


September 19, 2006

To: John Van De Kamp, Chair, CFAJ
Jerry Uelmen, Executive Director, CFAJ
Chris Boscia, Executive Assistant, CFAJ

From: Michael P. Judge
Public Defender, County of Los Angeles
Commissioner, CFAJ 

Re: Informant ("Snitch") Testimony Survey - State of California
(Except Los Angeles County)

My attempts to secure data statewide were unsuccessful until the above referenced survey was accomplished on line via a web-based instrument set up by Michael Cantrall, Executive Director of the California Public Defenders Association. Although the numerical order of the questions differs from the Los Angeles County Public Defender's survey, the content of the questions is nearly identical. It should be noted the statewide survey was made available to Public Defender and non-Public Defender criminal defense lawyers.

As of Tuesday, 9/19/06, 9:00 a.m., there were 202 respondents (including 12 from the Los Angeles area) to the statewide survey. Only the Counties of Alpine, Calaveras, Colusa, Del Norte, Inyo, Kings, Mariposa, Mono, Plumas, San Benito, San Mateo, Sierra, Sutter, and Trinity failed entirely to respond. Slightly more than half (52.5%) of the respondents in the statewide survey identified themselves as Public Defender attorneys.

I. There appears to be a paucity of knowledge statewide among Public Defenders and other criminal defense lawyers about the existence and provisions of District Attorneys' policy regarding the use of informants testimony.

108 of 163 statewide respondents did not know if the District Attorneys Office in their County had written policies / procedures / guidelines re the use of informant testimony in court procedures, and another 38 of the 163 thought the District Attorneys Office did not have such policies.

64 of 76 statewide respondents did not know if existing District Attorney policies / procedures / guidelines required corroboration of such informant testimony.

50 of 66 statewide respondents did not know if their local District Attorney's policies / procedures / guidelines required electronic recording of the statements of declarant / defendant and informant.

II. There is limited awareness statewide among Public Defenders and other criminal defense attorneys regarding compliance by courts, prosecutors, law enforcement and informants with the reform legislation enacted in the wake of the jailhouse snitch scandal and grand jury report.

75 of 161 respondents to the statewide survey did not know if bench officers upon request routinely give the cautionary instruction about jailhouse informant testimony, another 19 of the 161 believed that judges did not give such instructions routinely upon request.

97 of 162 respondents did not believe prosecutors routinely file a written statement of all consideration promised to and received by jailhouse informants, and another 53 of the 162 did not know if prosecutors routinely filed such statements.

81 of 162 respondents to the statewide survey did not know if prosecutors attempt to notify victims of jailhouse informants of consideration offered to such informants, and another 79 of the 162 believed prosecutors did not make such attempts.

124 of 163 respondents to the statewide survey did not know if law enforcement limited money compensation to jailhouse informants to \$50.00, and another 31 of the 163 did not believe law enforcement complies with that limit.

84 of the 159 respondents to the statewide survey did not know if law enforcement avoided action deliberately designed to elicit incriminating statements, and another 66 of the 159 did not believe law enforcement avoided such actions.

102 of 161 respondents to the statewide survey did not know whether in custody informants avoided action deliberately designed to elicit incriminating statements, and another 56 of 161 did not believe that informants avoided such action.

III. There is an overwhelming consensus statewide among Public Defenders and other criminal defense attorneys regarding certain issues.

153 of 161 respondents to the statewide survey believe that apart from District Attorney policy, corroboration should be legally required for in custody informants.

Likewise, 153 of 161 respondents to the statewide survey believe that apart from District Attorney policy, corroboration should be legally required for out of custody informants.

142 of 159 respondents to the statewide survey believe that the standard of corroboration required for in custody informants should be higher than for accomplices.

Likewise 134 of 157 respondents to the statewide survey believe that the standard of corroboration required for out of custody informants should be higher than for accomplices.

Of the 161 respondents to the statewide survey it was nearly unanimous that there is a need for more training regarding the use of informant testimony for judges (154 of 161), prosecutors (150 of 161), law enforcement (150 of 161) and defenders (152 of 160).

- IV. Of those responding to the question statewide more than two thirds believe the District Attorneys did not provide discovery regarding informant testimony promptly.

110 of the 163 respondents to the statewide survey did not believe the District Attorneys Office promptly provides discovery regarding informant testimony, 34 of 163 thought the District Attorneys did provide the information promptly, and 19 of the 163 did not know whether such discovery was provided promptly.

Statewide survey questions 19-33 solicit data regarding the incidence of the use of informant testimony under a variety of circumstances and during specified time periods. There was a large number of persons who skipped some or all of these questions.

Question 29 focused on the classic "jailhouse snitch" situation of the informant and defendant being in custody during 1980-89. It is interesting to note that only 62 persons responded and 140 skipped the question. Further 69.4% of those responding were not aware of a single such case during that notorious era. However, two persons knew of 20 cases each, another one knew of 25 such cases and one person was aware of more than 100 such cases.

It is likely that many of the practitioners who were doing felony cases in the 1980's that involved informant testimony were not surveyed. To place some perspective on this phenomenon I have been the Chief Public Defender in Los Angeles since 1994, and during that period I personally hired approximately 620 lawyers. There are currently 720 lawyers in the office. Obviously many from the earlier time frame have departed.

There are more than 3,500 dues paying members (Public Defenders and private practitioners) in the California Public Defenders Association, yet only slightly more than 200 answered any part of the survey. Ineluctably there is a high likelihood of undercounting of informant testimony cases in the data. Conversely the respondents were asked to provide statistics for all cases of which they are aware, which can lead to over counting.

MPJ:ij

Results Summary

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Filter Results

To analyze a subset of your data, you can create one or more filters.

[Add Filter...](#) **Total:** 202
Visible: 202

1. Select the county for which answers to this survey apply (complete separate survey per county)

1. Please select from below the California county in which you practice criminal defense law. All of your subsequent answers in this survey should pertain to only the county you select. If you have additional counties for which you have information, please come back after finishing this survey and complete it again for the additional county(s):


	Response Percent	Response Total
Alameda	9.5%	19
Alpine	0%	0
Amador	0.5%	1
Butte	1%	2
Calaveras	0%	0
Colusa	0%	0
Contra Costa	2.5%	5
Del Norte	0%	0
El Dorado	1%	2
Fresno	1%	2
Humboldt	0.5%	1
Imperial	0.5%	1
Inyo	0%	0
Kern	2%	4
Kings	0%	0
Lake	0.5%	1
Lassen	0.5%	1
Los Angeles	6%	12
Madera	1%	2
Marin	1.5%	3
Mariposa	0%	0
Mendocino	1%	2
Merced	1%	2

Modoc	0.5%	1
Mono	0%	0
Monterey ■	2.5%	5
Napa	1.5%	3
Nevada ■	2.5%	5
Orange ■	4.5%	9
Placer	0.5%	1
Plumas	0%	0
Riverside ■	3%	6
Sacramento ■	8.5%	17
San Bernardino ■	6%	12
San Benito	0%	0
San Diego ■	9%	18
San Francisco ■	3.5%	7
San Joaquin	1%	2
San Luis Obispo	0.5%	1
San Mateo	0%	0
Santa Barbara	1.5%	3
Santa Clara ■	4%	8
Santa Cruz ■	2.5%	5
Sierra	0%	0
Siskiyou	1.5%	3
Solano	1.5%	3
Sonoma ■	4.5%	9
Stanislaus ■	2%	4
Sutter	0%	0
Tehama	1%	2
Trinity	0%	0
Tulare	1.5%	3
Tuolumne	0.5%	1
Ventura	1.5%	3
Yolo ■	3.5%	7
Yuba	1%	2
Total Respondents		200
(skipped this question)		2

2. Please indicate whether you are a county-employed deputy public defender (alternate, assistant public defender, associate public defender) or whether you are in private criminal defense practice. Note: Do not complete this survey if you are not a criminal defense attorney.

	Response Percent	Response Total
Public Defender Attorney [REDACTED]	52.5%	105
Private Criminal Defense Attorney [REDACTED]	47.5%	95
Total Respondents		200
(skipped this question)		2

3. Although this survey is completed anonymously, you may enter a combination of letters, numbers, initials, etc. below to which you may refer later if you wish to call CPDA and change any of your answers - e.g. if you selected the wrong county by accident at the start of this survey (this way we can find your survey response sheets). You do not have to write anything below if you do not wish.

 Total Respondents	57
(skipped this question)	145

4. Does the District Attorneys Office in your County have written policies / procedures / guidelines re the use of Informant testimony IN COURT PROCEEDINGS? Note: All of the questions pertain to testimony by informants in court proceedings.

	Response Percent	Response Total
Yes [REDACTED]	10.4%	17
No [REDACTED]	23.3%	38
Don't Know [REDACTED]	66.3%	108
Total Respondents		163
(skipped this question)		39

5. If you answered Yes above, do the policies / procedures / guidelines require corroboration of the informant testimony?




	Response Percent	Response Total
Yes [REDACTED]	2.6%	2
No [REDACTED]	13.2%	10
Don't Know [REDACTED]	84.2%	64
Total Respondents		76
(skipped this question)		126

6. If you answered Yes to the question regarding a written policy by the DA, do those policies/procedures/guidelines require electronic recording of the statement of declarant/defendant and informant?




Response Percent	Response Total
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Yes		4.5%	3
No		19.7%	13
Don't Know		75.8%	50
Total Respondents			66
(skipped this question)			136

7. Does the District Attorney's Office provide discovery regarding informant testimony promptly (i.e. far enough in advance of trial to provide a reasonable opportunity to thoroughly investigate the veracity of the informant, the details of the statement and circumstantial evidence that would be helpful in determining the accuracy of the alleged statements of the accused)?

		Response Percent	Response Total
Yes		20.9%	34
No		67.5%	110
Don't Know		11.7%	19
Total Respondents			163
(skipped this question)			39

8. Do the bench officers routinely give upon request the cautionary jury instruction regarding jailhouse informant testimony provided in PC Section 1127a(b)?

		Response Percent	Response Total
Yes		41.6%	67
No		11.8%	19
Don't Know		46.6%	75
Total Respondents			161
(skipped this question)			41

9. Do the prosecutors routinely file a written statement with the court setting out all consideration promised to and received by jailhouse informants in compliance with PC 1127a (c)?

		Response Percent	Response Total
Yes		7.4%	12
No		59.9%	97
Don't Know		32.7%	53
Total Respondents			162
(skipped this question)			40

10. Do the prosecutors routinely make good faith efforts to notify subjects of jailhouse informants of prosecution's intent to offer such an informant a modification or reduction in sentence, or dismissal, or early parole release in exchange for the informant's testimony in

compliance with PC 1191.25?

	Response Percent	Response Total
Yes	1.2%	2
No	48.8%	79
Don't Know	50%	81
Total Respondents		162
(skipped this question)		40

11. Do law enforcement officers routinely comply with PC 4001.1(a) which prohibits monetary payment (other than expenses) in excess of \$50.00 in return for in custody informants testimony?

	Response Percent	Response Total
Yes	4.9%	8
No	19%	31
Don't Know	76.1%	124
Total Respondents		163
(skipped this question)		39




12. Do law enforcement officials routinely comply with PC 4001.1(b) which prohibits taking any action (beyond merely listening to statements of a defendant) that is deliberately designed to elicit incriminating statements?

	Response Percent	Response Total
Yes	5.7%	9
No	41.5%	66
Don't Know	52.8%	84
Total Respondents		159
(skipped this question)		43




13. Do in custody informants routinely comply with PC 4001.1(b) which prohibits taking any action (beyond merely listening to statements of a defendant) that is deliberately designed to elicit incriminating statements?

	Response Percent	Response Total
Yes	1.9%	3
No	34.8%	56
Don't Know	63.4%	102
Total Respondents		161
(skipped this question)		41

14. In your opinion should corroboration be legally required for In custody Informants?

	Response Percent	Response Total
Yes 	95%	153
No 	2.5%	4
Don't Know 	2.5%	4
Total Respondents		161
(skipped this question)		41

15. In your opinion should corroboration be legally required for out of custody Informants?

	Response Percent	Response Total
Yes 	95%	153
No 	1.9%	3
Don't Know 	3.1%	5
Total Respondents		161
(skipped this question)		41

16. If you answered Yes above regarding requiring corroboration of informant testimony, in your opinion, and with respect to IN CUSTODY Informants, should the standard of such corroboration be "slight" such as currently is required for accomplice witnesses (P.C. Sec. 1111, CALCRIM No. 334, 335), or should such a corroboration standard be higher in cases of Informants because, unlike accomplice testimony, informant testimony isn't made against their own penal interest?

	Response Percent	Response Total
Same standard as accomplice testimony 	6.9%	11
Higher standard than accomplice testimony 	89.3%	142
Don't Know 	3.8%	6
Total Respondents		159
(skipped this question)		43

17. If you answered Yes above regarding requiring corroboration of informant testimony, in your opinion, and with respect to OUT OF CUSTODY Informants, should the standard of such corroboration be "slight" such as currently is required for accomplice witnesses (P.C. Sec. 1111, CALCRIM No. 334, 335), or should such a corroboration standard be higher in cases of Informants because, unlike accomplice testimony, informant testimony isn't made against their own penal interest?

	Response Percent	Response Total
Same standard as accomplice testimony 	12.1%	19
Higher standard than accomplice testimony 	85.4%	134

Don't Know	2.5%	4
Total Respondents		157
(skipped this question)		45

18. In your opinion, is there a need for more training regarding the use of Informant testimony for:

	Yes	No	No Opinion	Response Total
Judges	96% (154)	0% (0)	4% (7)	161
Prosecutors	93% (150)	2% (4)	4% (7)	161
Law Enforcement	93% (150)	3% (5)	4% (6)	161
Defenders	95% (152)	1% (2)	4% (6)	160
Total Respondents				161
(skipped this question)				41

19. For the period 2000 through 2006, how many cases are you directly aware of in which informant testimony was involved in which informant and purported declarant/defendant both were in custody? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	19.5%	30
1	11%	17
2	13.6%	21
3	14.3%	22
4	8.4%	13
5	9.7%	15
6	3.2%	5
7	1.9%	3
8	1.3%	2
9	0.6%	1
10	7.1%	11
11	0%	0
12	1.9%	3
13	0.6%	1
14	0%	0
15	1.3%	2
16	0%	0
17	0%	0

18	0%	0
19	0%	0
20	1.3%	2
21	0%	0
22	0%	0
23	0%	0
24	0.6%	1
25	0.6%	1
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	1.3%	2
31	0%	0
32	0%	0
33	0%	0
34	0%	0
35	0.6%	1
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0
43	0%	0
44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	0%	0
More than 100	0.6%	1
Total Respondents		154


(skipped this question) 48

20. For the period 2000 through 2006, how many cases are you directly aware of in which Informant testimony was involved where Informant was in custody and the purported declarant/defendant was not in custody? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	54.2%	77
1	12.7%	18
2	11.3%	16
3	4.2%	6
4	0.7%	1
5	6.3%	9
6	2.1%	3
7	0.7%	1
8	0%	0
9	0%	0
10	4.2%	6
11	0%	0
12	0.7%	1
13	0%	0
14	0.7%	1
15	0%	0
16	0%	0
17	0%	0
18	0%	0
19	0%	0
20	1.4%	2
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	0%	0
26	0%	0
27	0%	0
28	0%	0
29	0%	0

30	0%	0
31	0%	0
32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0
43	0%	0
44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	0%	0
More than 100	0.7%	1
Total Respondents		142
(skipped this question)		60

21. For the period 2000 through 2006, how many cases are you directly aware of in which informant testimony was involved where informant was not in custody and the purported declarant/defendant was in custody? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0 	37.3%	53
1 	13.4%	19
2 	13.4%	19
3 	7.7%	11
4 	6.3%	9
5 	8.5%	12

6	1.4%	2
7	0%	0
8	0.7%	1
9	0.7%	1
10	4.2%	6
11	0%	0
12	0%	0
13	0.7%	1
14	0%	0
15	0%	0
16	0%	0
17	0%	0
18	0%	0
19	0%	0
20	0.7%	1
21	0%	0
22	0%	0
23	0%	0
24	0.7%	1
25	2.1%	3
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	0%	0
31	0%	0
32	0%	0
33	0.7%	1
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0

42	0%	0
43	0%	0
44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	0.7%	1
More than 100	0.7%	1
Total Respondents		142
(skipped this question)		60

22. For the period 2000 through 2006, how many cases are you directly aware of in which informant testimony was involved where neither informant nor purported declarant/defendant was in custody? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	48.5%	64
1	6.8%	9
2	5.3%	7
3	7.6%	10
4	3%	4
5	3.8%	5
6	1.5%	2
7	0.8%	1
8	3%	4
9	1.5%	2
10	8.3%	11
11	0%	0
12	1.5%	2
13	0%	0
14	0.8%	1
15	1.5%	2
16	0.8%	1
17	0%	0

18	0%	0
19	0%	0
20	0.8%	1
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	0.8%	1
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	1.5%	2
31	0%	0
32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0
43	0%	0
44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	1.5%	2
More than 100	0.8%	1
Total Respondents		132

(skipped this question) 70

23. For the period 2000 through 2006, how many cases are you directly aware of in which informant testimony was involved where custody status was unknown? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	81.7%	89
1	2.8%	3
2	2.8%	3
3	0.9%	1
4	2.8%	3
5	2.8%	3
6	0.9%	1
7	0%	0
8	0%	0
9	0%	0
10	3.7%	4
11	0%	0
12	0%	0
13	0%	0
14	0%	0
15	0%	0
16	0%	0
17	0%	0
18	0%	0
19	0%	0
20	0.9%	1
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	0%	0
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	0%	0

31	0%	0
32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0
43	0%	0
44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	0%	0
More than 100	0.9%	1
Total Respondents		109
(skipped this question)		93

24. For the period 1990 through 1999, how many cases are you directly aware of in which informant testimony was involved in which informant and purported declarant/defendant both were in custody? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	46.1%	41
1	11.2%	10
2	9%	8
3	4.5%	4
4	4.5%	4
5	6.7%	6
6	0%	0

7	0%	0
8	1.1%	1
9	1.1%	1
10 ■	6.7%	6
11	0%	0
12	0%	0
13 ■	2.2%	2
14	0%	0
15	0%	0
16	0%	0
17	0%	0
18	1.1%	1
19	0%	0
20 ■	2.2%	2
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	0%	0
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	0%	0
31	0%	0
32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0

43	0%	0
44	0%	0
45	1.1%	1
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	1.1%	1
More than 100	1.1%	1
Total Respondents		89
(skipped this question)		113

25. For the period 1990 through 1999, how many cases are you directly aware of in which informant testimony was involved where informant was in custody and the purported declarant/defendant was not in custody? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	71.8%	56
1	5.1%	4
2	9%	7
3	2.6%	2
4	2.6%	2
5	1.3%	1
6	2.6%	2
7	0%	0
8	0%	0
9	0%	0
10	2.6%	2
11	0%	0
12	0%	0
13	0%	0
14	0%	0
15	0%	0
16	0%	0
17	0%	0
18	0%	0

19	0%	0
20	1.3%	1
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	0%	0
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	0%	0
31	0%	0
32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0
43	0%	0
44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	1.3%	1
More than 100	0%	0
Total Respondents		78
(skipped this question)		124

26. For the period 1990 through 1999, how many cases are you directly aware of in which informant testimony was involved where informant was not in custody and the purported declarant/defendant was in custody? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	67.6%	50
1	8.1%	6
2	6.8%	5
3	5.4%	4
4	1.4%	1
5	1.4%	1
6	1.4%	1
7	0%	0
8	0%	0
9	1.4%	1
10	1.4%	1
11	1.4%	1
12	0%	0
13	0%	0
14	0%	0
15	0%	0
16	0%	0
17	0%	0
18	0%	0
19	0%	0
20	1.4%	1
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	0%	0
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	0%	0

31	0%	0
32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0
43	0%	0
44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	1.4%	1
More than 100	1.4%	1
Total Respondents		74
(skipped this question)		128

27. For the period 1990 through 1999, how many cases are you directly aware of in which informant testimony was involved where neither informant nor purported declarant/defendant was in custody? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	72.4%	55
1	3.9%	3
2	1.3%	1
3	3.9%	3
4	1.3%	1
5	1.3%	1
6	1.3%	1

7	1.3%	1
8	0%	0
9	0%	0
10	1.3%	1
11	0%	0
12	0%	0
13	0%	0
14	0%	0
15 ■	2.6%	2
16	0%	0
17	0%	0
18	0%	0
19	1.3%	1
20	1.3%	1
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	1.3%	1
26	1.3%	1
27	0%	0
28	0%	0
29	0%	0
30	0%	0
31	0%	0
32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0

43	0%	0
44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	1.3%	1
More than 100	2.6%	2
Total Respondents		76
(skipped this question)		126

28. For the period 1990 through 1999, how many cases are you directly aware of in which informant testimony was involved where custody status was unknown? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	89.4%	59
1	0%	0
2	1.5%	1
3	0%	0
4	1.5%	1
5	1.5%	1
6	1.5%	1
7	0%	0
8	0%	0
9	0%	0
10	4.5%	3
11	0%	0
12	0%	0
13	0%	0
14	0%	0
15	0%	0
16	0%	0
17	0%	0
18	0%	0
19	0%	0

20	0%	0
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	0%	0
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	0%	0
31	0%	0
32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0
43	0%	0
44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	0%	0
More than 100	0%	0
Total Respondents		66
(skipped this question)		136

29. For the period 1980 through 1989, how many cases are you directly aware of in which informant testimony was involved in which informant and purported declarant/defendant both were in custody? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	69.4%	43
1	3.2%	2
2	0%	0
3	4.8%	3
4	1.6%	1
5	3.2%	2
6	0%	0
7	3.2%	2
8	0%	0
9	0%	0
10	4.8%	3
11	0%	0
12	1.6%	1
13	0%	0
14	1.6%	1
15	0%	0
16	0%	0
17	0%	0
18	0%	0
19	0%	0
20	3.2%	2
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	1.6%	1
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	0%	0
31	0%	0

32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0
43	0%	0
44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	0%	0
More than 100	1.6%	1
Total Respondents		62
(skipped this question)		140

30. For the period 1980 through 1989, how many cases are you directly aware of in which informant testimony was involved where informant was in custody and the purported declarant/defendant was not in custody? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	83.9%	47
1	3.6%	2
2	1.8%	1
3	3.6%	2
4	0%	0
5	0%	0
6	0%	0
7	0%	0

8	0%	0
9	0%	0
10	1.8%	1
11	0%	0
12	1.8%	1
13	0%	0
14	0%	0
15	0%	0
16	0%	0
17	0%	0
18	0%	0
19	0%	0
20	1.8%	1
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	0%	0
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	0%	0
31	0%	0
32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0
43	0%	0

44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	0%	0
More than 100	1.8%	1
Total Respondents		56
(skipped this question)		146

31. For the period 1980 through 1989, how many cases are you directly aware of in which Informant testimony was involved where Informant was not in custody and the purported declarant/defendant was in custody? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	78.6%	44
1	1.8%	1
2	5.4%	3
3	3.6%	2
4	1.8%	1
5	1.8%	1
6	0%	0
7	0%	0
8	0%	0
9	0%	0
10	1.8%	1
11	0%	0
12	0%	0
13	0%	0
14	0%	0
15	1.8%	1
16	0%	0
17	0%	0
18	1.8%	1
19	0%	0



20	0%	0
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	0%	0
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	0%	0
31	0%	0
32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0
43	0%	0
44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	0%	0
More than 100	1.8%	1
Total Respondents		56
(skipped this question)		146

32. For the period 1980 through 1989, how many cases are you directly aware of in which informant testimony was involved where neither informant nor purported declarant/defendant was in custody? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0	80.7%	46
1	0%	0
2	1.8%	1
3	1.8%	1
4	1.8%	1
5	1.8%	1
6	0%	0
7	0%	0
8	0%	0
9	1.8%	1
10	1.8%	1
11	0%	0
12	0%	0
13	0%	0
14	0%	0
15	1.8%	1
16	1.8%	1
17	0%	0
18	0%	0
19	0%	0
20	0%	0
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	0%	0
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	1.8%	1
31	0%	0

32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0
43	0%	0
44	0%	0
45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	1.8%	1
More than 100	1.8%	1
Total Respondents		57
(skipped this question)		145

33. For the period 1980 through 1989, how many cases are you directly aware of in which informant testimony was involved where custody status was unknown? (select a number from the menu below that best approximates your answer or leave blank).

	Response Percent	Response Total
0 	92.7%	51
1 	3.6%	2
2	0%	0
3	0%	0
4	1.8%	1
5	0%	0
6	0%	0
7	1.8%	1
8	0%	0

9	0%	0
10	0%	0
11	0%	0
12	0%	0
13	0%	0
14	0%	0
15	0%	0
16	0%	0
17	0%	0
18	0%	0
19	0%	0
20	0%	0
21	0%	0
22	0%	0
23	0%	0
24	0%	0
25	0%	0
26	0%	0
27	0%	0
28	0%	0
29	0%	0
30	0%	0
31	0%	0
32	0%	0
33	0%	0
34	0%	0
35	0%	0
36	0%	0
37	0%	0
38	0%	0
39	0%	0
40	0%	0
41	0%	0
42	0%	0
43	0%	0
44	0%	0

45	0%	0
46	0%	0
47	0%	0
48	0%	0
49	0%	0
50	0%	0
More than 50, less than 100	0%	0
More than 100	0%	0
Total Respondents		55
(skipped this question)		147