

ICPSR 6501

## **Dynamics of Change in the Criminal Case Plea Bargaining System: New York City, 1800-1890**

Description

Inter-university Consortium for  
Political and Social Research  
P.O. Box 1248  
Ann Arbor, Michigan 48106  
[www.icpsr.umich.edu](http://www.icpsr.umich.edu)

## **Bibliographic Description**

ICPSR Study No.: 6501

Title: Dynamics of Change in the Criminal Case Plea Bargaining System: New York City, 1800-1890

Principal Investigator(s): Chester L. Mirsky, New York University. School of Law

Edelle Ortese, New York University. School of Law

Funding Agency: National Science Foundation. Law and Social Sciences Program

Grant Number: SES-9010178

Bibliographic Citation: Mirsky, Chester L., and Edelle Ortese. Dynamics of Change in the Criminal Case Plea Bargaining System: New York City, 1800-1890. ICPSR06501-v1. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 1993.  
<http://doi.org/10.3886/ICPSR06501.v1>

## **Scope of Study**

Summary: This study analyzes the ascendancy of a single form of dispute processing--the guilty plea--in New York City's principal indictment court, and its connection to law enforcement, judges, and lawyers. A major component of the study is a statistical analysis of data presented in the Minute Book of Court of General Sessions and maintained at the New York City Archives. A second data source is the New York City district attorney's case files, also maintained at the New York City Archives. Part 1, District Attorney Case File Data, contains a sample of cases throughout the century taken from the district attorney's files. Variables cover charge filed, method of arrest, nature of testimony, presence of the lawyers, role of police, private prosecutor, and magistrate, and demographic information about the defendant and victim. Part 2, Lawyer Data, records the frequency of the appearance of individual lawyers, the charges in the cases in which they appeared, the lawyering activities they undertook, and the method of case disposition. Part 3, Minute Book Data, reflects the workday of the Court of General Sessions, including the number of cases processed in court on any given day, the number of defendants tried, the details of charges, joinder, witness examinations, outcome and sentence, and the number pleading guilty. Part 4, Cases Tried Data, not only records cases tried but also includes the top count, legal representation, result, and sentence, and for cases pleading guilty contains the top count charged, top count accepted, and sentence

imposed. District Attorney Reference Data, Part 5, contains cases in which copies of the district attorney's papers were not found. These cases occurred on the same day as cases for which copies of the district attorney's papers were recorded. This data served as a control group for the District Attorney Case File Data.

Subject Term(s): attorneys, case processing, courts, guilty pleas, judges, indictments, law enforcement, plea negotiations, testimony

Geographic Coverage: New York City, New York (state), United States

Time Period: • 1800 - 1890

Date(s) of Collection: • 1990 - 1993

Universe: Nineteenth-century criminal cases that originated in New York City's Special Sessions Court and proceeded to indictment in the Court of General Sessions.

Data Type: event/transaction data and administrative records data

## Methodology

Sample: Sampling varied with each dataset. For the District Attorney Case File Data and District Attorney Reference Data, data were drawn from sources every fifth year, beginning in 1800 and continuing until 1879, at 30-day intervals. For the Lawyer Data, data were sampled every five years beginning in 1800 and continuing through 1890. For the Minute Book Data and the Cases Tried Data, the interval used was every ten years beginning in 1800 and continuing through 1890.

Data Source: official records

## Access and Availability

Note: A list of the data formats available for this study can be found in the [summary of holdings](#). Detailed file-level information (such as record length, case count, and variable count) is listed in the [file manifest](#).

Original ICPSR Release: 1996-02-26

Version History: The last update of this study occurred on 2006-01-12.

2006-01-12 - All files were removed from dataset 11 and flagged as study-level files, so that they will accompany all downloads.

2005-11-04 - On 2005-03-14 new files were added to one or more datasets. These files included additional setup files as well as one or more of the following: SAS program, SAS transport, SPSS portable, and Stata system files. The metadata record was revised 2005-11-04 to reflect these additions.

- Dataset(s):
- DS1: District Attorney Case File Data
  - DS2: Lawyer Data
  - DS3: Minute Book Data
  - DS4: Cases Tried Data
  - DS5: District Attorney Reference Data
  - DS6: SAS Data Definition Statements for District Attorney Case File Data
  - DS7: SAS Data Definition Statements for Lawyer Data
  - DS8: SAS Data Definition Statements for Minute Book Data
  - DS9: SAS Data Definition Statements for Cases Tried Data
  - DS10: SAS Data Definition Statements for District Attorney Reference Data