trafficking	Elder abuse	Use of internet for child exploitation	Police use of excessive force
All offices	2.06%	2.42%	3.0%	2.37%	2.25%
1,000,000 or more residents	3.41	1.44	1.44	1.44	4.07
500,000–999,999	2.31	1.07	2.79	1.61	4.34
250,000–499,999	2.44	2.20	3.30	1.94	4.62
100,000–249,999	3.08	1.83	5.08	2.34	5.81
Fewer than 100,000	2.72	3.27	3.96	3.18	2.80

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

APPENDIX TABLE 9

Estimates and standard errors for figure 4: Felony case outcomes reported by state prosecutor offices, by population served, 2020

Population served	Estimate					
	All cases adjudicated		Plea	Dismissal	Court or jury trial	Other ^a
	Number	Percent	Percent	Percent	Percent	Percent
All offices	1,872,880	100%	66.7%	17.1%	4.5%	11.8%
1,000,000 or more residents*	522,910	100	61.9	22.9	3.3	11.9
500,000–999,999	336,410	100	58.5	19.1	5.5	16.9
250,000–499,999	256,700	100	65.6	17.0	6.2	11.1
100,000–249,999	296,100	100	71.6	11.8 †	5.9	10.7
Fewer than 100,000	460,750	100	75.6	12.3 †	3.1	8.9

Population served	Standard error					
	All cases adjudicated		Plea	Dismissal	Court or jury trial	Other ^a
	Number	Percent	Percent	Percent	Percent	Percent
All offices	87,401	3.22%	1.55%	0.72%	1.08%	
1,000,000 or more residents*	47,079	5.73	4.53	1.44	1.46	
500,000–999,999	21,170	3.84	2.13	2.22	4.67	
250,000–499,999	25,537	6.38	2.92	2.00	1.92	
100,000–249,999	31,982	8.07	2.13	1.87	1.98	
Fewer than 100,000	57,439	9.02	2.53	0.79	1.44	

Note: Information on felony case outcomes was missing for 385 offices (unweighted). Details may not sum to totals due to rounding.

*Comparison group.

†Difference with comparison group is significant at the 95% confidence level.

^aIncludes cases involving deferred prosecution, diversion, and referrals to problem-solving courts.

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020; and U.S. Census Bureau, American Community Survey, 2018.

APPENDIX TABLE 10

Standard errors for table 7: Percent of state prosecutor offices with written and unwritten policies for case processing practices and duties, by type of policy, 2020

Type of policy	Case processing practices		
	Written	Unwritten	None
Attorney caseload size	0.53%	2.08%	2.19%
Bail recommendations for felony defendants	1.71	3.17	3.01
Bail recommendations for misdemeanor defendants	1.55	3.07	3.19
Charging standards (other than bail)	1.95	3.24	2.81
Conviction integrity	1.36	3.18	3.04
Diversion/problem-solving courts	3.05	3.15	2.27
Plea bargains	1.97	3.19	2.76
Declining any cases referred without review	1.63	3.03	3.10

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020.

APPENDIX TABLE 11

Standard errors for table 8: Percent of state prosecutor offices directly providing and referring victims to victim services, by type of service, 2020

Service topics	Direct assistance	Referrals	None
Child abuse	2.96%	3.12%	0.35%
Elder abuse	2.36	2.34	1.08
Hate crime victimization	1.22	1.13	2.57
Homicide support	2.50	2.31	1.14
Human trafficking	1.21	1.26	2.58
Sexual assault	2.91	2.95	0.42
Domestic or other dating violence	2.98	3.17	0.24

Source: Bureau of Justice Statistics, National Survey of Prosecutors, 2020.

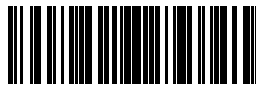


The Bureau of Justice Statistics of the U.S. Department of Justice is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels. BJS collects, analyzes, and disseminates reliable statistics on crime and justice systems in the United States, supports improvements to state and local criminal justice information systems, and participates with national and international organizations to develop and recommend national standards for justice statistics. Kevin M. Scott, PhD, is the acting director.

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