

A RESEARCH STRATEGY
for the
FELONY CASE PREPARATION PROJECT

Vera Institute of Justice

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In 1977 the Vera Institute of Justice published a study of the disposition of felony arrests made in the City of New York. The study showed that 44 percent of all felony arrests resulted in no conviction of any kind, and that while the remaining 56 percent did end in convictions, only 15 percent of all felony arrests were convicted on felony charges. Although the pattern of "felony arrest deterioration" was extensive, Vera concluded that there was a roughly proportionate relationship between the seriousness of the arrest charge, the prior record of the accused, and the level of disposition and consequent sentence in the case. Where the charge was serious and the evidence strong, the process usually produced a relatively high level of conviction and a serious sentence. As might be expected, evidentiary strength was found to be crucial to the outcome of the case.

Even before the Vera study was published, criminal justice officials in New York had initiated programs designed to improve the effectiveness and efficiency of the case disposition process. Early Case Assessment Bureaus were established in all of the City's District Attorneys' Offices by the mid-1970's, as were Major Offense Bureaus and specialized prosecution units of various kinds (e.g., sex crimes units, consumer frauds units). While several of the Major Offense Bureaus (MOB's) showed impressive improvements in the conviction levels and sentences obtained in the cases referred to them, the evidence suggests that the overall pattern of felony arrest dispositions has not changed very much.

in the last several years. For example, Vera informally examined the disposition of felony arrests effected in the 43rd Precinct in the Bronx between January 1, 1978 and June 30, 1978 and found that only about 10% of these arrests resulted in felony convictions.

While officials continue to search for ways to improve the likelihood of conviction, they are also concerned with the efficiency with which these cases are disposed. It is clear, for example, that a substantial proportion of felony arrests will end in dismissal or acquittal. In a system plagued by a persistent scarcity of resources, it is important that these cases be dismissed early on, before they drain these resources unnecessarily. It is equally important to identify early those cases which might result in a high level of conviction, if given timely and proper attention by prosecutors and investigators. These concerns lay behind the creation of the Early Case Assessment Bureaus (ECAB's). However, while those bureaus did refer the most serious and strongest cases to specialized units for full and careful prosecution, they were less successful in expediting the disposition of likely dismissals and acquittals. According to prosecutors, this failure reflects the inadequacy of the information presented to them by the police at the time the complaint is drawn.

At the present time, when a felony arrest is made in New York City, the arrest is reviewed by a precinct desk officer

and the suspect is subsequently booked at a central booking facility. The essential purpose of the desk officer's review is to assure that the arrest was made properly. Typically, the arrest charge reflects the highest level of the offense which the arresting officer believes occurred. It does not reflect a Police Department judgement about the adequacy of the evidence available to support that charge. This traditional police focus on arrest, rather than conviction, underlies the periodic accusation of police overcharging. This procedure results in virtually all felony arrests being referred to the prosecutor in the complaint room. However, since the police have not had the resources to permit them to routinely conduct follow-up investigations after the arrest, the prosecutor in the complaint room does not have the benefit of a comprehensive presentation and assessment of the evidence available to prosecute the case.

These concerns have recently led police and prosecutors in the City to seek ways to improve the process by which the police prepare a case for prosecution. It is apparent that the absence of post-arrest investigations in felony cases has produced a number of undesirable conditions, including:

- i) Pieces of physical and testimonial evidence that might have been located or made secure through an immediate post-arrest investigation are sometimes lost, or deteriorate in quality from a lack of immediate attention.
- ii) Due to inadequate screening on the station house level, behaviors which may only constitute misdemeanors, or in some instances, no crime, are incorrectly labelled "felonies" and processed as such until arraignment.

- iii) The information about the offense and the offender, which is presented verbally by the arresting officer to the Complaint Room A.D.A., is not sufficiently detailed to permit the A.D.A. to make appropriate decisions. As a consequence:
 - a) Certain cases which will ultimately be dismissed for lack of prosecutorial merit or for evidentiary weakness, and should be disposed of on those grounds in the complaint room, are continued in the system. These cases draw unnecessarily on the scarce resources of the criminal justice system by cluttering the court dockets, consuming the time and resources of the prosecutor's office, and increasing police court-related overtime;
 - b) Certain cases which, given a thorough post-arrest investigation, could be tracked directly to the Grand Jury for felony disposition are inappropriately tracked for criminal court dispositions as misdemeanors;
- iv) Differences between police and prosecutor screening and charging policies have, at times led each of these agencies to assume defensive and sometimes adversarial postures.

The Police Department and the Bronx District Attorney's Office, with the assistance of the Vera Institute, have developed a project designed to increase police awareness of the evidentiary needs of the prosecutor, by directly involving the police in the case-building process. The project, entitled the Felony Case Preparation Project (FCPP), began operation on August 1, 1979 in the 43rd Precinct in the Bronx. It entails a basic restructuring of the post-arrest activities of the arresting offi-

cer, precinct supervisors and investigating detectives. Each felony arrest made in the 43rd, (except for a small number which result from intensive investigations involving specialized detective units, such as the Narcotics Division) is subjected to an intensive investigation conducted by a trained detective.

This investigation is intended to promote consistent and appropriate charging on the precinct level, and increase the efficiency of the court case-processing system by improving the quality and quantity of the information provided to the A.D.A. in the Complaint Room. These evidentiary improvements will, in turn, facilitate the early identification and disposition of weak or defective cases, and the appropriate tracking of strong and serious cases.

After conducting the investigation and conferring with the supervising sergeant (and in some cases the P.D. legal division), the detective may void the arrest, reduce the charge to a violation or a misdemeanor, or continue the case on felony charges. All charges are then reviewed by a supervisor.

In instances in which the P.D. charge is a felony, the results of the investigation are described in an Arrest Investigation Report (A.I.R.), which is given to the Complaint Room A.D.A. by the arresting officer.^{*} This report is designed to provide the A.D.A. with all the information needed

*How?
arresting
officer makes
investigation
signature?*

^{*} A report summarizing the result of the investigation is written in all cases. Reports on investigations that resulted in voided arrests are filed in the detective unit.

to make appropriate screening, charging, and case-tracking decisions. Each report, at a minimum, describes the following:

- how the crime came to the attention of the police (e.g. crime in progress);
- the nature and circumstances of the offense including a description of the nature of the relationship between the suspect and the complainant;
- the way in which the suspect was identified (show-up, line-up, photoidentification, etc.);
- the way in which the suspect was apprehended (e.g. at the scene of the crime, turned himself in, etc.);
- statements made by the complainant, witnesses, and the defendant;
- the prior criminal history of the defendant;
- physical evidence that has been vouchered;
- the willingness of the complainant to proceed with the prosecution.

By improving police charging practices and presenting more and better information to the prosecutor at the very beginning of the process, the project aims to weed out un-prosecutable cases in a more timely and effective manner, strengthen the evidence against defendants who are continued for prosecution and thus increase the number and level of convictions in felony cases. Moreover, by focusing the attention of the police on the kinds and quality of information needed for effective prosecution, it is hoped that the project will increase the level of mutual understanding between police and prosecutor.

The routine conduct of post-arrest investigations is a
new function for detectives in the New York City P.D. The
complement of detectives in the 43rd Precinct has been in-
creased, since this new function will be added to the exist-
ing responsibilities of detectives at the precinct level.
These responsibilities include investigating all crime com-
plaints that are not immediately cleared by arrest, interro-
gating arrested persons about their possible involvement in
other open complaints, and conducting special investigations
into suspicious activities and crime producing situations.
The project hopes to demonstrate that the new responsibilities
increase the interest and rewards of the detective role by
permitting the detective to contribute directly to a more ef-
fective and more efficient case disposition process.

The creation of new tasks related to the processing of
felony arrests, and the consequent increase of personnel to
deal with those cases have resulted in new costs which are now
being met through federal project funding. However, it is con-
ceivable that these new tasks, if they produce desirable re-
sults, could be institutionalized without requiring a net in-
crease in departmental costs. Thus, for example, it may be
possible for detective units in most precincts to assume these
new responsibilities without increasing the size of the unit.
If so, the project would yield the additional benefit of in-
creasing detective unit productivity throughout the Department.

drop this
✓

Even if some increase in the size of Precinct Detective Units were required to institutionalize the new investigative procedures, the costs incurred could be offset by the anticipated improvements in case processing efficiency. More specifically, it is expected that the more effective and timely weeding out of cases that cannot be prosecuted successfully will reduce the amount of court time (including overtime) required from police.

*Use this
argument --
cost it out*

Finally, those same improvements in case processing efficiency, if they are realized, should produce cost savings or productivity increases for the prosecutor, Legal Aid Society and the court. Thus, savings experienced by other elements of the system could offset cost increases that might be incurred by the police.

The FCPP is being supported with LEAA block grant funds awarded to the City's Criminal Justice Coordinating Council by the State Division of Criminal Justice Services. The funds are being used by the Police Department and the Bronx District Attorney's Office for project operation. The Vera Institute's Director of Police Planning functions as the day-to-day operations director of the project in the 43rd Precinct and the Research Department is currently working on a design to thoroughly research the project's effects. In fact, conducting careful research on this project is crucial to the interests of all the agencies involved.

Both the Police Department and the District Attorney's Office are interested in determining whether or not the post-arrest investigation can indeed produce more and better information within a reasonably brief period of time, and in assessing the extent to which that information is useful for the purposes of prosecution. The police are especially anxious to use the project to document procedures for effective case building, and the public safety and crime prevention goals of both agencies give them a special interest in the project's potential for increasing the number and level of convictions in felony cases. Finally, all criminal justice agencies look to see whether or not this project can indeed reduce the level of resource commitment currently required by cases which ultimately result in dismissals.

The Vera Institute wishes to undertake research on the project, not only for the reasons presented above, but also because the project offers a unique opportunity to expand our understanding of the case disposition process and the manner and extent to which case related information can influence it. Vera's recent research on the Victim/Witness Assistance Program indicates that there are circumstances under which the provision of information to the prosecutor about the complainant's cooperativeness can effect both the timing and the substance of case dispositions. In the V/WAP research that effect is understood within a conceptual framework which views the disposition process ~~and~~ ^{as} a network of exchanges among the

prosecutor, defense and the court. Information made available only to the prosecutor tips the exchange process in his favor, so that he is better able to resist defense motions to adjourn when a complainant he knows to be cooperative is absent from a given court appearance. Moreover, when the prosecutor knows the witness to be totally uncooperative, he is more inclined to press for immediate disposition and to accept a plea which is lower than he might otherwise accept.

The information which will be provided to the prosecutor in the FCPP includes information about witness cooperativeness and a great deal more. Indeed, the intention of the project is to present all categories of information which are thought to be needed for prosecution. By studying the timing and substance of dispositions in project cases, and the processes by which the various criminal justice officials perceive and use that information, we can examine further the utility of the exchange perspective in understanding the criminal disposition process. Indeed, it should be possible to estimate the relative impact of various categories of information on the dispositional outcome, and to understand better what a prosecutor does and why he does it when presented with case information that appears to conflict with his interest in obtaining a conviction.

The essential utility of this project, therefore, lies in its demonstrating that the routine conduct of post-arrest investigations in felony cases does produce information that is

useful to the decision makers in the case disposition process, and that this information permits the more effective identification of weak cases, more timely dispositions, more convictions and a pattern of higher level convictions among those cases which are accepted for prosecution. That demonstration will, in turn, require the conduct of thorough and careful research on the project for which full support is not now available. The remainder of this concept paper describes the principal areas of research concern which we propose to explore, as well as the general research strategies which we would use in addressing those concerns. The paper concludes by identifying the resources needed to implement the research and estimating the financial support we seek.

II. PRINCIPAL RESEARCH CONCERNS

A) The impact of the program on the amount and quality of information produced by the police at the complaint stage.
The unique element of this project is the post-arrest investigation conducted by the detective and the case-related information produced by that investigation. The program managers expect that this new element in the case disposition process will, in turn, produce a number of changes in the pattern of dispositions produced by that process, and in the pattern of interactions among criminal justice officials that takes place during that process. Later sections of this document set forth these change hypotheses more fully and describe the design strategies which the research will use to test them. However, before testing the impact of a presumed independent variable (new information, better presented), we must first determine whether or not that variable was actually produced by the project. A strategy for making that determination is described here.

The more specific program hypothesis here is that the process of investigation and preparation of the A.I.R. will produce more information of better quality that is pertinent to the prosecutor's decision-making than present procedures produce from the point of arrest to the completion of case tracking decisions in the District Attorney's Felony Case Bureau.

The information produced in project cases is presented in both the written A.I.R. and in the verbal comments of the arresting

*Who writes
A.I.R.?
Where is
detective?*

officer and complainant. The non-project procedures for processing the arrest and the relevant forms which the police complete during that process are described below.

1) Complaint Form -

At the present time, the police prepare a complaint form for all criminal incidents reported to them. That complaint form calls for the recording of information about the nature of the incident reported, the time and place of its occurrence, the characteristics of the property attacked, if it was a property crime, the characteristics of the victim if it was an offense against person, a description of vehicles and property involved in the incident, an identification of the person arrested, or, in the event that there was no arrest, but a suspect was identified, the suspect's identity, along with that of any other people wanted in connection with the incident. This form is completed by the police at the time the incident is reported. Thus, in those cases where the incident is observed by the arresting officer, or where the incident is reported to an officer on patrol and an arrest is made shortly thereafter, the complaint form is completed by the arresting officer at the same time that he completes his arrest report. This police complaint form, once completed, is maintained in the police records, and normally does not go to the prosecutor.

Will all these be continued?

Design alternatives
(1) Return all current procedures just add ATR

(2) ATR replaces some current procedures

2) The Arrest Report -

The arrest report is completed in the precinct after an arrest is made. In addition to much identification information about the arrestees, the report calls for information about the circumstances of the arrest, the charges under which the person was arrested, the identity, rank and unit of the arresting officer, the nature of the original complaint and the complainant's identify and relationship to the arrestee, the physical condition of the arrestee at the time of arrest, some information regarding his prior criminal record, and the identity of others arrested in connection with the same complaint.

A scratch copy of the arrest form is completed in the precinct, and the "good" copy is completed in the central booking facility. A copy of this "scratch" report is presented to the prosecutor in the complaint room.

When the defendant is brought to the central booking facility in the Bronx, he is fingerprinted and photographed. His prints and identification are sent to the State Division of Criminal Justice Services to determine the extent and nature of the defendant's prior criminal history, if any. At the same time, a check is made to determine whether or not there are any outstanding arrest or bench warrants on the defendant.

Compare to ATR both? Why shorten to account of arresting officer of incident? why prior record is able to be deferred

*Prepare std form
& Xerox - hold
hold on system*

3) Pre-arraignment/Arraignment Report (Misc. 333) -

In the Bronx, the arresting officer then proceeds to the pre-arraignment unit where he completes additional forms. One of these describes his projected duty schedule and is used by the pre-arraignment unit to schedule a post-arraignment appearance by the officer, if one is necessary. The officer also completes a "Pre-arraignment/Arraignment Report" (Misc. 333) at this time. Only one of these forms is completed per case, regardless of the number of defendants involved in that case. The document contains information about the arresting officer, including his schedule availability for subsequent court appearances, if necessary, and the names, addresses and phone numbers of the complainants and witnesses. In addition, the form calls for some coded information concerning the circumstances of the arrest and a narrative description of the incident and the arrest. Finally, the form provides for recording dispositional information through arraignment. This form is brought to the complaint room by the arresting officer.

*Generate by
system*

4) Felony Case Evaluation Unit Form and the Prosecutor's Case Jacket

The arresting officer then proceeds to the District Attorney's Felony Case Bureau (FCB) where he presents the ADA with the arrest report, the Misc. 333, and a ver-

bal description of the incident and the arrest. In the Bronx, the complainant will also be present at this point in the process, and both he and the arresting officer will attempt to answer any questions which the ADA may have. Here the ADA makes the decision to accept or reject the case for prosecution, sets the charges on which the case is accepted for prosecution, and accords it a particular "track" which describes how he thinks the case should be prosecuted. A-track cases go directly to the Grand Jury for indictment; B-track cases will go first to a preliminary hearing in the criminal court and thence to the Grand Jury, if the strength of the case holds up. The C-track represents a temporary holding pattern in which the ADA feels the need for more information before determining how to handle the case. Often times, this will be more information on the extent of the victim's injuries, or the prior criminal record of the defendant. It is important to note that the official "rap sheet" is rarely available at the time the defendant is first brought to the prosecutor's attention. Cases given a D-track are destined to be disposed of in the criminal court as a misdemeanor or violation, while the E-track indicates that the case has little merit and should be disposed of at arraignment. These decisions are made by the ADA on the basis of the re-

ports described above and the verbal presentations and responses offered by the arresting officer and the complainant.

At this time the ADA also completes a Felony Case Evaluation Unit Form. This is a District Attorney's form which identifies the defendant and the ADA reviewing the case for the FCB, indicates the track assigned and provides a brief description of the reasons for the tracking decision. At this time, too, the Prosecutor's Case Jacket is initiated. Eventually, this file will contain all of the prosecutor's papers and official forms used in disposing of the case.

Despite the fact that these forms, taken together, call for a substantial amount of case-related information, we hypothesize that the investigation and AIR done in project cases will produce more information of better quality. Previous research suggests that the forms identified above are not completed with great care and thoroughness. Moreover, we suspect that the information provided by the police on the complainants and witnesses, especially their relationship to the defendant, is not entirely reliable. In addition, it appears that the statements of the complainants and witnesses are often not carefully recorded by the police. Finally, none of the forms calls for an assessment of the strength of particular pieces of evidence, or the cooperativeness and reliability of the complainant and witnesses; nor is

Why will AIR?

Will this really change

there any suggestion that the police might identify elements of the case that could be strengthened by some immediate actions of the prosecutor or other criminal justice official.

On the other hand, the post-arrest investigation conducted in project cases will seek information on all of these items of concern to the prosecutor. In addition, the AIR will present some information on the suspects prior criminal history -- information which, under present procedures, is rarely, if ever, present at the complaint stage. Therefore, it is reasonable to hypothesize that the project will produce more reliable information about the case for the prosecutor's initial consideration than is produced without the AIR.

from where?

In testing this hypothesis, we will compare a content analysis of the AIR with a content analysis of the forms accumulated in non-project cases.* The analysis will attempt to compare both the quantity of information and the manner of its presentation.

The data produced by this content analysis will be supplemented by observational data that describes the kinds of information presented verbally to the A.D.A. by the arresting officer and complainant. In this regard, we would expect to find the officers in project cases better prepared than those in non-project cases to respond satisfactorily to the questions asked by the A.D.A.

*Why? }
is there
separation
(A.O. officer,
I.O. officer)*

*The design for conducting this research is discussed in Section III of this document.

B) The impact of the project on case disposition patterns.

There are a number of points in the case disposition process at which decisions are made that effect the outcome of the case.

These points include at least the following:

Now?

- The point of arrest, itself. The arresting officer makes a tentative decision on the nature of the charges;
- The desk officer's review of the arresting officer's charges produces the charges on which the defendant will be officially booked;
- In the FCPP the recommendations of the investigating detective and his superior may result in voiding the arrest or in increasing or decreasing the level of the police charge;
- In the Felony Case Bureau, the ADA may refuse to accept the case for prosecution, or in accepting the case may decrease or increase the level of formal charge. In addition, the ADA in the FCB assigns a track to each case (A thru E) indicating how the case should be prosecuted. In the Bronx, A and B track cases remain the responsibility of the ADA who assesses them in the Felony Case Bureau. C track cases will be returned to that ADA, if it is decided to pursue them as felonies;
- In the Complaint Room, the ADA merely draws the formal complaint on A and B tracked cases. However, on C-tracked cases, the information sought may be obtained in the Complaint Room and then result in formal charges which are different from the arrest charges. In addition, the track on these charges may be changed at this point in the process. Cases which were given D or E tracks may be given charge reductions or rejected for prosecution at this time;
- At Criminal Court arraignment, charges may be changed on cases of any track. In addition, a substantial number of D and E tracked cases, as well as some portion of those cases that were initially C-tracked may be reduced to misdemeanors and disposed of at this point;

- At the preliminary hearing in Criminal Court, the charges in some B and originally C-tracked cases may be changed. In fact, some of these cases may be reduced to misdemeanors and disposed of by plea at this point. D and E tracked cases which survive to this point may be reduced to misdemeanors and disposed of by plea;
- Cases which go to the Grand Jury may result in indictments on felony charges, or either the same or lower level as the FCB charges, no bills, or reduction of charges to misdemeanors;
- Cases which emerge from arraignment, preliminary hearings, or Grand Jury presentation as misdemeanors will be scheduled for trial in the Criminal Court. However, the vast majority of these cases will be disposed of by plea in the Criminal Court. This disposition may be rendered, however, after one or more adjournments.
- Cases which waive Grand Jury presentment may either go as a felony to the Supreme Court for disposition, or may enter a felony plea before an acting Supreme Court justice sitting in the Criminal Court. The vast majority of those cases which go to the Supreme Court will also be disposed of by plea to either a felony or misdemeanor.
- Cases which are indicted by the Grand Jury will go to Supreme Court for disposition. Again, most of these dispositions will be by plea, and may be to either a felony or misdemeanor.

The decisions rendered at each of these points are influenced by the information available to the decision-makers, especially information regarding the circumstances of the offense, the character and criminal history of the defendant, and the nature and strength of the physical and testimonial evidence in the case. The more reliable information of this

kind made available to the decision-maker, the more able he is to make decisions which are consistent with the general norms applicable to his role in the dispositional process.

For the prosecutor, who will be the recipient of the new information produced by the project, these general norms include: emphasis on securing speedy dispositions in order to conserve scarce resources; the expectation that exculpatory evidence will be made available to the defense and will be considered by the prosecutor in decisions on how to handle the case; the expectation that he will make every effort to secure a conviction on a level consistent with the "value" of the case. The "value" or "going-rate" of a case is the level of conviction and sentence generally thought by prosecutors, defense counsel and judges to be appropriate for cases of that type. Types of cases are informally defined by these principle actors in the disposition process as different configurations of four major dimensions of a criminal case. Those dimensions are: the actual facts of the case (i.e., what actually took place within the context of what mitigating and aggravating circumstances); the seriousness of what actually happened; the character and prior criminal record of the defendant; and the nature and strength of the evidence available for prosecution.

Within this conceptual framework, we would entertain a number of hypotheses regarding the impact of the post-arrest investigations and the AIR on the case dispositional process.

These include:

- The information produced by the investigation and reported in the AIR will result in an increase in the number of felony arrests seen as non-serious and as lacking the evidence needed for effective prosecution;
- The investigation will lead the investigating detectives and their supervisors to increase the number of voided arrests and increase the number of felony arrest charges that are reduced to misdemeanors;
- This will lead to a reduction in the ratio of felony arrests to misdemeanor arrests;
- The post-arrest investigation will also lead to a reduction in the proportion of felony arrests that are referred to the FCB for prosecution;
- The extent and quality of the information reported in the AIR will result in ADA's in the FCB increasing the number of cases that are rejected for prosecution, and in increasing those which are accorded D and E tracks;
- The extent and quality of the information provided in the AIR will result in decreasing the number of cases that are C-tracked for want of additional information;
- The post-arrest investigation and consequent AIR will help to catch and preserve evidence that might otherwise be lost and in identifying those complainants and witnesses who require special attention to assure their cooperation. This general strengthening of evidence in the case will produce an increase in the number of cases which are accorded an A or B track by the ADA in the FCB;
- The AIR will permit the ADA to make more definitive tracking decisions, and will provide the prosecution generally with more and better evidence to support the charges set at the FCB. Therefore, there will be an increase in the number of low tracked cases that are disposed of at arraignment and immediately thereafter. On the other hand, there will be a decrease in the number of high-tracked cases that are disposed of or given significant charge reductions at the arraignment, or at the preliminary hearing.

- There will be an increase in the proportion of convictions obtained among those cases accepted for prosecution and general increase in level of the conviction obtained.
- As a result, there will be a general increase in the seriousness of the sentences imposed after conviction;
- The time to disposition, as measured by both the number of days to disposition and the number of post-arraignment appearances required, will be reduced in low-tracked cases. Since the prosecutor's bargaining position in high-tracked cases has been strengthened by the AIR, these cases may also come to disposition more rapidly, especially if the ADA reveals the strength of his case to defense counsel.

C) The impact of the project on the case disposition process. In the preceding section we discussed our expectations regarding the impact of the project on dispositional outcomes. We are also concerned with the process that produces those outcomes.

Prior to the presentation of the case in the complaint room, we are interested in determining whether or not the operation of the project has any effect on the manner in which arresting officers make charges in the first place. It is possible that the officers in the 43rd Precinct, knowing that a felony charge will initiate a post-arrest investigation, will be more cautious in making such charges for fear of having them voided or reduced even before the case leaves the station house. This possibility is more likely if overcharging is fairly extensive in the first place. It could be reflected in a lower volume of felony arrests, in the care given to the initial charge decision, and in the kinds of factors that are considered in making that decision.