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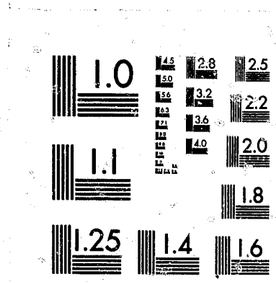

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P.H. Rossi, E. Weber-Burdin, H. Chen
Social & Demographic Research Institute
University of Massachusetts/Amherst

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Peter H. Rossi

Eleanor Weber-Burdin

Huey-tsyh Chen

SOCIAL AND DEMOGRAPHIC RESEARCH INSTITUTE

University of Massachusetts

Amherst, MA 01003

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Most of all we are thankful to Mr. John K. Van de Kamp for permitting access to the PROMIS data for Los Angeles.

CONTENTS

Abstract

The Effects of Weapons Use on Felony Case Disposition: An Analysis of Evidence from the Los Angeles PROMIS System was undertaken for two purposes: first, to assess the general utility of the Prosecution Management Information System (PROMIS) data system for subsequent research on issues of weapons and crime and second, to assess the effects of weapons use on felony case disposition in a large court system.

The analysis is drawn from approximately 80,000 felony prosecutions in Los Angeles during an eighteen month period in 1977 and 1978. The use of PROMIS data allows a detailed analysis of the disposition of felony cases at each stage of the court process from the initial screening by the DA to the final sentencing outcome. Although PROMIS is designed as a management system, it provides a number of important variables about both the case and the offender. In addition, the PROMIS data provides information about the type of weapon involved in the offense (gun vs. other weapon). Thus, an analysis models the weapon effect independent of any particular criminal charges prosecuted by the DA.

A random sample of 5000 felony cases initially presented to the DA shows that 13.9% involved a gun at the time of the offense, 9.8% involved an other weapon, 60.4% involved no weapon and 15.9% were unknown. The effect of the presence of a gun on the stages of court disposition was analyzed through multivariate techniques in which the other case factors known to influence court outcomes were controlled. These included the seriousness of the charges, prior arrest record, sex, race, age, employment, injury of the victim, amount of property stolen, type of attorney and witnesses. The analysis is based on random samples drawn at each stage of the court process.

The results of the gun effects in a felony case are significant in Los Angeles. Cases in which a gun was involved are more likely to be prosecuted through the entire system and upon conviction to receive harsher sentences. In particular, a gun involvement increases the probability that the case will be accepted for prosecution as a felony, regardless of the other case factors and defendant characteristics. There is also a significant, positive effect of a gun on the probability that a case will be accepted at the preliminary hearing. While there is no gun effect on the arraignment stage, those cases with a gun involved are more likely to go to trial than to plead guilty. At the trial stage, the presence of a gun has no effect upon conviction. At the sentencing stage, the presence of a gun significantly increases both the probability of incarceration and the length of the sentence for both those who plead guilty and those convicted at trial.

This analysis replicates and extends the results of Cook and Nagin (1979) of the effects of weapons use on felony case dispositions. It also confirms the policies of the Los Angeles DA concerning prosecution of serious cases and the impact of the California Penal Code regarding sentence enhancements for the use of a weapon.

I. Introduction

In virtually all jurisdictions, criminal codes give special attention to the use of force, especially firearms, in the commission of crimes. In some of the codes, crimes in which weapons are used are treated separately in special sections or paragraphs of sections. Sometimes the criminal code defines in quite specific terms that illegal possession or improper use is itself a criminal offense. The legislative intent behind such distinctions may be very mixed, but the outcome is ordinarily to provide extra penalties for the use of firearms in the commission of crimes and to make the improper use of weapons a cause for concern on the part of the police and the courts.

The issue we will address in this report is to what extent that concern is manifested in the actions of the criminal justice system. Are crimes in which firearms are involved treated any differently in the criminal justice system than "comparable" criminal acts that do not involve the use of weapons? On the surface this appears to be an easy question to answer; in actuality, there are several difficulties that stand in the way. First of all, there is the sheer unavailability of information on arrests, criminal court cases, and prosecutors' actions that involve criminal acts in which firearms were used. Undoubtedly, for each case, such information is located somewhere, but ordinarily it is not easily retrieved.[1] Violations of sections of criminal codes that explicitly specify firearms in their texts do allow some counts of the criminal use of firearms, but only for those sections of the code. Many other crimes may involve firearms (e.g., armed robbery) and also other weapons as well.[2]

A second difficulty is that the original arrest charges are often changed throughout the criminal court process. Charges for which there is very weak evidence may be dropped initially by a prosecutor or later by an arraigning judge. Other charges may be dropped in the course of plea bargaining, e.g., a weapons charge may be dropped in return for a plea of guilty. Indeed, sometimes felonies are re-classified as misdemeanors and transferred from a superior court to an inferior court.

Finally, there is the problem of comparability across cases. Firearms may be involved in a wide variety of criminal code violations. If one were to find, for example, that in a particular jurisdiction, firearms related cases were treated more leniently than cases in which there was no firearm involvement, that finding may only reflect that in that jurisdiction, most of the charges involving firearms were simple possession cases, ordinarily treated as not very serious criminal code violations. Hence it is important to hold a variety of factors constant, some pertaining to the nature of the criminal code violation, others concerning the characteristics of the violator, and perhaps still others pertaining to the nature of the case itself (e.g., evidence, witnesses, etc.). Indeed, ferretting out the impact that firearms involvement in a case has upon its course through the court system requires that one model the process of treatment of cases in a general way; that is, it is necessary to have a general understanding of the way in which the criminal courts operate in order to assess the roles played by the presence of firearms in some of the cases.

While it cannot be claimed that all these difficulties have been solved in the research reported here, we have been able to go a long

way along the path that leads to a reliable and unbiassed (in a technical sense) estimate of the impact of firearms involvement on the treatment of felony arrests. The data analyzed in this report came from a major urban criminal court system, the Superior Court of Los Angeles County, and were derived from the PROMIS computer system installed in that jurisdiction.[3] Of course, Los Angeles County is "different" from many other jurisdictions; the California Criminal Code is "different" from all other state codes; the mix of offenders in Los Angeles is "different" from the composition of offenders in, say, New York or Chicago; and so on. Yet there are quite strong similarities and identities among the criminal codes of the 50 states, brought about through the activities, among others, of the American Bar Association, the several federal commissions on criminal justice, and the decisions of the U.S. Supreme Court. The states may differ, but more in detail rather than in gross. Hence, we are confident that the findings described from Los Angeles are not simply idiosyncratic but model more or less faithfully what is likely to be going on in other jurisdictions.

We are especially sanguine about the applicability of these analyses to other jurisdictions because of the previous work of Cook and Nagin (1979) with comparable PROMIS data from the court system of Washington, D.C. Their findings, for a jurisdiction with a very different mix of offenders and a different court system are certainly consistent with ours, at least as far as showing the impact of weapons involvement on criminal justice treatment of the cases in question.

II. The Los Angeles PROMIS Data

The PROMIS system (Prosecutor's Managment Information System)4

was designed primarily to provide information to the prosecutor's office on the status of each case being processed by the system at any point in time and to generate appropriate notices to parties concerned. A record is initiated whenever a felony arrest is made within the jurisdiction and referred to the district attorney's office. The record remains open and is completed when a final disposition is made in a case or when the case is transferred to another jurisdiction. In addition to information of particular use to the management of cases (e.g., assistant district attorney assigned, status of the case, names of attorneys, witnesses, data on the accused, etc.), considerable additional information is contained in the case records, including whether a firearm was involved in the offense, age, sex, race, actions taken at every stage in processing the case through to final disposition.

Most importantly for the analyses to be presented here, the records contain information on whether or not a firearm (or other weapon) was somehow involved in the case. This information is recorded when the firearm is used in the commission of the crimes involved and/or when a firearm is simply found in the possession of the accused. In short, this variable allows us to tell whether or not firearms were somehow implicated in each of the cases independent of the specific types of charges made.

While the data recorded are often lacking in fine detail and all too often are missing from particular cases, the total set constitutes an extremely rich lode of information on criminal justice processing in an important jurisdiction. Particularly important is the fact that records are initiated with arrests. Since in every jurisdiction, a

large proportion -- ranging up to fifty percent -- of all arrests never lead to an arraignment but are dismissed for one reason or another by the prosecutor, much of the study of the criminal court system has focused only on the final stages of disposition and the sentencing process and in effect bypasses some of the important steps in the criminal justice process, in which considerable discretion is employed by the prosecutor's office. The Los Angeles PROMIS data can support full analyses of the outcomes of decisions made at every step of the court system from arrest through final disposition.

In addition, many of the court process studies (Vera, 1977; Bernstein, 1977a, 1977b; Cook and Nagin, 1979; Rhodes, 1978; Greenwood et al., 1976) have only classified cases according to the most serious change involved. Thus, the seriousness measure of the case ignores the incidence of multiple charges and multiple counts. In contrast, the full PROMIS data from Los Angeles allows an analysis of all pending criminal charges; that is, the analysis of later court processing stages includes only those charges which have not been dismissed.

The Los Angeles prosecutor's office provided SADRI with PROMIS files for approximately 150,000 felony arrests in that jurisdiction referred to his office from the inception of the system in 1975 through November 1979. The first two years of the data records are not complete because the system was installed in stages throughout the jurisdiction with the full system in place in July 1977. We also noted that many of the more recently initiated arrests were still being processed and had not yet reached final dispositions. Because we were interested in arrests that had been fully processed, we decided to concentrate

on only those arrests that occurred during the eighteen month period July 1977 through December 1978, constituting a total of 79,885 felony arrests.

Depending on the complexity of the case and on how many stages of processing the case goes through, records vary in length. The total set of nearly 80,000 arrests for the 18 month period constitute a formidable data processing task. In addition, since so many cases are disposed of before arraignment, many of the cases are not of any interest at later stages, with corresponding dropoffs as one proceeds from one stage to the next. To facilitate data processing and to narrow the tasks at each stage to focus on cases of interest, we decided on a strategy of sampling cases, drawing separate unbiassed samples for each of the processing stages of interest, as follows:

1. General Random Sample: Used in Screening Analysis

   Randomly selected 5,000 arrests from the total file. This sample constitutes a random sample of all felony arrests entering the court system during the period July 1977 through December 1978. This sample provides the basis for an analysis of the prosecutors' decisions to dismiss in initial screening of arrests.

2. Screening Survivor Sample: Used in Preliminary Hearing Analysis

   From all cases that survived the screening stage, a random sample of survivors divided half and half (2,500 each) from those that are rejected at preliminary hearing and those that are accepted for further processing.5

3. Preliminary Hearing Survivor Sample: Used in Arraignment Analysis

   From all cases that survive preliminary hearing, random samples (2,500 each) were drawn from among those who go on to trial or plead guilty and from among those who are dismissed at arraignment or before or during trial. This sample provides the basis for analyses of the outcomes of arraignment.

4. Arraignment Survivor Sample: Used in Guilty Plea versus Trial Analysis

   From all cases that survived the arraignment stage, random samples (2,500 each) were drawn from two groups: 1) those that pled guilty at any stage from arraignment on; and 2) those that went to trial. This sample provided the basis for analyses of the decision to plead guilty or stand trial.

5. Trial: Used in Trial Outcome Analysis

   All 3,191 cases that went to trial were selected for analysis of the trial outcome.

6. Guilty Survivor Samples: Used in Sentencing Analysis

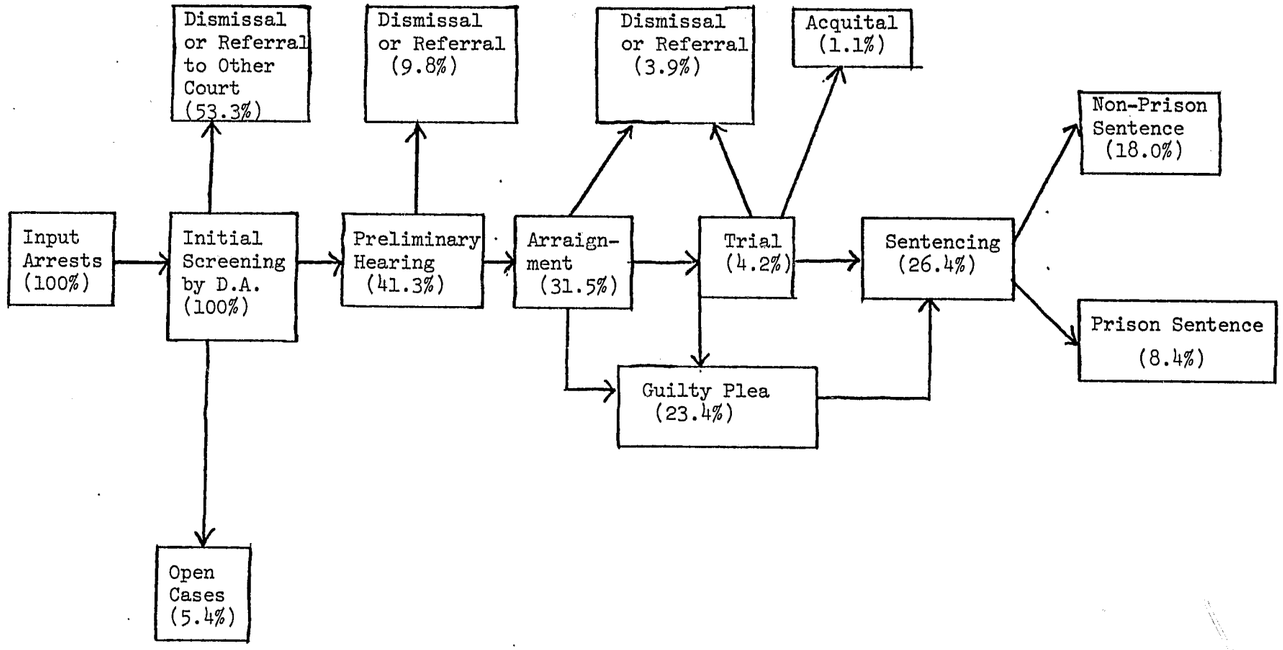
   Two samples were drawn at this stage. Since so few persons went to trial and were found guilty, all 2,332 such persons were selected. Among those who pled guilty, a sample of 5,000 was selected, half from among those who received a prison sentence, and half who were not sent to prison. (In the text, those who pled guilty are analyzed separately from those who were judged guilty as the outcome of a trial.) From each of these two samples, all those who received prison sentences were further analyzed (separately), for determinants of sentence length.

By virtue of the sampling strategy used, the first four samples are independent of each other, the overlap in cases among samples being what one would expect by chance. The last two samples are not independent, part of the sixth simply being a subset of those used in the fifth sample. Sample sizes are large enough to support stable estimates of the effects of various factors at each of the stages.

The sampling strategy also recognizes the critical decision stages in the Los Angeles criminal court processing system. Figure 1 presents a flow diagram of the processing stages along with proportions who survive through the various points of decision in the system. The data shown in that Figure are computed from the General Random Sample, as described earlier. The percentages shown in parentheses in each of the boxes indicate the proportion of arrests presented to the DA

FIGURE 1

Case Flow of the Los Angeles Superior Court



Source: General Random Sample: N=5,000.

who reach each of the destinations or way stations involved. Thus 100% of the arrests pass through the initital screening phase, but 8.4% receive prison or jail sentences.

Note that a majority (53.3%) of the felony cases are disposed of by the district attorney's office at the initial screening phase, by dismissing the charges (about two-thirds of such cases) or by referrals to lower courts on misdemeanor charges (about one-third). Some of the cases (5.4%) are still "open," indicating that the case has not yet reached final disposition or received final sentence.

The remaining 41.3% are presented (within ten days) at a preliminary hearing in which the district attorney's office is required to present "probable cause" for arraignment before a superior court justice. About one-fourth (9.8%) of such cases are dismissed at the preliminary hearing stage (or referred to a lower court on a reduced charge) with the remaining 31.5% sent on to arraignment hearing at which formal charges are filed and the defendant enters a plea.

At arraignment some defendants (3.9%) are dismissed or referred to the lower courts as a result of court examination of the "probable cause" argument while others plead guilty (23.4%)[6] and the remaining few (4.1%) go to trial.

During trial some have their charges dismissed by the judge. A very small percentage (1.1%) are acquitted. Those judged guilty (about 3%) plus those who have earlier pled guilty are sent to court for sentencing. The end result is a small 8.4% who go to prison or county jail and a larger 18.0% who are given sentences that do not involve incarceration (e.g., suspended sentences, probation, fines, and so on).

Similar flows have been shown for other superior courts (e.g., Vera, 1977; Cook and Nagin, 1979; Greenwood, et al., 1976; Mather, 1979). In particular, the analyses of the felony prosecution in Los Angeles by Greenwood et al. in 1970 and 1971 showed that the pattern of case disposition has not changed greatly during the seventies. Greenwood (p. 38) found a 81.2% overall conviction rate (pled guilty or guilty at trial) for those cases presented as felonies at Superior Court arraignments. The conviction rate for 1971 was 83.4%. Our analysis of felony cases in 1977-78 shows a similar conviction rate of 83.8%. Mather's (1979, p. 44) analysis of felony case disposition in Los Angeles in 1970, based on statistics from the California Bureau of Criminal Statistics, is very similar to the disposition presented in Figure 1. In 1970, 52.7% of the felony cases were initially rejected or referred to municipal court. A total of 31% of the cases survived to the Superior Court arraignment stage. The overall total conviction rate of felonies presented at arraignment in 1970 was 81.5%, according to Mather. Most persons arrested on felony charges are adjudicated via the discretionary authority of the prosecutors or of court personnel. Of those arrested on felony charges, very few go to trial and very few go to prison. Most arrestees are dismissed and exit from the criminal justice processing system. Of those who are judged guilty, most have volunteered their guilt, many in exchange for an apparently lesser sentence. And among those sentenced, most do not receive prison or jail sentences. There have been many who have described the system as one that is more concerned with disposing of cases than it is concerned with justice. There are others who regard the system as one which is "soft" on criminals, accepting the notion that persons arrested are

likely to have been "really" guilty. The present report takes no position one way or the other. There can be little doubt that if most arrestees stood trial, the criminal justice systems of the country would have to be expanded many magnitudes. There is also little doubt that the prison systems would also have to be enlarged to house convicted felons if more of those arrested were sent to prison when sentenced. In that sense, the system apparently works within its limitations and constraints (or close to them). But, perhaps that puts the cart before the horse. It may well be that the reason there is no greater capacity in our prisons is because the courts are not sending out signals indicating greater demand for prison places. And so on. Most likely, both processes are going on simultaneously; the courts adjust to the limitations of personnel and funds, and the prisons adjust, perhaps somewhat sluggishly, to shifts in the flow of convicted felons who are sentenced to serve time.

In addition, there is the issue of the legal requirements for judgments of guilty in felony cases. Our legal system provides many safeguards against arbitrary and capricious exercise of the power to deprive individuals of their liberty. It is also a manifestation of those safeguards in action to see how few persons arrested pass through the system into prison. The return of arrestees into civilian life, as shown in Figure 1 at least partially is consistent with the idea that a very strong case has to be made for a felony violation of serious dimensions for the system to move a person along to conviction and subsequent incarceration.

III. Characteristics of Arrestees

The arrest charges which brought the arrestees into the court system are shown in Table 1, along with the distributions of charges at various points in the court processing. Note that most persons are brought into the system because of crimes against property, almost half of the charges (49.2%) including burglary, robbery, theft and other crimes involving property. Another one in five (18.3%) is a drug-related crime and another one in five (18.3%) is a crime against persons. The remainder include a miscellany of offenses. Gun crimes -- mainly illegal possession, improper carrying or use -- comprise a relatively small proportion (2.7%) of all arrest charges.

In gross, the distributions remain much the same at each stage of the criminal justice processing. There appears to be some dropping away of the less serious charges so that more serious crimes constitute a larger proportion of the charges after arraignment; thus, murder charges constitute 1.38% at intake but increase to 2.85% after arraignment, the corresponding figures for robbery being 9.4% and 15.2%. Declines occur in the proportion of charges involving drug crimes, dropping almost 4% from arrest to arraignment, and in bookmaking with an almost 2% decline over the same period. Most of the differences in distribution occur between arrest and screening, with the distributions remaining somewhat stable beyond that point.[7]

Some relevant personal characteristics of the arrestees at various stages are shown in Table 2. As has been noted for every jurisdiction, persons arrested on felony charges are mostly male; 86.4% of the initial intake cases are male. And, the proportion male climbs steadily at

Table 1

Distributions of Charges at Various Points in The Los Angeles Courts

Charge Description	Proportions of Charges at Initial Intake	After Screening	After Preliminary	After Arraignment
Murder	1.38%	1.77%	2.17%	2.85%
Manslaughter, Mayhem	.35	.37	.73	.65
Kidnapping	1.20	1.17	1.50	1.29
Assault with deadly weapon	9.02	6.49	6.91	7.74
Assault and/or battery	4.37	2.92	2.50	2.99
Rape	2.02	1.63	1.96	2.00
Other sex crimes	2.95	3.55	4.11	3.33
Burglary	13.73	15.43	16.73	17.19
Robbery	9.36	11.84	14.52	15.19
Theft	11.66	10.57	10.20	9.57
Car Theft	2.23	2.37	3.25	2.79
Forgery, embezzlement, extortion	6.31	8.10	6.63	7.11
Fraud	1.17	1.40	.61	.57
Receiving stolen property	4.78	4.70	4.74	4.61
Arson	.97	1.40	1.02	1.13
Bookmaking, poolselling	2.47	2.65	1.08	.34
Drug crimes	18.31	17.71	15.21	14.54
Vehicular crimes	1.42	1.01	1.21	1.19
Crimes against state	1.05	.90	1.06	.69
Conspiracy	.08	.51	.38	.26
Gun Crimes	2.74	2.16	2.17	2.36
Other charges	3.42	1.35	1.31	1.61
Number of cases	(5000)	(2333)	(2500)	(2500)
Number of charges	(7413)[a]	(4343)[a]	(5207)[b]	(4951)[b]

[a]Only first five charges used.

[b]Only first six charges used.

Table 2

Case Characteristics at Various Points in the LA Superior Court

	At Initial Intake	After Screening	After Preliminary	After Superior Court Arraignment
Sex				
Male	86.4%	87.8%	88.6%	90.9%
Female	13.6	12.2	11.4	9.1
Race				
White	34.8%	35.7%	42.7%	36.7%
Black	39.1	39.3	35.0	39.0
Hispanic	22.9	21.5	18.8	21.1
Other Race	2.0	1.6	2.1	1.8
Unknown	1.2	1.9	1.4	1.4
Age				
20 or less	21.7%	22.0%	22.8%	22.5%
21 to 25	28.9	29.6	30.4	31.8
26 to 35	33.4	30.5	33.0	32.2
36 or more	16.0	17.9	13.8	13.5
Mean Age	27.6 yrs.	28.68 yrs.	27.16 yrs.	26.98 yrs.
Std. Dev.	9.01 yrs.	11.75 yrs.	8.81 yrs.	8.55 yrs.
Employment				
Employed	12.3%	25.5%	27.6%	25.4%
Unemployed	24.3	49.0	48.1	52.2
Unknown	63.3	24.0	22.0	20.6
Weapon Involved at Time of Offense				
Gun	13.9%	16.7%	19.6%	21.0%
Knife or other weapon	9.8	8.5	9.8	11.3
No weapon	60.4	56.0	54.6	52.8
Unknown	15.9	18.8	16.0	14.9

Table 2 (continued)

	At Initial Intake	After Screening	After Preliminary	After Superior Court Arraignment
Victim Injured During Crime				
Injury inflicted	8.9%	18.4%	20.3%	21.4%
No injury	37.1	76.7	76.4	75.3
Unknown	54.0	4.8	3.3	3.3
Property Damage				
$0	19.5%	40.2%	38.3%	37.8%
$1 - $9	1.4	2.8	2.7	3.0
$10 - $250	7.0	14.3	14.5	15.6
$251 - $2000	14.4	30.2	34.3	32.6
$2001 or more	2.1	4.4	4.5	4.3
Unknown amount	56.6	8.1	5.7	6.6
Defense Attorney				
Privately retained	12.0%	25.7%	30.7%	30.4%
Public defender	22.7	48.5	41.8	45.7
Court appointed	1.8	3.8	1.1	1.8
Other	9.6	20.5	26.1	22.0
Missing data	54	0	0	0
Arrest Record				
Previous number of arrests				
0	17.6%	13.2%	13.0%	12.4%
1-5	10.3	21.6	23.5	23.9
6-9	4.9	8.1	8.4	10.4
10 or more	6.0	14.8	17.2	17.3
Mean*	5.16	7.31	7.54	7.78
Std. Dev.	8.98	9.91	10.35	10.09
Unknown number of previous arrests	34.1%	19.8%	18.8%	17.2%
Arrest record unknown	27.1%	22.5%	19.1%	18.8%
N =	(5000)	(2333)	(2500)	(2500)

*Mean computed for those cases with known number of previous arrests.

each successive stage until 90.9% are males at the end of the arraignment stage. Of course, this may merely reflect the fact that males are more likely to have been charged with the more serious offenses listed on Table 1 and hence more likely to be retained for further processing, while females arrested for less serious offenses may have had those charges reduced to misdemeanors or dismissed.

Changes in the racial composition of arrestees at the several stages are not as dramatic nor as consistent from stage to stage. Whites are more likely to persist through the preliminary hearing stage but then they decrease after arraignment to slightly more than there were at time of arrest, while Blacks and Hispanics remain at somewhat the same level. Of course, these trends do not take into account whatever differences may exist in the typical charges brought against persons from the various racial groups, and may simply reflect such shifts over time.

As is well known, crime is a young person's activity. The average age of all arrestees is 27.6 years and there is a slight downward shift in the age structure as the arrestees move from stage to stage in the criminal justice process.

The employment status of the arrestees shows levels of unemployment considerably higher than in the general population. At time of arrest, 24% were unemployed, but data are missing on this variable for almost two-thirds of all the arrestees. The proportion of missing data declined at subsequent stages, suggesting that one of the reasons for dismissing cases is the incompleteness of information.[8] We also see this pattern of missing information on some of the other descriptive

materials in Table 2. After arraignment, the unemployment (at time of arrest) is up to 52%, a rate that is easily more than ten times the then current unemployment rate for all Los Angeles.

Of particular interest are the data on the involvement of guns[9] in the arrest offense, which starts at 13.9% of the cases among all arrestees and ends up as 21% of those who are arraigned. Clearly the system is selecting out those arrestees whose crimes involved firearms. Correspondingly the proportion of arrests that do not involve any weapons declines from 60.4% to 52.8%. A similar pattern of increase is shown for crimes that resulted in injuries to victims, constituting 8.9% of arrestees and rising to 21.4% among those cases that survive in the processing system after arraignment.

Similarly the system is selecting out persons who have more extensive arrest records. The average number of previous arrests at time of current arrest was 5.2 with the average rising to 7.78 among the group who survive through arraignment.

All told, the general drift in the Los Angeles criminal justice system appears to be along the following lines: Felony arrests for more serious offenses tend to survive longer through the processing. Similarly persons who appear to be more serious and persistent offenders tend to survive more easily through the stages of prosecutor discretion and arraignment.

The reader is again alerted to the fact that the findings of Tables 1 and 2 are based on simple comparisons of several samples drawn from critical stages of the criminal justice process. Some of the noted differences may be shown in more complex analyses to have been

derivative of more important processes. Thus the age differences noted may simply reflect the kinds of crimes for which younger men as opposed to older men are arrested.

IV. The Initial Screening Process

As described earlier, the first stage in the processing of a case through the criminal justice system of Los Angeles County is for the police to refer arrests to the district attorney's office. Of course, this does not represent the first opportunity for discretionary selection of a particular case for prosecution, since policemen have to make decisions whether to arrest, and perhaps there are additional decision points within the police department that affect whether or not a particular arrest will be referred on to the district attorney's office (Skolnick, 1975; Reiss, 1971). In any case, the start of a case through the courts begins with an arrest and accompanying papers coming to the district attorney.

A felony is an act so defined in the California Criminal Code, but there are some crimes indicated in the code that can be prosecuted either as felonies or misdemeanors, at the discretion of the district attorney or the courts (California Penal Code, Section 17). In looking over such cases, the assistant district attorney involved may decide that the particular act was not "serious" enough in that particular form to be forwarded as a potential felony. In 1974, the Los Angeles District Attorney policy guidelines for alternate felony/misdemeanors specify that severity of the crime, probability of future criminal conduct and prior criminal record should be considered (Greenwood, 1976, p. 121). In other cases, the assistant district attorney may regard the evidence assembled by the police to be too weak to sustain further action. Or,

the victims or witnesses may be unavailable or unwilling to cooperate in the prosecution.

The full gamut of reasons given by assistant district attorneys for dismissing or referring a case at the screening stage is given in Table 3. There we see that slightly more than 44% of the rejections involved a judgment that the case was too weakly documented or otherwise defective to pursue further. In another 10% of the cases, victims and/or witnesses were unavailable or unwilling. An additional 40% were referred for prosecution as misdemeanors to a lower court or downgraded to misdemeanors for prosecution within the superior court system. The remaining cases (about 6%) were rejected for a variety of special reasons.

The reasons displayed in Table 3, however, do not indicate what sorts of arrestees were dismissed or referred nor does it take into account the kinds of crimes involved. In order to analyze the screening decisions along these other lines, Table 4 presents a regression analysis[10] in which the dependent variable is whether or not the case is accepted for further processing at the screening stage. The dependent variable takes on the value 1 when a case is accepted and 0 when the case is rejected or referred.[11] The regression coefficients in this case can be interpreted as increments (+) or decrements (-) in the probabilities of passing on in the screening phase for each unit of the independent variable in question. Thus the first coefficient, .023, for being male indicates that males have a .023 higher probability of being accepted for further processing. (Note, however, that this coefficient is not statistically significant, i.e., it is not discriminable from 0 and hence the appropriate interpretation is that males are not more noticeably (or less) likely to survive the screening process than females.)

Table 3

Reasons for Rejection or Referral at Screening

	Percentage
Insufficient Evidence to Prove Crime Occurred	21.00%
Insufficient Evidence to Connect Suspect	23.14
Inadmissible Search and Seizure	3.62
Victim Unavailable/Declines to Testify	8.52
Witness Unavailable/Declines to Testify	1.77
Case declined in favor of other counts	0.34
Interest of Justice (suspect dead, insane, statute of limitations)	4.98
Further investigation needed	0.11
Referred to City Attorney for Misdemeanor Prosecution under 17(b)4 [a]	24.39
Retained by District Attorney for Misdemeanor Prosecution under 17(b)4 [a]	9.23
Referred to City Attorney for Misdemeanor Prosecution for other reasons	1.47
Retained by District Attorney for Misdemeanor Prosecution for other reasons	1.43
N =	(2653)

[a] These cases included original charges which could have been prosecuted as felonies, but were reduced at this stage to misdemeanors under 17(b)4 of the California Criminal Code. This is accomplished when the DA files the case in municipal court as a misdemeanor.

Table 4

Regression of Acceptance at Screening on
Selected Arrestee and Crime Characteristics

Independent Variables	Dependent Variable is: 1 = Accepted at Screening 0 = Rejected or Referred b		SE
Male	.023		.018
Race[a]			
Black	-.012		.014
Hispanic	-.018		.016
Other	.016		.043
Age[b]			
20 years or less	.034		.019
21 to 25 years	.043	**	.017
26 to 35 years	.034	*	.017
Weapon at time of offense[c]			
Gun	.054	**	.019
Knife or other weapon	.036		.022
Unknown	.078	***	.017
Arrest Record			
Previous Number of Arrests	.055	***	.022
Previous Number of Arrests Unknown	-.230	***	.016
Arrest Record Unknown	-.113	***	.017
Crime against Person[d]	-.164	***	.013
Crime against Property[d]	.077	***	.013
Severity of Charges[e]	.010	***	.001
All charges are felonies that can be reduced to Misdemeanors	-.182	***	.013
CONSTANT	.500	***	.027

R^2 = .318

N = (4981)

Table 4 (continued)

* indicates statistical significance at .05
** indicates statistical significance at .01
*** indicates statistical significance at .001

[a]Dummy variables. Omitted category is "White".

[b]Dummy variables. Omitted category is "36 years or older".

[c]Dummy variables. Omitted category is "No weapon at time of offense."

[d]Dummy variables. 1 = any charge is personal crime or property crime.

[e]Sum of the maximum prison sentence specified by law for all charges. Maximum is 50 years.

The characteristics used in the regression analysis shown in Table 4 were chosen partially because they have been shown in other researches to have some effect on the ways in which criminal justice cases are handled, and partially because they were otherwise theoretically relevant. Of course, the independent variables used are not all those that might have been dictated by such considerations; we could only use variables that were available in the L.A. PROMIS files.

Age, sex, and race are characteristics which loom large in any discussion of criminal justice issues and hence are used here. The highly skewed sex distributions among arrestees, convicted offenders, and prison populations are well known. Men and women simply commit different kinds and amounts of crime. Whether or not they are treated differently in the criminal justice system is also an issue of some interest. For a variety of reasons, the various ethnic groups also contribute unequally to arrests and to prisons, hence race and ethnicity are relevant to a wide variety of issues, including that of discrimination in criminal justice processing.

While there are few convincing theories of why crime is a young male's vocation (or avocation), hardly anyone disputes the fact that such is the case. The issue arises whether the criminal justice system treats older persons differently than younger. "Old" or "young" in the criminal justice context must appear strangely shrunken definitions to those working in gerontology; "old age" starts at an earlier point for criminals and hence our oldest age group are persons over 35 years of age.

Since a major interest of this analysis is in the effects of firearms involvement on processing decisions, a set of variables mark

the presence or absence of gun and other weapons in each case.

Finally there are a set of variables which speak to the nature of the charges and to the previous criminal record of the defendants. The charges are indexed in two ways; first, a severity index was constructed out of the recommended sentences prescribed for the charges in the California Criminal Code -- this is the variable labelled "severity of charges;" and secondly, by binary variables marking whether or not the charges involved any crimes against property, any crimes against persons, and whether or not all of the charges are alternate felony/misdemeanor in the Criminal Code. Note that these variables and others used in the regression analyses of this report are described in greater detail in the Appendix to this report.

The outstanding results of the analysis presented in Table 4 can be summarized as follows: First, there appears to be no differential treatment of the sexes in the screening decisions. Apparently the drift towards more males in the survivor group (as shown in Table 2) is a derivative of other, sex-related differences, perhaps in the nature of the charges pressed typically against members of the two sex groups.

Secondly, there are no significant differences among the races. Blacks, Hispanics, and "others" are not significantly more likely to be either dismissed from the system or passed on to the preliminary hearing stage.

Thirdly, age does make a difference. Holding all other things in the equation constant, persons between the ages of 21 and 35 are more likely to survive screening than persons over 35. The youngest age group appears to be not noticeably different from the oldest age group, over 35.

Fourthly, the involvement of a gun in an arrest does make a difference: the involvement of a gun leads to an increment of .054 in the probability of being accepted for preliminary hearing. However, cases in which information on weapons is missing are also more likely to be sent on. It is difficult to interpret this finding since the meaning of missing information is ambiguous at best.

Fifthly, the previous record of the arrestee has a very strong bearing on whether he/she survives screening. For each known previous arrest the probability of being passed on at the screening point is .055. Thus a person with four previous arrests (holding everything else constant) is .22 more likely to go on to a preliminary hearing. Cases in which arrest information was not entered on the record are apparently more likely to be dismissed or referred to other jurisdictions. Again, such findings are ambiguous in meaning.

Finally the nature of the charges filed against an arrestee plays a strong role in screening decisions. The more serious the charge the higher the probability of going on to a preliminary hearing.[12] Persons whose charges include crimes against property are also more likely to be passed through the screening phase, while those whose charges involve crimes against persons are less likely to be passed on. As was noted in the analysis presented by the Vera Foundation (Vera, 1977), this last finding may represent the intra-family assaults that often are failed to be prosecuted because the victims have "changed their minds" and refuse to press charges. Finally, when the charges are all ones that can be reduced from felonies to misdemeanors (as indicated in the California Criminal Code) the case is much less

likely (-.182) to be passed on for preliminary hearing. Presumably these are likely to be cases in which the illegal act did not manifest its most serious form and the assistant district attorney recognized that fact in his downgrading the charge to misdemeanor or in outright dismissal of the case.

From the perspective of the interest of this report in the effect of firearms on the handling of cases, our findings indicate that even in this very preliminary stage of criminal justice processing the involvement of a gun marks out a case for further attention by the system. This is so despite the severity of the offense, the previous record of the persons involved and so on.

Finally, it should be noted that all the independent variables included in the regression shown in Table 4 account for a fairly large amount of the variation in the outcome of the screening stage. An R^2 of .31 is rather large for most criminal justice analyses, indicating that we have been able to model the screening decision fairly well. In short, the district attorney's office appears to be paying at least some attention to these factors (or their most visible proxies).

V. Preliminary Hearing Outcomes

Once a case has been accepted by the district attorney's office he is required by law to present within ten days "probable cause" at a preliminary hearing. The outcome of the preliminary hearing may be either dismissal, referral to another jurisdiction, or forwarding the case to Superior Court arraignment. Of course, by this point, the district attorney's office has screened out most of the dubious cases, so that relatively few (18%) cases presented at the preliminary

hearings are removed from further processing in the Superior Courts.

The reasons given by the D.A. for rejecting the case for further felony processing are shown in Table 5. About one-third of the cases are transferred to other courts or jurisdictions (and hence remain in the criminal justice system, usually at a lower level). The remaining two-thirds are dismissed, most often because of problems with evidence and witnesses. While most (three-quarters) of the dismissal or referral decisions were initiated by the court, about one in four were at the request of the district attorney.

What accounts for dismissal or referral at this point in the system processing? Table 6 provides answers in regression terms. Note that there are a few more variables added to the regression compared to the previous analysis of the screening process. These variables have been added because more information is available on the cases that get this far, particularly information on witnesses and defense attorneys assigned to the case or retained by the defendant.

The findings in Table 6 are somewhat less structured than those presented concerning dismissals or referrals at screening, as shown by the lower R^2 for the regression, .17 as compared to the earlier, .31. Apparently the L.A. PROMIS data simply do not contain all the information needed to more closely model what goes on in the preliminary hearings. For example, it may well be the case that the quality of the evidence -- how reliable witnesses appear or how trustworthy the evidence of victims appears -- plays a strong role with the judges who preside over the preliminary hearings.

In addition different kinds of case characteristics appear to be

Table 5

Reasons for Rejection or Referral at Preliminary Hearing

Reason	Percent
Court Initiated Dismissals	
Indictment set aside (995 Motion Granted) indictment improper or without cause	2.7%
Search and seizure without warrant was unreasonable (1538.5 Motion granted)	1.7
Evidence suppressed on search and seizure grounds	5.2
Inadmissible confession (Miranda problems)	0.5
Other Evidence Problems	15.3
Civilian witness No Show or unavailable	15.3
Police officer witness unavailable	2.2
Impossibility of Prosecution (defendant dies, insane or statute of limitations)	0.7
Further prosecution not advisable (e.g., defendant is informant/or will be a witness, compelling personal circumstances of defendant or victim)	2.2
Procedural delays	2.2
Lack of jurisdiction or referral to another	1.2
Diversion successfully completed	6.5
Charges reduced to misdemeanor under 17(b) 5 further prosecution as misdemeanor	17.8
District Attorney Initiated Dismissals	
Evidence Suppressed on search and seizure grounds	0.2
Other evidence Problems	3.8
Cannot locate Witness	2.4
Impossibility of prosecution	2.5
Further prosecution not advisable	1.8
Procedural delays	0.2
Referral to another jurisdiction	6.9
Superceding indictment	3.5
Defendant pled guilty in another case	3.9
N =	(2404)

Table 6

Regression of Preliminary Hearing Outcomes On Selected Case Characteristics

Dependent Variable is:
1 = Accepted for Arraignment
0 = Rejected

Independent Variables	b	SE
Male	.054 **	.020
Race[a]		
Black	-.077 ***	.016
Hispanic	-.076 ***	.019
Other	.035	.050
Age[b]		
20 years or less	.082 ***	.024
21 to 25 years	.085 ***	.022
26 to 35 years	.072 ***	.020
Weapon at time of offense[c]		
Gun	.053 **	.022
Knife or other weapon	.028	.027
Unknown	-.035	.020
Arrest Record		
Previous Number of Arrests	.002	.001
Previous Number of Arrests Unknown	.022	.020
Arrest Record Unknown	-.053 **	.018
Crime Against Person[d]	.122 ***	.024
Crime Against Property[d]	.243 ***	.019
Severity of Charges[e]	.005 ***	.001
All charges are felonies that can be reduced to Misdemeanors	.045 **	.018
Defense Attorney[f]		
Privately retained	.149 ***	.017
Court appointed	-.218 ***	.050
Other	.041 *	.017

(continued)

Table 6 (continued)

Independent Variables	b	SE
Personal Injury[g]		
Injury inflicted on victim	-.045	.024
Unknown	-.049	.034
Property Damage[h]		
$1 to $250	-.042	.023
$251 and over	.007	.021
Unknown	-.037	.030
Employment of Defendant[i]		
Employed at time of arrest	.022	.017
Unknown	-.028	.017
Witnesses[j]		
Number of police officers	.021 ***	.004
Number of Experts	.057 ***	.009
Number of Eyewitnesses	.014	.008
Number of Lay witnesses	.004	.004
Number of Victims	.014 *	.006
CONSTANT	.005	.035

R^2 = .170

N = (4674)

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* indicates statistical significance at .05
** indicates statistical significance at .01
*** indicates statistical significance at .001

[a] Dummy variable. Omitted category is "White".

[b] Dummy variables. Omitted category is "36 years and older".

[c] Dummy variables. Omitted category is "No weapon at time of offense".

[d] Dummy variables.

Table 6 (continued)

[e] Sum of maximum prison sentence specified by law for all charges. Maximum is 50 years.

[f] Dummy variables. Omitted category is "Public defender".

[g] Dummy variables. Omitted category is "No injury".

[h] Dummy variables. Omitted category is "No property damage".

[i] Dummy variables. Omitted category is "Unemployed at time of arrest".

[j] Maximum values recoded to:

Police officers	10 or more
Experts	4 or more
Eyewitnesses	4 or more
Laywitnesses	9 or more
Victims	9 or more

important. For example, race and sex, which played no role in screening, loom more importantly at this point; males are significantly more likely to be passed on to arraignment (.054) and Blacks and Hispanics are significantly less likely to be passed through (respectively, -.077 and -.076).[13] Age also takes on a more important role with younger arrestees considerably more likely to be passed on to arraignment, as compared to persons over 35.

The involvement of a gun in the arrest has about the same effect as in the screening; cases in which guns were involved have a .053 higher probability of being passed on to arraignment, holding everything else constant.

Particularly important appear to be the nature of the charges filed. Charges that involve property crimes are .24 more likely to be moved on to arraignment, but so are crimes against the person more likely (.122). The more severe the punishment prescribed for the charges in the Criminal Code the more likely is the case to be accepted. In short, the preliminary hearing screens out some of the lesser offenses that the assistant district attorneys have not already screened out earlier.

It is difficult to interpret the coefficients attached to the kind of attorney assigned to the case or retained by the defendant. It appears to be the case that if an arrestee has a privately retained attorney, he/she is more likely to be sent up for arraignment while those cases to which the court has appointed a defense attorney are less likely to be sent on. Both of these effects are in comparison to those cases represented by a public defender. The problem in inter-

pretation is that these coefficients may simply represent the fact that arrestees in more difficult straits may be more likely to get their own attorneys and less likely to rely on whom the courts may appoint.[14]

Finally the number of witnesses, especially police and experts, play an important role, the more police witnesses and the more expert witnesses; the more likely a case is to proceed to arraignment.

In short, it appears that at this stage the seriousness of the violation and the strength of the case play more important roles. But, there is some evidence that the courts are somewhat more lenient towards females, Blacks and Hispanics.

VI. Arraignment Outcomes

The next stage in the L.A. Superior Court is a formal arraignment hearing in which the accused is read the charges that remain and a plea of guilty or innocent is entered on his/her behalf. The outcome of the arraignment is either to dismiss the charges, refer the case to another court or to pass the defendant on, as appropriate, either to trial or to the court for sentencing. Since there have been two previous points at which the case has been examined, fewer, proportionately, cases are removed from the Superior Court at arraignment (or at later stages). Almost nine out of ten (89%) cases that reach arraignment remain in the system from that point on, to be disposed of as either guilty or innocent. To facilitate analysis, all cases that are dismissed or referred to other courts at the arraignment and up to the trial have been lumped together in the analyses presented in this section.[15]

The reasons for rejections from further processing at this stage are shown in Table 7. The largest category involves defective indictments; in one of four cases, either the indictment was improperly drawn or the court determined that there was no good evidence that the accused had committed the crime. The next largest category (17.5%) are cases that were removed from the courts because some other court had a superceding indictment involving the arrestee. The remainder of the reasons recorded are a miscellany of technical issues largely pertaining to evidence and witness availability. In very few of the cases were the charges reduced and sent to an inferior court. In short, at this stage, legal considerations appear to dominate.

Table 8 presents the findings derived from an attempt to explain acceptance or rejection at the arraignment or later stages in terms of selected characteristics of the cases involved. Even less of the variance can be explained at this point; the R^2 is .08 as compared to .17 at the preliminary hearings and .31 at screening.

Again sex, race and age turn out to be significantly related to acceptance. Males, whites and younger persons are more likely to be accepted as compared with females, Blacks, Hispanics and those over 35. It is difficult to find a reasonable interpretation for these findings.[16] Our best bet is that these variables mask others of some importance which are not available directly in the PROMIS files.

Most of the remaining significant independent variables pertain to the nature of the charges and the types and numbers of witnessses available. Crimes against property and against persons are more likely to be sent on to trial or sentencing, as well as more severe charges.

Table 7

Reasons for Dismissal or Referral of Cases at Arraignment or at Later Points

	Percent
Court Initiated Dismissals	
Indictment set aside (995 Motion Granted) indictment improper or without cause	25.4%
Search and seizure without warrant was unreasonable (1538.5 Motion Granted)	8.7
Evidence suppressed on search and seizure grounds	*
Inadmissable confession (Miranda problems)	*
Other evidence problems	5.3
Civilian witness No Show or unavailable	3.0
Police officer witness unavailable	0.1
Impossibility of Prosecution (defendant dies, insane or statute of limitations)	1.7
Further prosecution not advisable (e.g., defendant is informant/or will be a witness, compelling personal circumstances of defendant or victim)	8.8
Procedural delays	1.8
Other due process	0.4
Lack of jurisdiction or referral to another	1.2
Diversion successfully completed	5.0
Charges reduced to misdemeanor under 17(b) 5 further prosecution as misdemeanor	1.0
District Attorney Initiated Dismissals	
Evidence suppressed on search and seizure grounds	0.1
Other evidence problems	4.7
Cannot locate witness	1.1
Impossibility of prosecution	3.0
Prosecution not advisable	6.2
Procedural delays	0.2
Referral to another jurisdiction	0.4
Superceding indictment	17.5
Defendant pled guilty in another case	3.8
N =	(2366)

Table 8

Regression of Acceptance for Trial or Sentencing At Arraignment on Selected Case Characteristics

Independent Variables	Dependent Variable is: 1 = Accepted 0 = Rejected b		SE
Male	.092	***	.022
Race[a]			
Black	-.068	***	.016
Hispanic	-.064	***	.019
Other	.074		.057
Age[b]			
20 years or less	.074	**	.024
21 to 25 years	.083	***	.022
26 to 35 years	.051	*	.021
Weapon at time of offense[c]			
Gun	-.008		.021
Knife or other weapon	-.003		.026
Unknown	-.074	***	.020
Arrest Record			
Previous Number of Arrests	.001		.001
Previous Number of Arrests Unknown	-.013		.020
Arrest Record Unknown	-.028		.020
Crime against Person[d]	.069	**	.024
Crime against Property[d]	.122	***	.020
Severity of Charges[e]	.003	***	.001
All charges are felonies that can be reduced to Misdemeanors	.065	***	.018
Defense Attorney[f]			
Privately Retained	-.022		.016
Court appointed	-.272	***	.037
Other	.065	***	.019

Table 8 (continued)

Independent Variables	b	SE
Personal Injury[g]		
Injury inflicted on victim	-.030	.024
Unkown	.008	.042
Property Damage[h]		
$1 to $250	.052 *	.024
$251 or more	.046 *	.022
Unknown	.071 *	.032
Employment of Defendant[i]		
Employed at time of arrest	-.007	.017
Unknown	-.056 **	.018
Number of Witnesses[j]		
Number of police officers	.014 ***	.004
Number of Experts	.046 ***	.009
Number of Eyewitnesses	.032 ***	.008
Number of Lay witnesses	.006	.004
Number of Victims	.006	.006
CONSTANT	.135 ***	.039

R^2 = .079

N = (4919)

* indicates statistical significance at .05
** indicates statistical significance at .01
*** indicates statistical significance at .001

Notes - see notes a to j on Table 6.

The more witnesses available of all types, the more likely the case is to be continued through the criminal justice system.

Court appointed attorneys in a case make it more likely that the arrestee will be released, but "other" types of defense attorneys (usually defendants representing themselves) make a case more likely to be retained for further processing.

Finally, it should be noted that weapons do not make much of a difference. Whether or not a gun was involved with a case makes no significant difference as far as passing on a case to trial or sentencing. Cases in which there is no information recorded on weapons involvement are less likely to be passed through the system, but this last finding hardly lends itself to easy interpretation.

Since dismissals and referrals at the arraignment stage are not numerically significant elements in the total processing of criminal justice cases, the analyses presented in this section are not as important as others presented in this report. Apparently, arraignment catches mistakes and errors made in previous stages and appears to be focussed largely on technical and procedural matters. Of course, the main exception to this generalization is the sensitivity of the decision to age, sex, and race. It is difficult to maintain that such variables should be relevant to the decisions made at this point, but, as suggested earlier, perhaps these variables simply mask others that are procedural or technical in character related to the qualitatively different varieties of offenses involved, net of the severity of the charges.

VII. Pleading Guilty Versus Going to Trial

Perhaps the most important outcome of the arraignment proceedings

are the pleas entered by the defendant. A defendant can plead guilty at arraignment and many of them do. He retains the right to enter such a plea up to the completion of his trial. Alternatively, he may plead innocent at arraignment and proceed to be tried in court. It should be emphasized that this is a decision that is made by the defendant, usually in consultation with an attorney. It is also a decision that is often enough made after some negotiation with the district attorney's office, in which a plea of guilty may be offered in exchange for a reduction in sentence, for a reduction in the number of charges, or in the nature of the charges entered. Note that the fact that this is the defendant's decision to make is in considerable contrast to other decisions that have been discussed so far in which the actions of the defendants have not been so determinant as to outcome.

Hence the regression shown in Table 9 concerns the types of defendants who elect to plead guilty versus those who chose to go to trial. Note that all guilty pleas are considered here regardless of the time at which they were entered. Although many pleas are made at the time of arraignment, but there are a significant number that are made in the interim between arraignment and the trial date, after all attempts at dismissal (pre-trial motions, etc.) have failed.

The coefficients shown in Table 9 are increments or decrements in the probability of electing to go to trial. Several findings stand out in that Table; first of all, our ability to model these judgments made by defendants was slight, with the entire equation yielding an R^2 of only .08, indicating that factors we were not able to measure were driving the decision. Secondly, several personal characteristics of

Table 9

Regression of Trial Versus Guilty Plea Decision On Selected Case Characteristics

Independent Variables	Dependent Variable is: 1 = Went to Trial, 0 = Pled Guilty: b		SE
Male	.045		.024
Race[a]			
Black	.119	***	.017
Hispanic	.083	***	.019
Other	.074		.050
Age[b]			
20 years or less	-.064	**	.025
21 to 25 years	-.074	*	.023
26 to 35 years	-.015		.022
Weapon at time of offense[c]			
Gun	.061	**	.021
Knife or other weapon	.022		.024
Unknown	.052	**	.021
Arrest Record			
Previous Number of Arrests	-.001		.001
Previous Number of Arrests Unknown	.027		.020
Arrest Record Unknown	.055	**	.020
Crime against Persons[d]	.161	***	.025
Crime against Property[d]	.080	***	.022
Severity of Charges[e]	.0001		.001
All charges are felonies that can be reduced to Misdemeanors	-.006		.019
Defense Attorney[f]			
Privately retained	.011		.016
Court Appointed	.122	**	.040
Other	-.045	*	.020

Table 9 (continued)

Independent Variables	b	SE
Personal Injury[g]		
Injury inflicted on victim	.014	.022
Unknown	-.022	.042
Property Damage[h]		
$1 to $250	-.101 ***	.023
$251 or more	-.162 ***	.021
Unknown	-.070 *	.030
Employment of Defendant[i]		
Employed at time of arrest	.020	.017
Unknown	.045 *	.018
Number of charges dismissed at preliminary hearing or arraignment	-.001	.018
Witnesses[j]		
Number of police officers	-.006	.004
Number of Experts	-.008	.008
Number of Eyewitnesses	.005	.007
Number of Lay witnesses	.007	.004
Number of Victims	-.026 ***	.006
CONSTANT	.360 ***	.041

R^2 = .08

N = (4925)

* indicates statistical significance at .05
** indicates statistical significance at .01
*** indicates statistical significance at .001

Notes - see notes a - j on Table 6.

defendants affect their decisions: Blacks and Hispanics were more likely to opt for trial and younger defendants were more likely to plead guilty. Thirdly, persons who had charges including crimes against persons or crimes against property were more likely to opt for trial. In addition, persons with property crime charges involving small dollar amounts were more likely to chose trial over pleading guilty. Finally, persons with court appointed defense attorneys were also more likely to choose trials. These effects of race and type of attorney on the decision to go to trial are also found by Greenwood et al. (1976).

The role of firearms in the decision is also of some interest; persons whose arrest involved a weapon were more likely to go to trial, in comparison to those cases with no weapon involved. Perhaps this finding indicates that district attorneys were less likely to plea bargain in such cases.

Note that although Mather (1979, p. 64) found that the seriousness of the case is related to the frequency of adversary trials, our regression analysis shows that severity of the charges and previous arrest record are not significantly related to trial versus pleading guilty. However, some seriousness element (as measured in the crime against property dummy and the crime against person dummy) is related to an increased probability of going to trial.

The L.A. PROMIS files do not permit a closer examination of the actual plea bargaining process. We cannot describe in detail the exchanges made between the district attorney and the defense attorney or determine which party initiated the plea. Without more revealing information about this process, our analysis of the decision to plead guilty or go to trial must necessarily lead to these weak results.

VIII. Trial Outcomes

For the small proportion (13%) of those who pass through the arraignment stage and elect to stand trial, the critical outcome is whether or not they will be acquitted. Of course, more (75%) are judged guilty either by jury or judge[17] (if they elect the option of a non-jury trial); for the fortunate one in four whom the court judges not guilty, this is the best of all possible outcomes, leading to complete freedom and an exonerated record.

Table 10 attempts to model the decision making at this juncture and pertains only to cases that went to trial. The dichotomous outcome, guilty or acquittal, is the dependent variable with the usual array of independent variables attempting to account statistically for the outcome. Note that the coefficients are all to be interpreted as increments (or decrements) in the probability of being judged guilty by trial. The amount of variance in outcomes that is explained is not at all impressive ($R^2 = .05$). In short, the outcome of trials are hardly affected by the kinds of variables we have been able to use from the PROMIS files. Undoubtedly, such qualitative aspects of the case as the nature of the evidence, credibility of witnesses, and so on, play parts that are not captured in the regression of Table 10.

The factors that appear to affect the outcome of trials are as follows: first of all, sex and race, as usual, make a difference. Men are more likely to be judged guilty than women; Blacks are less likely to be so judged (in comparison to whites).

Table 10

Regression of Guilt or Acquital At Trial
On Selected Case Characteristics

Independent Variables	Dependent Variable is: 1 = Guilty after trial, 0 = Not guilty after trial: b	SE
Male	.080 **	.028
Race[a]		
Black	-.043 *	.020
Hispanic	-.023	.023
Other	-.110	.057
Age[b]		
20 years or less	-.001	.027
21 to 25 years	.008	.025
26 to 35 years	-.047	.024
Weapon at time of offense[c]		
Gun	.039	.023
Knife or other weapon	.004	.027
Unknown	-.019	.024
Arrest Record		
Number of Previous Arrests	.001	.003
Number of Previous Arrests Unknown	.059 *	.024
Arrest Record Unknown	-.014	.025
Crime against Property[d]	.055 *	.025
Crime against Person[d]	-.075 *	.027
Severity of Charges[e]	.001	.001
All charges are felonies that can be reduced to Misdemeanors	-.045 *	.021
Defense Attorney[f]		
Privately retained	-.017	.018
Court appointed	-.025	.040
Other	.141 ***	.024

Table 10 (continued)

Independent Variables	b	SE
Personal Injury[g]		
Injury inflicted on victim	-.019	.024
Unknown	-.001	.047
Property Damage[h]		
$1 to $250	.012	.025
$251 or more	-.060 *	.024
Unknown	-.008	.032
Employment of Defendant[i]		
Employed at time of arrest	-.036	.020
Unknown	-.047 *	.020
Witnesses[j]		
Number of police officers	.004	.004
Number of Expert witnesses	.001	.010
Number of Eyewitnesses	.006	.008
Number of Lay witnesses	.005	.004
Number of victims	-.007	.007
Type of Trial[k]		
Jury	.030	.017
Submitted on transcript	.110 *	.027
CONSTANT	.662 ***	.048

R^2 = .054

N = (3147)

* indicates statistical significance at .05
** indicates statistical significance at .01
*** indicates statistical significance at .001

Notes - see notes a - j on Table 6.

[k] Dummy variables. Omitted category is "Trial by Judge".
Submitted on Transcript is a trial by judge based mainly on evidence reviewed in the form of transcripts.

Secondly, the nature of the charges appears to be important, with charges involving crimes against property being more likely to provoke a guilty judgment while crimes against persons appear to be less likely to get such an outcome.[18] Charges that can be downgraded (according to the Criminal Code) to misdemeanors are likely to lead to an acquital.

Thirdly, persons who defend themselves are more likely to be handed a guilty verdict (in comparison to public defenders), while the difference among types of defense attorneys does not seem to matter much.

Fourthly, a set of miscellaneous characteristics apparently play minor roles. Persons with charges amounting to a large amount of property "damage" appear to be more likely to be acquitted as well as persons whose employment status at the time of arrest was unknown.

Finally, juries are not significantly more likely to convict in comparison to judges, when holding constant the other variables in the equation. However, those cases disposed by SOT do have an increased probability of being found guilty.

Note that the involvement of firearms apparently makes little significant difference in acquittal outcome, even though the coefficient is positive and almost big enough to achieve statistical significance. If firearms involvement does make a difference, at this stage it is not important enough to reach statistical significance thresholds.

IX. The Sentencing Stage

Once a person either has pled guilty or been judged guilty in a trial, the next step is for an additional hearing to be held at which sentence will be pronounced. The sentence may be fruitfully regarded as, in effect,

consisting of two related decisions: first there is the issue of whether a prison sentence is to be set or whether some form of punishment short of incarceration is to be imposed. Secondly, given a prison sentence, how long should that sentence be?

The alternatives to incarceration available to the court include probation for varying periods of time, a sentence imposed but suspended in execution, fines, halfway houses and other rehabilitation settings, and so on. While there may be an occasional person who would prefer prison confinement to any of the possible alternatives, such an individual would be rare indeed. For example, it is likely that any number of years on probation would be regarded as preferable to the shortest possible sentence in prison.

Before turning to the results of the sentencing analysis, a review of certain California Penal Code sections should be made. In the mid-1970's revisions were made in the Penal Code to promote uniformity in sentencing by adopting rules which provide criteria for consideration by the judge at sentencing. These criteria provide sentence enhancements or the imposition of an additional term for such crime elements as being armed with a deadly weapon, using a firearm, or the infliction of great bodily harm on the victim.

Specifically, Section 1203e 1 specifies that probation cannot be granted to those persons convicted of certain felonies who were armed at the time of the offense or at arrest, or any person who used, or attempted to use, a deadly weapon upon another person. Sections 12022 and 12022.5 of the Penal Code allow for the imposition of an extra one or two years for persons convicted of a felony involving the carrying of a deadly weapon, or use of a deadly weapon, respectively.

Table 11 attempts to model prison or county jail versus non-prison sentence decisions. Since the decision structure may be somewhat different for persons who have pled guilty and who may have worked out an agreement with the prosecutor that is somewhat binding on the sentencing judge, it is likely that the sentencing processes for persons judged guilty by trial and those who pled guilty would be different; hence two separate regressions are shown in Table 11 -- one for each of the two groups of guilty persons.

Because plea bargaining in the case of persons who plead guilty may fix a different kind of sentence than those who go through trial, we can expect that it would be easier to predict the outcome of trials than the outcome of sentences after pleading guilty. Such is the case, as the different R^2's for the two equations seem to indicate, .26 for sentencing after trial versus .13 for sentencing after guilty pleas. This difference may indicate that the judges in the first kind of case are paying attention to some of the same variables we have entered into the equation; while, in the case of persons who have pled guilty, the constraints of whatever bargain has been struck between the district attorney and the defendant means that the influence of such factors would be at least reduced.

Many of the coefficients attached to variables show a consistent difference across equations, being somewhat higher for the sentencing after trial than for sentencing after guilty pleas. For example, males are considerably more likely to be incarcerated (.185) as the outcome of a trial, but no more likely than females as the outcome of pleading guilty. Other coefficients show the opposite pattern, as for example,

Table 11

Regression of Prison Sentence Versus Non-Prison Sentence On Selected Case Characteristics: Guilty Pleas and Guilty by Trial

Dependent Variable:
1= Prison or Jail Sentence
0 = Non Prison Sentence

Independent Variables	Guilty by Trial b	SE	Plea of Guilty b	SE
Male	.185 ***	.034	.036	.025
Race[a]				
Black	.066 **	.023	.063 ***	.017
Hispanic	.091 ***	.027	.058 **	.018
Other	.093	.071	-.016	.055
Age[b]				
20 years or less	-.198 ***	.031	-.190 ***	.025
21 to 25 years	-.039	.029	-.033	.022
26 to 35 years	-.041	.028	-.012	.022
Weapon at time of offense[c]				
Gun	.107 ***	.026	.141 ***	.022
Knife or other weapon	.050	.031	.090 ***	.026
Unknown	-.018	.028	.079 ***	.020
Arrest Record				
Number of Previous Arrests	.019 ***	.003	.022 ***	.002
Number of Previous Arrests Unknown	.054	.028	.106 ***	.022
Arrest Record Unknown	-.002	.029	-.011	.023
Crime against Person[d]	.071 **	.030	.036	.023
Crime against Property[d]	.063 *	.028	.011	.023
Severity of Charges[e]	.006 ***	.001	.016 **	.005
All charges are felonies that can be reduced to Misdemeanors	-.064 **	.023	-.058 ***	.017
Defense Attorney[f]				
Privately retained	.002	.022	-.048 **	.017
Court appointed	.083	.047	.037	.034
Other	.099 ***	.027	.062 **	.020

Table 11 (Continued)

Independent Variables	Guilty by Trial b	SE	Plea of Guilty b	SE
Personal Injury[g]				
Injury inflicted on victim	.031	.027	.097***	.022
Unknown	.087	.055	.052	.044
Property Damage[h]				
$1 to $250	.060*	.028	.078***	.023
$250 or more	.043	.027	.082***	.020
Unknown	.065	.037	.062	.032
Employment of Defendant[i]				
Employed at time of arrest	-.062**	.023	-.071***	.018
Unknown	-.004	.024	-.016	.018
Type of Trial[j]				
Jury	.156***	.021	NOT APPLICABLE	
Submitted on Transcript	-.044	.030	NOT APPLICABLE	
CONSTANT	.015	.054	.255***	.039
R^2 =	.257		.128	
N =	(2299)		(4475)	

*indicates statistical significance at .05
**indicates statistical significance at .01
***indicates statistical significance at .001

Notes -- see notes a - i on Table 6.

[j]Dummy variables. Omitted category is "Trial by Judge." "Submitted on Transcript" is a trial by judge based mainly on the evidence submitted from transcripts from the preliminary hearings.

the coefficents for property damage, which indicate that any amount of property damage is more likely to lead to prison or jail sentence among those who pled guilty.

Some of the more salient findings are as follows: First, being male and being Black or Hispanic is more likely to lead to a prison or jail sentence than being female or white. These patterns are at least slightly stronger for those judged guilty at trial. Secondly, persons in the youngest age group are less likely to be sent to prison in both groups, a pattern slightly stronger in the guilty by trial group.

Thirdly, arrest records play a role, with persons with higher numbers of arrests being more likely to be sent to prison or jail. Fourthly, charges including crimes against property and persons are more likely to result in prison or jail sentences among those judged guilty by trial, while the same factors play no significant roles among those who pled guilty. Both groups are more likely to go to prison or jail the more severe the final guilty charges.

Fifth, the type of defense attorney makes a difference; privately retained attorneys help those who pled guilty to avoid a prison or jail term, possibly reflecting the role such attorneys played in the plea bargaining process. In all cases, persons who defended themselves were more likely to be incarcerated.

Sixth, the outcomes of the crimes seemed to make more of a difference for those who pled guilty. If injuries were inflicted on victims or if any property was damaged, those who pled guilty were more likely to go to prison or jail. Those judged guilty by trial were not so affected.

Seventh, in both groups, persons employed at the time of arrest were

less likely to be incarcerated in comparison to those who were unemployed at time of arrest.

Eighth, for those who went to trial, trial by jury was more likely to be met with a sentence to prison. Indeed, since this is the highest positive coefficient for guilty by trial, amounting to a .156 increase in the probability of a prison sentence, trial by jury is clearly not an advantage. This increased severity of sentence for those convicted by jury was also found in Los Angeles by Greenwood et al. in 1970, who suggested that the court system extracts some greater price from those defendants who take up more of the system's resources (Greenwood, 1976, p. 30, 42).

Finally, the coefficient for firearms indicates that the involvement of guns is much more likely to result in incarceration, .107 for guilty by trial and .141 for those who pled guilty. Clearly, firearms involvement makes as much or more of a difference in the sentencing outcomes in comparison to all other factors in the regressions.

Since prison or jail sentences come in units of time, it is also possible to examine the differences made by the case characteristics we have been considering on the length of the sentences meted out to those who received a jail or prison sentence. Table 12 provides two regressions, one for those who pled guilty and one for those who were judged guilty by trial. Again, we would expect that the structure of the decision process would be somewhat different given that the length of sentences is often a bargaining issue in the negotiations between district attorneys and defendants in the plea bargaining process. Indeed the R^2's for the two regressions bear out these expectations; the length of sentence is more

Table 12

Regression of Sentenced Days in Prison On Selected Case Characteristics: Guilty By Trial and Guilty by Plea

	Dependent Variable is Number of Days in Prison Sentence			
	Guilty by Trial		Guilty by Plea	
Independent Variables	b	SE	b	SE
Male	690.82***	159.34	34.38	58.00
Race[a]				
Black	-32.59	88.14	-30.69	36.18
Hispanic	-8.31	99.67	-41.15	39.76
Other	-105.63	264.28	220.56	126.88
Age[b]				
20 years or less	-5.40	118.44	154.32**	55.60
21 to 25 years	-35.49	102.19	-52.49	46.99
26 to 35 years	-16.10	99.58	24.18	46.06
Weapon at time of offense[c]				
Gun	593.71***	91.29	453.02***	44.99
Knife or other weapon	19.37	107.19	129.16*	17.39
Unknown	-65.96	110.36	17.39	40.57
Arrest Record				
Number of Previous Arrests	25.72**	11.22	16.91**	5.00
Number of Arrests Unknown	308.13**	105.56	197.02***	48.51
Arrest Record Unknown	43.60	118.48	85.60	53.78
Crime against Person[d]	265.43**	110.85	297.35***	49.88
Crime against Property[d]	445.60***	100.36	-30.06	49.29
Severity of Charges[e]	43.77***	2.49	80.32***	9.34
All charges are felonies that can be reduced to misdemeanors	-124.84	91.90	-203.90***	37.40
Defense Attorney[f]				
Privately retained	120.95	81.27	76.87*	37.11
Court Appointed	224.49	152.91	-28.19	68.69
Other	237.25**	90.68	17.39	40.57

Table 12 (continued)

Independent Variables	b	SE	b	SE
Person Injury[g]				
Injury inflicted on victim	288.79***	90.75	373.43***	43.83
Unknown	102.43	189.00	15.49	89.14
Property Damage[h]				
$1 to $250	-6.03	98.39	-3.31	48.91
$251 or more	-16.66	97.28	167.94***	44.68
Unknown	59.08	128.10	-11.30	67.46
Employment of Defendant[i]				
Employed at time of arrest	-218.74**	84.98	-80.72*	40.33
Unknown	38.41	81.58	-34.13	36.13
Type of Trial[j]				
SOT	-159.54	137.10	NOT APPLICABLE	
Jury Trial	442.12***	77.33	NOT APPLICABLE	
CONSTANT	-918.35***	228.47	259.35**	87.64
R^2 =	.511		.366	
N =	(1072)		(2064)	

* indicates statistical significance at .05
** indicates statistical significance at .01
*** indicates statistical significance at .001

Notes - see notes a - i on Table 6.

[j]Dummy variables. Omitted category is "Trial by Judge". SOT (Submitted on Transcript) is a trial by judge based mainly on the evidence submitted from transcripts from the Preliminary Hearing.

closely modelled (R^2 = .51) for persons who were judged guilty through the trial procedure than for those who pled guilty (R^2 = .37). The reader may also note that these are the highest amounts of variance explained in the entire report, indicating that the outcomes at this stage are the most sensitive to characteristics of the case that are captured in the L.A. PROMIS files.

Since the dependent variable is the number of days in the state prison or county jail meted out, the regression coefficients are in net increments (or decrements) of days for each unit of the independent variable. Thus the coefficient for male among those guilty by trial indicates that being male leads to a prison sentence that is 691 days longer than females, everything else being held constant. However, the coefficient for male among those who are convicted at trial is not statistically significant, indicating that males do not receive longer or shorter sentences than females, everything else being held constant.

A summary of the major findings follows: First the patterns of coefficients appear to differ for the two groups of guilty offenders. Males get a much higher sentence than females among those who went to trial (slightly more than two years greater) but not among those who pled guilty. Secondly, no race effects appear; at the sentencing stage, the court system appears to be color blind. Thirdly, it does not appear that the sentencing is very sensitive to age in a uniform way; the youngest age group appears to get a longer-length sentence (154 days) among those who pled guilty, but no other significant difference appears.

Fourthly, both groups' sentence length appears to be very sensitive to previous arrest records, especially those who went to trial. Each previous arrest led to about a month longer sentence for those who went to trial and about half a month for those who pled guilty. It is difficult to interpret the fact that missing information on the number of arrests in both groups led to a considerable increase in sentence length, almost a year for the trial group and about two-thirds of a year for the plea group. Since this variable indicates that there was some sort of arrest record, but the PROMIS files did not contain the number of arrests, it is not clear what this fact is signalling to the sentencing judge.[19]

Fifth, crimes against persons attain higher sentences (of ten months versus 5 months for trial and plea groups, respectively). The severity of the charges has a rather large impact, especially for those who pled guilty.

Sixth, private attorneys increase sentence length for those who pled guilty as does defending oneself for the trial group.

Seventh, injuries inflicted on victims raises the sentence by close to a year for each group, but property value damaged only makes a difference for those who pled guilty. The effect of the injury involved on the sentence results from the Penal Code revisions discussed above. Eighth, judges recognize employment status in each group, giving lower sentences to those who were employed at the time of arrest. Ninth, those who are convicted by jury are more likely to receive a longer sentence (more than a year) in comparison to those convicted by trial by judge.

Finally, the involvement of a weapon has a large effect in both groups, leading to twenty additional months of imprisonment among those

who went to trial and about fourteen months among those who pled guilty. In short, the involvement of a weapon does make a large difference at the sentencing stage. The strong weapon effect upon the sentence indicates that the courts are using the latest California Penal Code revision which requires sentencing enhancements for a felony committed with a weapon. Whether or not a person is sent to prison and the length of sentence handed out are both strongly affected by firearms involvement.

X. A Summary of Firearms Effects in L.A. Courts

It is easy to lose sight of the primary aim of the analyses presented in this report. Our main goal was to assess the effect of weapons involvement in the treatment of felony suspects by a major superior court. The analysis necessarily became complicated by the necessity of holding other things constant while looking at the weapons effects. Of course, since there is some interest in the way in which the system works, the things held constant cannot be ignored or regarded neutrally.

To bring the report back to its original central focus on weapons effects, the coefficients for weapons involvement for each of the stages of the criminal justice processing system have been extracted from the tables presented earlier and are shown in Table 13. It should be noted that these coefficients are net measures; that is to say the coefficients are estimates of the effects of weapons involvement free and clear of the effects of the other factors that were included in the regressions involved.

It is also worthwhile to repeat the meaning of "weapons involvement" as used in this report. If a weapon was associated with the

Table 13

Regression Coefficients for Firearms Involvement At Each Stage in the CJ Processing

Processing Stage	Firearms Involvement Unstandardized Coefficient b	SE
Screening Stage	.054**	.019
Preliminary Hearing	.053**	.022
Arraignment	-.008	.021
Trial versus Guilty Plea	.061**	.025
Guilty or Acquital at Trial	.039	.023
Prison Versus Non-Prison Sentence For Trial Cases	.107***	.026
Prison versus Non-Prison for Guilty Plea Cases	.141***	.022
Length of sentence for Trial Cases (Days)	593.71***	93.13
Length of Sentence for Guilty Plea Cases (Days)	453.02***	44.99

* indicates statistical significance at .05
** indicates statistical significance at .01
*** indicates statistical significance at .001

arrest offense or found in the possession of the accused at the time of arrest, whether or not the weapon was used in the direct commission of the crimes for which charges were filed, that fact was coded in the PROMIS case record. Hence the gun variable used throughout the analysis means that a firearm was somehow associated with the case. This is a much more inclusive measure of the presence of a gun than simply that a gun was used in the commission of a crime, or that specific weapons-related charges were formally filed.

Table 13 indicates that the involvement of a firearm almost consistently led to the harsher treatment being applied to the accused at every step of the way. With weapons involvement, the case was more likely to be retained at screening, more likely to be retained at the preliminary hearing, but not more likely (or less likely) to be passed on at arraignment. Cases with firearms involvement were more likely to go to trial than to plead guilty. Apparently that was a sensible choice since the firearms involvement did not affect findings of guilt or innocence as trial outcomes.

The strongest effects of weapons involvement came at the point when punishment was to be meted out to persons who were judged to be or who pled guilty; weapons involvement meant a higher probability of going to prison (rather than being given a non-prison sentence) and of receiving a much longer prison sentence.

In short the L.A. superior courts pay attention to weapons involvement in felony cases, and especially so at the point when guilt has been somehow established and punishment is to be meted out.

Notes

1. See "Weapons Polices: A Survey of Police Department Practices Concerning Weapons and Related Issues," (Social and Demographic Research Institute, 1981) for data on how firearms information is recorded.
2. Uniform Crime Reports have tabulated homicides by type of weapon used, but courts do not necessarily tabulate their homicide cases in the same way.
3. We are especially grateful to the Los Angeles County Prosecutor, John K. Van de Kamp, who provided the PROMIS data for us and to Neil Riddle and the data processing personnel who patiently explained the system to us and answered our questions concerning the data.
4. PROMIS User's Manual, Prosecutor's Management Information System, Los Angeles County District Attorney's Office.
5. The cases are selected randomly from among those that are rejected for further processing as a felony (dismissed or referred to a municipal court) at preliminary hearing and randomly from among those that are processed further. This strategy provides the maximum variance in outcomes at the stage in question and makes it possible to use ordinary least squares procedures while violating least the OLS assumptions.
6. This is a summary number of persons who plead guilty during arraignment or who change their pleas to guilty up to the time of trial.

7. Thus the Index of Discrepancy -- the absolute sum of differences between two distributions divided by 2 -- is 8.89 for columns 1 and 2, but only 13.72 for columns 1 and 4, indicating that most of the changes occur in the period between arrest and preliminary hearing, i.e., as a consequence of the prosecutor's discretionary dismissal or referral to a lower court. (The Index of Discrepancy shows the minimum proportion of persons in either of the two distributions being compared whose classification would have to be changed in order to make the two distributions identical).

8. Of course cases that survive early stages have had additional opportunities for filling in such missing data.

9. Unfortunately the Los Angeles PROMIS files do not discriminate between long guns and handguns.

10. While this and other regression tables in this report employ ordinary least squares as the regression model, it is well known that this method is not appropriate for dichotomous dependent variables. The assumptions of ordinary least squares, however, are least violated when the dependent dichotomy is close to 50-50 and when the sample size is large, a condition which is fulfilled in the analyses in this report. In addition, similar analyses were done by Huey-tsyh Chen, "Disposition of Felony Arrests: A Sequential Analysis of the Judicial Decision-Making Process," an unpublished Ph.D. dissertation, University of Massachusetts, 1981. Dr. Chen's analyses, based on maximum likelihood logit regressions, are presented in Appendix B and show essentially similar results to those presented here. OLS results are more easily

interpreted (logit regression coefficients are logs of odd ratios) and hence are used in the main report.

11. The focus of this report is on the effect of weapons on felony case disposition. Therefore, there is no analysis which differentiates those cases that are rejected from those that are referred to municipal court as misdemeanors. For our purposes, both groups of cases were not accepted by the DA as a felony case at the screening stage.

12. Since the severity measure is in terms of years in prison specified in the California Criminal Code for the charges (summed) filed, each year of specified imprisonment leads to an increase of .01 in the probability of being passed on to a preliminary hearing. Thus a person who is accused of murder has a .50 higher probability of being passed on. Given the constant of .5, this means that accused murderers are not likely to be dismissed at screening.

13. These findings are in comparison to whites, the "omitted" dummy category in the analysis.

14. In their analysis of the later stage of trial outcome, Greenwood et. al. (1976; p. 54) suggest that there is some indication that court-appointed attorneys handle less severe cases.

15. Since most of these rejections occur at arraignment, the analysis concerns largely the outcome at this stage.

16. Greenwood et al. (1976; p. 57) suggest that one explanation of these race effects at both preliminary hearing and arraignment might be a correction mechanism by the court system against over-arrest or over-prosecution of Blacks and Hispanics. Our analysis cannot test this explanation.

17. In the L.A. PROMIS files about 55% elect to be tried by jury, another 11% are tried on a submission of the transcript of the preliminary hearing (SOT) and the remainder (34%) elect to be tried before a judge. This distribution of type of trial is the one part of the LA Court disposition which has significantly changed since Greenwood's analysis. In 1970, 30% of all felony cases filed at arraignment were disposed of at SOT while only 11% went to a full adversarial trial before a judge or jury. Since 81% of all SOT cases resulted in guilty verdicts, these cases were often described as "slow pleas" or a substitute form of pleading guilty. Because of this and the more lenient sentences received after SOT as compared to a trial by judge or jury, the Los Angeles District Attorney implemented the Greenwood et. al recommendation that the use of SOT be greatly diminished.

In our 1977-1978 sample, the disposition of all felony cases presented at arraignment by SOT has decreased to less than 2%, while the percent of guilty pleas in our sample is higher than found by Greenwood et. al. or Mather in 1970. This indicates that Greenwood's policy recommendation has been made and that SOT was in fact being over-used as a form of guilty plea.

18. We may speculate that qualitative aspects of the testimony of witnesses and victims may be very important in such cases. It may be ambiguous whether a given act of assault, for example, is simply the outcome of a quarrel in which the victim participated, with the accused appearing to have acted at least in part in self-defense.

19. More precise and complete information on prior arrests and convictions is probably provided to the judge at the sentence hearing in the probation report.

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Appendix A

This appendix discusses in more detail some of the variables which have been used in our analyses of the Los Angeles Superior Court processes. The data for this study were abstracted from the L.A. PROMIS system which was implemented in Los Angeles to aid the district attorney's office in case flow monitoring. The research opportunities presented by this data, although rich, are of secondary importance to the PROMIS system's main purpose of aiding court management. Many variables which would be useful for the present analyses (e.g., prior conviction record of the defendant, educational attainment and marital status of the defendant, detailed bail information, etc.) are not part of the Los Angeles PROMIS system. In addition, many cases have missing values on variables (e.g., arrest record, weapon involved in the offense and employment status) which may be important for research purposes. In contrast, data about the criminal charges and witnesses is very complete, these variables being of prime concern to the district attorney and for the management of cases.

The charge variables entered onto the PROMIS files are the actual California Penal Code section numbers with which the defendant has been charged. These charge codes, then, provide the full range of detail which is found within the penal code itself; for example, there are over 20 separate drug charges dealing with all of the different categories of illegal substances. Over several hundred different charges can be found on the PROMIS data file.

Each defendant has one or more charges filed against him. Multiple charges may include several counts of the same offense (e.g.,

five counts of robbery) or different charges (e.g., robbery and assault). Because of the wide range of the number of charges (one individual faced 136 charges), we decided to include in our analysis only a limited number of charges. We limited the number of charges to five at the screening stage, six at the preliminary hearing stage and seven at all later court processing stages. The resulting distribution of cases is shown in Table A-1. Note that for over 96% of the cases at each stage, all of the charges have been included in the analysis. At each processing stage, we have excluded charges which had been dropped or dismissed at an earlier stage. Thus, the regression of going to trial versus pleading guilty on the seriousness of the charges includes only those charges which were active at that point.

Obviously, one of the most crucial variables which determines the probability of a case being prosecuted through the entire system is the seriousness of the charges involved. All else being equal, the district attorney ordinarily continues to prosecute the more serious cases. Many studies of the court process sytem (i.e., Cook and Nagin, 1979) have used only the most serious charge as the total measure for the seriousness of the case. We have chosen instead to use an additive seriousness measure which combines the seriousness rating of all charges against the defendant. The seriousness rating given to each charge is the maximum state prison sentence (in years) as specified in the California Penal Code for each penal code violation. This seriousness score is shown in Table A-2. (This Table does not show all of the different crimes, only the most frequent charges.) The seriousness score for each charge was summed to obtain a total measure of the ser-

Table A-1

Distribution of Number of Active Charges by Court Stage

Number of Charges	Initial Screening	Preliminary Hearing	Superior Court Arraignment	Plead Guilty vs. Trial
1	72.38%	54.58%	54.84%	52.98%
2	16.30	23.96	25.20	25.14
3	5.38	11.30	9.60	10.20
4	2.50	4.48	4.78	4.94
5 or more[a]	3.44	2.14	1.94	2.30
6 or more[b]		3.54	3.64	1.62
7 or more[c]				2.82
N =	5000	5000	5000	5000

[a] A maximum of 5 charges are used for analysis of Initial Screening

[b] A maximum of 6 charges are used for analysis of Preliminary hearing and Superior Court Arraignment

[c] A maximum of 7 charges are used for analysis of Pleading Guilty vs. Going to Trial

Table A-2

Severity Coding for Crimes

Severity Code (Maximum Sentence in years)	Crimes
Life (50 years)	Murder, Kidnapping for Ransom, Train wrecking
8 years	Rape, Sodomy, Forced sex with minor
7 years	Kidnapping, Arson, Felony commited with explosives
6 years	Mayhem, Assault with intent to commit murder or rape, Burglary*
5 years	Robbery, Selling controlled substance (drugs) Using minor to sell drugs
4 years	Bribing executive officer, Perjury, Manslaughter Extortion, Criminal Conspiracy*, Battery*, Assault with deadly weapon*, Sale of obscene material depicting minor*, Possession for sale of controlled substance
2 years	Sale of tear gas, Forgery*, Embezzlement*, Receiving stolen property*, Theft*, Car theft*, Fraud*, Altering firearm ID, Possession of controlled substance, Possession for sale of marijuana, Other drug crimes*, Possession of destructive device*, Possession of concealable weapon by felon*
1 year	Accessory to felony*, Bookmaking*, Drawing or exhibiting deadly weapon*, Vandalism*, Possession of firearm by felon convicted of crime with use of gun*, Driving while drunk and causing injury, Reckless driving with injury*, Failure to stop at scene of accident*
1/2 year	Assault, Riot participation, Disorderly conduct, Carrying loaded firearm

*These crimes are both felonies (state prison sentence) and misdemeanors (county jail and/or fine). These charges can be reduced to misdemeanors at any point during the court process.

iousness of the charges (called Severity in the regression tables). This severity score was trunctated to 50 years.

In addition to this seriousness score based on the maximum prison term specified by law, we have included a variable which measures the possibility of reduction of felony charges to misdemeanors. The California Penal Code specifies that certain crimes may be considered as either a felony (given a state prison sentence) or a misdemeanor (indicated by a non-state prison sentence, typically a county jail sentence or a fine). The charges which are felonies that can be reduced to misdemeanors are noted in Table A-2 with an "*." A dummy variable has been included in our analysis which is 1 if all charges are felonies that can be reduced. The inclusion of this variable helps to distinguish the major felony cases (those charges which carry a mandatory state prison sentence).

The defendant characteristics (such as age, race, sex, employment status and prior arrest record) and the crime characteristics (weapon present at time of offense, amount of property damage and victim injury) are gathered by the police at the time of arrest. This information is presented to the district attorney's office along with the charge information. All information at this point is entered into the PROMIS computer system to establish a case record for the defendant. Any information which the police have initially failed to record remains missing within the PROMIS data files. This defendant and case information is fully entered onto PROMIS, regardless of the initial screening decision. That is, the defendant and basic case information is not systematically missing for the cases that are rejected at the initial screening stage.

However, missing information is often extensive, particularly on the arrest record, weapon involvement and employment status of the defendant. If this basic case information is later presented to the district attorney (after the establishment of the PROMIS case record), it does not appear to get updated within the computer files. This may often occur with the defendant's arrest record which the police may have difficulty obtaining or completing prior to the initial presentation of the case to the district attorney.

Because the amount of missing information is extensive and may be related to other elements of the case (might be an indication of lack of careful police work, incomplete evidence or other variables which are not part of the PROMIS files), we have included dummy variables to represent missing data categories on weapon involved in the offense, employment status of the defendant, arrest record unknown and number of arrests unknown. In this way, we can see if this missing information does affect the court process outcomes and, more importantly, our analysis of the effect of the other categories is clearer. For example, the effects found for the involvement of a gun is in comparison to "No weapon," with similar comparisons being made in the cases of other missing value codes.

Appendix B

The analysis of the effects of a weapon upon the case dispositions presented in this report are based upon the OLS regression model. The sampling of the analysis files was done to maximize the variance of the binary dependent variable in order to minimize the effect of the known violations of assumptions of OLS when used with a binary dependent variable. In addition our main analysis results can be checked against the results, presented in this appendix, of similar modeling of the Los Angeles court system using maximum likelihood logistic estimation. These logit results are reproduced from Huey Chen's 1981 dissertation, "Disposition of Felony Arrests: A Sequential Analysis of the Judicial Decision-Making Process." A more complete discussion of results and the logit method can be found in his complete dissertation.

The logistic modeling of the LA court processes replicates the results presented in the report using OLS, particularly with regard to the effect of a weapon on the stages of court disposition. The logistic analysis presented here shows that a weapon involved in a case significantly increases the probability of being accepted at the initial screening and at the preliminary hearing. There is no weapon effect on the probability of being accepted or dismissed at the arraignment stage, however cases with a weapon involved are significantly more likely to go to trial than to plead guilty. The logistic models also show a significant weapon effect on the probability of being incarcerated for both those who plead guilty and those convicted at trial.

The coefficients presented in the tables of the logistic model are interpreted as changes in the log of the odds associated with one unit

change in the independent variable. For example, the coefficient for being male in column 1 of Table B-1 is .070; that is, males increase in comparison with females .070 in the log of the odds of being accepted at the initial screening stage. The last column of each table presents the odds ratios which are more easily interpreted. The odds ratio in the same table for Male means that the odds of a male being accepted in the initial screening stage is 1.073 times that for a female.

Table B-1

Estimated Coefficients of Logistic Model for Initial Screening Decision

Dependent Variable: Case accepted in the initial screening (coded 1)
Case rejected in the initial screening (coded 0)

Independent Variables	Coefficient	Asymptotic t-values	Odds of Accepting
Male	.070	.731	1.072
Race[a]			
Black	-.121	-1.511	.886
Hispanic	-.129	-1.430	.879
Other	.142	.615	1.153
Age[b]			
Age 20 or less	.063	.554	1.065
Age 21 to Age 25	.095	.879	1.100
Age 26 to Age 35	-.019	-.179	.981
Weapon at time of offense[c]			
Gun	.294 *	2.493	1.342
Other weapon	.023	.172	1.023
Unknown	.409 **	4.354	1.505
Arrest Record			
Previous Arrest, Number	1.008 **	12.804	2.740
Previous Arrest, Unknown Number	-.125 **	-7.598	.882
Arrest Record, Unknown	-.699	-1.376	.497
Severity of Crimes[d]	.055 **	8.830	1.051
Crime against Person[e]	-.593 **	-6.477	.553
Crime against Property[f]	.501 **	7.150	1.650
CONSTANT	-.679 **	-4.980	
N = 5000	ρ^2 = .26 -2log λ = 1809.66		

* Significant at .05 level.
** Significant at .01 level.

Table B-1 (continued)

[a]Dummy variables Omitted category is "White".

[b]Dummy variables Omitted category is "age 36 or older".

[c]Dummy variables Omitted category is "No weapon at time of offense".

[d]Severity index is sum of average prison time specified in California Penal Code for all charges.

[e]Dummy variable 1 = any of the charges is a crime against person.

[f]Dummy variable 1 = any of the charges is a crime against property.

Table B-2

Estimated Coefficients of Logistic Model for Preliminary Hearing Decision

Dependent Variable: Case accepted in the preliminary hearing (coded 1)
Case rejected in the preliminary hearing (coded 0)

Independent Variables	Coefficient	Asymptotic t-values	Odds of Accepting
Male	.239 **	2.544	1.270
Race[a]			
Black	-.311 **	-4.574	.718
Hispanic	-.367 **	-4.267	.693
Other	.145	.643	1.156
Age[b]			
Age 20 or less	.432 **	4.061	1.540
Age 21 to Age 25	.406 **	4.172	1.501
Age 26 to Age 35	.362 **	3.859	1.436
Weapon at time of offense[c]			
Gun	.219 *	2.171	1.245
Other weapon	.171	1.380	1.186
Unknown	-.119	-1.340	.888
Arrest Record			
Previous Arrests, Number	.021 *	1.986	1.021
Previous Arrests, Unknown Number	.148	1.493	1.160
Arrest Record, Unknown	-.187 *	-2.050	.829
Severity of Crimes[d]	.015 **	3.822	1.015
Crime against Person[e]	.228 *	2.246	1.256
Crime against Property[f]	.400 **	6.079	1.492
Defense Attorney[g]			
Privately Retained	.585 **	7.266	1.795
Court Appointed	-1.186 **	-4.731	.305
Other	-.139 *	-1.861	.870

Table B-2 (continued)

Independent Variables	Coefficients	Asymptotic t-values	Odds of Accepting
Personal Injury[h]			
Injury inflicted	-.397 **	-3.614	.672
Unknown Injury	-.522 **	-3.124	.593
Property Damage			
Value of Property Damaged	.094 **	3.291	1.099
Unknown	-.109	-.782	.897
Employment of Defendant[i]			
Employed	.094	1.247	1.099
Unknown	-.153 *	-1.917	.858
Witnesses[j]			
Police Officers	.164 **	7.758	1.178
Experts	.291 **	6.441	1.338
Eyewitnesses	.102 **	2.553	1.107
Other Lay Witnesses	.112 **	3.697	1.118
Victims	.275 **	6.681	1.316
CONSTANT	-1.998 **	-12.398	

N = 5000

$\rho^2 = .12$

$-2\log \lambda = 814.832$

* Significant at .05 level.
** Significant at .01 level.

Notes a - f see Table B-1.

[g] Dummy variables. Omitted category is "Public Defender".

[h] Dummy variables. Omitted category is "No injury".

[i] Dummy variables. Omitted category is "Not employed".

[j] Number of witnesses in each category.

Table B-3

Estimated Coefficients of Logistic Model for Arraignment Decision

Dependent Variable: Case accepted at the arraignment stage or after (coded 1)
Case rejected at the arraignment stage or after (coded 0)

Independent Variables	Coefficients	Asymptotic t-values	Odds of Accepting
Male	.418 **	4.309	1.519
Race[a]			
Black	-.279 **	-3.956	.756
Hispanic	-.278 **	-3.400	.757
Other	.362	1.464	1.436
Age[b]			
Age 20 or less	.361 **	3.524	1.435
Age 21 to Age 25	.374 **	4.011	1.454
Age 26 to Age 35	.240 **	2.643	1.271
Weapon at time of offense[c]			
Gun	-.039	-.431	.962
Other weapon	.011	.097	1.010
Unknown	-.283	-.032	.754
Arrest Record			
Previous Arrests, Number	.012	1.124	1.012
Previous Arrests, Unknown Number	-.076	-.823	.927
Arrest Record, Unknown	-.117	-1.248	.890
Severity of Crimes[d]	.003	1.156	1.003
Crime against Person[e]	.064	.683	1.066
Crime against Property[f]	.091	1.433	1.095
Defense Attorney[g]			
Privately Retained	-.098	-1.414	.907
Court Appointed	-1.490 **	-7.875	.225
Other	.251 **	3.054	1.285

Table B-3 (continued)

Independent Variables	Coefficients	Asymptotic t-values	Odds of Accepting
Personal Injury[h]			
Injury inflicted	-.164	-1.619	.849
Unknown	-.044	-.240	.957
Property Damage			
Value of Property Damaged	.129 **	4.776	1.137
Unknown			
Employment of Defendant[i]			
Employed	-.039	-.535	.962
Unknown	-.232 **	-3.092	.793
No. of days between Charging and Arraignment	-.002 **	-2.712	.998
Related Charges Dismissed	-.314 **	-2.459	.730
Witnesses[j]			
Police Officers	.100 **	4.857	1.105
Experts	.203 **	4.989	1.225
Eyewitnesses	.169 **	4.537	1.184
Other Lay Witnesses	.057 *	1.985	1.059
Victims	.096 **	2.537	1.101
CONSTANT	-1.202 **	-7.182	

N = 5000

$\rho^2 = .06$

$-2\log \lambda = 381.15$

* Significant at .05 level.
** Significant at .01 level.

Notes a - j see Tables B-1 and B-2.

Table B-4

Estimated Coefficients of Logistic Model for Trial Vs. Guilty Plea Decision

Dependent Variable: Defendant proceeds to trial (coded 1)
Defendant pleads guilty (coded 0)

Independent Variables	Coefficients	Asymptotic t-values	Odds of Accepting
Male	.220 *	2.109	1.246
Race[a]			
Black	.527 **	7.244	1.694
Hispanic	.366 **	4.394	1.442
Other	.355 *	1.664	1.426
Age[b]			
Age 20 or less	-.233 *	-2.264	.794
Age 21 to Age 25	-.160 *	-1.683	.852
Age 26 to Age 35	-.024	-.026	.976
Weapon at time of offense[c]			
Gun	.266 **	2.958	1.297
Other weapon	.102	.987	1.107
Unknown	.242 **	2.720	1.274
Arrest Record			
Previous Arrests, Number	-.007	-.079	.993
Previous Arrests, Unknown Unknown	.093	1.007	1.098
Arrest Record, Unknown	.232 **	2.420	1.261
Severity of Crimes[d]	.0004	.212	1.0004
Crime against Person[e]	.622 **	6.837	1.863
Crime against Property[f]	.167 **	2.586	1.182
Defense Attorney[g]			
Privately Retained	.112	1.584	1.118
Court Appointed	.730 **	3.874	2.075
Other	-.121	-1.401	.886

Table B-4 (continued)

Independent Variables	Coefficients	Asymptotic t-values	Odds of Accepting
Personal Injury[h]			
Injury Inflicted	.006	.060	1.006
Unknown	-.136	-.762	.873
Property Damage			
Value of Property Damaged	-.179 **	-6.770	.836
Unknown	-.238 *	-1.898	.788
Employment of Defendant[i]			
Employed	.062	.849	1.064
Unknown	.210 **	2.716	1.234
No. Days between Charging and Arraignment	-.003 **	-4.316	.997
Related Charges Dismissed	-.155	-1.141	.861
Witnesses[j]			
Police Officers	-.045 *	-2.122	.956
Experts	-.040	-1.025	.961
Eyewitnesses	.022	.632	1.022
Other Lay Witnesses	.065 *	2.293	1.067
Victims	-.188 **	-4.920	.829
CONSTANT	-.305 *	-1.773	

N = 5000

$\rho^2 = .07$

$-2\log \lambda = 419.27$

* Significant at .05 level.
** Significant at .01 level.

Notes a - j see Tables B-1 and B-2.

Table B-5

Estimated Coefficients for Logistic Model for Trial Decision

Dependent Variable: Guilty at trial (coded 1)
Acquital at trial (coded 0)

Independent Variables	Coefficients	Asymptotic t-values	Odds of Accepting
Male	.421 **	2.918	1.524
Race[a]			
Black	-.224 *	-2.055	.799
Hispanic	-.112	-.884	.894
Other	-.564 *	-1.994	.569
Age[b]			
Age 20 or less	.020	.138	1.020
Age 21 to Age 25	.039	.291	1.040
Age 26 to Age 35	-.244 *	-1.934	.784
Weapon at time of offense[c]			
Gun	.172	1.424	1.188
Other weapon	-.005	-.038	.995
Unknown	-.110	-.869	.896
Arrest Record			
Previous Arrests, Number	.006	.455	1.006
Previous Arrests, Unknown Number	.342 **	2.571	1.408
Arrest Record, Unknown	-.064	-.500	.938
Severity of Crimes[d]	.006 *	2.199	1.006
Crime against Person[e]	-.307 **	-2.472	.736
Crime against Property[f]	.355 **	3.842	1.426
Defense Attorney[g]			
Privately Retained	-.080	-.833	.923
Court Appointed	-.973 **	-4.091	.378
Other	.856 **	5.744	2.354

Table B-5 (continued)

Independent Variables	Coefficients	Asymptotic t-values	Odds of Accepting
Personal Injury[h]			
Injury Inflicted	-.139	-1.154	.870
Unknown injury	-.043	-.176	.958
Property Damage			
Value of Property Damaged	-.093 **	-2.478	.911
Unknown	-.089	-.525	.915
Employment of Defendant[i]			
Employed	-.169 *	-1.662	.845
Unknown	-.216 *	-2.063	.806
No. Days between Charging and Arraignment	-.001 **	-3.775	.999
Related Charges Dismissed	.136	.677	.873
Witnesses[j]			
Police Officers	-.062	-2.122	1.064
Experts	.029	.520	1.029
Eyewitnesses	.039	.919	1.040
Other Lay Witnesses	.038	.955	1.039
Victims	-.091	-1.620	.913
Type of Trial[k]			
Jury	.173 *	1.921	1.189
SOT	.584 **	3.730	1.793
CONSTANT	.740 **	3.022	

N = 5000

$\rho^2 = .05$

$-2\log\lambda = 180.406$

* Significant at .05 level.
** Significant at .01 level.

Notes a - j see Tables B-1 and B-2.

[k] Dummy variables. Omitted category is "Trial by judge".

Table B-6

Estimated Coefficients of Logistic Model for Sentencing Decision after Guilty Verdict

Dependent Variable: Prison or Jail Sentence (coded 1)
Non-prison or jail Sentence (coded 0)

Independent Variables	Coefficients	Asymptotic t-values	Odds of Accepting
Male	1.061 **	5.172	2.889
Race[a]			
Black	.326 **	2.539	1.385
Hispanic	.524 **	3.571	1.689
Other	.467	1.219	1.595
Age[b]			
Age 20 or less	-1.006 **	-5.848	.366
Age 21 to Age 25	-.167	-1.068	.846
Age 26 to Age 35	-.202	-1.318	.817
Weapon at time of offense[c]			
Gun	.513 **	3.631	1.670
Other weapon	.282 *	1.659	1.326
Unknown	-.084	-.549	.919
Arrest Record			
Previous Arrests, Number	.103 **	5.780	1.108
Previous Arrests, Unknown Number	.369 **	2.381	1.446
Arrest Record, Unknown	-.024	-.147	.976
Severity of Crime[d]	.042 **	7.753	1.043
Crime against Person[e]	.472 **	3.435	1.603
Crime against Property[f]	.373 **	3.436	1.452
Defense Attorney[g]			
Privately Retained	.083	.680	1.086
Court Appointed	.170	.586	1.185
Other	.416 **	2.824	1.516

Table B-6 (continued)

Independent Variables	Coefficients	Asymptotic t-values	Odds of Accepting
Personal Injury[h]			
Injury Inflicted	.034	.234	1.035
Unknown injury	.619 *	2.040	1.857
Property Damage			
Value of Property Damaged	.120 **	2.927	1.128
Unknown	.387 *	1.910	1.473
Employment of Defendant[i]			
Employed	-.374 **	-3.023	.688
Unknown	-.032	-.247	.968
Type of trial[k]			
Jury	.790 **	7.128	2.203
SOT	-.337 *	-2.107	.714
Judge[m]	5.647 **	11.027	283.440
CONSTANT	-2.95 **	-10.276	

N = 2332

$\rho^2 = .25$

$-2\log\lambda = 1614.972$

* Significant at .05 level.
** Significant at .01 level.

Notes a - k see Tables B-1, B-2 and B-5.

[m]Index of sentencing patterns of Superior Court judges obtained from the unstandardized regression equation of prison sentences on judge dummies. This variable is included to control for the effect of variance within sentence by judge.

Table B-7

Estimated Coefficients of Logistic Model for Sentencing Decision After Guilty Plea

Dependent Variable: Prison or Jail Sentence (coded 1)
Non-prison or jail sentence (coded 0)

Independent Variables	Coefficients	Asymptotic t-values	Odds of Accepting
Male	.193 *	1.765	1.213
Race[a]			
Black	.296 **	4.015	1.344
Hispanic	.273 **	3.382	1.314
Other	-0.44	-.178	.957
Age[b]			
Age 20 or less	-.848**	-7.666	.428
Age 21 to Age 25	-.139	-1.406	.870
Age 26 to Age 35	-.041	-.416	.960
Weapon at time of offense[c]			
Gun	.556 *	5.870	1.744
Other weapon	.372 **	3.313	1.451
Unknown	.310 **	3.611	1.363
Arrest Record			
Previous Arrests, Number	.097 **	9.193	1.102
Previous Arrests, Unknown Number	.506 **	5.260	1.659
Arrest Record, Unknown	.001	.009	1.001
Severity of Crime[d]	.039 **	7.784	1.040
Crime against Person[e]	.276 **	3.003	1.318
Crime against Property[f]	.082	1.234	1.086
Defense Attorney[g]			
Privately Retained	-.226 **	-3.306	.798
Court Appointed	.017	.104	1.017
Other	.191 **	2.159	1.210

Table B-7 (continued)

Independent Variables	Coefficients	Asymptotic t-values	Odds of Accepting
Personal Injury[h]			
Injury inflicted	.135	1.352	1.144
Unknown	.185	..986	1.203
Property Damage			
Value of Property Damaged	.139 **	5.631	1.149
Unknown	.273 *	1.969	1.314
Employment of Defendant[i]			
Employed	-.371 **	-4.766	.690
Unknown	-.042	-.538	.959
Judge[m]	2.699 **	8.625	14.865
CONSTANT	-1.351 **	-8.426	

N = 4998

$\rho^2 = .12$

$-2\log \lambda = 803.152$

* Significant at .05 level.
** Significant at .01 level.

Notes a - m see Tables B-1, B-2, B-5 and B-7.

END