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HONDURAN LAWYERS.

THE PRINCIPLE OF OPPORTUNITY IN CRIMINAL PROCEDURAL LAW ACCORDING TO THE PERCEPTIONS OF HONDURAN LEGAL PROFESSIONALS

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Abstract -- The objective of this study was to analyze the principle of discretion in criminal procedural law from a comparative international perspective and to examine the relationships between discretion and minimal intervention, procedural efficiency and legality, and criminal selectivity and procedural speed. A quantitative, non-experimental, cross-sectional, descriptive, and correlational study was conducted. One hundred legal professionals associated with the Honduran criminal justice system participated, selected through purposive non-probabilistic sampling. A 36-item questionnaire was administered, organized into six dimensions and using a three-point Likert scale. The internal consistency obtained in a pilot test with 10 professionals was $\alpha = .904$. Associations were estimated using Spearman's correlation coefficient. Positive relationships were observed between discretion and minimal intervention ($\rho = .438$, $p < .001$), procedural efficiency and legality ($\rho = .539$, $p < .001$), and criminal selectivity and procedural speed ($\rho = .605$, $p < .001$). The results describe associations between participants' perceptions and do not demonstrate causal effects or objective changes in the judicial caseload. It is concluded that criminal selectivity and procedural speed exhibited the strongest association among those examined, although this does not allow us to attribute changes in one dimension to the other.

Keywords—procedural expediency, prosecutorial discretion, intervention¹, procedural legality, criminal selectivity.

Abstract -- This study analyzed the Principle of Opportunity in criminal procedure from an international comparative perspective and examined the relationships between discretion and minimum intervention, procedural efficiency and legality, and criminal selectivity and procedural timeliness. A quantitative, non-experimental, cross-sectional, descriptive, and correlational design was used. The participants were 100 legal professionals linked to the Honduran criminal justice system, selected through non-probability purposive sampling. A 36-item questionnaire organized into six dimensions and using a three-point Likert scale was administered. Internal consistency in a pilot test with 10 professionals was $\alpha = .904$. Associations were estimated using Spearman's correlation coefficient. Positive relationships were observed between discretion and minimum intervention ($\rho = .438$, $p < .001$), procedural efficiency and legality ($\rho = .539$, $p < .001$), and criminal selectivity and procedural timeliness ($\rho = .605$, $p < .001$). The findings describe associations among participants' perceptions and do not demonstrate causal effects or objective changes

¹ The term “intervention” corresponds to a preferred descriptor in the UNESCO Thesaurus.

in judicial workload. Criminal selectivity and procedural timeliness showed the strongest association examined, although this does not establish that either dimension causes changes in the other.

Keywords: intervention², procedural celerity, prosecutorial discretion, procedural legality, criminal selectivity.

INTRODUCTION

For some time now, contemporary criminal justice has been undergoing transformations and challenging, among other things, the outdated notion of prosecuting every crime regardless of the practical limitations on doing so effectively. For a long time, criminal procedural law conceived of the principle of legality as a guarantee of the rule of law, imposing on the prosecuting authority the duty to bring criminal charges against any act that appears to be criminal (Torres M., 2022). Over time, the landscape has changed: governments' institutional capacity has shown its limits when it comes to the punitive apparatus, and when prosecuting a crime conflicts with the system's efficiency, it becomes unsustainable (Pérez, 2023).

This gave rise to the Principle of Discretion, linked to the rationalization of the exercise of criminal prosecution, since at the international level its development is associated with the evolution of procedural models toward adversarial systems, where the Public Prosecutor's Office assumes a strategic role in the selection and prioritization of cases. (Quirós, 2024) While this is not merely a technical adjustment to criminal procedure, it represents a shift in how the State's punitive power is conceived, as it moves from a rigid obligation to a more rational and selective approach, prioritizing cases that demand a more effective response from the justice system. (Giraldo, 2022)

In Anglo-Saxon systems, prosecutorial discretion has long been quite broad, and the public interest, the feasibility of proving the case, or institutional expediency are sufficient to justify a decision. Systems in the continental European tradition, on the other hand, chose a different path: they incorporated the Principle of Opportunism within normatively defined frameworks, seeking to avoid arbitrariness. And in Latin America, procedural reforms at the end of the 20th century ultimately consolidated it as an instrument of criminal policy, useful for reducing court backlogs, focusing efforts on serious crimes, and strengthening alternative dispute resolution mechanisms. (Álvarez, 2023)

Contemporary legal scholarship has examined it as an instrument capable of articulating criminal prosecution strategies within justice systems with greater flexibility, as it responds to a

² The term "intervention" is the preferred descriptor in the UNESCO Thesaurus.

quite specific need: to manage institutional resources more efficiently and prevent the judicial system from becoming overwhelmed with cases of limited criminal significance. (Rojas, 2022) Likewise, it does not function solely as a procedural technique, as it also serves as a criminal policy mechanism, directing the criminal justice system's intervention toward the effective protection of the most relevant legal interests. The discussion regarding its scope, therefore, is no longer limited to the normative level but extends to an analysis of how states organize their strategies for prosecuting crime in the face of an ever-increasing judicial caseload. (Armero, 2023)

Although its implementation has sparked a doctrinal debate that remains unresolved, the introduction of discretionary criteria raises the question of whether discretion and legality are truly compatible, and whether inequality before the law can result from procedural flexibility linked to the risks of selective prosecution. The discussion, therefore, is not limited to whether the principle alleviates the judicial burden, but extends to whether it redefines the traditional paradigm of criminal prosecution, or whether it should be understood as a regulated exception within the principle of legality.

The strengthening of the adversarial model in Latin America has positioned the Public Prosecutor's Office as a central actor in defining criminal prosecution priorities; hence the need to clearly delineate the criteria guiding the application of the Principle of Discretion, ensuring consistency, judicial oversight, and respect for fundamental rights. In this regard, the discussion no longer focuses so much on the advisability of adopting it, but rather on its limits and on how to establish standards that ensure its objective application. (Moreno C., 2021)

The study's literature review cites comparative analyses of the Principle of Discretion in Anglo-Saxon and continental European legal traditions, as well as reforms in Latin America, considering the six selected dimensions (discretion, minimal intervention, procedural efficiency, procedural legality, criminal selectivity, and procedural speed), with the aim of organizing criminal prosecution for greater social benefit and judicial effectiveness.

This study is significant in terms of the need to understand the application of the Principle of Discretion as a mechanism for rationalizing the State's prosecutorial activity. According to Murcia Castro (2025), this principle relates to the material limitations of the criminal justice system in prosecuting all criminal acts, which allows for the consideration of criteria related to the social relevance of the conduct, the harm to a legal right, victim restitution, and the public interest

in criminal prosecution. This approach highlights the importance of examining how discretion, minimal intervention, efficiency, legality, selectivity, and speed of application are interrelated.

In the Honduran context, the study is relevant because it reveals how professionals involved in the criminal justice system perceive the relationships among these dimensions. On a practical level, the information obtained helps to understand how the Principle of Discretion is applied within the functioning of the criminal procedural system. In the academic sphere, it provides quantitative evidence specific to Honduras that complements the legal, doctrinal, and comparative discussion found in the literature. However, its results reflect only the perceptions of the surveyed group; they do not prove an objective reduction in the judicial caseload, nor can they be generalized to all professionals in the country.

Therefore, the general objective of this study was to analyze international regulations regarding the principle of discretion and their relationship to aspects of the Honduran criminal justice system based on the perceptions of key actors within that system, as well as the associations among the dimensions examined. This broad objective has given rise to three specific objectives: to examine the relationship between discretion and minimal intervention; to analyze the relationship between procedural efficiency and procedural legality; and to determine the relationship between criminal selectivity and procedural speed. Based on these objectives, the following research question was formulated: What relationships exist between discretion and minimal intervention, procedural efficiency and procedural legality, and criminal selectivity and procedural speed within the framework of the application of the principle of discretion?

Efficiency in combating crime represents a complex social challenge for a system that must address significant issues; the use of enforcement tools targeted at high-risk cases can prioritize these needs. Likewise, understanding these dynamics requires situating the Principle of Discretion within the framework of the criminal process, not only as a management mechanism but also as a reflection of the evolution of criminal policy in contemporary systems. (Sendra, 2020)

To date, on an international scale, the discussion regarding mechanisms that streamline criminal prosecution has taken on particular relevance, as various comparative studies point in the same direction and agree that the growing caseload in criminal courts has forced

States to rethink how they administer criminal prosecutions, promoting models that prioritize certain cases and optimize the use of institutional resources. (Gómez, 2023)

In various countries, procedural reforms have incorporated tools to improve the system's efficiency, including the ability to apply criteria for determining when it is appropriate to proceed with criminal prosecution and when it is better to opt for another form of legal response, as this approach has been extensively analyzed by international legal scholarship, which places it among the strategies for modernizing justice systems. (Torres L., 2023)

Comparative legal scholarship has emphasized that the introduction of discretionary criteria responds to the need to adapt the criminal justice system to increasingly complex social contexts, since, according to various studies, prosecuting every crime without limitation can have counterproductive effects: overburdened courts, protracted proceedings, and lower-quality judicial decisions. Likewise, justice systems have begun to organize prosecutorial activity strategically, within the framework of institutional priorities focused on crimes with high social impact.

From this point forward, the debate over the application of the Principle of Discretion has also been gaining ground at the national level, within legal and academic practice, as the evolution of criminal proceedings has revealed the need for mechanisms that better address the overload of the judicial system and enhance institutional capacity to handle the most significant cases. (Hernandez, 2023)

Fundamental rights and transparency must not be neglected in the prosecuting authority's decision-making processes, in the pursuit of a principle consistent with the objectives of criminal policy. Likewise, understanding this helps explain how institutions within the criminal justice system are adapting their practices to the actual conditions under which justice is administered. (Londoño, 2023)

One of its functions is to balance the principle of protecting legal rights, where legal doctrine recognizes that not all criminal conduct requires direct state intervention; given this, it serves as a strategic tool for prioritizing cases and reducing judicial overload, through a preventive and selective approach, to ensure the effectiveness of this central principle.

The Public Prosecutor's Office is the body responsible for determining the criteria for when to pursue criminal prosecution and when not to, thereby giving effect to the principle of discretion; this is evident in modern justice systems, adapted to reality, to prevent court overload, with a focus on examining cases of

greater relevance, in the pursuit of a profound shift from automatic prosecution to strategic evaluation. (Jiménez Jiménez, 2024)

While analyzing the Principle of Opportunism also involves understanding its limits and conditions of application, its effectiveness depends largely on clear regulatory frameworks and institutional controls that prevent discretion from leading to arbitrariness; in this way, it functions as an instrument of judicial planning, capable of improving the quality of the criminal justice response without compromising the rights of those involved. (Rodríguez, 2024)

The management strategy within the criminal justice system provides a framework for studying the principle, ensuring it is not understood in isolation but rather as a means of enhancing the efficiency of the institutional system, thereby modifying the dynamics of the Public Prosecutor's Office's decision-making processes.

In criminal proceedings, there is a regulatory and procedural framework within which criminal action is carried out, allowing us to understand how rules, actors, and resources interact. Likewise, tools such as the Principle of Discretion modify the traditional dynamics of proceedings and steer them toward efficiency and case prioritization, in a complex system where strategically managing resources is essential for effective justice. (Chorres, 2024)

According to the reviewed international literature, changes in criminal procedure do not seek merely to expedite proceedings; they also aim to improve the transparency and legitimacy of the justice system. Furthermore, an analysis of this variable shows that applying selective criteria within the criminal justice system helps distribute cases more rationally, prevents system overload, and increases the system's capacity to address the most serious crimes. (Avella, 2022)

Strategic case selection allows the prosecuting authority to identify those crimes whose prosecution generates the greatest social or institutional impact, as it reflects the criminal justice system's ability to prioritize actions and concentrate efforts where they truly matter, ensuring that resources are used efficiently. While the goal is not to exclude cases for convenience, it is to organize criminal prosecution in a way that generates greater social benefit and judicial effectiveness. (Messina, 2022) The Public Prosecutor's Office requires clear criteria to guide strategic selection. Likewise, discretion must not lead to inequality, as part of a discussion of the principle governed by fundamental rights and transparency. (Rua, 2022)

The criteria for criminal intervention are the guidelines that determine when the State should initiate criminal proceedings in response to criminal conduct; they allow for an assessment of the necessity and proportionality of punitive action, reserving intervention for situations where a criminal response is truly indispensable, since this analysis reveals a selective and preventive approach in which the protection of legal interests is balanced with institutional efficiency. (Bidasolo, 2021)

These criteria also guide decision-making regarding the appropriateness of using alternative mechanisms or preventive measures, as they allow the judicial system to focus on cases of greater significance and social risk, reduce court backlogs, and optimize available resources. Furthermore, when properly implemented, they contribute to a more agile, effective, and socially responsible criminal justice system. (Copete, 2022)

The criteria for applying the Principle of Discretion establish clear rules for determining when the Public Prosecutor's Office should refrain from pursuing criminal prosecution, as this is key to ensuring that the principle is applied objectively, consistently, and in line with criminal policy. Furthermore, analyzing these criteria allows for an evaluation of the relationship between procedural flexibility and institutional oversight. (Abanto, 2024)

These criteria serve as preventive measures to focus on relevant and high-risk cases, including: the severity of the crime, the defendant's criminal history, restitution for damages, and social relevance—as guidelines for initiating criminal proceedings within a selective and preventive framework. (Abanto, 2024)

Mechanisms for reducing judicial backlog are strategies designed to alleviate court congestion and optimize the administration of justice, as they demonstrate how the application of the Principle of Discretion helps free up resources to address the most complex and significant cases. Likewise, according to this analysis, judicial decongestion not only improves efficiency but also strengthens the perception of the criminal justice system's legitimacy. (Murcia Castro, 2025)

However, alternative agreements, expedited resolutions, and minor offenses are a cause for concern within the system, given the lack of quality in judicial decisions that contribute to public satisfaction with the justice system. (Murcia Castro, 2025)

The principle has its origins in criminal policy. Consequently, the State's punitive intervention must be guided by proportionality and the protection of legal rights, avoiding its indiscriminate use (Samper, 2020)

The organization of the criminal process, strategic selection, and intervention criteria are mechanisms for reducing caseload; in terms of institutional management, they have begun to facilitate a more strategic prosecution, taking social impact into account by linking to structural elements of the contemporary era. (Monsalve, 2023)

From this perspective, criminal proceedings are no longer understood solely as a rigid procedure of automatic prosecution but become a space for strategic decisions aimed at ensuring more effective and socially relevant legal responses, since the Principle of Discretion is not merely a procedural concept. Likewise, it is an instrument linked to the organization of the criminal justice system and to the way in which institutions manage the prosecution of crimes in contexts of high judicial demand. (Labarthe, 2020)

METHODOLOGY

The study employed a quantitative approach with a descriptive and correlational scope, using a non-experimental, cross-sectional design. Participants' perceptions regarding six dimensions related to the Principle of Discretion and criminal procedural law were measured at a single point in time without manipulation of variables. Due to its correlational nature, the design allowed for the estimation of associations but did not establish causality.

The target population consisted of professionals associated with the Honduran criminal justice system. The sample comprised 100 participants, a target defined for convenience and achieved through non-probabilistic purposive sampling and direct contacts made by the researchers. Participants included judges, private defense attorneys, court clerks, public defenders, and prosecutors. Participation was not restricted to a single location; however, the department of origin was not recorded, so the data do not allow for the determination of national coverage or representativeness.

The inclusion criteria were: actively practicing in the field of criminal law, having more than one year of professional experience, and having participated in proceedings related to the Principle of Discretionary Prosecution. Professionals without specific experience in this area were excluded. The distribution by position is presented in Table 1.

Table 1. *Profile of the unit of analysis by position.*

Unit of analysis	
Legal professionals	No

Judge	12
Private Defense Attorney	58
Clerk	10
Public Defender	6
Prosecutor	14
Total	100

Source: Author's own compilation.

The instrument was a structured questionnaire consisting of 36 items, distributed across six dimensions, each with six items: discretion, minimal intervention, procedural efficiency, procedural legality, criminal selectivity, and procedural speed. Responses were recorded on a three-point Likert scale: 1 = Disagree, 2 = Neither agree nor disagree, and 3 = Agree. The relevance and clarity of the items were reviewed by three specialists in methodology and research. Subsequently, a pilot test was conducted with 10 professionals with characteristics similar to those of the sample. The internal consistency of the instrument was $\alpha = .904$ for the 36 items.

Table 2. Reliability statistics.

Summary of Case Processing

	N	%
Valid	10	100.0
Excluded	0	,0
Total	10	100.0

a. List-based elimination is based on all variables in the procedure.

Reliability Statistics

Cronbach's alpha	N of items
.904	36

Source: Prepared by the author using SPSS version 27.

Data collection took place between February and May 2026. The questionnaire was created in Google Forms and distributed via email and messaging apps. Participation was voluntary, and consent was obtained verbally. The form collected email addresses, so data collection was confidential but not anonymous. These data were deleted prior to analysis and were not included in SPSS.

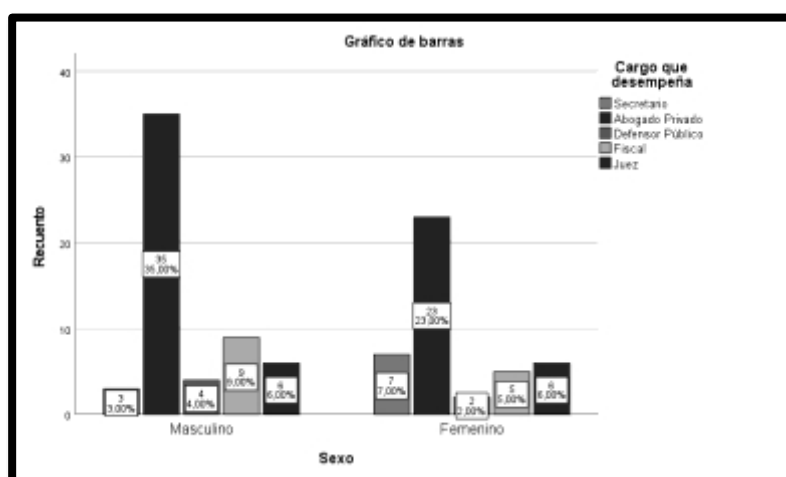
The responses were exported to Microsoft Excel for cleaning and then processed in SPSS, version 27. Frequencies and percentages were calculated to describe the sample. Each dimension was scored based on the sum of its six corresponding items. Spearman's correlation coefficient was the statistical test applied to address the specific objectives. The responses were saved in Microsoft Excel for cleaning, and then SPSS, version 27, was used.

frequencies and percentages were calculated to describe the sample. For each dimension, each of its six items was summed, and the total could range from 6 to 18 points. Spearman's correlation coefficient was then applied to analyze the three pairs of dimensions that were identified. No overall score was calculated for the principle of opportunity, because the analysis focused on the relationships among the selected dimensions. The cleaned database, the questionnaire, the operationalization table, and the coding scheme were retained by the authors and are available for verification, while respecting the confidentiality of the participants.

ANALYSIS OF RESULTS

Figure 1 shows the distribution of participants by gender and position held. Of a total of 100 professionals interviewed, 57 are men and 43 are women. The largest group in the sample consists of private defense attorneys, with 35 men and 23 women, for a total of 58 individuals. Among judges, the distribution was equal, with six men and six women. Among prosecutors, there were nine men and five women. Among public defenders, there were four men and two women. Among court clerks, the distribution was different, with three men and seven women. From a descriptive standpoint, these results indicate that the majority of participants were private defense attorneys and that the gender distribution varied by position. However, since no statistical tests were conducted to determine whether there is a relationship between gender and position, it cannot be asserted that there are significant differences, nor can conclusions be drawn about the perceptions, criteria, or performance of men and women.

Figure 1. *Distribution by gender and position held.*



Source: Prepared by the author using SPSS version 27.

Figure 2 presents the combined distribution of professional experience and the geographic area reported by the participants. Of the entire group, 92 professionals reported working in urban areas and eight in rural areas. Among those with one to five years of experience, there were 32 from urban areas and four from rural areas, for a total of 36 people. In the six- to ten-year experience range, there were 32 urban participants and three rural participants, for a total of 35. On the other hand, among those with 11 or more years of experience, there were 28 from urban areas and one from a rural area, for a total of 29. The distribution shows that the urban presence was greater in all three experience groups and that the rural representation was small across the entire group. However, these data only reflect the composition of the study group. Due to the small number of rural participants and the fact that their departments of origin were not recorded, it is not possible to demonstrate a connection between experience and geographic area or to assert that the group is representative of the entire territory.

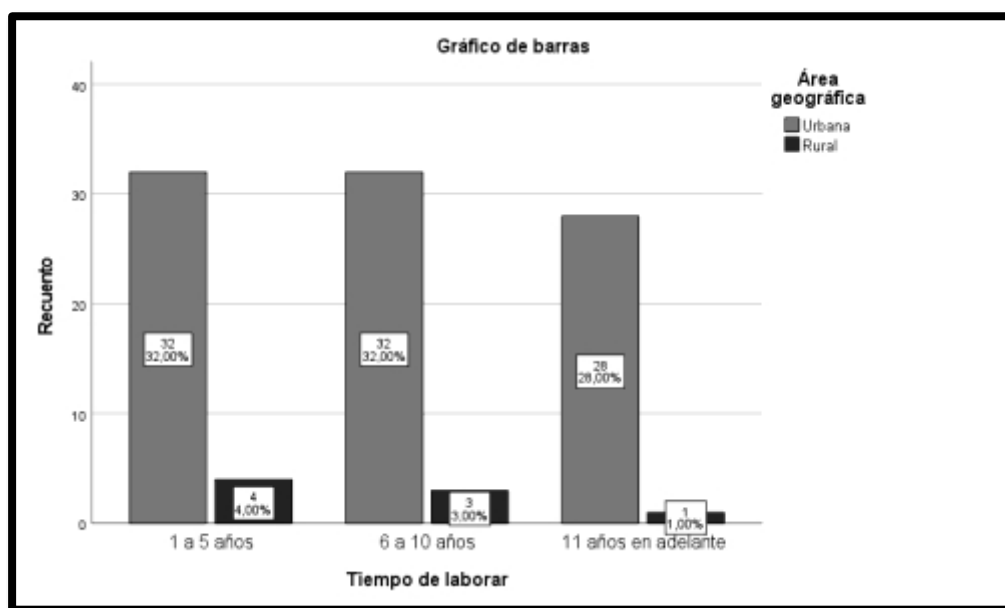


Figure 2. Length of experience and geographic area.
Source: Prepared by the author using SPSS version 27.

Figure 2 shows how participants are distributed by geographic area and length of professional experience. However, these results only reflect characteristics of the sample. Since the department from which the participants came was not recorded, it is not possible to determine their distribution by region or

assert that they are nationally representative. After describing the participants' sociodemographic characteristics, we proceeded to the correlational analysis of the dimensions related to the principle of opportunity, beginning with the relationship between discretion and minimal intervention, which is presented in Table 3.

Table 3. *Discretion and minimal intervention.*
Correlations

		Discretion		Minimal Minimal
Spearman's Rho	Discretion	Correlation coefficient	1,000	.438**
		Sig. (two-tailed)	.	< .001
		N	100	100
	Intervention	Correlation Coefficient	.438**	1,000
	Minimum	Sig. (two-tailed)	< .001	.
	** . The correlation is significant at the 0.01 level (two-tailed).	N	100	100

Source: *Prepared by the author using SPSS version 27.*

Table 3 shows a moderate positive correlation between discretion and minimal intervention ($p = .438$, $p < .001$; $n = 100$). This positive relationship indicates that those who scored higher on their perception of discretion also tended to score higher on minimal intervention. In the context of the Principle of Opportunity, this result suggests that those who perceived greater freedom of decision in criminal prosecution also placed greater value on limited or selective state intervention.

Statistical significance indicates that the observed association is unlikely to be due to chance in the sample studied. Although the relationship between the two dimensions is moderate, this shows that they are connected, but they are not the same nor do they function in the same way. Given that the study is correlational, the results do not allow us to assert that discretion causes a reduction in criminal intervention or ensures the correct application of the Principle of Opportunism. Nor can it be said that the association is due to social pressure, the type of crime, professional experience, or other factors not included in the analysis.

Table 4. *Procedural Efficiency and Legality.*

		Procedural Efficiency		Procedural Legality
Spearman's Rho	Efficiency Procedural	Correlation Coefficient	1,000	.539**
		Sig. (two-tailed)	.	< .001
		N	100	100

	N	100	100
Legality	Correlation Coefficient	.539**	1,000
Procedural	Sig. (two-tailed)	< .001	.
	N	100	100

** . The correlation is significant at the 0.01 level (two-tailed).

Source: Prepared by the author using SPSS version 27.

Table 4 shows a moderate positive relationship between procedural efficiency and procedural legality ($\rho = .539$, $p < .001$; $n = 100$). This means that, in the sample studied, higher scores on procedural efficiency were associated with higher scores on procedural legality. From the participants' perspective, the pursuit of more efficient procedural practices was not viewed as conflicting with compliance with the rules and safeguards governing the criminal process.

The coefficient obtained is higher than that recorded between discretion and minimal intervention, although both results remain of moderate magnitude. The relationship shows that perceptions of procedural efficiency and procedural legality are linked, but it does not demonstrate that one leads to the other. Therefore, it cannot be said that greater adherence to legality reduces procedural delays, errors, nullities, or appeals, because the study did not measure those outcomes. The finding fulfills the objective of analyzing the relationship between procedural efficiency and procedural legality and should be understood solely based on the perceptions of the professionals consulted.

Table 5. Criminal Selectivity and Procedural Speed.

Correlations			Criminal Selectivity	Procedural Speed
Spearman's Rho	Criminal Selectivity	Correlation coefficient	1,000	.605**
		Sig. (two-tailed)	.	< .001
		N	100	100
	Procedural Speed	Correlation Coefficient:	.605**	1,000
		Sig. (two-tailed)	< .001	.
		N	100	100

** . The correlation is significant at the 0.01 level (two-tailed).

Source: Author's own analysis using SPSS version 27.

Table 5 shows a moderate-to-high positive correlation between criminal selectivity and procedural speed ($\rho = .605$, $p < .001$; $n = 100$). The positive direction means that those who scored higher on criminal selectivity also scored higher on procedural speed

. This suggests that those who viewed the prioritization of certain cases favorably also viewed the speed of the proceedings favorably.

This correlation had the highest numerical value of the three analyzed. However, the result does not demonstrate that there are statistical differences among the three coefficients. The study did not conduct a specific test to compare them. Nor can it be concluded that criminal case selection accelerates proceedings, reduces court backlogs, or lightens the courts' workload. The finding merely shows that both variables were related in the opinions of the study group. It supports the need for further research into this connection using objective indicators, such as the duration of proceedings, the number of cases, and the judicial workload.

DISCUSSION

Although the three correlations are positive and statistically significant, other factors come into play in the relationship between discretion and minimal intervention ($\rho = .438$) when considering a prosecutor's decision from the State's punitive perspective, since the study measures the perceptions of legal professionals rather than actual cause-and-effect relationships.

Regarding the result on efficiency and procedural legality ($\rho = .539$), the data is consistent with the view of those who consider legal controls to be part of a process carried out in an orderly and regulated manner, as prescribed. Likewise, the study is not designed to measure actual timeframes or procedural defects, but merely the perception of efficiency in practice.

The result of this statistical relationship ($\rho = .605$) suggests that high-priority cases benefit from selective prosecution over procedural speed, thereby advancing the process over time. This is not stated with certainty due to the nature of the study, but it does point to what may occur in these cases.

Taken together, these results provide limited evidence regarding the surveyed group and must be interpreted in conjunction with a review of Anglo-Saxon, continental European, and Latin American legal traditions, whose normative differences prevent the direct transfer of the perceptions gathered in Honduras to other legal systems.

Of the total number of respondents, the sociodemographic questions regarding gender, experience, and area (rural or urban) allow for the measurement of the population's characteristics for the purposes of the study's results. However, simply assuming that men and women perceive the phenomenon differently would require a comparison by group in an additional study to ensure the robustness of such data.

CONCLUSIONS

The first finding regarding discretion and minimal intervention showed a moderate positive correlation, indicating an association between the two scores; however, this does not imply that the exercise of discretion guarantees a reduction in criminal intervention.

Regarding procedural efficiency and legality, a moderate positive correlation was observed; while this result reflects consistency in participants' perceptions, it does not demonstrate objective improvements in processing times, procedural irregularities, decision quality, or institutional trust.

For criminal selectivity and procedural speed, the association was the strongest, which supports further study of the link between case prioritization and procedural management, since it does not, in and of itself, demonstrate that selectivity reduces judicial backlog.

Although the Principle of Discretion takes on different scopes in the Anglo-Saxon, continental European, and Latin American legal traditions, in comparative terms, the empirical findings presented here provide only a perceptual snapshot specific to Honduras, as they cannot be generalized to other legal systems or to the entire body of legal professionals in the country.

FUTURE RESEARCH

For future research, a larger-scale representative sample is recommended, using the unit of analysis with the characteristics outlined in this study, to achieve an exponential scope.

It is recommended to conduct a mixed-methods study, incorporating a qualitative component into a documentary design that allows for a comparison of perceptions regarding case resolution based on case files.

Likewise, the legal comparison can be expanded with an explicit protocol for selecting equivalent jurisdictions and categories, since differences between procedural traditions must be supported by verifiable specialized norms and sources.

LIMITATIONS

Sampling was non-probabilistic and purposive, with a target of 100 participants based on convenience. For this reason, the results cannot be applied to the entire population of professionals in the Honduran criminal justice system. Furthermore, the department from which the participants came was not recorded, making it difficult to assess their geographic distribution and to assert that they represent the entire region. The study relied

solely on perceptions and did not use official records or data from the institutions. The emails that were collected were deleted prior to analysis.

ETHICAL CONSIDERATIONS

Participation was voluntary. The survey form collected email addresses, which were deleted prior to analysis. The researchers report that the study was reviewed by the ethics committee of the Technological University of Honduras.

FUNDING

The research was funded with the authors' own funds and received no external funding.

CONFLICTS OF INTEREST

The authors declare that there are no conflicts of interest related to the study.

USE OF ARTIFICIAL INTELLIGENCE

The authors used ChatGPT to assist with the initial information search and to conduct a general review for consistency. The authors were responsible for selecting sources, verifying content, making methodological decisions, and taking responsibility for the final version.

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Software	Orellana Castillo, Aurora; Medina Reyes, Adalid
Validation	Orellana Castillo, Aurora; Medina Reyes, Adalid
Formal Analysis	Medina Reyes Adalid, Vallejo Figueroa Saulo Surisaday
Research	Vallejo Figueroa, Saulo Surisaday
Resources	Own funds
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Writing - Review and editing	Vallejo Figueroa, Saulo Surisaday, Ávila Chinchilla Paola Hugueth
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Fundraising	Own funds

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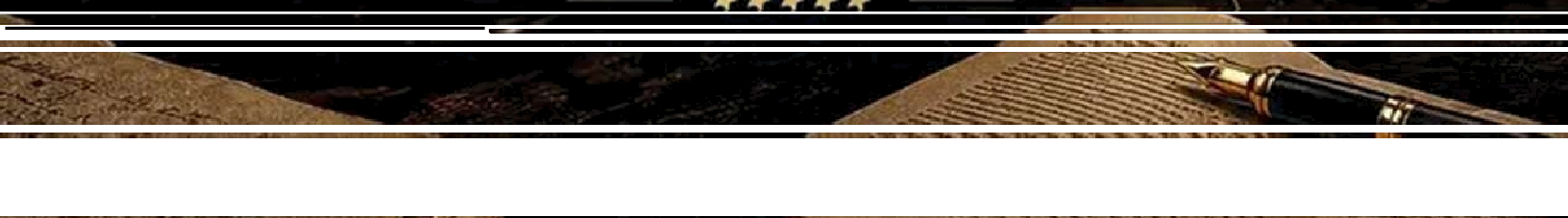
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