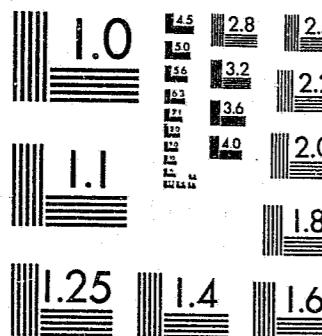


National Criminal Justice Reference Service



This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

13/21/86

Technical Appendix
to
Report to the Nation on Crime
and Justice

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by
Public Domain
Bureau of Justice Statistics

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

953364c!

TABLE OF CONTENTS

Page in
report

Heading in report and page in technical appendix

1	I. The criminal event, 1
4-5	How serious are various types of crimes?, 2
7	In 1981 almost a third of all households were victimized by violence or theft, 5
	A violent crime by strangers and/or a burglary struck 10% of all households in 1981, 5
	41 million victimizations occurred in 1981, 5
	13 million UCR Index Crimes were reported to police in 1981, 5
	Businesses are prime targets of robbers and burglars, 6
	Businesses reported more than 1 million burglaries and more than 100,000 robberies in 1981, 7
8	The percentage of households touched by crime changed little during the past 7 years, 8
	The National Crime Survey shows relatively little change in victimization rates between 1973 and 1981, 9
9	NCS and UCR examine different aspects of crime and crime trends, 10
	Much of the difference between the NCS and UCR burglary trends can be explained, 10
	UCR shows increases in all Index Crimes reported by the police during the 1970's, 12
10	In 1980, the homicide rate was at the highest level in this century, 13
	Homicide data provide added perspective to crime trends, 14
	UCR and Public Health statistics both show that the homicide rate has been rising since 1961, 14
11	Some types of larceny and burglary show strong seasonal trends, 16
12	UCR Index Crime rates are highest in the West, lowest in Central and Appalachian regions, 17
14	Except for homicide, most violent crimes do not involve the use of weapons, 19
	Victims used or brandished a gun or knife to protect themselves in only 2% of all violent crimes, 20
	Armed offenders seldom had more than one type of weapon, 20
	Weapons are more often used than assaults in killings of law enforcement officers, 20

	Bombing incidents declined by 45% between 1975 and 1981, 20	32	Serious crime arrests are highest in young age groups, 51
15	Terrorist groups claimed responsibility for only 20 of the 1,249 bombing incidents in 1980, 20		Youth arrest rate rose during the 1960's but leveled off after 1974, 52
15	Strangers commit most violent crimes, especially robbery, 21		What is the role of youth of crime?, 53
	Robbery victims run a high risk of injury from unarmed strangers, 22	34	A small group of career criminals commits the vast majority of crimes, 55
	Most violent crimes except murder are committed by strangers, 22	35	How many offenders are female?, 56
17	II. The victim, 23.	36	For UCR Index Crimes, the rate of arrest of females is much lower than that of males, but has risen faster, 57
18	How do crime rates compare with the rates of other life events?, 24	37	A relatively large proportion of offenders come from minority groups, 58
21	Men, blacks, and young people face the greatest risk of violent crime by strangers, 29	38	Many offenders have backgrounds that include a turbulent home life, lack of family ties, and poor education, 59
	Women were more vulnerable than men to assaults by acquaintances and relatives, 29	39	Prior to arrest, many inmates had little or no legal income, 60
	Young offenders did not appear to be singling out the elderly as victims of robbery and assault, 29	39	Drug and alcohol abuse is common among offenders, 62
	Victims and offenders are of the same race in 3 out of 4 violent crimes, 30	40	2 out 5 prison inmates reported they were under the influence of drugs or were very drunk around the time of the offense, 63
	Spouses or former spouses committed 5% of the assaults by lone offenders, 31	41	IV. The response to crime
22	The economic impact of crime hits the poor most heavily, 32	42	Section 1. An overview, 64
23	Likelihood of injury appears to be related to a victim's self-protective response, 33	45	Differences in local laws, agencies, resource, standards, and procedures result in varying responses in each jurisdiction, 65
24	Only a third of all crimes are reported to the police, 36	47	The response to crime is mainly a State and local function, 67
	Thefts resulting in large losses and serious violent crimes with injury are most likely to be reported to the police, 37	47	Section 2. Entry into the criminal justice system, 69
	Reporting rates varied by type of crime and sex and age of victim—but not by race, 38	48-49	The system responds directly to only a small amount of crime, 70
	Reporting rates were higher for motor vehicle theft than for burglary and/or household larceny, 38	49	Traditionally, the police function has been dominated by local governments, 72
25	The highest income group was more likely than the lowest income group to report household crimes to the police, 38	50	What is the relationship between police strength and crime?, 73
	Homeowners were more likely than renters to report household crimes, 38	51	State and local police employment per capita rose by 56% in 20 years, 74
	Roughly half of all crimes by strangers and by nonstrangers were reported to the police, 38	52	Law enforcement officials have considerable discretion in dealing with arrested juveniles, 75
26	37 States and the District of Columbia have compensation programs to help victims of violent crime, 39		The probability of an arrest declines sharply if the incident is not reported to the police within seconds after a confrontational crime, 77
	Victim compensation awards totaled \$34 million in 1980, 45		Most crimes are not cleared by arrest, 78
29	III. The offender, 46		
30	Who commits and why?, 49		
31	Who is the "typical" offender?, 50		

55	Section 3. Prosecution and pretrial services, 81	65	Many guilty pleas are the result of plea negotiations, 123 18 States and the District of Columbia require a unanimous verdict in all trials, 124
55	Differences in how prosecutors handle felony cases can be seen in data from 3 jurisdictions, 82	65	
	Prosecuting officials include local prosecutors and district attorneys, State attorneys general, and U.S. attorneys, 83	66	Cases resulting in trials generally take longer than ones that end in dismissals or guilty pleas, 125
	The official accusation in felony cases is either a grand jury indictment or a prosecutor's bill or information, 84	67	All States compensate trial jurors, 126 Only 15% of American adults have ever been called for jury duty, 128
	The grand jury emerged from the American revolution as the people's protection against oppressive prosecution by the State, 91		The maximum period of service required by a juror varies by State, 128
57	Organization and funding of indigent defense programs vary among the States, 92		Innovations have eased the burden of being a juror, 128 Most States have statutory exemptions for jury service, 129
	Ad hoc appointment of counsel remains the primary source of indigent defense, 93		Names of prospective jurors are selected from lists intended to make jury pools representative of the community, 132
58	Most unconvicted jail inmates have had bail set, 95		All States require 12-member juries in capital cases; 6 States, permit less than 12-member juries in felony trials, 136
59	About three-fifths of the States have one or more provisions to ensure community safety in pretrial release, 98	68	A defense of insanity is recognized in all but two States, 137 States vary in many specific ways in their handling of an insanity defense, 137
60	Arrest is not the only means of referring juveniles to juvenile court, 100		Eight States provide a verdict of guilty but mentally ill, 137
	Most referrals to juvenile court are for property crimes, but 20% are for status offenses, 101		The largest group of convicted or accused persons admitted to mental health facilities are drawn from the prison population, 139
61	46 States, the District of Columbia, and the Federal Government have judicial waiver provisions, 102	69	Most criminal case appeals are decided in State courts, 140 In 1982, more appeals were filed in Federal appeals courts than at any time in their history, 141
	Age at which criminal courts gain jurisdiction of young offenders range from 16-18 years old, 104		The number of appeals in Federal criminal cases increased greatly in the early 1970's but has remained relatively constant since 1975, 143
	Thirteen states authorize prosecutors to file cases in either juvenile or criminal courts at their discretion, 104	71	Section 5. Sentencing and corrections, 144
	As of 1978, 31 States excluded certain offenses from juvenile court jurisdiction, 106	71	Sentencing reforms of the 1970's took two approaches— administrative and statutory, 145
	About 11,000 juveniles were referred to criminal courts in 1978, 107	73	What types of sentences are usually given to offenders?, 146
	Juveniles tried as adults have a very high conviction rates, but most receive sentences of probation or fines, 107	74	More than 1% of the U.S. population is under some form of correctional sanction, 147
63	Section 4. Adjudication, 108		Three out of four persons under correctional sanction are being supervised in the community, 147
64	Judges are selected by popular election, by appointment, or by the merit plan, 109	76	Sentences often have a wide variation between minimum and maximum terms and are longer for violent crimes, 149
	Each State has established a system of trial and appeals courts, 117		Parole is a selective process for releasing offenders, 151
	State courts process a large volume of cases, many of them minor, 118		Persons conditionally released from prison spend about a third of their maximum sentence in confinement, 152
	The U.S. Constitution created the Supreme Court and authorized Congress to establish lower courts as needed, 119		Most prisoners are released before serving their maximum sentence, 153

- 77 Almost 72,000 juveniles were in custody by year-end 1979; 12,600 of them were awaiting adjudication or placement and juvenile offenders are household in many kinds of facilities, 154
- 78 Confined offenders are housed in three types of facilities, 155 Two out of every three local jails in 1978 housed an average of fewer than 21 inmates on a given day, 156 Community-based facilities house 4% of the population of State prison systems, 157
- 79 Prisons are often classified by level of security, 158 About half of all prison inmates are in maximum security prisons, 159
- 80 Crowding and conditions of confinement pose difficult problems in most States, 160 More prisoners are housed in cells than in dormitories and in multiple-than single-occupancy units, most units provide less than 60 square feet of floor space per person, 162 Many States are enlarging their prison systems or taking measures to control prison populations, 164
- 81 The number of persons in prison was at an alltime high in 1982, 165 The incarceration rate for the entire U.S. population was at an alltime high, but the rate for your adult males—while increasing—did not reach the peak of the 1960's, 165 The total population of State and Federal prisons increased by an average of more than 16,000 per year between 1977 and 1981, 167
- 82 The court admission rate has remained relatively stable, but the number of conditional-release violators admitted to prison has increased, 167 Trends in jails populations are not as dramatic as those of prison populations, 169 Annual admissions to juvenile facilities have been declining since 1974, 170
- 83 The number of prisoners on death row reached an alltime high in 1982, 171 6 persons were executed between 1967 and 1982, 172 By the end of 1982, 37 States had death penalty laws in effect, 173
- 84 Within 1 year after release on parole, about 12% of those released are likely to be back in prison, 174
- 87 V. The cost of justice, 175
- 88 The dominance of municipal spending for the justice system has been diminishing, 176 While the Federal Government transfers the highest proportion of its justice expenditures to other levels of government, the proportion transferred by States is increasing, 177
- 89 53 cents of every dollar is spent for police protection, 178
- 90 The Rocky Mountain, Southwest, and Plains States make the least use of revenue from outside their taxing authority to fund justice activities, 179
- 92-95 What do justice dollars buy?, 180
- 96 The Mideast and Far West regions lead the Nation in justice costs per capita, 185
- 98 States with high crime rate tend to have high expenditures for criminal and civil justice, 186
- 99 How do States rank on factors that influence justice spending? 187
- 100 In 1981, slightly less than 3% of all government spending was for criminal and civil justice, 188
- 101 During this century, the police and corrections shares of State and local spending have not fluctuated as radically as the shares for some other government functions, 189
- 100-101 State and local spending for all justice functions increased from 1971 to 1979, 190
- What are the trends in justice spending?, 191

Chapter I. The Criminal Event

pp. 4-5 How serious are various types of crimes?

Introduction

In 1977, a National Survey of Crime Severity was conducted as a supplement to the National Crime Survey. The survey included a description of 204 illegal events, ranging in seriousness from playing hooky from school to planting a bomb in a public building that killed 20 people. Twelve separate questionnaires were developed. Certain core items were administered to all respondents in the sample; the remainder of the items were each covered on only one version of the questionnaire. This procedure was necessary because the 204-item scale was too long to be scored by an individual respondent. Each respondent scored about 30 items.

Magnitude scaling was used allowing respondents to assign any value they wished to an item--the scale had no upper limits. Previous research, as well as research conducted during pretesting of this scale, showed that if a fixed interval scale were used, respondents would not be able to express the range of their feelings at the upper end of the scale about very serious crimes.

Method of Calculating Severity Scores

The severity scale was calculated from the scores obtained from the sample by computing geometric means. The geometric mean, which is the appropriate measure of central tendency for ratio judgments, is calculated by taking the antilog of the arithmetic means of the logarithms of the responses. Since the individual scores for items came from a sample survey, it was also necessary to weight the questionnaire items to reflect the number of persons represented by a given score at the national and subnational levels. The seriousness scores for the components of any criminal event that has elements of injury, theft, or damage to property were developed from 12 "core items" on the questionnaire. Because of their importance in scaling the index crimes, these core items appeared more numerously in the 12 questionnaires than did the remainder of the offense types.

From the geometric means, ratio scores were developed. These scores indicate the relative perceived severity for different events in the scale. For example, the killing of 20 people by bombing a building is judged to be 72 times more serious than the theft of one dollar, while the killing of one person is about 36 times more serious than the theft of one dollar. Since the ratio scores are derived from the geometric means, both measures reflect relative severity. Ratio scores rather than the geometric means were used in the text table. (For example, the geometric mean for the highest item in the scale, planting a bomb in a public building that kills 20 people, is 1577.526 compared with a ratio score of 72.10.)

Sample from which Scores were Obtained

The severity scores are based on data collected in July through December of 1977 as a supplement to the National Crime Survey. Questionnaires

Regarding the perceived seriousness of various kinds of criminal acts were administered to each member 18 years old and older in half of the NCS-interviewed households. The sample was spread over 376 sample areas with coverage in each of the 50 States and the District of Columbia. The severity subsample reflected all aspects of the sample design for the full NCS sample. More detailed information about the NCS sample is available in the yearly report on Criminal Victimization in the United States.

Definitions of Crime Severity Events

In developing the crime severity project, extensive attention was given to writing the questionnaire items from which crime classifications would be developed. It is, of course, impossible to develop events in accord with the legal definitions of crime, since these definitions vary from State to State. Instead, efforts were made to develop simple descriptions of a wide variety of behaviors that cover traditional crimes as well as "white collar" and other offenses. The crime severity index measures public perceptions of the factors that the public collectively feels should weigh in determining relative severity of offenses, irrespective of the actual factors that make up criminal law. Because of the methodology used, in which a series of different questionnaires were required to cover all offenses, some anomalies do occur. In these cases, the extreme opinions of a few people on one questionnaire resulted in an item being placed higher or lower in the scale that would be expected based upon "common sense." However, there are relatively few of these cases.

p. 7 Property crimes outnumbered violent crimes by 9 to 1

	<u>Percent</u>
Violent crime	9.9
Murder	0.2
Forcible rape	0.6
Robbery	4.3
Aggravated assault	4.8
Property crimes	90.1
Burglary	28.1
Larceny theft	53.8
Motor vehicle theft	8.1
Total	99.9

p. 7 In 1981 almost a third of all households were victimized by violence or theft

Source: Households Touched by Crime 1981, BJS bulletin.

A violent crime by strangers and/or a burglary struck 10% of all households in 1981

Source: Households Touched by Crime 1981, BJS bulletin, p. 2 plus computations not explicitly in bulletin

Households touched by--
High concern crimes 8,714,924

Burglary 6,101,227
Violent crime by strangers 3,182,011
Eliminate overlap 9,283,238
8,714,924
568,314

Households suffering both
burglary and violent crime by
strangers

6,101,227
Households suffering only 568,314
burglary 5,532,913

3,182,011
Household suffering only 568,314
violent crime by strangers 2,613,697

p. 7 41 million victimizations occurred in 1981

Source: Criminal Victimization in the United States 1981

13 million UCR Index Crimes were reported to police in 1981

Source: Uniform Crime Reports, Crime in the United States 1981,
p. 36

p. 7 Businesses are prime targets of robbers and burglars

Source: unpublished calculations based on UCR and Commercial Victimization Survey (CVS) data

Robbery rate

Personal

$$(\text{per 1,000 persons}) = \frac{393,412}{225,349,000} = 1.75$$

Business

$$(\text{per 1,000 businesses}) = \frac{139,641}{8,000,000} = 17.5$$

10X

Burglary rate--persons

$$(\text{per 1,000 households}) = \frac{2,380,708}{80,976,800} = 29.4$$

5.1X

Business

$$(\text{per 1,000 businesses}) = \frac{1,197,220}{8,000,000} = 149.7$$

14X

Burglary rate--persons

$$(\text{per 1,000 persons}) = \frac{2,380,708}{225,349,000} = 10.6$$

Rate bases Personal--UCR population bases

1976 - 214,659,000

1980 - 225,349,000

Commercial population bases Calculated from CVS

1976 - CVS estimate of establishments - 7,200,000

1980 - produced by ratio estimating 1976 CVS estimates and
1976 and 1980 County Business Pattern (CBP) estimates of
employer establishments

1976 CBP - 4,100,000

1980 CBP - 4,543,000

$$\frac{4.1}{7.2} = \frac{4.543}{x}$$

$$x = 7.9 = 8 \text{ million}$$

1980 robberies

Personal total 393,412

Street, highway 276,168

Residence 56,805

Miscellaneous 60,439

1980 burglaries

Residence 2,380,708

Nonresidence 1,197,220

Commercial total 139,641

Commercial house 73,458

Gas/service station 22,024

Convenience store 36,161

Bank 7,998

p. 7 Businesses reported more than 1 million burglaries and more than 100,000 robberies in 1981

Source: FBI, Uniform Crime Reports, Crime in the United States 1981, Table 17, p. 150.

Nonresidence	1,148,101
Night	625,842
Day	191,055
Unknown	331,204

Night	625,842
	1,148,101 = 54.5%

Day	191,055
	1,148,101 = 16.6%

Unknown	331,204
	1,148,101 = 28.8%

Commercial robbery--approximation since this definition really isn't used by FBI for UCR. This is our best guess as to estimate of commercial robbery.

Commercial house	72,430
Gas/service station	22,934
Convenience store	34,809
Bank	7,559
	148,703

Ratio of convenience store robberies to gas/service station robberies:

$$\frac{34,809}{22,934} = 1.52$$

Ratio of convenience store robberies to bank robberies:

$$\frac{34,809}{7,559} = 4.6$$

p. 8 The percentage of households touched by crime changed little
during the past 7 years

Source: Households Touched by Crime 1981, BJS bulletin

p. 8 The National Crime Survey shows relatively little change in victimization rates between 1973 and 1981

Rate per 1,000								Personal larceny with contact (II)	Personal larceny without contact (III)	Household larceny (I)
	Rape (A)	Robbery (B)	Aggravated assault (C)	Simple assault (D)	Violent crimes (E)	Motor vehicle theft (F)	Burglary (G)			
1973	0.95	6.74	10.07	14.80	32.55	19.08	91.69	3.1	88.0	107.00
1974	0.98	7.18	10.39	14.44	32.98	18.82	93.13	3.1	92.0	123.79
1975	0.91	6.76	9.61	15.56	32.84	19.48	91.68	3.1	92.9	125.38
1976	0.84	6.46	9.86	15.41	32.57	16.47	88.90	2.9	93.2	124.08
1977	0.89	6.22	9.98	16.81	33.90	16.97	88.53	2.7	94.6	123.26
1978	0.97	5.89	9.69	17.16	33.72	17.51	85.97	3.1	93.6	119.93
1979	1.08	6.26	9.92	17.29	34.54	17.52	84.09	2.9	89.0	133.71
1980	0.94	6.56	9.26	16.50	33.26	16.69	84.26	3.0	80.0	126.50
1981	0.95	7.41	9.64	17.32	35.32	17.11	87.92	3.3	81.9	121.01
% change 73-81	-0-	+9.94	-4.27	+17.03	+8.51	-10.32	-4.11	+6	-8	+13.09

Source: NCS

P. 9 NCS and UCR examine different aspects of crime and crime trends

Much of the difference between the NCS and UCR burglary trends can be explained

Source: UCR, NCS, and unpublished calculations

Burglary rate

	<u>1973</u>	<u>1981</u>	<u>% change</u>
UCR	1222.5	1632.1	+33.5%
NCS	97.1	87.9	- 4.1%

Population growth

	<u>1973</u>	<u>1981</u>	<u>% change</u>
NCS - Households	70,442,000	84,095,000	+19.4%
UCR - Population	209,851,000	229,146,000	+ 9.2%

Comparison of NCS reported burglaries rate based on population to UCR residential burglary rate

Year	UCR population	NCS reported burglaries	Year-to year		Year-to year	
			Rate	percent change	UCR residential burglaries	Rate
1973	209,851,000	3,009,754	14.34	-	1,590,610	7.58
1974	211,392,000	3,205,726	15.16	5.7	1,884,304	8.91
1975	213,124,000	3,277,438	15.38	1.5	2,081,344	9.72
1976	214,659,000	3,205,095	14.93	-2.9	1,946,574	9.07
1977	216,332,000	3,301,271	15.26	2.2	1,983,930	9.17
1978	218,059,000	3,157,584	14.48	-5.1	2,017,925	9.25
1979	220,099,000	3,182,250	14.46	-0.1	2,111,680	9.59
1980	225,349,264	3,577,149	15.87	9.8	2,517,994	11.17
1981	229,146,000	3,778,344	16.49	3.9	2,505,666	10.93

Comparison of NCS forcible entry rates to UCR residential forcible entry rates

Year	UCR residential burglaries	Percent forcible entry	Residential forcible entries	Rate per 1,000
1973	1,590,610	75	1,192,958	5.68
1974	1,884,304	75	1,413,228	6.69
1975	2,081,344	75	1,561,008	7.32
1976	1,946,574	75	1,459,931	6.80
1977	1,903,930	73	1,448,269	6.69
1978	2,017,925	73	1,473,085	6.76
1979	2,111,680	73	1,541,526	7.00
1980	2,517,994	73	1,838,136	8.16
1981	2,505,666	73	1,829,136	7.98

Year	NCS forcible entries	Percent reported	Reported forcible entries	Rate per 1,000
1973	2,095,000	70.0	1,466,500	6.99
1974	2,215,000	71.6	1,585,940	7.50
1975	2,274,000	72.9	1,657,746	7.79
1976	2,227,000	70.1	1,561,127	7.27
1977	2,300,000	72.5	1,667,500	7.71
1978	2,200,000	70.3	1,546,600	7.09
1979	2,156,000	71.9	1,550,164	7.04
1980	2,462,000	72.9	1,794,798	7.96
1981	2,587,000	76.3	1,973,881	8.61

Fig. 9 UCR shows increases in all Index Crimes reported by the police during the 1970's

	Total Index crimes	Larceny	Burglary	Motor vehicle theft	Total violent crimes	Aggravated assault	Robbery	Rape	Homicide
1971	4164.7	2145.5	1163.5	459.0	396.0	170.0	100.0	30.5	0.6
1972	3961.4	1991.6	1140.0	426.1	401.0	100.0	100.7	27.5	0.0
1973	4154.4	2071.9	1222.5	442.6	417.4	200.5	103.1	31.5	0.4
1974	4050.4	2009.5	1417.7	462.2	461.1	215.0	209.3	36.3	0.0
1975	5281.7	2004.0	1525.9	469.4	481.5	227.4	210.2	36.1	0.6
1976	5266.4	2021.3	1439.4	446.1	459.6	220.7	195.0	26.4	0.0
1977	5055.1	2229.0	1410.9	447.6	466.6	241.5	107.1	29.4	0.0
1978	5109.1	2241.9	1421.7	454.7	486.9	255.9	191.3	30.0	0.0
1979	5521.5	2988.4	1499.1	498.5	515.5	279.1	212.1	34.5	0.7
1980	5099.9	1156.1	1660.2	494.6	500.0	290.6	241.5	36.4	10.3
1981	5799.9	1122.1	1612.1	468.7	576.9	290.9	250.6	35.6	9.0
% change 71 to 81	139.26	145.51	140.20	11.94	157.10	111.30	123.66	111.95	

Sources: Uniform Crime Report (Table 2)

p. 10 In 1980, the homicide rate was at the highest level in this century

1900 -	1.2	1940 -	6.3
1901 -	1.2	1941 -	6.0
1902 -	1.2	1942 -	5.9
1903 -	1.1	1943 -	5.1
1904 -	1.3	1944 -	5.0
1905 -	2.1	1945 -	5.7
1906 -	3.9	1946 -	6.4
1907 -	4.9	1947 -	6.1
1908 -	4.8	1948 -	5.9
1909 -	4.2	1949 -	5.4
1910 -	4.6	1950 -	5.3
1911 -	5.5	1951 -	4.9
1912 -	5.4	1952 -	5.2
1913 -	6.1	1953 -	4.8
1914 -	6.2	1954 -	4.8
1915 -	5.9	1955 -	4.5
1916 -	6.3	1956 -	4.6
1917 -	6.9	1957 -	4.5
1918 -	6.5	1958 -	4.5
1919 -	7.2	1959 -	4.6
1920 -	6.8	1960 -	4.7
1921 -	8.1	1961 -	4.7
1922 -	8.0	1962 -	4.8
1923 -	7.8	1963 -	4.9
1924 -	8.1	1964 -	5.1
1925 -	8.3	1965 -	5.5
1926 -	8.4	1966 -	5.9
1927 -	8.4	1967 -	6.8
1928 -	8.6	1968 -	7.3
1929 -	8.4	1969 -	7.7
1930 -	8.8	1970 -	8.3
1931 -	9.2	1971 -	9.1
1932 -	9.0	1972 -	9.4
1933 -	9.7	1973 -	9.7
1934 -	9.5	1974 -	10.1
1935 -	8.3	1975 -	9.9
1936 -	8.0	1976 -	9.0
1937 -	7.6	1977 -	9.1
1938 -	6.8	1978 -	9.2
1939 -	6.4	1979 -	10.0

p. 10 Homicide data provide added perspective to crime trends

UCR and Public Health statistics both show that the homicide rate has been rising since 1961

Source: NCHS, Social Indicators, p. 64, table 2/1

NCHS homicide rates 1971-81

Total homicide rate

	<u>New</u>	<u>Old</u>	<u>Provisional</u>
1971	9.1	9.1	
1972	9.4	9.4	
1973	9.7	9.8	
1974	10.1	10.2	
1975	9.9	10.0	10.2
1976	9.0	9.1	8.8
1977	9.1	9.2	9.7
1978	9.2	9.4	
1979	10.0	10.?	10.4
1980		11.0	
1981		10.7	

Note: 1980-81 estimates are provisional based on a 10% sample of cases-- subject to revision.

14

Comparison of NCHS and UCR homicide rates

	<u>NCHS</u>	<u>UCR</u>
1951	4.9	5.1
1952	5.2	5.3
1953	4.8	5.2
1954	4.8	4.9
1955	4.5	4.8
1956	4.6	4.8
1957	4.5	4.7
1958	4.5	4.7
1959	4.6	4.8
1960	4.7	5.0
1961	4.7	4.7
1962	4.8	4.6
1963	4.9	4.5
1964	5.1	4.9
1965	5.5	5.1
1966	5.9	5.6
1967	6.8	6.1
1968	7.3	6.8
1969	7.7	7.3
1970	8.3	7.8
1971	9.1	8.5
1972	9.4	9.0
1973	9.7	9.4
1974	10.1	9.8
1975	9.9	9.6
1976	9.0	8.8
1977	9.1	8.8
1978	9.2	9.0
1979	10.0	9.7
1980	11.0	10.2
1981	10.7	9.8

15

p. 11 Some types of larceny and burglary show strong seasonal trends

	<u>January</u>	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>
--	----------------	-----------------	--------------	--------------	------------	-------------	-------------	---------------	------------------	----------------	-----------------	-----------------

(A) Personal larceny without contact less than \$50 (Source: NCS/MIS)

1973	834	855	778	824	815	624	659	614	872	927	905	848
1974	907	885	800	749	677	636	613	600	844	1,041	1,010	902
1975	883	863	790	811	793	687	604	677	817	933	880	832
1976	804	808	755	732	774	619	624	625	761	927	889	793
1977	788	790	823	767	758	623	583	691	845	847	883	818
1978	770	787	787	744	758	694	624	611	812	857	833	787
1979	687	717	676	703	721	611	580	592	692	757	781	775
1980	652	633	565	548	586	477	548	541	614	712	700	670

(B) Household larceny (Source: NCS/SFI)

1973	511	408	479	598	674	740	769	812	634	664	614	635
1974	614	698	663	711	707	845	865	917	753	760	683	717
1975	575	573	668	679	778	865	1,011	933	825	813	697	807
1976	643	638	673	713	803	941	967	929	748	755	742	749
1977	602	574	669	758	831	921	984	1,002	789	821	701	766
1978	656	569	640	682	718	950	1,023	939	910	767	722	774
1979	667	606	735	770	946	1,089	1,098	1,139	914	939	854	873
1980	679	683	702	755	842	997	1,114	1,057	878	922	832	787

(C) Nonforce household burglary (Source: NCS/SFI)

1973	205	183	224	221	271	218	300	312	252	266	261	240
1974	180	211	230	260	239	278	314	316	266	270	260	233
1975	201	202	224	235	274	280	350	295	252	230	239	198
1976	174	184	216	199	259	272	334	282	237	244	226	201
1977	196	202	235	237	268	264	284	310	242	274	235	215
1978	162	172	195	246	261	273	304	264	276	235	287	241
1979	207	208	238	258	254	292	325	337	257	293	247	193
1980	213	183	206	211	235	296	305	319	249	248	256	248

p. 12 UCR Index Crime rates are highest in the West, lowest in Central and Appalachian regions.

pp. 52-53 For every five offenses reported to police...there is approximately one arrest.

FBI Uniform Crime Reports data for 1980 on offenses and arrests were prepared for county-level mapping by the Inter-University Consortium for Political and Social Research. Offenses covered are murder, manslaughter, rape, robbery, assault, burglary, larceny, and motor vehicle theft.

County data were aggregated in the following manner: Counts of crime events were summed for all jurisdictions which could be placed in a particular county. Monthly counts for jurisdictions reporting crime data for less than a full year but for more than six months were assumed to be unbiased and were weighted upwards to approximate the reporting level which would be expected for the full year. Jurisdictions not reporting to the FBI during 1980 or reporting for six months or less were excluded from the analysis. For those jurisdictions which overlapped county borders, counts were assigned to the affected counties in proportion to the population of the jurisdiction known to be residing in each county. In Connecticut and Vermont, the State police also reported nontrivial numbers of criminal events which could not be identified by county. These counts were partitioned among all counties of these States in proportion to county population.

Aggregated offense and arrest counts were subsequently divided by 1980 Census figures for county population to derive per capita offense and arrest rates for each county. Rates per thousand population were then calculated and aggregated to produce the five ordered categories used to produce each map. The distribution of counties in lower 48 States plus District of Columbia across categories for each map was as follows:

UCR Index Offenses per Thousand Resident Population

<u>NOT AVAILABLE*</u>	<u>UNDER 20</u>	<u>20 - 40</u>	<u>40 - 60</u>	<u>60 - 80</u>	<u>80 AND OVER</u>
112 (3.6%)	1018 (32.8%)	1027 (33.0%)	546 (17.6%)	267 (8.6%)	138 (4.4%)

UCR Index Arrests Per Thousand Resident Population

<u>NOT AVAILABLE*</u>	<u>LESS THAN 5</u>	<u>5 - 10</u>	<u>10 - 15</u>	<u>15-20</u>	<u>20 AND OVER</u>
434 (14.0%)	1069 (34.4%)	920 (29.6%)	472 (15.2%)	152 (4.9%)	61 (2.0%)

*Counties where all jurisdictions either reported no data to the FBI for 1980 or reported for six months or less.

Substate data for Alaska and Hawaii could not be utilized with the analytic software available to produce the offense and arrest maps. Consequently, statewide rates were computed for these two States. Jurisdiction-level arrest data on FBI files for a number of other States were also inadequate. State-level aggregate counts were used for arrest rate calculations in these States when available, except for Florida, where arrest calculations relied on county-level data obtained from that State's UCR reporting program.

P. 14 Except for homicide, most violent crimes do not involve the use of weapons

Source: UCR, Crime in the United States 1981
NCS 1981--combination of published/unpublished data

	Total <u>incidents</u>	Total <u>no weapon</u>	Total <u>with weapon</u>	Total <u>%</u>	Total <u>with guns</u>	Total <u>%</u>	Total <u>with knives</u>	Total <u>%</u>	Total <u>with other</u>	Total <u>%</u>	Total <u>type</u>	Total <u>DK</u>	Total <u>%</u>
Rape	166,750	76.9	38,510	23.1	11,170	6.7	24,440	14.7	1,590	1.0	3,510	2.1	
Robbery	1,201,130	53.7	555,580	46.3	216,760	18.0	246,450	20.5	112,380	9.4	24,050	2.0	
Assault	4,255,120	68.1	1,358,430	31.9	376,290	8.8	378,920	8.9	395,650	14.0	50,670	1.2	

p. 14 Victims used or brandished a gun or knife to protect themselves in only 2% of all violent crimes

Source: NCS, Criminal Victimization in the U.S. 1981, Table 67.

Armed offenders seldom had more than one type of weapon

Source: NCS calculations on data for 1973-79 done for Violent Crime by Strangers bulletin

1973-79 violent crime by strangers

Gun only	3,187,318
Knife only	2,596,524
Other only	3,069,312
Gun/knife	119,001
Gun/other	116,763
Gun/knife/other	25,677
Knife/other	159,437
DK type	2,127,121

Total gun only, knife only, and other only

Total victimizations with weapons

8,853,254
9,274,032 = 95.5%

Confirmed by 1981 data table B4 (these data not included in report)

Guns	604,220
Knives	649,810
Other	709,610
	1,963,640

Total incidents with weapons 1,952,520

Overlap 11,590

1,952,050 = 1% of incidents with multiple weapons

Weapons are more often used than assaults in killings of law enforcement officers

Source: UCR, Crime in the United States 1981, pp. 305, 310.

Bombing incidents declined by 45% between 1975 and 1981

Source: Bomb summary 1981, Tables 1 and 2

Terrorist groups claimed responsibility for only 20 of the 1,249 bombing incidents in 1980

Source: FBI bomb summary 1980, Tables 9 and 10

p. 15 Strangers commit most violent crimes, especially robbery

Rate per 1,000		Aggravated assault	
Robbery		Stranger	Nonstranger
Stranger	Nonstranger	(D)	(E)

1973	5.78	0.96	6.23	3.84
1974	6.09	1.09	6.78	3.61
1975	5.75	1.01	6.26	3.35
1976	5.29	1.17	6.17	3.69
1977	4.88	1.34	6.28	3.71
1978	4.54	1.36	6.24	3.45
1979	5.05	1.21	6.31	3.61
1980	5.44	1.12	6.02	3.24
1981	6.28	1.13	6.51	3.13

Simple assault		Total violent crimes	
Stranger	Nonstranger	Stranger	Nonstranger
(G)	(H)	(J)	(K)

1973	8.74	6.06	21.50	11.06
1974	8.29	6.15	21.88	11.10
1975	8.74	6.83	21.39	11.46
1976	8.90	6.51	20.94	11.63
1977	9.62	7.18	21.35	12.55
1978	9.76	7.40	21.24	12.48
1979	10.22	7.07	22.23	12.31
1980	9.20	7.30	21.33	11.92
1981	10.13	7.20	23.49	11.84

Source: NCS

p. 15 Robbery victims run a high risk of injury from unarmed strangers

Source: Violent Crime by Strangers, p. 4, and nonpublished estimates done for that bulletin

Robbery completion--unpublished Violent Crime by Strangers table 218.

Unarmed	<u>Completed</u>	<u>1,084,196</u>	
	Total	<u>2,017,865</u>	= 53.7%

Other weapon armed	<u>Completed</u>	<u>310,342</u>	
	Total	<u>572,560</u>	= 54.2%

Injury to robbery victims--unpublished Violent Crime by Strangers table 244

Other weapon armed	<u>Injured</u>	<u>302,249</u>	
	Total	<u>572,559</u>	= 52.8%

Unarmed	<u>Injured</u>	<u>682,977</u>	
	Total	<u>2,017,864</u>	= 33.8%

Knife armed	<u>Injured</u>	<u>285,245</u>	
	Total	<u>1,122,267</u>	= 25.4%

Gun armed	<u>Injured</u>	<u>224,622</u>	
	Total	<u>1,315,577</u>	= 17.1%

Most violent crimes except murder are committed by strangers

Source: Homicide--Crime in the United States 1981

Other crimes--Violent Crime by Strangers and unpublished estimates

1973-79 violent crimes (rape, robbery, assault)

	<u>Number</u>	<u>Percent</u>
By strangers	23,497,961	63
By acquaintances	11,305,886	30
By relatives	2,532,959	7
Total	<u>37,336,806</u>	100

Chapter II. The Victim

p. 18 How do crime rates compare with the rates of other life events?

Tables 1 and 2 document how rates in the life events table were derived. Several different methodologies were considered in the process of developing this table. A technical report will be issued by BJS at a later date that discusses the conceptual and measurement issues involved in determining how to calculate these rates and discusses alternative methodologies.

Table 1. Negative life event rates

Rank	Event	Rate		Population		
		Per 1,000	Per 100,000	Group	Age	Year
1	Accidental injury, all circumstances	290	28,971	Civilian noninstitutional	17+	1981
2	Experienced some unemployment	195	19,541	Workers and work-seekers	16+	1981
3	Accidental injury at home	105	10,494	Civilian noninstitutional	17+	1981
4	Personal theft	82	8,151	Civilian noninstitutional	16+	1981
5	Accidental injury at work	68	6,795	Civilian noninstitutional	17+	1981
6	Violent victimization	33	3,334	Civilian noninstitutional	16+	1981
7	Assault (aggravated & simple)	25	2,538	Civilian noninstitutional		
8	Injury in motor vehicle accident	23	2,294	Civilian noninstitutional	17+	1981
9	Divorce	23	2,277	Resident, married female*	15+	1979
10	Death, all causes	11	1,068	Resident	15+	1979
11	Serious (aggravated) assault	9	928	Civilian noninstitutional		
12	Death of spouse	9	856	plus off-base military	16+	1981
13	Robbery	7	704	Resident, married*	15+	1979
14	Heart disease death	4	423	Civilian noninstitutional	16+	1981
15	Cancer death	2	232	Resident	15+	1979
16	Rape (women only)	2	165	Civilian noninstitutional	16+	1981
17	Accidental death, all circumstances	0.5	55	Resident	15+	1979
18	Motor vehicle accident death	0.3	28	Resident		
19	Pneumonia/influenza death	0.3	25	Resident	15+	1979
20	Suicide	0.16	16	Resident	15+	1979
21	Fire/flame injury	0.13	13	Resident	15+	1981
22	Homicide/legal intervention death	0.12	12	Resident	15+	1981
23	Fire/flame death	0.03	3	Resident	All	1981

*See source-notes, table 2, regarding effects of 1979 population underestimation.

Table 2. Supplementary information on negative life events

Event rank	Rate component	Numerator (source)	Denominator (source)	Program/agency	Comment
1	148,140,000	166,165,000	National Health Interview Survey/ (a) NCHS-Census	Unpublished figures available for age 15+	
2	23,382,000	119,658,000	Current Population Survey/BLS- (b) Census	Estimated total population age 16+ was 171,666,000	
3	17,438,000	166,165,000	National Health Interview Survey/ (a) NCHS-Census	Unpublished figures available for age 15+	
4	14,005,400	171,830,500	NCS/BJS-Census (c)	Based on age 12+, the rates are 85 and 8,513	
5	11,291,000	166,165,000	National Health Interview Survey/ (a) NCHS-Census	Data only apply to age 17+, but BLS/CPS criteria not used in defining the population at risk	
6	5,728,400	171,830,500	NCS/BJS-Census (c)	Based on age 12+, the rates are 35 and 3,532	
7	4,361,200	171,830,500	Do. (c)	Based on age 12+, the rates are 27 and 2,696	
8	3,811,000	166,165,000	National Health Interview Survey/ (a) NCHS-Census	Unpublished figures available for age 15+	
9	1,181,000	51,869,000	Vital Statistics Cooperative (d) Program/NCHS	(See source-notes d/e)	
10	1,848,270	173,113,000	Do. (f)	1980-81 data will be available in 1984	
11	1,594,200	171,830,500	NCS/BJS-Census (c)	Based on age 12+, the rates are 10 and 964	
12	882,538	103,067,000	Vital Statistics Cooperative (h) Program/NCHS	(See source-note i)	
13	1,210,200	171,830,500	NCS/BJS-Census (c)	Based on age 12+, the rates are 7 and 741	
14	731,845	173,113,000	Vital Statistics Cooperative (f) Program/NCHS	1980-81 data will be available in 1984	

15	401,110	173,113,000	Do.	Do.
	(f)	(g)		
16	149,100	90,114,900	NCS/BJS-Census	Based on age 12+, the rates are 2 and 175
	(c)	(c)		
17	95,049	173,113,000	Vital Statistics Cooperative (f) Program/NCHS	1980-81 data will be available in 1984
	(g)			
18	49,076	173,113,000	Do.	Do.
	(f)	(g)		
19	43,421	173,113,000	Do.	Do.
	(f)	(g)		
20	27,037	173,113,000	Do.	Do.
	(f)	(g)		
21	30,450	229,307,000	National Fire Protection Assoc. (j)	Based on fire departments survey; victims' age unavailable; numerator excludes firefighters; undercounts injuries (unreported fires/injuries)
	(g)			
22	21,595	173,113,000	Vital Statistics Cooperative (f) Program/NCHS	1980-81 data will be available in 1984
	(g)			
23	6,700	229,307,000	National Fire Protection Assoc. (j)	Based on fire departments survey; victims' age unavailable; numerator excludes firefighters; 1979 figure is inflated; 1981 figure is more reliable because of methodology refinement
	(g)			

Key to numerator/denominator sources:

(a) NCHS, Current Estimates from the National Health Interview Survey, United States, 1981. Vital and Health Statistics Series 10, No. 141. Public Health Service, Washington, D.C., October 1982.

(b) BLS, "One in Five Persons in Labor Force Experienced Some Unemployment in 1981." News release, Washington, D.C., July 20, 1982.

(c) NCS tabulations produced by Census Bureau.

(d) NCHS, Advance Report of Final Divorce Statistics, 1979. Monthly Vital Statistics Report, Vol. 30, No. 2, Supplement. Public Health Service, Washington, D.C., May 29, 1981. In addition to giving the final divorce count (numerator) and the general divorce rate of 5.4 per 1,000 resident population, the report cites a rate of 22.8 divorces per 1,000 married females age 15+, but it does not give the denominators for either rate. The general divorce rate was subsequently revised to 5.3 per 1,000, based on a recalculated (i.e., 1980 census-corrected) resident population. The implications of this are discussed in the next source-note. The 1980 final divorce figures will be released in June 1983.

(e) Table sent to NCHS by Population Division, Census Bureau, under covering letter dated 2/23/81. The figure derives from the CPS and is a 1970-based estimate. Because of the 1970 undercount, the 1979 population of married females age 15+ (denominator) probably has been underestimated to some degree, but there are no plans to re-estimate that figure based on 1980 census results. For the

resident population age 15+ as a whole (i.e., all marital categories), the underestimation amounted to about 1.9%. If the underestimation was uniform across all categories--which is very unlikely because the 1970 undercount was not evenly distributed--the denominator would become 52,854,000. This would yield a divorce rate of 22 per 1,000 (or 2,234 per 100,000) married females age 15+, which would not affect the item's ranking.

(f) NCHS, Advance Report of Final Mortality Statistics. Monthly Vital Statistics Report, Vol. 31, No. 6, Supplement. Public Health Service, Washington, D.C., September 30, 1982. Only the death counts, but not the rates, were used from this source.

(g) Bureau of the Census, Preliminary Estimates of the Population of the United States, by Age, Sex, and Race, 1970 to 1981. Series P-25, No. 917, Washington, D.C., 1982.

(h) Unpublished NCHS figure. Coding of marital status as reported on death certificate was resumed recently, after a 20-year interruption, but post-1979 figures will not be available for some time.

(i) Same source and underestimation problem as described in item (e) above. Applying the upward adjustment of about 1.9% gives a denominator of 105,023,000. This would yield a death of spouse rate of 8 per 1,000 (or 840 per 100,000) married persons age 15+, which would not affect the item's ranking.

(j) Michael J. Karter, Jr., "Fire Loss in the United States During 1981," Fire Journal. Vol. 76, No. 5, National Fire Protection Association, Quincy, Massachusetts, September 1982.

p. 21 **Men, blacks, and young people face the greatest risk of violent crime by strangers**

Source: Violent Crime by Strangers bulletin and unpublished estimates produced for that bulletin

Victimization rates by age--unpublished Violent Crimes by Strangers table 207

Age			
25-34	<u>Robberies</u>	1,062,369	
	<u>Population</u>	= 221,819,000	X 1,000 = 4.8
65+	<u>Aggravated assaults</u>	1,630,866	
	<u>Population</u>	= 153,608,000	X .1,000 = 7.4
	<u>Robberies</u>	463,035	
	<u>Population</u>	= 153,608,000	X 1,000 = 3.0
	<u>Aggravated assaults</u>	86,295	
	<u>Population</u>	= 153,608,000	X 1,000 = 0.6

Women were more vulnerable than men to assaults by acquaintances and relatives

Source: Criminal Victimization in the U.S. 1980

Young offenders did not appear to be singling out the elderly as victims of robbery and assault

Source: Violent Crime by Strangers bulletin, p. 2

p. 21 Victims and offenders are of the same race
in 3 out of 4 violent crimes

<u>White victims</u>	<u>Offenders</u>	<u>Black victims</u>
72%	White	13%
20%	Black	81%
4%	Other	3%
2%	Mixed	2%
2%	Unknown	2%

p. 21 Spouses or former spouses committed 5% of the assaults by lone offenders

Source: Intimate Victims report

From table 9, p. 25.

Single offender incidents

Intimate	3,322,000
Nonintimate	8,659,000
	11,981,000

From table D, p. 44

Spouse/ex-spouse incidents	655,000
	655,000
	11,981,000 = 5.4%

p. 22 The economic impact of crime hits the poor most heavily

National Crime Survey family income data are coded in intervals, e.g., \$7,500 to \$9,999. The midpoint of the income range was used in calculating "burden" statistics, except for households earning \$25,000 or more. The mean income for these households was estimated using income data from the Statistical Abstract of the United States for 1977-1980, and values were assigned based on the year in which a victimization incident occurred. As expected, income for these households increased steadily during this period.

p. 23 Likelihood of injury appears to be related to a victim's self-protective response

A number of factors may of course affect the likelihood of experiencing serious injury during violent crime incidents. These factors may also influence the frequency with which victims choose particular means of protecting themselves. Consequently, a bivariate analysis of the relationship between various strategies of self-protection and the likelihood of serious injury may be confounded by the influence of these other factors and may not represent the underlying relationship between these two variables accurately. A data analysis which fails to "control" for such confounding variables may thus obscure alternative explanations for the relationships discovered and may lead to erroneous inferences. To investigate a number of alternative hypotheses for the results presented, multivariate models were developed which allowed direct assessment of a number of additional factors which might have an effect on the likelihood of serious injury. These included the type of violent crime involved, the relationship of the victim to the offender, the number of offenders, the age and sex of victims, and the types of weapons carried by offenders. Given the discrete character of the variables in the model, log linear techniques were utilized for the analysis.¹ Log linear analysis is useful in that it enables hierarchical testing of various models to arrive at the most parsimonious model which provides an adequate fit of the data. It also allows testing of a number of explanations for a relationship in that variables related to alternative hypotheses may be controlled, thus enabling the analyst to assess the impact of a particular independent variable, net of the other independent variables in the model.

To evaluate the impact of the type of self-protection employed on the likelihood of serious injury, a number of log linear models were tested. These will be discussed in detail below. However, it should be noted at the beginning that there was a net effect in all models tested for type of self-protection on the likelihood of serious injury, thus indicating that the bivariate relationship discovered between these two variables could not be attributed entirely to the alternative hypotheses tested. The models which best fit the data involve higher-order interactions. Consequently, presentation of cell frequencies for the models is not terribly useful, as log linear analysis separates main effects from interactions, both of which are reflected in cell frequencies. All effects discussed here and in the body of the National Report have log linear effect parameters which are at least twice their standard errors, making them statistically significant at least at the .05 level (two-tailed). NCS data utilized for the analysis are not weighted to represent figures which might be obtained from the population at large, as is often the case in NCS estimation of crime rates and levels. Therefore percentages of injured crime victims presented in the text represent injury patterns only for the

¹Discussions of this model estimation technique are provided in (1) James A. Davis, "Hierarchical models for significance tests in multivariate contingency tables: an exegesis of Goodman's recent papers." (in H.L. Costner (ed.), Sociological Methodology 1973-1974. San Francisco: Jossey-Bass, 1974) and (2) Stephen E. Fienberg, The analysis of Cross-Classified Categorical Data (second edition). (Cambridge: The MIT Press, 1980).

NCS sample. Given the representative design of this sample, estimates based on weighted and unweighted cases should be very similar.² (A discussion of the desirability of using unweighted NCS data in multivariate analyses.)

MODEL 1 - TYPE OF CRIME, SEX OF VICTIM, NUMBER OF OFFENDERS

Different types of victims may vary in the strategies they choose for protecting themselves in violent crime incidents. For instance, males are more likely to use a weapon or physical force than other strategies, while females more typically try to respond verbally or to scare the offender away. It is conceivable then that variations in the impact of various self-protective actions on the likelihood of injury may result not so much from the actions themselves, but from differences in the types of victims who choose them. However, when sex of victim is included in the model, we find that controlling for sex has no significant effect on the relationship between likelihood of serious injury and type of self protection taken. In other words, the pattern of injury associated with different types of self protection remains relatively unchanged when one examines the relationship for males and females separately. We do find, however, that males who try to threaten, argue, or reason with the offender are more likely to escape injury than are females who choose the same strategy. We can account for the effects of other variables on the likelihood of being injured in a similar way. One might expect that the likelihood of sustaining an injury would vary for a particular self-protective action, depending on the number of offenders involved. Surprisingly, once we have controlled for the sex of victim and the type of crime, there is no reliable evidence for such an effect. Similarly, when we control for victim sex and number of offenders, the type of crime involved has only a limited effect on the relationship of self-protection to injury. Victims who do nothing to protect themselves are somewhat more likely to escape injury in robberies and simple assaults than in other crimes. There is also a marginally significant indication that victims who threaten, argue, or reason with offenders are less likely to be injured in simple assaults.

MODEL II - AGE OF VICTIM

Victims of different ages vary in their selection of self-protective actions. Older victims (50 years of age and over) are more likely to do nothing to protect themselves or to try to scare the offender away. Older victims are also more likely to be injured, while younger victims (12-24 years old) are less likely to require medical attention. However, when we control for the effects of victim age, the relationship for type of self protection and injury that we discovered initially is still present. The only statistically reliable effects of age on this association are that younger victims who use a gun or knife to respond are more likely to be hurt and are less likely to be injured if they use force.

²A rationale for the use of unweighted NCS data in multivariate analysis is offered in Steven E. Fienberg, "The measurement of crime victimization: prospects for panel analysis of a panel survey," The Statistician 29:313-350(1980).

MODEL III - TYPE OF WEAPON

One would expect that the likelihood of different self-protective actions for being injured would be affected by the types of weapons carried by offenders. When we control for type of weapon, the same effects discovered above for self-protection on likelihood of injury are still present, indicating that this relationship is not entirely a function of the weapon used in the incident. Over and above this result, however, we find that victims are more likely to be injured when they use force against offenders carrying guns, or when they try to scare offenders away when the latter is not carrying a weapon.

p. 24 Only a third of all crimes are reported to the police

	All crimes (A)	Total larceny (B)	Burglary (C)	Motor vehicle theft (D)	Crimes of violence (E)
1973	32.37	23.01	46.62	68.33	45.51
1974	33.46	24.80	47.66	67.34	46.85
1975	34.89	26.55	48.59	71.12	47.18
1976	34.95	26.74	48.15	69.46	48.80
1977	33.51	25.04	48.79	68.45	46.13
1978	32.59	24.57	47.08	66.05	44.21
1979	32.75	24.45	47.56	68.20	45.05
1980	35.80	27.12	51.28	69.34	47.14
1981	35.49	26.54	51.07	66.64	46.57

p. 24 Thefts resulting in large losses and serious violent crimes with injury are most likely to be reported to the police

<u>Violent crimes</u>	<u>Percent reported</u>
Robbery with injury	66.64
Aggravated assault with injury	62.08
Rape	55.69
Robbery without injury	50.71
Simple assault with injury	50.49
Attempted assault with weapon	47.37
Attempted assault without weapon	34.93

Source: NCS

Reported larcenies without contact by value of stolen property

\$1 - \$9	311240/3785320	8.22
\$10 - \$49	1124980/8108650	13.87
\$50 - \$99	1083020/3780760	28.65
\$100 - \$249	1587250/3567980	44.49
\$250 - \$999	1426390/2267740	62.90
\$1,000 or more	329600/456990	72.12

p. 24 Reporting rates varied by type of crime and sex and age of victim--but not by race

Source: NCS, Criminal Victimization in the U.S. 1981

p. 24 Reporting rates were higher for motor vehicle theft than for burglary and for household larceny

Source: NCS, Criminal Victimization in the U.S. 1981

p. 25 The highest income group was more likely than the lowest income group to report household crimes to the police

Source: NCS, Criminal Victimization in the U.S. 1980

Data for 1981

	Under \$3,000	\$25,000+
--	------------------	-----------

Household burglary	41%	56%
Household larceny	26	29
Motor vehicle theft	63	71

p. 25 Homeowners were more likely than renters to report household crimes

Source: NCS, Criminal Victimization in the U.S. 1980

Data for 1981

	Owners	Renters
--	--------	---------

Household burglary	54%	48%
Household larceny	28	24
Motor vehicle theft	71	63

p. 25 Roughly half of all crimes by strangers and by nonstrangers were reported to the police

Source: NCS, Criminal Victimization in the U.S. 1980

p. 26 37 States and the District of Columbia have compensation programs to help victims of violent crime

The original data was obtained from an article by Mindy Gaynes in State Legislatures November/December 1981 (see Attachment A). To ensure that any new State victim compensation programs were included, BJS staff checked with Sandra Brill Stoker of the National Organization of Victim Assistance (NOVA) which keeps an up-to-date listing of all such programs. Four States not listed in Gaynes' article were included on NOVA's list. In January 1983 BJS staff contacted each of these four State programs and obtained the information contained on the chart (see Attachment B). Subsequent to this effort, NOVA provided BJS with its list of programs that contained program information similar to some presented on the chart (see Attachment C). The data on this list was compared to that from Gaynes' article. Wherever discrepancies between the two lists occurred, the State program was contacted by the Bureau of the Census as part of the verification effort in February 1983. Corrected data from these States was obtained by the Bureau of the Census staff (see Attachment D).

State Victim Compensation Programs

State	Year Effective	Source of Revenue: General Tax Revenue Penalty Assessments—GTR PA	Maximum Award	Minimum Award	Financial Need	Report to Police	File with Commission	Son of Sam Provision	Out-of-State Residents Covered?
Alaska	1972	GTR	\$25,000*	40,000					
California	1965	PA	\$23,000	\$100	X	5 days YES	2 yrs 1 yr	X	YES
Colorado	1982	PA	\$ 1,500	\$ 25		72 hrs 5 days	6 mos 2 yrs		NO
Connecticut	1979	PA	\$10,000	\$100					NO
Delaware	1975	PA	\$10,000	\$ 25		YES	" 1 yr		YES*
Florida	1978	GTR, PA	\$10,000		X	72 hrs	1 yr		YES
Hawaii	1967	GTR	\$10,000		X	YES	1 yr		NO
Illinois	1973	GTR	\$15,000	\$200		72 hrs	18 mos		YES
Indiana	1978	GTR, PA	\$10,000	\$100		1 yr	X		YES
Kansas	1978	GTR	\$10,000	\$100	X	48 hrs	90 days		NO
Kentucky	1976	GTR	\$15,000	\$100	X	72 hrs	1 yr		YES
Maryland	1968	GTR, PA	\$45,000	\$100	X	48 hrs	1 yr	X	YES
Massachusetts	1969	GTR	\$10,000	\$100	X	48 hrs	180 days		YES
Michigan	1977	GTR	\$15,000	\$100		48 hrs	1 yr	X	NO
Minnesota	1974	GTR	\$25,000	\$100		48 hrs	30 days	X	NO
Missouri	1982	PA	\$10,000	\$200		5 days	1 yr	X	YES
Montana	1978	PA				48 hrs	1 yr		Law is silent
Nebraska	1979	GTR	\$25,000			72 hrs	X		
Nevada	1981	PA	\$10,000		X	3 days	1 yr	X	YES
New Jersey	1971	GTR, PA	\$ 5,000	\$100	X	5 days	2 yrs	X	YES
New Mexico	1981	GTR	\$10,000			1 yr	X		NO
New York	1966	GTR	\$12,500			3 mos	1 yr	X	YES
North Dakota			\$20,000 plus unlted. medical expenses		X	30 days	1 yr		NO
Ohio	1975	GTR	\$25,000			1 wk	1 yr	X	YES
Oklahoma	1976	PA	\$50,000	\$100		72 hrs	1 yr		YES
Oregon	1981	PA	\$10,000			72 hrs	1 yr		YES
Pennsylvania	1978	GTR	\$23,000	\$250		72 hrs	1 yr		
Tennessee	1977	PA	\$25,000	\$100		72 hrs	6 mos	X	YES
Texas	1980	PA	\$10,000	\$100		72 hrs	1 yr		YES*
Virginia	1976	PA	\$50,000		X	72 hrs	180 days		YES
West Virginia	1981	PA	\$10,000	\$100	X	48 hrs	6 mos	X	NO
Wisconsin	1977	GTR	\$20,000		X	72 hrs	2 yrs		YES*
			\$12,000			5 days	2 yrs		YES

1. Includes medical expenses, lost earnings, and funeral expenses.
 2. \$25,000 per victim; \$40,000 if there are two or more surviving dependents.
 3. If victim is a resident of a state that compensates out-of-state residents.

*Sum = \$572,000**N = 32**Avg/mo x 3 = 18,031**✓ 12*

Victim Compensation Programs:

Iowa	Financial award	Show financial need	Report to police within	File claim within
	\$0 - 2,000	No	1 day	6 months

Source: Roger Nowadzky, Iowa State Legislature, Des Moines, Iowa
515/281-3566

Washington (state)

Financial award

Max. \$10,000--time loss & pension

15,000--other non-medical

Unlimited (no maximum) medical expenses

Minimum \$200 loss except for medical expenses due to sexual assault

Show financial need	Report to police within	File claim within
No	3 days	1 year*

*Minors are exempt from this limit.

Source: State Department of Labor and Industries, Olympia, Washington
206/753-6318

District of Columbia

Financial award	Show financial need	Report to police within	File claim within
\$25,000 max (no minimum) \$2,000 max on funeral expenses	Yes	7 days	6 months

Source: Jill Syringa, Judiciary Committee, City Council,
Washington, D.C., 202/724-8176

Attachment C

<u>REBACTED</u>	<u>NUMBER</u>	<u>AWARD</u>	<u>AWARD</u>	<u>DEADLINE</u>
✓ Alaska (1971)	907-443-2620	\$25,000	\$1,500	2 years
✓ California (1965)	916-422-4426	\$23,000	\$1,000	1 year
✓ Colorado (1982)	303-575-5176	\$1,500	\$500	6 months
✓ Connecticut (1978)	203-566-4156	\$10,000	\$500	2 years
✓ Delaware (1975)	302-571-3030	\$10,000	No maximum	1 year
✓ District of Columbia (1982)	202-224-2130	\$25,000	\$1,000	6 months
✓ Florida (1978)	904-400-0848	\$10,000	\$500	1 year
✓ Hawaii (1967)	808-548-4680	\$10,000	No	18 months
✓ Illinois (1973)	312-793-2585	\$15,000	No	6 months
✓ Indiana (1977)	317-232-7101	\$10,000	\$500	3 months
✓ Iowa (1982)	515-281-8421	\$2,000	\$500 <i>for each 6 months</i>	6 months
✓ Kansas (1978)	913-296-2359	\$10,000	No maximum	1 year
✓ Kentucky (1976)	502-564-2290	\$15,000	\$500	1 year
✓ Louisiana (1982)	504-342-6740	\$10,000	\$500	1 year
✓ Maryland (1968)	301-523-5000	\$45,000	\$1,000	6 months
✓ Massachusetts (1968)	617-727-5025	\$10,000	No	1 year
✓ Michigan (1977)	517-373-7373	\$15,000	No	1 year
✓ Minnesota (1974)	612-296-7080	\$25,000	No	1 year
✓ Missouri (1962)	314-751-4239	\$10,000	\$100	1 year

<u>ENACTED</u>	<u>TELEPHONE NUMBER</u>	<u>MAXIMUM AWARD</u>	<u>EMERGENCY AWARD</u>	<u>FILING DEADLINE</u>
2/2/78 (1978)	406-449-2047	\$25,000	No	1 year
7/1/79 (1979)	402-471-2820	\$10,000	\$500	2 years
7/1/80 (1980)	702-885-4065	\$5,000	No	1 year
1/1/71 (1971)	201-648-2107	\$10,000	\$1,500	2 years
1/1/81 (1981)	505-842-3900	\$12,500	No case-by-case basis	1 year
1/1/66 (1966)	212-507-5160	\$20,000	\$1,500	1 year
1/1/75 (1975)	701-224-2700	\$25,000	\$1,000	1 year
1/1/76 (1976)	614-466-7190	\$25,000	No maximum	1 year
1/1/81 (1981)	405-521-2330	\$10,000	\$500	1 year
1/1/77 (1977)	503-370-5340	\$23,000	\$1,000	1 year
1/1/76 (1976)	717-783-5153	\$25,000	\$1,000	6 months
1/1/78 (1978)	401-277-3266	\$25,000	No	1 year
1/1/82 (1982)	803-750-0940	\$10,000	\$500	6 months
1/1/76 (1976)	615-741-2734	\$10,000	\$500	1 year
1/1/79 (1979)	512-475-0362	\$50,000	\$1,500	6 months
1/1/76 (1976)	804-786-5170	\$10,000	\$1,000	6 months
1/1/74 (1974)	206-753-6310	\$15,000	No longer exists	1 year
1/1/81 (1981)	304-348-3470	\$20,000	No	2 years
1/1/76 (1976)	608-266-6470	\$10,000	\$500	2 years

<u>ENACTED</u>	<u>TELEPHONE NUMBER</u>	<u>MAXIMUM AWARD</u>	<u>EMERGENCY AWARD</u>	<u>FILED DEADLINE</u>
Alabama (1978)	406-449-2047	\$25,000	No	1 year
Nebraska (1979)	402-471-2020	\$10,000	\$500	2 years
Utah (1981)	702-885-4065	\$5,000	No	1 year
New Jersey (1971)	201-648-2107	\$10,000	\$1,500	2 years
New Mexico (1981)	505-842-3900	\$12,500	Also one-by-one button	1 year
New York (1966)	212-507-5160	\$20,000	\$1,500	1 year
North Dakota (1975)	701-224-2700	\$25,000	\$1,000	1 year
Oklahoma (1976)	614-466-7190	\$25,000	No maximum	1 year
Oklahoma (1981)	405-521-2330	\$10,000	\$500	1 year
Oregon (1977)	503-370-5340	\$23,000	\$1,000	1 year
Pennsylvania (1976)	717-703-5153	\$25,000	\$1,000	6 months
Rhode Island (1978)	401-277-3266	\$25,000	\$1,000	1 year
South Carolina (1982)	803-750-8940	\$10,000	No	2 years
Tennessee (1976)	615-741-2734	\$10,000	\$500	6 months
Texas (1979)	512-475-8362	\$50,000	\$500	1 year
Virginia (1976)	804-706-5170	\$10,000	\$1,500	6 months
Washington (1974)	206-753-6310	\$15,000	\$1,000	6 months
West Virginia (1981)	304-348-3470	\$20,000	No	1 year
Wisconsin (1976)	608-266-6470	\$10,000	\$500	2 years

Victim Assistance Programs, Selected States

State	Financial award	Financial need	Police report (days)	Claim deadline (months)	Contact
Alaska	\$0-40,000 ^a	No	5	24	Sue Johnson, Violent Crimes Compensation Board, Juneau, (907) 465-3040
Illinois	\$0-15,000 ^b	No	30	12 ^d	Ron Costeen, Office of the Attorney General, Chicago, (312) 793-2585
Louisiana	\$250-10,000	No	30	12	Mr. Abshire, Crime Victims Reparation Board, Department of Corrections, (504) 342-6615
Michigan	\$100-15,000 ^c	Yes	2	1 ^f	Dorothy Taylor, Crime Victims Compensation Board, (517) 373-7373
New Jersey	\$100-25,000 ^g	No	90	24	Mr. Moore, Violent Crimes Compensation Board, (207) 648-2107
Ohio	\$0-25,000	No	3	12	Bob Belz, Victims of Crime, Court of Claims, (614) 466-6480
Rhode Island	\$0-25,000	No	10	24	Anthony Jeanine, Administrative Office of State Courts, Providence, (401) 277-3266
Wisconsin	\$0-12,000 ^h	No	5	24	Holly Billotte, Crime Victims Compensation Program, Madison, (608) 266-6470

^aThe amount is for multiple dependents, deceased victim. For one dependent/deceased victim, the maximum amount is \$25,000.

^bA \$200 deductible applies to all claims.

^cExceptions made for reasonable cause.

^dNotice of intent to file must be given within 6 months.

^eThe \$100 minimum can be waived because of age or disability.

^fIn cases of death, the deadline is 90 days. Deadline can be deferred up to 1 year for reasonable cause.

^gFor crimes that occurred prior to December 1982, the maximum is \$10,000.

^h\$10,000 normal limit, plus \$2,000 for funeral expenses.

p. 26 Victim compensation awards totaled \$34 million in 1980

Source: Mindy Gaynes, "New Roads to Justice," State Legislatures, November/December 1981 (see Attachment A above)

Chapter III. The Offender

Numerous major sources provide data for subheadings throughout this chapter. Data on offender characteristics as perceived by the victim are from the National Crime Survey, which is described in the technical appendix for Chapter II. The methodology for the other major sources is summarized here and referenced under the relevant subheading later. Other sources are described under the first subheading in which they are used.

Uniform Crime Reports

Data on the characteristics of arrestees are taken mainly from Crime in the United States, Uniform Crime Reports, published annually by the FBI. Special care must be taken in using trend data from this series, as the number and identity of reporting police agencies are not the same each year; in addition, different reporting methods for years prior to 1974 and 1974 and later require special adjustments for comparability. UCR provides basic demographic data on persons arrested (although counts are of arrests—not arrestees; therefore a single individual may appear more than once in an annual count). Annual arrest counts are of all arrests reported for a given year, whereas counts of jail and prison inmates from the BJS-sponsored surveys and censuses are for a single point in time—typically midyear or yearend.

UCR arrest counts are available for: 1) the total number of estimated arrests (including an adjustment for areas which did not report); 2) the total number of reported arrests; and 3) the number of reported index crime arrests (including violent and property crimes), a subgroup of total reported arrests. Chapter III has focused variously on one or another group, depending on the type of comparison being made.

Survey of inmates of local jails, 1978

The 1978 survey was the second large-scale survey of jail inmates done in the United States. A similar, but smaller survey was done in 1972 and a basic census was done in 1970. The 1978 survey was undertaken through personal interviews with a stratified random sample of some 5,300 male and female inmates in some 400 sample institutions chosen from among a list of about 3,500 facilities that met the criteria established for local jails. Results from the survey were ratio-adjusted to the complete counts for total inmates, males, and females obtained in an accompanying census of jails. In addition, four other adjustment factors were applied in the assignment of a final weight to each interview, or data record.

Survey of State prison inmates, 1979

The 1979 survey, also sponsored by the Bureau of Justice Statistics, gathered extensive information on demographic, socioeconomic, and criminal history characteristics of State prison inmates. In addition, data were obtained on inmates' military service, drug and alcohol use, living conditions in prison, and parole and grievance procedures. In all, the questionnaire yielded 993 variables. Data were obtained through personal interviews with a sample of some 12,000 inmates (9,500 male and 2,500 female) in approximately 215 State correctional facilities. The sample was chosen independently from among male

and female inmates, yielding a sample of female inmates large enough to enable research on a variety of topics relating to women in prison. Within the two sample frames of men and women, stratification was first done along the four major geographical regions, so that the findings are valid at the regional level, but not at the State level. After obtaining a sample of facilities chosen proportionately to size, interviewers developed a sample list of inmates from rosters provided by the sample institutions. Results from the survey were ratio-adjusted to the total number of male and female inmates obtained in a companion Census of State correctional facilities conducted simultaneously. A similar, but less comprehensive survey, was done in 1974.

The Philadelphia cohort studies

Two major longitudinal studies (studies that follow a group over a period of years) headed by Marvin E. Wolfgang of the University of Pennsylvania provide a rich source of data on the participation of youth in crime. The first study group consisted of 9,945 boys born in 1945 who lived in Philadelphia at least from age 10 to age 18. A second, more comprehensive study used 28,338 youths, approximately half of whom were females, born in 1958 and who lived in Philadelphia at least from age 10 to 18. Using official arrests as an indicator of delinquency, the studies provide information on such items as the probability of a first, second, third, etc. offense; offense switching; escalation in severity of offenses; age at first offense; offender typologies; incapacitation effects; and propitious intervention points.

The Racine, Wisconsin study

This longitudinal study focused on police and court records of three birth cohorts: those born in 1942, 1949, and 1955. It includes 6,127 males and females, most of whom lived in Racine from at least age 6 to the survey cutoff date (age 32 for those born in 1942, age 25 for those born in 1949, and age 21 for those born in 1955).

The Columbus, Ohio study

This study group consisted of 1,138 Columbus youths born between 1956 and 1960 who were arrested at least once for a violent crime before age 18. The data base includes the entire arrest history--crime, victim, prosecution, disposition, sentence, release, recidivism--as well as the youths' demographic and socioeconomic characteristics.

Sources for specific item headings

p. 30 Who commits crime and why?

How many offenders are there?

The estimate of 36 to 40 million persons with arrest records for non-traffic offenses is from a report by the Office of Technology Assessment, U.S. Congress. Estimates from three separate sources were used in the report.

P. 31 Who is the "typical" offender?

What are the characteristics of offenders?

Characteristics shown are for Index crime arrests and convicted jail inmates in order to provide a comparison with the more serious type of offender typically found in State and Federal prisons.

For what mix of offenses are persons arrested, jailed, and imprisoned?

In contrast to the above table, the source for this table is the total number of estimated arrests, all jail inmates, and all prison inmates.

Most crimes are committed by men, especially by men under age 20

In addition to the basic source for age, sex, and race of arrestees, the UCR, the National Crime Survey provides victims' perceptions of offender characteristics in personal crimes. OJJDP-sponsored research by Dr. Michael Hindelang and associates compared the criminal activity of juvenile offenders (under age 18) with that of youthful offenders (age 18-20) and adult offenders (age 21 and over). In the Hindelang article cited here (see bibliography for chapter III), NCS data for 1973-77 were used to compare victims' descriptions of offenders' sex, race, and age with the rate of offending by sex, race, and age shown in UCR data.

p. 32 Serious crime arrests are highest in young age groups

Age-specific arrest rates, U.S., 3-year averages, 1978-80

<u>Age</u>	<u>Age-specific arrest rates</u>	<u>Age</u>	<u>Age-specific arrest rates per 100,000 inhabitants</u>
12 and under	14.6	12 and under	244.3
13-14	256.7	13-14	2,722.1
15	466.1	15	3,919.0
16	597.2	16	4,177.7
17	687.0	17	3,992.6
18	710.2	18	3,362.0
19	639.6	19	2,535.9
20	610.9	20	2,082.8
21	607.2	21	1,801.9
22	565.2	22	1,560.6
23	535.3	23	1,393.7
24	501.0	24	1,239.3
25-29	397.5	25-29	939.4
30-34	273.5	30-34	581.7
35-39	209.8	35-39	419.1
40-44	161.2	40-44	325.3
45-49	114.6	45-49	255.9
50-54	77.2	50-54	196.5
55-59	48.3	55-59	140.6
60-64	30.8	60-64	104.4
65 and over	12.9	65 and over	55.0
Total all ages	214.0	Total all ages	833.1

p. 32 Youth arrest rate rose during the 1960's but leveled off after 1974

<u>Year</u>	<u>Rate</u>	<u>Percent change</u>
1961	3,448	3.4
1962	3,647	3.6
1963	4,211	4.2
1964	4,739	4.7
1965	5,250	5.3
1966	5,101	5.1
1967	5,883	5.9
1968	6,335	6.3
1969	6,520	6.5
1970	6,820	6.8
1971	7,222	7.2
1972	7,016	7.0
1973	6,965	7.0
1974	8,310	8.3
1975	7,828	7.8
1976	7,904	7.9
1977	7,759	7.8
1978	7,987	8.0
1979	7,857	7.9
1980	7,612	7.6

Note: UCR sent revised post 1973 data--not quite comparable as shown here.

1960 and prior have comp. problems.

1974-80 data based on unpublished UCR data adjusted for comparability with earlier years.

p. 32 What is the role of youth in crime?

Serious crime arrest highest in young age groups (table)

Rates shown are for the two groups of index crimes averaged over the 1978-80 period.

Youth arrest rates rose during the 1960's but leveled off after 1974 (table)

Rates shown for 1971-73 are based on annual published UCR data. Rates for 1974-80 are based on unpublished UCR data that is compatible for trend analysis with data for earlier years. Arrest data are for total reported arrests of those under age 18, as adjusted annually for the U.S. population covered by UCR reporting. The adjusted number of arrests was divided by the U.S. population age 10-17 to obtain an annual arrest rate per 100,000 youth age 10-17. U.S. population data are from U.S. Census Bureau Current Population Reports and from unpublished estimates from the Population Division, U.S. Census Bureau.

Data for the 1970's reveal a drop in the total number of arrests of youths under age 18

Sources include data for above table and Crime in the United States; Uniform Crime Reports, 1981, p. 165.

Participation in crime declines with age

A variety of studies support this finding. Early Rand Corporation research on habitual offenders, as reported in Criminal careers of habitual felons (see bibliography) was of a limited (49) sample of career criminals in California prisons on a robbery conviction and with at least one prior prison term. This type of offender constituted approximately 17% of the California prison population at the time. It is most appropriately seen as a series of 49 case studies. Later studies were more comprehensive: Doing crime: A survey of California prison inmates (1980) is based on a survey of 624 incarcerated male felons in five California prisons. At a minimum, the characteristics can be generalized to include California prisoners. As with other similar surveys, results could not be compared with known accurate data, but it is generally assumed that respondents' descriptions of their criminal activities were accurate.

The longitudinal studies of Philadelphia, Racine, and Columbus youth also provide data on this issue.

Violent juvenile offenders and adult felons have very similar characteristics

A major source of data on this topic is the Columbus, Ohio longitudinal study, which focused on violent delinquents. See Hamperian (bibliography).

Gang membership is a major difference between youth and adult criminals

CJJDP-sponsored research by Dr. Walter Miller on the extent of youth gang activity was based mainly on interviews of law enforcement officers. In addition, data on multiple offender activity is available in John H. Laub, "Trends in Juvenile Criminal Behavior in the United States, 1973-80," one in a series of reports from the Michael J. Hindelang Criminal Justice Research Center that analyzes National Crime Survey data to study serious delinquent behavior.

There is conflicting evidence on escalation of seriousness

The three longitudinal studies of youthful criminal activity in Philadelphia, Racine, and Columbus provide data on this issue. In addition, followup research on a 10% random sample of the original Philadelphia cohort since 1968 is reported on in "From boy to man--from delinquency to crime," a paper presented at the National Symposium on the Serious Juvenile Offender, Department of Corrections, State of Minnesota, September 1977, by Marvin E. Wolfgang.

Juvenile delinquents are predominantly male

Girls are more likely than boys to be held for noncriminal offenses

Proportionately fewer blacks are in juvenile custody than in jail or prison

Most national information on juveniles in institutions is from the six censuses of juvenile detention, correctional, and shelter facilities sponsored by CJJDP. A report on the 1977 and 1979 censuses (the fifth and sixth) is scheduled to be published in 1984. The first two censuses, in 1971 and 1973, were restricted to public facilities, but subsequent censuses in 1974, 1975, 1977, and 1979 included private facilities. The 1979 census was conducted by mail with 1,145 public facilities, and 2,152 nongovernment facilities identified as having a resident population of at least 50% juveniles (except for youthful offender/juvenile facilities in California, which were also included). All public facilities and 94% of the private facilities responded.

The censuses specifically exclude juvenile detention centers operated as a part of local jails but lacking a separate staff or budget; nonresidential facilities; establishments operated by Federal authorities; and foster homes for fewer than three juveniles. Also excluded were facilities solely for drug abusers; alcoholics; dependent, neglected, or abused persons; the emotionally disturbed or mentally retarded; unwed mothers; and other nonoffenders.

p. 34 A small group of career criminals commits the vast majority of crimes

Relatively few offenders are career criminals

Probability of arrest increases with each subsequent arrest

Career criminals, though few in number, account for most crime

Data shown are from the 1958 Wolfgang study.

Repeat offenders commit a disproportionately large number of street crimes in urban areas

The Washington, D.C. study is based on information from PROMIS (Prosecutors' Management Information System) Research Project conducted by the Institute for Law and Social Research (INSLAW). Information was available on 72,610 arrests for nonfederal crimes in Washington, D.C. between January 1, 1971 and August 31, 1975. Data included information on the frequency with which individuals were rearrested, reprosecuted, and reconvicted during the 56-month study period.

Repeat criminality is not limited to urban settings

The Polk study (see bibliography) is a National Institute of Mental Health-funded project that followed the delinquent and criminal careers of all males who were high school sophomores in a non-metropolitan Pacific Northwest county.

Few repeaters are full-time criminals

Information on criminality as a career dates from as early as 1937 (Sutherland's *The Professional Thief*). More recent research is available in Rand Corporation reports (see Chaiken in bibliography) and in studies emanating from the large-scale prison inmate surveys sponsored by the Law Enforcement Assistance Administration in 1974 and by the Bureau of Justice Statistics in 1979 (e.g., H. Holzman, "The serious habitual property offender as 'moonlighter,'" *Journal of Criminal Law and Criminology* (1982) 73(3):1774

Chronic violent offenders start out and remain violent

See the Wolfgang and Shannon studies cited above.

Prior criminal behavior is one of the best predictors of future criminality

"Doing Crime," p. x (cited above), and M.R. Olson, "Longitudinal criminal career studies," (Document 42, career criminal NCJRS package) are among the many studies treating this issue. See also S.G. Osborn, "Effectiveness of various predictors of criminal careers," *Journal of Adolescence* (1978) 1(2):101.

Relatively few offenders specialize

Data on lack of specialization is suggested particularly in the Philadelphia and Columbus longitudinal studies and is also specifically addressed in Blumstein and Cohen (1979--see bibliography).

p. 35 How many offenders are female?

The number of women in prison grew at a near record rate in 1981

Sources for the number of women in prison and jail are the annual Prisoners in State and Federal institution bulletins, jail censuses for 1970, 1972, 1978, and a sample survey of jails in 1982, all sponsored by the Law Enforcement Assistance Administration and, more recently, the Bureau of Justice Statistics.

Offense patterns differ for males and females

Information on differential involvement in offenses by men and women are available in UCR arrest data and from the Survey of inmates of local jails, 1978 and the Survey of State prison inmates, 1979 (see bibliography).

For UCR Index Crimes, the rate of arrest of females is much lower than that of males, but has risen faster (table)

The sources for the number of arrests by sex are annual Crime in the United States; Uniform Crime Reports for 1971-73 and unpublished UCR data for 1974-80 that is compatible with the earlier series. Since the reporting agencies differ from year to year, the U.S. population was adjusted for coverage before the rate per 100,000 males and females was calculated. U.S. population data are from the annual U.S. Statistical Abstract.

p. 35 For UCR Index Crimes, the rate of arrest of females is much lower than that of males, but has risen faster

Arrest rate per 100,000 U.S. resident population
(U.S. population adjusted for UCR coverage)

	Male			Female		
	All UCR Index crimes	Violent crimes	Property crimes	All UCR Index crimes	Violent crimes	Property crimes
1971	1,535	326	1,205	304	35	269
1972	1,499	382	1,148	313	37	276
1973	1,488	348	1,136	326	38	288
1974	1,887	417	1,467	422	45	376
1975	1,865	399	1,510	426	43	382
1976	1,806	389	1,414	420	43	377
1977	1,760	385	1,373	425	43	382
1978	1,844	441	1,400	428	45	383
1979	1,849	424	1,422	424	45	378
1980	1,870	427	1,443	408	45	363
% increase 1971-80						
	22	31	20	34	29	35

p. 36 A relatively large proportion of offenders come from minority groups

The numbers of black victims and of black criminals were disproportionately high
Victim reports confirm pattern of arrests by race

Victimization rates by race are from the National Crime Survey as reported in Criminal victimization in the United States (annual--see bibliography for Chapter II). The proportion of arrests by race are from Crime in the United States, Uniform Crime Reports, 1981, p. 179. Jail and prison data are from the Bureau of Justice Statistics-sponsored Survey of inmates of local jails and Survey of State prison inmates (see bibliography). Data on race for State and federal prisoners are also available annually in Prisoners in State and Federal institutions. Research on the racial disproportionality in U.S. prisons is reported in Blumstein (1982--see bibliography).

Lifetime probability of incarceration is three times higher for blacks

Lawrence Greenfeld (1981--see bibliography, footnote 9) calculated the lifetime probability of incarceration for various age, race, and sex groups in the United States using several different data bases.

The proportion of black State prisoners in the South is most consistent with their share of the U.S. population (table)

Proportions shown are for State prisoners only. When Federal prisoners are included in calculations, the proportion of blacks drops slightly, since blacks comprise a far lower proportion of prisoners in Federal than in State institutions. Proportions of blacks by region in the United States are from U.S. census data.

Black arrest rates were higher for violent than for property crimes

The proportion of arrests by race and by offense are reported annually in Crime in the United States, Uniform Crime Reports (see bibliography). The proportion of prison inmates by race and offense are available from the Survey of State prison inmates, 1979 (see bibliography).

The proportion of Hispanics in prisons and jails is greater than in the total U.S. population

The latest U.S. census figure for Hispanic residents is 14,608,673 on April 1, 1980. Hispanic arrest data by offense is available annually in Crime in the United States, Uniform Crime Reports (see bibliography). Information on Hispanic jail and prison inmates is from the Survey of inmates of local jails, 1978, and the Survey of State prison inmates, 1979. Hispanics, whether of the white, black, or other race, or defined as persons of Mexican, Puerto Rican, Cuban, Central or South American, or some other Hispanic origin, including persons from Spain.

p. 37 Many offenders have backgrounds that include a turbulent home life, lack of family ties, and poor education

Knowing about offenders' backgrounds tells us about their lives, not necessarily why they committed crime

Research on the role of family, school, and peer groups in delinquency was pioneered by the Gluecks and continues to be highlighted in the work of Wolfgang, and Weis and Sederstrom, among others (see bibliography).

A high number of offenders comes from unstable homes

Data on whether prison inmates grew up in a family home or lived in other settings are available in the 1979 State prison inmate survey (see bibliography). Comparative data for the U.S. population are from Marital status and living arrangements, Current population reports, series p-20, no. 338 (March 1979), U.S. Census Bureau.

Violent behavior is linked to abuse as children and to neurological abnormalities

The source for these findings is Lewis (1979--see bibliography).

Prison inmates were likely to have relatives who served time

Data on whether inmates had relatives with jail or prison time are available from the Survey of State prison inmates, 1979 (see bibliography).

Most offenders were not married
Most inmates had dependent children

Data on the marital status and dependents of jail and prison inmates are from the Survey of inmates of local jails, 1978, and the Survey of State prison inmates, 1979 (see bibliography). Comparative data on U.S. males age 20-29 are from the U.S. Statistical Abstract, 1980, p. 43.

The level of education reached by jail and prison inmates was far below the national average

Educational attainment data on incarcerated persons are also available in the jail and prison surveys of 1978 and 1979. Comparative data for the U.S. population are from Educational attainment in the United States, Current population reports, series p-20, no. 356, p. 8, U.S. Census Bureau, March 1979.

p. 38 Prior to arrest, many inmates had little or no legal income

Unemployment was experienced by many offenders

Unemployment among jail and prison inmates is documented in the Bureau of Justice Statistics-sponsored surveys of inmates of local jails and of prisons (see bibliography). Incarceration rates for the various labor force categories were calculated from prison survey data as reported in Prisons and prisoners (January 1982--see bibliography) and from U.S. labor force data reported in Population profile of the United States, 1980, Current population reports, series p-20.

A high proportion of adult felons lacked steady employment

The Rand Corporation research is reported in Doing crime: A survey of California prison inmates (1980). The Freeman research is reported in Crime and public policy (1983--see bibliography, footnote 11).

Motivations for crime range from thrill-seeking to need for money

Data on how motivations for criminal activity change over time for individual criminals is available in Criminal careers of habitual felons (1978--see bibliography).

Average inmate was at the poverty level before entering jail

The Profile of jail inmates (see bibliography) gives detailed data on the income levels of jail inmates by race and sex. The poverty level for unrelated individuals in the United States in 1977 is reported in Money income and poverty status of families and persons in the United States, Current population reports, series p-60, no. 116. Hirshi's findings on the economic status of delinquents is reported in Crime and public policy (1983--see bibliography, footnote 12). Wilson's findings on crime in poor neighborhoods are published in Thinking about crime (1975--see bibliography).

The proportion of blue-collar workers was higher in prison than in the general population

Few prison inmates had been working in their customary occupation

Occupational data on prison inmates are available from the 1974 and 1979 State prison inmate surveys and are reported on in detail in Profile of State prison inmates (1979--see bibliography). Occupational data are based on the detailed systems developed for the 1970 census. The major occupational groups are combined into four divisions, as follows:

White collar--professional and managerial, sales, and clerical;
Blue collar--craftsmen and kindred workers, operative except transport, transport equipment operatives, and nonfarm laborers;
Farm workers--farmers and farm managers, farm laborers, and farm foremen; and
Service workers--service workers and domestics.

Data comparing the distribution of the U.S. population to that of State prison inmates were based on figures for males age 16 and over as reported in Employment and training report of the President, U.S. Department of Labor, 1976.

Many inmates had income from nontraditional sources before entering jail

Source of income for jail inmates by sex and race are reported in the Profile of jail inmates (1980--see bibliography).

p. 39 Drug and alcohol abuse is common among offenders

The drug abuse-crime link is complex

The Rand Corporation research is reported in Doing crime: A survey of California prison inmates (1980). Findings from the 1979 survey of State prison inmates are reported in Prisoners and drugs (March 1983--see bibliography). Ball's study of addicts in Baltimore is published in The drugs-crime connection (1981--see bibliography).

Drug and alcohol abuse was far greater among offenders than among nonoffenders
At the time of their offense, a third of the prisoners had been under the influence of a drug

Figures on drug use among the U.S. population are from a 1979 survey by the National Institute on Drug Abuse. Data on prisoners are from the 1979 State prison inmate survey and are reported in Prisoners and drugs (March 1983--see bibliography). The survey provides extensive data on drug use over the lifetime of the inmate and at specific points in time such as at the time of the first offense and at the time of the current offense.

2 out of 5 prison inmates reported they were under the influence of drugs or were very drunk around the time of the offense (chart)

For purposes of this chart, drug and alcohol abuse categories are mutually exclusive; that is, inmates are counted only once--in rank order of the most serious type of abuse, ranging from "under heroin influence" to "did not use drugs or not very drunk." Thus, a person who was both drunk and under the influence of marijuana is counted under "marijuana only." Data are from unpublished tables from the survey of State prison inmates and from Prisoners and drugs (March 1983--see bibliography).

Drinking problems were common for career criminals

Data on alcohol abuse by criminals are reported in Prisoners and alcohol (January 1983--see bibliography).

p. 39 2 out of 5 prison inmates reported they were under the influence of drugs or were very drunk around the time of the offense

Offense	Number	Heroin	Percent				Did not use drugs nor very drunk
			Other drugs except heroin	Marijuana	Very drunk		
Homicide	48,294	4	12	5	11	68	
Sexual assault	17,053	2	10	9	17	62	
Robbery	68,324	12	16	10	8	54	
Assault	17,554	5	13	7	13	62	
Burglary	49,687	9	18	13	9	52	
Larceny	13,018	10	12	7	7	65	
Auto theft	5,138	4	13	12	15	56	
Forgery, fraud embezzlement	11,894	8	14	2	6		
Drug offenses	19,420	22	16	7	2	53	
Total	274,564	9	14	8	9		

Note: Inmates were counted only under the most serious of the drug or alcohol influence in descending order from heroin influence to being very drunk.
Total includes other offenses not shown separately.

Chapter IV. The Response to Crime
Section 1. An overview

p. 45 Differences in local laws, agencies, resources, standards, and procedures result in varying responses in each jurisdiction

New York Felony Arrests (1979)

Source: CBTS--Supplement printout dated 3/24/82, pp. 18-19

	<u>Number</u>	<u>Percent</u>
Arrested	77,642	100.00
Prosecuted	75,614	97.39
Convicted	43,298	55.77
Incarcerated	19,107	24.61
Prison--6,743		
Jail-- 12,364		

California Felony Arrests (1979)

Source: Adult Felony Arrests Dispositions in California, September 1980, Centerfold and pp. 40-41

	<u>Number</u>	<u>Percent</u>
Felony arrests	170,980	100.0
Minus:		
Law enforcement releases	18,326	
Denied complaints	23,332	
Prosecutions	129,322	75.64
Minus:		
Lower court dismissals	27,207	
Superior court dismissals	4,442	
Convictions	97,673	57.13
Minus:		
Probation, fines, and other nonincarcerations	30,463*	
Death penalties	20	
Incarcerations	67,190	39.30

*Total of all X figures on page 40.

Pennsylvania

Source: Pennsylvania Commission on Crime and Delinquency (letter dated 4/29/82, with attachment for Part I crimes)

	<u>Number</u>	<u>Percent</u>
Arrests	34,777	100.00
Prosecutions	26,398	75.91
Convictions	13,720	39.45
Incarcerations	5,218	15.00

Oregon Felony Arrests

Source: What Happens After Arrest in Oregon? A Report on the Disposition of Part I Felony Arrests for 1979, June 1982, p. 19

	<u>Number</u>	<u>Percent</u>
Felony arrests	7,451	100.00
Prosecution	5,451	73.16
Conviction	3,674	49.31
Incarceration	1,614	21.66

Arkansas Felony Arrests (1974)

Source: Felony Processing--Arkansas, December 1977, p. 31

	<u>Number</u>	<u>Percent</u>
Total arrests	10,462	
Minus:		
Transfers to juvenile authority	647	
Adult arrests	9,815	100.00
Minus:		
Releases from arrests	2,012	
Releases from preliminary an.	1,821	
Prosecutions*	5,982	60.95
Minus:		
Bench trial releases	34	
Jury trial releases	49	
Releases from prosecution	1,979	
Convictions	3,920	39.94
Minus		
Fines and other sentences	185	
Probation and suspensions	1,950	
Incarcerations	1,785	18.19

*Excludes 113 cases which were prosecuted and later remanded to the juvenile authorities.

p. 45 The response to crime is mainly a State and local function

Source: Justice Expenditure and Employment in the U.S., 1979, Table 3.

Table 3. Percent distribution of employment and payrolls for the criminal justice system, by level of government,
October 1979
(Dollar amounts in thousands)

Activity	All government ^a	Federal Government	State Governments	Local Governments ^b	Federal Government	State Governments	Local Governments
TOTAL CRIMINAL JUSTICE SYSTEM:							
TOTAL EMPLOYEES	1,252,229	105,879	390,700	805,650	8.5	27.7	64.3
FULL-TIME EMPLOYEES	1,150,512	102,970	325,463	724,979	8.3	26.1	55.0
FULL-TIME EQUIVALENT EMPLOYEES	1,178,011	102,118	329,095	706,002	8.7	27.9	64.3
OCTOBER PAYROLL	1,697,013	103,418	868,979	1,039,616	12.0	27.6	60.0
POLICE PROTECTION:							
TOTAL EMPLOYEES	701,053	75,400	99,301	526,272	10.8	19.2	69.1
FULL-TIME EMPLOYEES	644,077	72,754	90,779	490,500	11.5	19.1	71.6
FULL-TIME EQUIVALENT EMPLOYEES	653,581	73,133	91,575	488,893	11.2	19.0	70.0
OCTOBER PAYROLL	975,752	129,992	130,915	700,809	13.3	15.0	71.6
JUDICIAL:							
TOTAL EMPLOYEES	160,236	6,153	49,403	111,639	9.8	29.7	60.0
FULL-TIME EMPLOYEES	146,101	6,051	45,650	92,436	9.5	31.2	60.3
FULL-TIME EQUIVALENT EMPLOYEES	151,361	6,084	48,669	90,608	9.2	31.1	60.7
OCTOBER PAYROLL	218,071	10,470	87,129	107,872	9.1	30.6	60.3
LEGAL SERVICES AND PROSECUTION:							
TOTAL EMPLOYEES	76,100	8,033	20,737	49,350	10.3	26.9	63.9
FULL-TIME EMPLOYEES	69,620	7,575	19,210	42,036	10.9	27.6	61.5
FULL-TIME EQUIVALENT EMPLOYEES	72,169	7,822	19,961	45,306	10.7	27.3	62.0
OCTOBER PAYROLL	110,630	15,996	32,800	66,150	10.6	27.0	61.7
PUBLIC DEFENSE:							
TOTAL EMPLOYEES	9,240	251	3,700	5,205	6.7	41.0	50.3
FULL-TIME EMPLOYEES	8,000	291	3,607	4,596	5.0	42.7	50.5
FULL-TIME EQUIVALENT EMPLOYEES	8,817	251	3,659	4,907	5.8	41.9	50.7
OCTOBER PAYROLL	10,790	587	5,055	6,316	4.0	50.7	49.3
CORRECTIONS:							
TOTAL EMPLOYEES	205,130	12,327	163,187	109,675	8.5	52.2	40.4
FULL-TIME EMPLOYEES	272,371	17,067	160,000	101,256	8.4	50.5	47.0
FULL-TIME EQUIVALENT EMPLOYEES	277,015	17,145	161,019	103,080	8.4	50.4	47.3
OCTOBER PAYROLL	365,058	20,386	206,983	129,683	7.0	56.7	40.9
OTHER CRIMINAL JUSTICE:							
TOTAL EMPLOYEES	9,058	3,635	8,200	3,379	17.3	49.9	32.8
FULL-TIME EMPLOYEES	8,859	3,372	8,165	3,299	16.9	47.0	32.9
FULL-TIME EQUIVALENT EMPLOYEES	9,070	3,429	8,192	3,309	16.5	46.3	32.9
OCTOBER PAYROLL	12,341	5,987	9,329	3,795	20.1	49.4	30.4

^aLocal governments data are estimates subject to sampling variation; see text for data limitations.

Chapter IV. The Response to Crime
Section 2. Entry into the criminal

p. 47 The system responds directly to only a small amount of crime

NCS/UCR aggravated assault comparison

In most instances the differences between the National Crime Survey and the Uniform Crime Reports make direct comparisons impossible. In this case, the intent was not to compare the series but to provide the reader with a conceptual understanding that most crime is not reported and that even those which are reported do not usually result in arrest.

While our intent was not to compare these series, we did try to present the data in the most comparable way possible. First, only the crime of aggravated assault was presented since it is defined similarly in both series. Aggravated assault, a personal crime, is also not effected by the differences in coverage between NCS and UCR. Several crimes like burglary which effect both households and businesses are not suitable for comparison because NCS counts only household crime while UCR includes commercial crimes as well as household crimes.

Another difference between NCS and UCR which plagues direct comparison is the difference between the populations covered. NCS only includes incidents which occurred to persons age 12 and over while UCR has no age limits. To enhance the comparison, the data were standardized for age, so the rates were calculated for over age 12. As the UCR arrest data include arrests by age of arrestee, this adjustment was made in the numerator by subtracting all arrests of persons under age 13 and by dividing by the population over age 12. UCR offense data for aggravated assault contains no victim or offender characteristics so a similar operation could not be performed on the numerator. Based on the assumption that few offenses involve persons under age 13, we developed the offense rate by dividing by the population age 12 and over. In both instances, the standardized UCR rates are slightly higher than the actual UCR rates reported by the FBI.

The comparison of UCR offense rates and arrest rates is also unusual. The arrest rate was used in this presentation because it is a better measure of the workload encountered by the criminal justice system after the case enters the criminal justice system. In most uses, the offense rate is compared to the clearance rate. The UCR program measures clearances as the number of cases in which a criminal offense has resulted in the arrest, citation, or summoning of a person in connection with the offense or in which a criminal offense has been resolved but an arrest is not possible because of exceptional circumstances. Arrests are the number of times police agencies arrest people in connection with criminal offenses during a year. The arrest data are not linked to the offense data in any way. For example, an arrest which is included in the 1980 UCR data may have been for an offense that occurred in 1978. Additionally, one offense may result in the arrests of several people.

p. 47 The system responds directly to only a small amount of crime (cont.)

Aggravated assault rates

Preliminary estimates of U.S. population age 13+ (in 1,000)	1973	1974	1975	1976	1977	1978	1979	1980	1981
	161,889	164,943	167,937	170,893	173,768	176,559	179,189	181,649	183,605

(V) NCS victimization rates (based on NCS data age 12+)	10.07	10.39	9.61	9.86	9.98	9.69	9.92	9.26	9.64
(O) UCR Index offenses rate based on pop. age 13+	420,650	456,210	484,710	490,850	522,510	558,100	614,210	654,960	643,720
(A) UCR Index arrests (age 13+)	2.60	2.77	2.89	2.87	3.01	3.16	3.43	3.61	3.51

p. 47 Traditionally, the police function has been dominated by local governments

Source: Justice Agencies in the U.S., Summary Report
(Washington: BJS) 1980, pp. 5-6

CONTINUED

1 OF 3

pp. 48-49 What is the relationship between police strength and crime?

Sources:

*Police and Population, by County
Compendium of Public Employment, Census of Governments, U.S.
Bureau of the Census, 1977.
*FIPS county and State codes, Geographical Location Codes,
General Services Administration, Office of Finance,
September 1969
*Land Area of Counties, on computer files of the Michigan
Terminal System

- o All analysis was performed using MIDAS, a University of Michigan statistical software package.
- o The original variables entered were State and county FIPS codes, county population, county police employment, and county land area (sources above).
- o New variables computed include police officers per 1,000 county population, density of county (county population per square mile), police officers per 100 square miles, and police officers per density of county.

Shading levels for maps were selected to reflect the distribution of counties across groups of whole integers. This distribution is as follows:

<u>Police per 1,000 population</u>	<u>Number of counties</u>	<u>Percent of counties</u>
------------------------------------	---------------------------	----------------------------

0-1	412	13%
1-2	1,845	59
2-3	683	22
3 and up	178	6

<u>Police per 100 square miles</u>	<u>Number of counties</u>	<u>Percent of counties</u>
------------------------------------	---------------------------	----------------------------

0-5	1,474	46%
5-10	682	22
10-15	281	9
15-20	146	5
20 and up	558	18

In general, urban counties had more police officers than nonurban counties and higher rates of police per 1,000 population and police per 100 square miles. However, an analysis of extreme values showed that some counties with small populations or few police had extremely high rates of police strength due to the small numbers involved. As noted in the text, resort areas, university locations, and other counties that have low resident populations but a high nonresident influx also showed high rates.

p. 49 State and local police employment per capita rose by 56% in 20 years

Sources:

*Police employment--1) Historical Statistics on Governmental Finances and Employment, 1977 Census of Governments, U.S. Bureau of the Census, Table 20 Employment (full-time equivalent) of State and local governments, by level of government and by function, by State: 1977, 1972, 1967, 1962, 1957, and 1953 ; 2) Intercensal Estimates of the Population of States: 1970-80, 1960-70, 1950-60, U.S. Bureau of the Census, Series P-25

*Crime rate: FBI Uniform Crime Reports

Police employment and population by region and U.S.

	<u>Northeast</u>	<u>North</u>	<u>Central</u>	<u>South</u>	<u>West</u>	<u>U.S.</u>
1957	90,600 (43,095)	72,217 (49,946)		66,044 (52,287)	41,209 (25,859)	270,070 (171,187)
						(population in thousands)
1962	100,884 (45,833)	83,869 (52,583)		80,447 (57,179)	52,886 (30,142)	318,086 (185,738)
1967	117,560 (48,106)	97,332 (55,289)		98,859 (60,771)	67,027 (33,207)	380,778 (197,374)
1972	139,353 (49,681)	121,945 (57,387)		134,151 (65,834)	91,942 (36,382)	487,391 (209,284)
1977	148,754 (49,333)	140,116 (58,303)		168,252 (71,841)	109,579 (40,284)	566,701 (219,760)

Rate of police employment by region and U.S.
Police per 1,000

	<u>Northeast</u>	<u>North</u>	<u>Central</u>	<u>South</u>	<u>West</u>	<u>U.S.</u>
1957		2.1	1.4	1.3	1.6	1.6
1962		2.2	1.6	1.4	1.8	1.7
1967		2.4	1.8	1.6	2.0	1.9
1972		2.8	2.1	2.0	2.5	2.3
1977		3.0	2.4	2.3	2.7	2.5
Change in per capita 1957-77	43%	71%	78%	69%	56%	

p. 50 Law enforcement officials have considerable discretion in dealing with arrested juveniles

Source: FBI Uniform Crime Reports, 1981, Table 66, p. 233.

Table 66.—Police Disposition of Juvenile Offenders Taken into Custody, 1981

(1981 estimated population)

Population group	Total ¹	Handled within department and released	Referred to juvenile court jurisdiction	Referred to welfare agency	Referred to other police agency	Referred to criminal or adult court
TOTAL ALL AGENCIES: 11,499 agencies; population 192,945,000:						
Number	1,383,380	428,212 33.8	802,734 58.0	20,796 1.5	21,625 1.6	70,013 5.1
Percent	100.0					
TOTAL CITIES: 8,098 cities; population 123,558,000:						
Number	1,158,280	401,012 34.6	661,347 57.1	17,422 1.5	18,495 1.6	60,004 5.2
Percent	100.0					
GROUP I						
48 cities, 250,000 and over; population 28,406,000:						
Number	238,908	77,496 32.4	149,780 62.7	2,489 1.0	5,890 2.5	3,253 1.4
Percent	100.0					
GROUP II						
107 cities, 100,000 to 249,999; population 15,521,000:						
Number	128,046	42,166 32.9	78,334 61.2	2,922 2.3	1,742 1.4	2,882 2.3
Percent	100.0					
GROUP III						
287 cities, 50,000 to 99,999; population 19,579,000:						
Number	172,251	60,001 34.8	98,349 57.1	4,153 2.4	2,391 1.4	7,357 4.3
Percent	100.0					
GROUP IV						
597 cities, 25,000 to 49,999; population 20,542,000:						
Number	206,437	73,696 36.7	113,813 55.1	3,266 1.6	3,436 1.7	10,226 5.0
Percent	100.0					
GROUP V						
1,519 cities, 10,000 to 24,999; population 23,818,000:						
Number	225,547	83,101 36.8	122,260 54.2	2,500 1.1	2,523 1.1	15,158 6.7
Percent	100.0					
GROUP VI						
5,540 cities under 10,000; population 20,792,000:						
Number	187,091	62,552 33.4	98,811 52.3	2,092 1.1	2,508 1.3	21,128 11.3
Percent	100.0					
SUBURBAN COUNTIES						
1,027 agencies; population 38,140,000:						
Number	155,753	49,011 31.5	98,066 63.0	2,012 1.3	1,509 1.0	5,155 3.3
Percent	100.0					
RURAL COUNTIES						
2,374 agencies; population 26,147,000:						
Number	69,347	18,189 26.2	43,321 62.5	1,362 2.0	1,621 2.3	4,854 7.0
Percent	100.0					
SUBURBAN AREA²						
5,529 agencies; population 92,011,000:						
Number	634,252	261,188 38.0	337,270 53.2	7,884 1.2	3,180 1.3	39,730 6.3
Percent	100.0					

¹ Includes all offenses except traffic and neglect cases.² Because of rounding, the percentages may not add to total.³ Includes suburban city and county law enforcement agencies within metropolitan areas. Excludes core cities. Suburban cities also included in other city groups.

p. 51 The probability of an arrest declines sharply if the incident is not reported to the police within seconds after a confrontational crime

Time period (min.) Probability of arrest

.001	.2212
.25	.1218
.5	.1093
.75	.1020
1.00	.0969
1.25	.0911
1.5	.0896
1.75	.0868
2.00	.0844
2.25	.0823
2.5	.0804
2.75	.0786
3.00	.0771
3.5	.0743
4.00	.0719
5.00	.0679
6.00	.0646
7.00	.0618
8.00	.0594
9.00	.0573
10.00	.0554
11.00	.0537
12.00	.0521
13.00	.0507
14.00	.0493
15.00	.0481

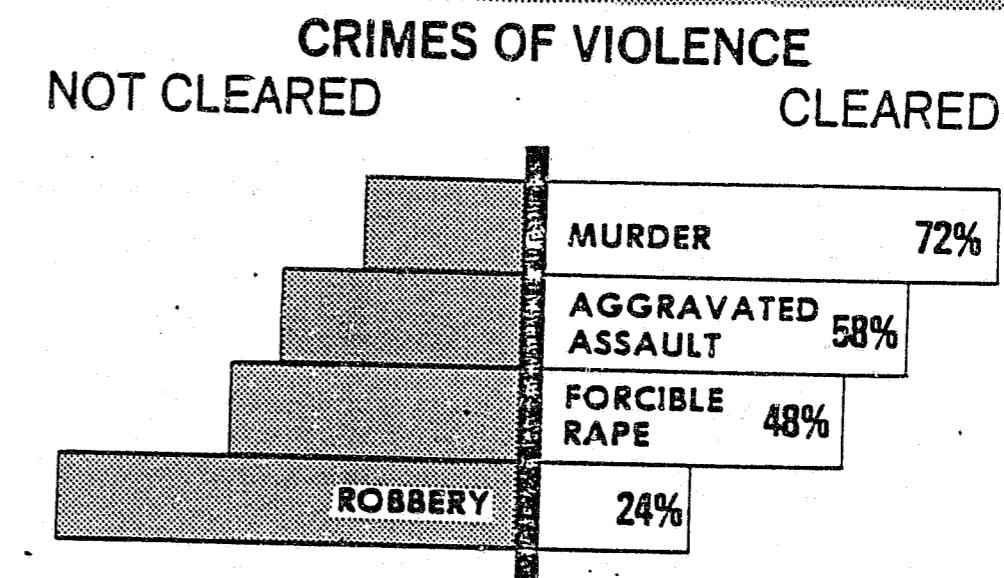
p. 52 Most crimes are not cleared by arrest

Source: FBI Uniform Crime Reports, 1981, pp. 152-153, Table 19

p. 52-53 For every five offenses.....there is approximately one arrest

See p. 17 of Technical Appendix

CRIMES CLEARED BY ARREST 1981



CRIMES AGAINST PROPERTY

NOT CLEARED	CLEARED

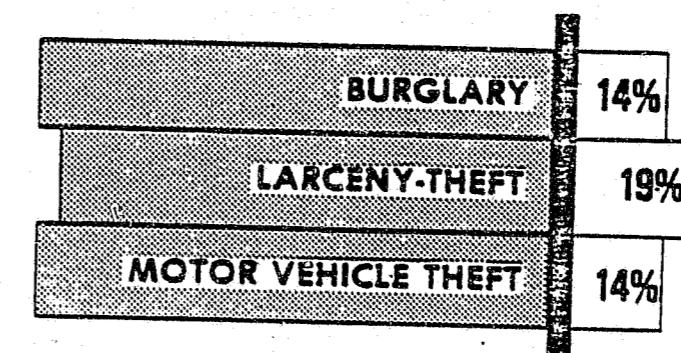


Table 19.—Offenses Known and Percent Cleared by Arrest¹, Population Group, 1981

[Estimated population]

Population group	Crime Index total	Modified ² Crime Index total	Violent ³ crime	Property ⁴ crime	Murder and non-negligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny-theft	Motor vehicle theft	Arson ⁵
TOTAL ALL AGENCIES: 1,334 agencies; total population 218,287,000; Offenses known	12,715,894	12,838,504	1,275,135	11,440,759	21,413 71.6	77,623 48.1	557,162 23.9	618,937 58.3	3,569,753 14.3	6,842,886 18.6	1,028,120 14.2	121,610 15.4
TOTAL CITIES: 9,179 cities; total population 146,165,000; Offenses known	10,275,410	10,370,473	1,066,647	9,208,763	16,364 71.1	60,173 46.4	506,023 23.4	484,087 57.5	2,755,525 13.9	5,584,401 19.2	868,837 12.9	95,063 14.3
GROUP I												
5 cities, 250,000 and over; total population 40,525,000; Offenses known	3,795,404	3,837,276	574,869	3,220,535	9,616 67.5	29,015 44.3	337,567 21.8	198,671 54.2	1,065,424 11.9	1,713,078 17.5	442,033 8.6	41,872 10.7
Percent cleared by arrest ..	17.5	17.5	34.9	14.5								
cities 1,000,000 and over; total population 17,617,000; Offenses known	1,549,480	1,570,083	286,439	1,263,041	4,943 63.5	10,915 40.6	184,251 20.5	86,330 50.2	430,772 10.4	586,413 18.0	245,856 6.7	20,603 5.2
Percent cleared by arrest ..	16.5	16.4	31.0	13.2								
7 cities, 500,000 to 999,999; total population 11,493,000; Offenses known	1,096,298	1,105,295	140,037	956,241	2,318 70.4	8,502 46.4	79,414 22.9	49,823 59.7	300,334 13.1	549,853 17.1	106,054 10.4	8,997 18.5
Percent cleared by arrest ..	18.0	18.0	37.8	15.1								
12 cities, 250,000 to 499,999; total population 11,415,000; Offenses known	1,149,626	1,161,398	148,373	1,001,253	2,355 72.9	9,598 46.6	73,902 23.8	62,518 56.2	334,318 12.8	576,812 17.5	90,123 11.8	12,272 14.2
Percent cleared by arrest ..	18.6	18.5	39.7	15.4								
GROUP II												
114 cities, 100,000 to 249,999; total population 16,785,000; Offenses known	1,461,388	1,474,568	137,478	1,323,910	2,160 75.5	9,335 46.5	58,080 25.9	67,903 58.6	412,299 14.9	911,385 20.0	99,726 14.6	13,180 15.1
Percent cleared by arrest ..	20.5	20.4	44.2	18.0								
GROUP III												
292 cities, 50,000 to 99,999; total population 19,925,000; Offenses known	1,369,035	1,381,141	112,488	1,256,547	1,418 75.0	7,343 47.4	44,098 25.2	59,629 57.4	378,284 14.3	768,334 20.0	109,929 13.2	12,106 14.4
Percent cleared by arrest ..	19.9	19.8	44.4	17.7								

Chapter IV. The Response to crime
Section 3. Prosecutive and PreTrial Services

p. 55 Differences in how prosecutors handle felony cases can be seen in 3 jurisdictions

Data in this table developed from data contained in the source by computing proportion of cases at each point. Rather than the outcome of a sample of 100 cases, these figures represent the percent of cases receiving the various dispositions. In order to use whole numbers, rounding was required. For further information about the techniques used, please contact Barbara Boland at INSLAW, Inc.

p. 55 Prosecuting officials include local prosecutors and district attorneys, State attorneys general, and U.S. attorneys

Sources: Justice Agencies in the United States, Summary Report 1980, Bureau of Justice Statistics (Washington: U.S. Department of Justice)

Review of second draft of Report to the Nation on Crime and Justice by Criminal Division, U.S. Department of Justice.

p. 55 The official accusation in felony cases is either a grand jury indictment or a prosecutor's bill of information

Source: State Court Organization 1980, Table 30

Table 30: Description of grand juries, 1980.
Selection process, size, number needed to indict, and scope of activity:

State	Selection process	Size	Number of grand jurors needed to indict	Scope of activities	Is a grand jury indictment essential for all felony prosecutions (unless waived by the accused)?
ALABAMA ...	Random selection from master lists compiled from voter registrations, drivers licenses, motor vehicle registration, utility customers, and property tax rolls	18	12	Criminal indictments and investigations of local governmental affairs	Yes (all with a potential sentence of more than a year)
ALASKA	Random selection from the lists of actual voters, tax rolls, and lists of trapping, hunting, and fishing licenses	12 to 18	Majority vote	Criminal indictments and investigations of local governmental affairs	Yes
ARIZONA ...	Random selection from registered voter lists, then questioned and selected by judges. Statute authorizes statewide grand juries	12 to 16 (16 in Maricopa County [Phoenix])	9	Criminal indictments	No
ARKANSAS ..	Discretion exercised by a 3 to 12-member citizen commission appointed by a circuit judge	16	12	Criminal indictments and investigations of local governmental affairs	Yes
CALIFORNIA	Discretion exercised by the Superior Court judges except in a few counties, including San Francisco, where the selection is random from the list of registered voters	23 in Los Angeles County; 19 elsewhere	14/23; 12/19	Investigations of local governmental affairs and indictment considerations in fewer than 15 percent of all felony matters. Serves 1 year	No
COLORADO ..	Random selection from the list of registered voters, driver's license lists, and city directories, followed by questioning by the judge and district attorney. Statewide grand juries can be assembled	Usually 12; occasionally as large as 23	9/12; 12/23	Investigation of controversial crimes, like police shootings and governmental corruption	No
CONNECTICUT	Discretion, exercised by the county sheriff	18	12	All crimes with sentence of death or life imprisonment, occasional investigations	Yes (but only for crimes with a potential sentence of death or life imprisonment)
DELAWARE ..	Random selection from lists of registered voters and other lists where necessary	10 to 15	7/10; 9/15	Criminal indictments, investigations. Serves for 1 year	Yes (with certain constitutional and statutory exceptions).
FLORIDA ...	Discretion, exercised by county commissioners or jury commission (appointed by Governor); statewide grand juries can be impaneled	15 to 18	12	Criminal indictments, investigations of county offices	Yes (but only for capital offenses)

State	Selection process	Size	Number of grand jurors needed to indict	Scope of activities	Is a grand jury indictment essential for all felony prosecutions (unless waived by the accused)?
ALASKA ...	Discretion, exercised by commissioners, appointed by judge	16 to 23	Majority vote	Criminal indictments, investigations of local governmental affairs, inspections. Sets salary for certain jobs	Yes
MASSACHUSETTS	Random selection from the list of registered voters, which may be supplemented with some names from other lists	18 to 23	12	Criminal indictments	No
PENNSYLVANIA	Random selection from registered voter list, utility list, and driver's license list	16	12	Public offenses	No
ILLINOIS ..	Random selection from the registered voter list, followed by questioning about the time involved	23 (20 on supplemental panel)	12	Criminal indictments and investigations of official misconduct	Yes
INDIANA ...	Random selection from voters registration list supplemented with other lists such as utility customers, property taxpayers, state income tax payees and others	6	5	Major felony cases	No
IOWA	Random selection from lists of registered voters, tax assessment lists, motor vehicle operators, license lists, and others	7	5	Criminal indictments, investigations of prisons, conduct of public officials, highways	Yes
KANSAS	Random selection from the list of registered voters and/or census list	15	12	All public offenses	No
KENTUCKY ..	Random selection from voter registration lists and current property tax rolls	12	9	Criminal indictments	Yes
LOUISIANA .	Discretion, exercised by citizen jury commission	12	9	Criminal indictments	Yes (but only for capital offenses)
MAINE	Random selection from voter registration lists followed by questioning by a judge and the district attorney	13 to 23	12	Criminal indictments. In Cumberland County (Portland) the grand jury serves for 1 year and meets for 5-10 days 3 times a year	Yes (except where a statutory exception is created)

Table 30: Description of grand juries, 1980 (continued)

State	Selection process	Size	Number of grand jurors needed to indict	Scope of activities	Is a grand jury indictment essential for all felony prosecutions (unless waived by the accused)?
MARYLAND ..	Random selection from voter registration lists screened to see who can spare the time	23	12	Criminal indictments and inspects government agencies. It meets every day for 4 months	No
MASSACHUSETTS	Random selection: 35 names are drawn from the trial jury list, which is assembled by discretion; then a judge selects 23 persons	23	12	Criminal indictments	Yes
MICHIGAN ..	Random selection from the list of registered voters	13 to 17 (Also 1-person [judge] grand juries)	9	Criminal indictments (infrequently) and investigations	No
MINNESOTA .	Random selection from the list of registered voters (separate list maintained)	16 to 23	16	Criminal indictments, investigations of prisons and public officials	No
MISSISSIPPI	Random selection from voter registration lists	15 to 20	12	Criminal indictments and investigations of local governmental affairs	No
MISSOURI ..	Randomly selected names are screened carefully by the judges who make the final selection	12	9	Criminal indictments, investigations, inspections, inquiries into governmental fiscal matters	No
MONTANA ...	Random selection from tax rolls	11	10	Criminal indictments, investigations, public officials, prisons	No
NEBRASKA ..	Random selection of 40 names from the list of actual or registered voters, and from that list of 40, 16 are picked by the judge and jury commissioner	16	12	Criminal indictments, county jail	No
NEVADA	Random selection, then screened as to their willingness to serve	17	12	Criminal indictments and investigation of local governmental affairs	No
NEW HAMPSHIRE	Random selection from the trial jury list, which is assembled by the discretion of town officials	23	12	Criminal indictments and investigations of subversive activities. Meets about 4 days every 2-3 months	Yes
NEW JERSEY	Random selection from the list of registered voters. Statute authorizes statewide grand juries	23	12	Criminal indictments, investigations	Yes

State	Selection process	Size	Number of grand jurors needed to indict	Scope of activities	Is a grand jury indictment essential for all felony prosecutions (unless waived by the accused)?
MEXICO	Random selection from the voter registration list followed by questioning by a judge	12	8	Criminal indictments, investigations. In Bernalillo County (Albuquerque) grand juries meet once a week for a 6-month term; elsewhere, they are called infrequently	No
PENNSYLVANIA	Specially selected from persons who have been qualified as trial jurors and who pass a police investigation	16 to 23	12	Criminal indictments, investigations into prisons and misconduct of public officials. Serves for 1 month	Yes
P. R. OF CAROLINA	Random selection from voter registrations, tax rolls, and other sources deemed to be reliable	12 to 18	12	Criminal indictments, inspections of jails and other county agencies	Yes
P. R. OF DAKOTA	Random selection from lists of actual voters, holders of driver's licenses, utility customers, and property taxpayers	8 to 11	6	Criminal indictments, prisons, public officials. Only rarely assembled	No
KANSAS	Random selection from the registered voter list followed by questioning	9	7	Criminal indictments	Yes
OKLAHOMA	Varies by county	12	9	Criminal indictments and investigations of local governmental affairs. Can be called by petition of citizens	No
OREGON	Random selection from list of registered voters	7	5	Criminal indictments and investigations of public prisons and offices pertaining to courts of justice	No
PENNSYLVANIA	Selected from voter registration lists, and sometimes interviewed by jury clerk and jury masters	15 to 23	12	Criminal indictments and investigations	No (Counties are authorized to abolish indicting grand juries and many have done so.)
RHODE ISLAND	Random selection from voter registration list followed by an interview. Statewide grand juries are authorized	13 to 23	12	Criminal indictments	Yes (but only for offenses punishable by death or life imprisonment)
SOUTH CAROLINA	Discretion, exercised by a jury commission composed of civil servants	18	12	Criminal indictments	Yes

Table 30: Description of grand juries, 1980 (continued)

State	Selection process	Size	Number of grand jurors needed to indict	Scope of activities	Is a grand jury indictment essential for all felony prosecutions (unless waived by the accused)?
SOUTH DAKOTA	Random selection from the list of registered voters	6 to 8	5	Criminal indictments, investigations of governmental misconduct	No
TENNESSEE	Random selection from the trial jury lists, which are compiled by jury commissioners without guidelines. The same person may serve as foreperson for several years	13	12	Criminal indictments and investigations of prisons, elections, and governmental affairs	No
TEXAS	Discretion exercised by citizen jury commissioners, appointed by a judge	12	9	Criminal indictments, investigations	Yes
UTAH	Random selection from the official register of voters and other lists proscribed by the Utah Supreme Court	7	5	Criminal indictments, investigations, inspections (public prisons, willful and corrupt misconduct of public officials)	No
VERMONT	Random selection from the lastest census enumeration, telephone directories, election records, and other general sources of names	18	12	Criminal indictments	Yes (but only for offenses punishable by death or life imprisonment)
VIRGINIA	Judges choose names	5 to 7	4	Criminal indictments; investigates conditions that promote criminal activities and misfeasance of governmental authority	Yes
WASHINGTON	Random selection from voter registration list	12 to 17	3/4 of panel	Criminal indictments and investigations of governmental affairs	No
WEST VIRGINIA	Discretion, exercised by a 2-member citizen jury commission (representing the 2 major political parties)	16	12	Criminal indictments	Yes
WISCONSIN	Names selected by jury commissioners and then screened by judges. In Milwaukee County, random selection from the registered voter list	17	12	Criminal indictments	No
WYOMING	Random selection from the voter registration list. Statewide grand juries can be assembled	12 to 16	9	Criminal indictments, inspections, investigations	No

State	Selection process	Size	Number of grand jurors needed to indict	Scope of activities	Is a grand jury indictment essential for all felony prosecutions (unless waived by the accused)?
DISTRICT OF COLUMBIA	Random selection from the list of registered voters, followed by questioning by a judge and sometimes by the U.S. Attorney	23	12	Criminal indictments. Serves at least 2 months. Frequently 9 or 10 are operating at once	Yes (for all crimes with a potential sentence of a year or more)
Puerto Rico	Discretion by court-appointed jury commissioners	12 to 15	Majority vote	Criminal indictments and investigations of government officials and activities	Yes

Source: State Court Administrators; NCSP Staff review of state statutes; Jon M. Van Dyke, Jury Selection Procedures, (Cambridge, Massachusetts: Ballinger Publishing Company, 1977), Appendix B.

p. 55 The grand jury emerged from the American revolution as the people's protection against oppressive prosecution by the State

Source: State Court Organization 1980, Table 30 (see prior material)

p. 57 Organization and funding of indigent defense programs vary among the States

Source: Preliminary data from the 1982 National Indigent Defense Survey, Abt Associates, Inc.

p. 57 Ad hoc appointment of counsel remains the primary source of indigent defense

Primary source of indigent defense

Alabama	Ad hoc
Alaska	Statewide public defender
Arizona*	Ad hoc
Arkansas*	Ad hoc
California*	Contract
Colorado	Statewide public defender
Connecticut	Statewide public defender
Delaware	Statewide public defender
Florida*	Ad hoc
Georgia	Ad hoc
Hawaii	Statewide public defender
Idaho*	Ad hoc and contract
Illinois*	Ad hoc
Indiana*	Ad hoc and contract
Iowa*	Ad hoc
Kansas	Ad hoc
Kentucky*	Ad hoc
Louisiana*	Ad hoc and contract
Maine	Ad hoc
Maryland	Statewide public defender
Massachusetts	State public defender and assigned counsel
Michigan*	Ad hoc and contract
Minnesota*	Ad hoc
Mississippi	Ad hoc
Missouri*	Ad hoc
Montana*	Ad hoc and contract
Nebraska*	Ad hoc
Nevada*	Statewide public defender
New Hampshire*	Statewide public defender
New Jersey*	Statewide public defender
New Mexico*	Statewide public defender
New York*	Statewide public defender
North Carolina	Ad hoc
North Dakota	Ad hoc and contract
Ohio*	State public defender and assigned counsel
Oklahoma	Ad hoc and contract
Oregon*	Contract
Pennsylvania*	Ad hoc
Rhode Island	Statewide public defender
South Carolina*	Ad hoc
Scuth Dakota	Ad hoc and contract
Tennessee*	Ad hoc
Texas	Ad hoc and contract
Utah*	Ad hoc and contract
Vermont	Statewide public defender
Virginia*	Ad hoc
Washington*	Ad hoc and contract
West Virginia	State public defender and assigned counsel
Wisconsin	Statewide public defender
Wyoming	Statewide public defender

*Large proportion of indigent defense provided by local public defenders.

While 17 States have statewide public defender programs, ad hoc assignment of counsel remains the primary system for supplying counsel to indigents.

State	Major source of indigent defense				Unit of organization			FY 81 Funding total (in millions)*
	Public defender Statewide	Assigned counsel Local	Ad hoc Contract	Judicial	Funding source State	County		
Alabama	x	x		x	x	x		\$1.7
Alaska	x			x	x	x		1.3
Arizona	x	x	x	x	x	x		6.7
Arkansas	x			x	x	x		1.4
California	x		x	x	x	x		93.3
Colorado	x			x	x	x		6.1
Connecticut	x			x	x	x		4.2
Delaware	x			x	x	x		1.3
District of Columbia	x		x	x	x	x		6.6
Florida	x		x	x	x	x	x	32.0
Georgia		x		x	x	x	x	3.1
Hawaii	x			x	x	x		1.5
Idaho	x	x	x	x	x	x		1.3
Illinois	x	x	x	x	x	x		17.0
Indiana	x	x	x	x	x	x		3.8
Iowa	x	x		x	x	x		4.5
Kansas		x	x	x	x	x	x	2.7
Kentucky	x	x	x	x	x	x	x	4.7
Louisiana	x	x	x	x	x	x	x	.9
Maine		x	x	x	x	x	x	7.3
Maryland	x			x	x	x	x	
Massachusetts	x		x	x	x	x	x	10.6
Michigan		x	x	x	x	x	x	19.1
Minnesota	x		x	x	x	x	x	6.3
Mississippi		x	x	x	x	x	x	1.2
Missouri	x	x	x	x	x	x	x	1.9
Montana		x	x	x	x	x	x	1.1
Nebraska		x	x	x	x	x	x	1.3
Nevada	x	x		x	x	x	x	1.1
New Hampshire	x			x	x	x	x	1.7
New Jersey	x			x	x	x	x	16.2
New Mexico	x			x	x	x	x	3.8
New York	x	x	x	x	x	x	x	48.3
North Carolina	x	x	x	x	x	x	x	7.9
North Dakota		x	x	x	x	x	x	.5
Ohio	x	x	x	x	x	x	x	12.5
Oklahoma		x	x	x	x	x	x	2.9
Oregon		x	x	x	x	x	x	9.3
Pennsylvania		x	x	x	x	x	x	14.5
Puerto Rico	x			x	x	x	x	1.4
Rhode Island	x			x	x	x	x	1.1
South Carolina		x	x	x	x	x	x	3.3
South Dakota		x	x	x	x	x	x	.8
Tennessee	x	x	x	x	x	x	x	4.5
Texas		x	x	x	x	x	x	18.0
Utah	x	x	x	x	x	x	x	1.4
Vermont	x			x	x	x	x	1.9
Virginia	x	x	x	x	x	x	x	6.6
Washington	x	x	x	x	x	x	x	11.2
West Virginia	x	x	x	x	x	x	x	3.0
Wisconsin	x			x	x	x	x	10.2
Wyoming	x							
Total	19	27	11	15	19	33	7	383

*FY 82 estimates indicate substantially larger funding totals.
Source: Preliminary data from the 1982 National Indigent Defense Survey
Abt Associates, Inc. through a grant from DOJ

1- State
2- Local
3- County
4- Both

p. 58 Most unconvicted jail inmates have had bail set

Source: 1978 Survey of Inmates of Local Jails

Unconvicted inmates of local jails, by bail status

Total inmates	66,936	100.00
Bail set		
Bail made	54,304	81.13
Bail not made	4,092	6.11
Couldn't afford	50,127	74.89
Other reason	31,095	46.45
Not reported	19,033	28.43
	84	.13
Bail not set		
Released on recognizance	11,607	17.34
Non-bail offense	348	.52
Detainer or warrant	3,714	5.55
Had no bail hearing	,045	1.56
Under sentence	2,089	3.12
Security risk	116	.17
Did not want bail	1,509	2.25
Other	348	.52
Don't know	812	1.21
	1,625	2.43
Not reported	1,026	1.53

Table 8. Unconvicted inmates of local jails, by whether bail set, whether bail made, why bail not made, and offense

Offense	Total	Total	Bail made	Bail set			17%		
				Total	Bail not made	Other reason	Not reported	Bail not set	Not reported
					Couldn't afford				
Total	66,936 ^a	54,301 81%	4,092	50,127	31,095 62%	19,033	84	11,607	1,026
Violent	25,011	21,001	1,185	19,774	13,738	6,016	42	3,680	360
Murder	4,869	3,223	168	3,056	2,291	764	0	1,557	90
Manslaughter	354	266	0	266	177	88	0	88	0
Sexual assault	2,734	2,288	160	2,077	1,494	584	42	362	81
Robbery	10,900	9,816	462	9,384	6,587	2,798	0	921	133
Nonsexual assault	5,143	4,384	296	4,088	2,502	1,586	0	706	52
Other	1,041	995	91	904	688	217	0	46	0
Property	28,267	23,618	2,028	21,620	12,345	9,275	0	4,224	395
Burglary	13,708	11,723	1,135	10,587	6,419	4,168	0	1,778	207
Auto theft	1,742	1,522	49	1,473	665	809	0	220	0
Forgery or fraud	4,403	3,426	208	3,178	1,462	1,716	0	934	42
Larceny	6,081	4,982	461	4,518	2,419	2,100	0	1,042	57
Other	2,333	1,995	132	1,863	1,381	482	0	250	88
Drug	4,019	3,193	388	2,804	1,664	1,140	0	827	0
Trafficking or unspecified possession or use	1,780	1,471	91	1,379	846	514	0	310	0
Unspecified or juvenile	2,239	1,722	297	1,425	818	607	0	517	0
Public order	8,454	5,690	486	5,204	2,814	2,390	0	2,572	193
Weapons offense	1,481	1,344	138	1,206	758	448	0	136	0
Obstruction of justice or administration	2,336	1,443	180	1,261	868	395	0	813	60
Traffic offense	2,130	1,548	121	1,427	533	891	0	539	42
Drunkenness, vagrancy, or vice	1,997	1,137	46	1,091	561	527	0	769	91
Other	512	217	0	217	91	126	0	295	0
	1,155	772	5	725	514	191	42	304	78

NOTE: Detail may not add to total shown because of rounding that takes place in the estimation procedure. Estimates of less than 300 are based on too few sample cases to be statistically reliable.

46% of unconvicted are in jail because couldn't afford

p. 59 About three-fifths of the States have one or more provisions to ensure community safety in pretrial release

Source: Updated from "Typology of State laws which permit consideration of danger in the pretrial release decision" by Elizabeth Gaynes for the Pretrial Services Resource Center

For the purpose of the Typology, a jurisdiction was considered to allow for the consideration of danger if its pretrial release laws (constitution, statutes, or rules) contained language which appeared to have as its purpose the control of violent, illegal, or dangerous behavior by a person who has been arrested. The Typology refers to these States as those in which crime control appears to be one of the purposes of pretrial release decision-making.

In addition to States which have laws that express a conscious intention to utilize pretrial release decisions to assure community safety, this definition includes States where crime control is an implied but not express purpose of the release laws. It also includes States in which "preventive detention" is not specifically authorized as a means of controlling future behavior and States which permit the pretrial detention of defendants on grounds of "dangerousness."

This definition excludes those States in which "danger" considerations are specifically authorized, but where such considerations are not for the purpose of crime control. For example, Pennsylvania, Ohio, and New Hampshire permit the consideration of "danger," but by limiting such considerations to misdemeanors or similar restrictions, it is clear that the legislative intent was to safely process persons who were intoxicated or mentally disordered to such a degree that their immediate release would create problems of personal safety, primarily to themselves. The term "States" in this definition includes the District of Columbia.

Because the methods utilized by States in considering crime control in pretrial release decisions vary considerably, it is misleading to simply list them. However, despite significant differences in wording, most State efforts fit within one or more of eight categories of "pretrial crime control" measures:

- A. States where certain crimes are excluded from automatic bail eligibility
- B. States where the purpose of bail is stated to be appearance and safety
- C. States where crime control factors may be considered in release decision
- D. States where conditions of release may include those related to crime control
- E. States where prior convictions limit right to bail
- F. States where defendant's release may be revoked upon evidence that he has committed a new crime
- G. States where defendant's right to bail for crime allegedly committed while on pretrial release is limited

H. States where pretrial detention may be imposed for crime control purposes

For examples of each type of provision, see the original source.

p. 60 Arrest is not the only means of referring juveniles to juvenile court

Source: Delinquency 1979, National Center for Juvenile Justice

p. 60 Most referrals to juvenile court are for property crimes, but 20% are for status offenses

The National Center for Juvenile Justice collected data describing the total number of cases disposed of by courts with juvenile jurisdiction from 1,158 of the 3,143 counties in the United States, containing over 46 percent of the total population of young people under the authority of the juvenile justice system. Their statistics were used as a base for estimating the total number of cases disposed of by juvenile courts nationally during 1979. Detailed demographic and court processing information on each case handled in 1979 was available from 830 of these counties. This detailed information was used to generate a description of the characteristics of the children and of the cases disposed of by juvenile courts in 1979.

Estimates were used to develop a description of the total number and characteristics of delinquent act and status offense cases in all juvenile courts in the U.S. Estimates were generated for all non-reporting counties by using information from reporting counties which had similar populations of juveniles from age 10 through the upper age of juvenile court jurisdiction. A complete description of the estimating procedure is contained in Delinquency 1979, preliminary draft.

p. 61 46 States, the District of Columbia, and the Federal Government have judicial waiver provisions

Source: Hamperian, Youth in Adult Courts, pp. 50-58

Not listed*	States	No specific age	10	13	14	15	16

	Alabama		X				
X	Alaska	X					
	Arizona	X					
	Arkansas						
	California		X				
	Colorado		X				
	Connecticut		X				
	Delaware		X				
	District of Columbia			X			
	Florida	X					
	Georgia		X				
	Hawaii			X			
	Idaho			X			
	Illinois		X				
	Indiana		X				
	Iowa		X				
	Kansas			X			
	Kentucky			X			
	Louisiana		X				
	Maine	X					
	Maryland			X			
	Massachusetts		X				
	Michigan		X				
	Minnesota		X				
	Mississippi	X					
X	Missouri		X				
	Montana			X			
	Nebraska			X			
	Nevada				X		
	New Hampshire	X					
X	New Jersey			X			
	New Mexico			X			
	New York				X		
	North Carolina		X				
	North Dakota			X			

	Ohio					
	Oklahoma		X			X
	Oregon					
	Pennsylvania			X		X
	Rhode Island					X
	South Carolina		X			
	South Dakota			X		
	Tennessee				X	
	Texas					X
	Utah					X
X	Vermont					
	Virginia					X
	Washington				X	
	West Virginia				X	
	Wisconsin					X
	Wyoming					
	Federal Districts				X	

*Not listed refers to "No statutory mechanism for waiver." See p. 46 of source.

p. 61 Age at which criminal courts gain jurisdiction of young offenders
ranges from 16 to 18 years old

Thirteen States authorize prosecutors to file cases in either
juvenile or criminal courts at their discretion

Source: Hamperian, Youth in Adult Courts, Table 4

TABLE 4. OVERVIEW OF 52 JURISDICTIONS' STATUTORY PROVISIONS BY AGE OF INITIAL CRIMINAL COURT JURISDICTION AND BY LEGAL MECHANISMS IN 1978

Statutory Age of Criminal Court Jurisdiction					
18	17	16			
Alabama	Kansas	Oklahoma	Georgia	Michigan	Connecticut
Alaska	Kentucky	Oregon	Illinois	Hawaii	New York
Arizona	Maine	Pennsylvania	Louisiana	South Carolina	North Carolina
Arkansas	Maryland	Rhode Island	Massachusetts	Texas	Vermont
California	Minnesota	South Dakota			
Colorado	Mississippi	Tennessee			
Delaware	Montana	Utah			
District of Columbia	Nebraska	Virginia			
Florida	Nevada	Washington			
Hawaii	New Hampshire	West Virginia			
Idaho	New Jersey	Wisconsin			
Indiana	New Mexico	Wyoming			
Iowa	North Dakota	United States			
	Ohio				

Jurisdictions with Judicial Waiver Provisions					
18	17	16*			
Alabama	Kansas	Oklahoma	Georgia	Michigan	Connecticut
Alaska	Kentucky	Oregon	Illinois	Hawaii	North Carolina
Arizona	Maine	Pennsylvania	Louisiana	South Carolina	
California	Maryland	Rhode Island	Massachusetts	Texas	
Colorado	Minnesota	South Dakota			
Delaware	Mississippi	Tennessee			
District of Columbia	Montana	Utah			
Florida	Nevada	Virginia			
Hawaii	New Hampshire	Washington			
Idaho	New Jersey	West Virginia			
Indiana	New Mexico	Wisconsin			
Iowa	North Dakota	Wyoming			
	Ohio	United States			

Jurisdictions with Concurrent Jurisdiction Provisions (By Age of Initial Criminal Court Jurisdiction and by Special Conditions)b					
18	17	16c			
Arkansas	- 15, any offense	Georgia - any age, capital offense	None		
Colorado	- 14, major felony				
	- 16, felony with previous adjudication				
District of Columbia	- 16, major felony				
Florida	- 16, misdemeanor or felony				
	any age, capital offense				
Nebraska	- any age, felony				
	16, misdemeanor				
Wyoming	- any age, any offense				

105

While portions of this document are illegible, it was microfilmed from the best copy available. It is being distributed because of the valuable information it contains.

p. 61 As of 1978, 31 States excluded certain offenses from juvenile court jurisdiction

Source: Youth in Adult Courts, Hamperian, et. al., 1982, p. 63

p. 61 About 11,000 juveniles were referred to criminal courts in 1978

Juveniles tried as adults have a very high conviction rate, but most receive sentences of probation or fines

Source: Youth in Adult Courts, Hamperian, et. al., 1982, pp. 95-132

Chapter IV. The Response to Crime
Section 4. Adjudication

p. 64 Judges are selected by popular election, by appointment, or by the merit plan

Source: Survey of Court Organization 1980, Table 10

Source Table	ELECTION			MERIT SYSTEM			OTHER		
	T-1	T-2	T-3	T-1	T-2	T-3	T-1	T-2	T-3
Alabama	P	P	P						
Alaska		X							
Arizona		X							
Arkansas	P	P	P						
California									
Colorado	C			V	V	V			
Connecticut									
Delaware				X	V	V			
Distr of Col				X	V	V			
Florida				V	V	V			
Georgia	G	P		V	V	V			
Hawaii									
Idaho									
Illinois	P	C	P	V	V	V			
Indiana									
Iowa	C			V	V	V			
Kansas				V	V	V			
Kentucky	H	C	H						
Louisiana									
Maine									
Maryland				V	V	V			
Massachusetts									
Michigan	H	C	H						
Minnesota									
Mississippi	P								
Missouri				V	V	V			
Montana									
Nebraska				V	V	V			
Nevada									
New Hampshire									
New Jersey									
New Mexico	P	C	P						
New York				V	V	V			
North Carolina	P	P	P						
North Dakota	H	C	H						
Ohio	H	H	H						
Oklahoma									
Oregon	H	C	H						
Pennsylvania	P		P						
Rhode Island									
South Carolina	H	C	H						
South Dakota	H	C	H						
Tennessee									
Texas	P	P	P						
Utah									
Vermont									
Virginia									
Washington									
West Virginia	H	C	H						
Wisconsin	H	C	H						
Wyoming	H	C	H						
total # of states									
Court									

32 States make initial selection of judges by election

Source:

57 States select intermediate appellate court judges

using the first state reorganization election

or next most often

legislative = 4

judicial = 24

regular = 1

court = 13

52 States use the merit system for initial selection of judges.

Table 10: Judicial selection, 1980.
Method of initial selection and filling of interim vacancies.

State and court title	Method of initial judicial selection			Method of filling interim vacancies
	Popular election	Appointment by:	Merit plan ^b	
ALABAMA:				
All judges except Municipal Court judges	Partisan			Merit selection in 15 Counties; Governor appoints until next general election in all other counties
Municipal Court judges	Local governing body			Same as initial selection
ALASKA:				
All judges			X	Same as initial selection
Magistrates		Presiding judge of judicial district		Same as initial selection
ARIZONA:				
Appellate court judges			X	Same as initial selection
Superior Court judges in counties with at least 150,000 population			X	Same as initial selection
All other Superior Court judges	Nonpartisan	Partisan		Governor appoints until next general election County Board of Supervisors appoint for balance of term
Justices of Peace				
City and Town Magistrates in Tucson			X	Appointed by mayor
City and Town Magistrates in cities other than Tucson	Determined by local governing body			Same as initial selection
ARKANSAS:				
All judges	Partisan			Governor appoints for unexpired term, except: Municipal Court—regular practicing attorneys choose special judge to fill vacancy until election; Police Court—filled by gubernatorial appointment; County Court and Justice of the Peace Courts—filled by partisan election
CALIFORNIA:				
Appellate court judges		Governor		Same as initial selection
Superior Court judges	Nonpartisan			Appointed by Governor
Municipal Court judges		Governor		Same as initial selection
Justice Court judges		County Board of Supervisors or special election		Same as initial selection
COLORADO:				
All judges except Denver County and Municipal Court judges			X	Same as initial selection
Denver County Court judges		Mayor with a merit plan city council, or town boards		Same as initial selection
Municipal court judges		Council or town boards		Same as initial selection
CONNECTICUT:				
All judges except Probate Court	Legislature			Same as initial selection
Probate court judges	Partisan			Same as initial selection

State and court title	Method of initial judicial selection			Method of filling interim vacancies
	Popular election	Appointment by:	Merit plan ^b	
<i>States except Alderman's</i>				
Orphan's Court judges	X	Merit selection		
Orphan's Court judges	Determined by local governing body	Same as initial selection		
Probate court judges	X	Merit selection		
Probate court judges	Nonpartisan	Merit selection		
Circuit court judges	Partisan	Appointed by Governor		
Circuit court judges	Partisan	Appointed by Governor with a merit plan		
Circuit court judges	Partisan	Special election is held		
Circuit court judges	Partisan	Special election is held		
Circuit court judges	Presiding Superior/ Circuit Judge	Same as initial selection		
Municipal court judges	Governing bodies	Same as initial selection		
Municipal court judges	Determined by local governing bodies	Locally determined		
Supreme Court judges	X	Same as initial selection		
Supreme Court judges	X	Same as initial selection		
Supreme Court judges	Chief Justice using a merit plan	Same as initial selection		
Supreme Court judges	Non partisan	Appointed by Governor		
District Court judges	Non partisan	Appointed by Governor		
District Court magistrates	Non partisan	Appointed by Governor		
District Court magistrates	District Magistrate Commission	District Magistrate Commission appoints		
<i>Illinois</i>				
Circuit judges	Circuit judges	Same as initial selection		
Commissioner of Claims judges	Executive	Same as initial selection		
Other judges	Partisan	Appointed by Supreme Court Justices		
<i>Pennsylvania</i>				
Circuit court judges, Superior Court judges of Allegheny, Beaver, Butler, Cambria, Armstrong, Fayette, Greene, Indiana, Jefferson, Lawrence, Mercer, Venango, and Warren counties, and Marion County	X	Same as initial selection		
Municipal Court judges	Partisan	Appointed by Governor		
Other judges	Partisan			
Supreme Court judges	X	Same as initial selection		
District Court judges	X	Same as initial selection		
District Court magistrates	X	Same as initial selection		
District Court part-time magistrates	District Court judges using merit plan	Same as initial selection		
County Judicial Magistrate Appointing	County Judicial Magistrate Appointing	Same as initial selection		
<i>Kentucky</i>				
Circuit court judges	X	Same as initial selection		
Small court judges--23 districts	X	Same as initial selection		
Other trial court judges	Partisan	Appointed by Governor		
Judges	Non partisan	Merit selection		

35

112

Table 10: Judicial selection, 1980 (continued)

State and court title	Method of initial judicial selection			Method of filling interim vacancies
	Popular election	Appointment by:	Merit plan ^b	
<i>Louisiana</i>				
All judges	Partisan			Special election is called by Governor. If remainder of term is less than six months, Supreme Court fills vacancy, except in Mayor's Court, where Board of Alderman appoints
<i>Maine</i>				
All judges except Probate Court judges	Governor			Same as initial selection
Probate Court judges	Partisan			Same as initial selection
<i>Maryland</i>				
All judges except Orphan's Court judges	X			Same as initial selection
Orphan's Court judges	Governor			Same as initial selection
<i>Massachusetts</i>				
All judges				X Same as initial selection
<i>Michigan</i>				
All judges except Municipal Court judges	Non partisan			Appointed by Governor
Municipal Court judges	Determined by local governing body			Same as initial selection
<i>Minnesota</i>				
All judges				X Appointed by Governor using a merit plan
<i>Mississippi</i>				
All judges except City Police Court judges	Partisan			Appointed by Governor until next election
City Police Court judges	Governing authority of municipality			Same as initial selection; Justice Court, appointed County Board of Supervisors
<i>Missouri</i>				
Judges of the Supreme Court, Court of Appeals, Circuit and Probate Courts in St. Louis City and County, and Jackson, Pottawattamie, and Clay counties				X Merit selection
Other Circuit and Probate Court judges	Partisan			Appointed by Governor
Municipal Court judges	Locally determined			Locally determined
<i>Montana</i>				
All judges except Municipal Court judges	Nonpartisan			X Appointed by Governor
Municipal Court judges	City Council			Same as initial selection
<i>Nebraska</i>				
All judges				X Same as initial selection
<i>Nevada</i>				
All judges	Nonpartisan			Merit selection; Justice and Municipal Courts, locally determined
<i>New Hampshire</i>				
All judges	Governor			Same as initial selection; Probate Court, Registrar of Probate appoints from another court
<i>New Jersey</i>				
All judges except Municipal and Surrogate Court judges	Governor			Same as initial selection; Juvenile and Domestic Relations Court, appointed by Chief Justice of Supreme Court
Municipal Court judges	Governing body			Same as initial selection
Surrogate Court judges	Governor			Same as initial selection
<i>New Mexico</i>				
All judges	Partisan			Appointed by Governor; Probate Court, appointed by County Commissioners; Municipal Court, appointed by municipal governing body

36

113

State and court title	Method of initial judicial selection		Method of filling interim vacancies
	Popular election	Appointment by: Merit plan ^b	
NEW YORK:			
Appellate court judges	X		Same as initial selection
Supreme Court, County Court, Surrogate's Court, and Family Court (outside New York City) judges	Partisan		Appointed by Governor with advice and consent of Senate if it is in session
Family Court (inside New York City) judges		Mayor using merit plan	Same as initial selection
Court of Claims judges		Governor using merit plan ...	Same as initial selection
Civil Court for the City of New York judges	Partisan		Appointed by Mayor using merit plan
Criminal Court for New York City judges		Mayor using merit plan	Same as initial selection
District Court judges	Partisan		Appointed by County Board of Supervisors
City Court, Town and Village Court judges		Locally determined	Same as initial selection
NORTH CAROLINA:			
All judges except special judges of the Superior Court	Partisan		Appointed by Governor
Special judges of the Superior Court		Governor	Same as initial selection
NORTH DAKOTA:			
All judges	Non partisan		Merit selection
OHIO:			
All judges except Court of Claims & Mayors' Court judges	Non partisan		Appointed by Governor
Court of Claims judge		Chief Justice	Same as initial selection
Mayors Court judges			Locally determined
OKLAHOMA:			
Supreme Court and Court of Criminal Appeals Justices	X		Same as initial selection
Court of Appeals	Non partisan		Appointed by Governor
District Court judges	Non partisan		Merit selection
Municipal Court judges		Governing body	Same as initial selection
OREGON:			
All judges except Municipal Court judges	Nonpartisan		Appointed by Governor
Municipal Court judges		Locally determined	Locally determined
PENNSYLVANIA:			
All judges except Pittsburgh Magistrates Court judges	Partisan		Merit selection
Pittsburgh Magistrates Court judges		Mayor	Same as initial selection
RHODE ISLAND:			
Supreme Court justices		Legislature	Same as initial selection
probate and Municipal Court judges		City Council	Same as initial selection
All other judges		Executive ^a	Same as initial selection
SOUTH CAROLINA:			
Appellate court judges		Legislature	Legislature
Circuit Court judges			Legislature fills vacancy unless an expired term is less than 1 year, then Governor appoints
Family Court judges		Legislature	Appointed by Governor
Probate Court judges	Partisan		Appointed by Governor
Magistrate Court judges		Governor	State statutes and Constitution do not address this issue
Municipal Court and Master-in- Equity Court judges		Locally determined	Locally determined

Table 10: Judicial selection, 1980 (continued)

State and court title	Method of initial judicial selection		Method of filling interim vacancies
	Popular election	Appointment by: Merit plan ^b	
SOUTH DAKOTA:			
All judges except magistrates .	Nonpartisan		Voluntary merit selection
Magistrates		Presiding Circuit Court judge	Same as initial selection
TENNESSEE:			
All judges except intermediate appellate court judges and some Municipal Court judges .	Partisan		Appointed by Governor
Intermediate appellate court judges		X	Same as initial selection
Some Municipal Court judges ...		Governing body	Same as initial selection
TEXAS:			
All judges except Constitutional County, Municipal, and Justice of the Peace Court judges	Partisan		Appointed by Governor
Constitutional County and Justice of the Peace Court judges	Partisan		Appointed by Commissioners Court
Municipal Court judges		Governing body	Same as initial selection
UTAH:			
Supreme Court, District Court, and Circuit Court judges ...	Nonpartisan		Merit selection
Juvenile Court judges		X	Same as initial selection
Justice Court judges—town ...		Determined by local governing body	Appointed by Mayor
Justice Court judges—county ..	Nonpartisan		Appointed by Chairperson of the County Board of Commissioners
VERMONT:			
All judges except Probate Court judges		X	Same as initial selection
Probate Court judges	Partisan		Succeeded by register of probate
VIRGINIA:			
All judges except substitute District Court judges		Legislature	Same as initial selection
Substitute District Court judges		Chief Judge of Circuit	Same as initial selection
WASHINGTON:			
All judges except Municipal Court judges in 2nd, 3rd, and 4th class cities, Justices of the Peace, and District Court judges		Nonpartisan	Appointed by Governor
Municipal Court judges in 2nd, 3rd, and 4th class cities ...		Nonpartisan	Appointed by Mayor
Justices of the Peace		Nonpartisan	Nearest Justice in district assumes position until next election
District Court judges	Nonpartisan		Board of County Commissioners appoint

and court title	Method of initial judicial selection			Method of filling interim vacancies
	Popular election	Appointment by:	Merit plan ^b	
INLA: Magistrates except Municipal Court Municipal Court judges Circuit Court judges Local Court judges	Partisan Partisan Locally determined	Appointed by Governor Chief judge of Circuit Court appoints Locally determined		
DC: Judges except Municipal Court judges Local Court judges	Nonpartisan Determined by local governing body	Appointed by Governor Special election is held		
Domestic Relations Courts City Court, Juvenile Court, and Juvenile Domestic Relations Local Court judges of the Peace Court X Mayor County Board of Commissioners	Merit selection Same as initial selection Appointed by County Board of Commissioners		
SAMOA: Judges Appointed by the U.S.	Same as initial selection		
OF COLUMBIA: Judges X	Same as initial selection		
RICO: Judges X	Same as initial selection		
ISLANDS: Judges Executive	Same as initial selection		

^a "Executive" includes the executive officer responsible for administration at the level at issue, e.g., state or county
^b governor; city level—mayor or city manager.
^c Specifics of each specific "merit plan" are given on the following table.

State Court Administrators; Review of state statutes by staff of The American Judicature Society; Implementation of Standards of Judicial Administration Project, State Court Organization Profile Series (Williamsburg, Virginia: National Center for State Courts, 1977, 1978, 1979); Council of State Governments, State Court Systems, Revised 1978

P. 64 Each State has established a system of trial and appeals courts

Source:

Courts of General Jurisdiction--National Survey of Court Organization, 1977 Supplement to State Judicial Systems, Table 2
Appealate Courts--Unpublished data, National Center for State Courts .

p. 64 State courts process a large volume of cases, many of them minor

Source: State Court Caseload Statistics 1977 to 1981, BJS
Special Report, February 1983, Figure 1 and table 2

p. 64 The U.S. Constitution created the Supreme Court and authorized Congress to establish lower courts as needed

Source: Annual Report of the Director of the Administrative Office of the United States Courts, 1982

p. 5. 12 months ending June 30, 1982

Total cases filed = 238,875

Civil = 206,192

Criminal = 32,682

pp. 288-290. Table D-2

Criminal Cases Commenced by Major Offense During 12 Months
June 30, 1978 through 1982

Offenses	1982 Criminal Cases	
	Number	% of total
Embezzlement	2,072	6%
Fraud	4,709	14
Forgery and counterfeiting	2,128	6
Traffic	5,188	16
Drug	4,193	14
All other	13,333	45
Total	31,623	100

TABLE D-2 CASES, U. S. DISTRICT COURTS
CRIMINAL CASES COMMENCED BY MAJOR OFFENSE (EXCLUDES TRANSFERS) DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1978 THROUGH 1982

NATURE OF PROCEEDINGS AND OFFENSE	1978	1979	1980	1981	1982	PERCENT CHANGE 1982 OVER 1981 ¹
TOTAL	34,675	31,836	27,968	30,365	31,823	-4.2
PROCEEDINGS COMMENCED BY						
INDICTMENT	22,698	19,724	16,624	17,229	18,415	+5.9
INFORMATION - INDICTMENT WAIVED	1,148	744	473	807	808	+65.5
INFORMATION - OTHER	8,730	10,340	9,042	10,357	8,808	-12.3
REMANDED FROM APPELLATE COURT	152	748	80	83	74	-10.9
REMOVED FROM STATE COURT	80	78	30	72	16	-27.3
REOPENED/REINSTATED	228	181	100	87	120	+37.9
APPEAL OR CROSS-CRIMINAL	104	185	112	210	170	-19.1
JUVENILE DELINQUENCY PROCEEDINGS	120	78	85	82	91	+11.0
CHEMIST BEFORE MAGISTRATE	1,385	1,114	1,485	2,070	3,046	+47.1
RETIAL ON MISTRIAL	-	-	19	17	46	+70.6
RETIAL - REMAND FROM APPEALS COURT	-	-	23	41	33	+13.8
GENERAL OFFENSES						
HOMICIDE TOTAL	144	148	141	180	161	-18.8
MURDER 1ST DEGREE	69	63	67	63	70	+15.7
MURDER 2ND DEGREE	34	29	25	42	34	-19.1
MANSLAUGHTER	41	68	48	61	47	-23.0
ROBBERY, TOTAL	1,277	1,159	1,241	1,412	1,427	+0.8
BANK	1,293	1,068	1,147	1,314	1,323	+0.7
POSTAL	38	41	52	41	47	+14.6
OTHER	46	42	52	80	67	+6.0
ASSAULT	592	641	556	559	678	+3.6
BURGLARY - BREAKING AND ENTERING, TOTAL	207	198	161	128	143	+14.4
BANK	7	7	2	5	8	+14.3
POSTAL	41	46	24	32	34	+6.3
INTERSTATE SHIPMENTS	4	4	1	3	2	+50.0
OTHER	190	194	171	181	191	+5.2

CRIMINAL CASES COMMENCED BY MAJOR OFFENSE (EXCLUDES TRANSFERS) DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1978 THROUGH 1982

TABLE D-2 CASES, U.S. DISTRICT COURTS
CRIMINAL CASES COMMENCED BY MAJOR OFFENSE (EXCLUDES TRANSFERS) DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1978 THROUGH 1982

NATURE OF PROCEEDINGS AND OFFENSE	1978	1979	1980	1981	1982	PERCENT CHANGE 1982 OVER 1981 ¹
LARCENY AND THEFT, TOTAL						
BANK	3,886	3,420	3,033	3,030	2,887	-4.7
POSTAL	121	136	124	134	161	20.1
INTERSTATE SHIPMENTS	1,485	887	890	618	631	2.5
OTHER U.S. PROPERTY	305	276	289	307	256	-16.9
TRANSPORTATION, ETC., OF STOLEN PROPERTY	1,025	1,282	1,158	1,168	1,083	-8.2
OTHER	302	243	226	280	342	22.1
EMBEZZLEMENT, TOTAL	767	688	634	833	636	-16.6
BANK	1,844	1,626	1,678	1,928	2,072	12.9
POSTAL	986	844	920	1,018	1,051	3.2
OTHER	270	251	267	274	286	4.4
FRAUD, TOTAL	708	630	581	644	735	36.1
INCOME TAX	4,627	5,006	5,822	4,724	4,709	-0.7
LENDING INSTITUTION	1,347	1,420	1,367	1,323	1,058	-13.7
POSTAL	417	421	416	470	485	3.2
VETERANS AND ALLOTMENTS	776	1,005	881	930	937	0.8
SECURITIES AND EXCHANGE	3	16	10	10	16	60.0
SOCIAL SECURITY	28	29	13	11	16	38.4
FALSE PERSONATION ²	177	278	320	330	226	-31.8
NATIONALITY LAWS	42	65	37	45	45	0.0
PASSPORT FRAUD	118	217	121	186	180	-7.1
FALSE CLAIMS AND STATEMENTS	732	62	59	72	76	4.2
OTHER	732	720	757	817	948	16.0
AUTO THEFT	810	399	381	306	389	21.0
FORGERY AND COUNTERFEITING, TOTAL	2,818	2,822	2,124	1,810	2,128	17.6
TRANSMISSION OF FORGED SECURITIES	386	242	210	200	200	0.0
POSTAL FORGERY	113	121	88	92	113	22.8
OTHER FORGERY	2,016	2,066	1,288	922	1,177	27.7
COUNTERFEITING	428	468	622	698	638	7.0
SEX OFFENSES, TOTAL	182	139	180	192	136	-11.2
RAPE	102	98	102	104	78	-20.9
OTHER	80	41	48	48	59	22.0

289

121

TABLE D-2 CASES, U. S. DISTRICT COURTS
CRIMINAL CASES COMMENCED BY MAJOR OFFENSE (EXCLUDES TRANSFERS) DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1976 THROUGH 1982

NATURE OF PROCEEDINGS AND OFFENSE	1976	1977	1980	1981	1982	PERCENT CHANGE 1982 OVER 1981 ¹
DRUG ABUSE PREVENTION AND CONTROL ACT, TOTAL ²	3,748	3,222	3,130	3,692	4,193	13.4
MARIJUANA	1,026	784	676	1,189	1,664	39.9
DRUGS	1,808	1,673	1,668	1,772	1,698	4.2
CONTROLLED SUBSTANCES	1,115	820	789	736	831	12.5
MISCELLANEOUS GENERAL OFFENSES, TOTAL	9,468	8,705	8,240	8,416	8,757	4.1
BRIEFLY	121	158	136	173	145	-16.2
DRUNK DRIVING AND TRAFFIC	4,454	5,448	4,558	5,231	6,108	16.0
ESCAPE ³	1,076	1,095	832	815	819	-10.9
EXTORTION, BLACKMAILING, AND THREATS	318	376	324	391	424	8.4
GAMBLING AND LOTTERY	60	48	51	58	60	1.7
KIDNAPPING	76	64	74	80	142	57.8
PETITION	138	152	114	1,306	1,775	36.2
WEAPONS AND FIREARMS	3,058	3,209	931	221	184	-25.8
OTHER	169	154	180	11	11	0.0
SPECIAL OFFENSES	1,225	1,859	1,821	1,829	1,803	-5.5
IMMIGRATION LAWS	100	41	28	30	20	-33.3
INTERNAL INTERNAL REVENUE	100	100	100	100	100	0.0
FEDERAL STATUTES, TOTAL	1,906	2,144	3,256	3,121	2,259	6.1
AGRICULTURAL ACTS	280	283	300	490	682	36.1
ANTITRUST VIOLATIONS	30	28	38	82	82	0.0
FOOD AND DRUG ACT	101	113	104	95	77	-18.0
MIGRATORY BIRD LAWS	38	76	72	82	87	6.1
MOTOR CARRIER ACT	70	80	106	145	96	-33.8
NATIONAL DEFENSE LAWS	89	401	79	70	62	-14.4
CIVIL RIGHTS ⁴	82	81	40	76	43	-43.4
COMMITTEE	38	47	40	47	59	30.8
CUSTOMS LAWS	85	114	100	98	108	25.2
POSTAL LAWS	352	363	226	246	208	-17.8
OTHER	217	643	802	670	624	-7.3

¹PERCENT CHANGE IS COMPUTED ON 10 OR MORE CASES.
²THE COMPREHENSIVE DRUG ABUSE PREVENTION AND CONTROL ACT OF 1970 (PUBLIC LAW 91-613) BECAME EFFECTIVE MAY 1, 1971.
³INCLUDES ESCAPE FROM PRISONERY, AIDING OR ABETTING AN ESCAPE, FAILURE TO APPEAR IN COURT AND BAIL JUMPING.
⁴THOSE INCLUDE CASES REMOVED FROM STATE COURTS UNDER PROVISION OF THE CIVIL RIGHTS ACT 28 U. S. C. 1443.

36: Compensation of trial jurors, 1980.
Per diem and travel reimbursement.

State	Per diem (dollars)	Travel reimbursement	State	Per diem (dollars)	Travel reimbursement
AL	\$10	5¢/mile	NEBRASKA	\$20	10¢/mile
AK	\$20	None	NEVADA	\$ 9 (\$15)	19¢/mile
AS	\$12	10¢/mile	NEW HAMPSHIRE	\$30	17¢/mile
AS	\$ 5 (\$20) \$ 6 Justice Courts	5¢/mile 5¢/mile	NEW JERSEY	\$ 5	2¢/mile
RNLA	(\$ 5) (\$ 6) (San Francisco civil trials)	15¢/mile 15¢/mile	NEW MEXICO	\$ 2.30/hour	None
DO	\$ 3 (\$6)	15¢/mile	NEW YORK	\$12; \$8 in Suffolk County expenses allowed-\$1/day	8¢/mile
TICUT	\$20	10¢/mile	NORTH CAROLINA ...	\$ 3	None
RE	\$15	15¢/mile	NORTH DAKOTA	\$25; \$10 in Justice of the Peace Courts	15¢/mile
A	\$10	10¢/mile	OHIO	\$10; \$15 in 3rd week	None
A	\$10--state average; per diem varies from from \$3 to \$25	None	OKLAHOMA	\$12.50	5¢/mile
	\$20	20¢/mile	OREGON	\$10	8¢/mile
	\$ 5/half day	10¢/mile	PENNSYLVANIA	\$ 9; \$25 after 3rd day	17¢/mile
DIS	\$10 (large counties) \$ 5 (small counties)	18¢/mile	RHODE ISLAND	\$15	8¢/mile
VA	\$ 7.50 (\$17.50) (\$20.00 in Lake County)	17¢/mile 17¢/mile	SOUTH CAROLINA ...	\$10	None
	\$10	15¢/mile	SOUTH DAKOTA	\$10 (\$20)	15¢/mile
S	\$10	None	TENNESSEE	\$10	None
CKY	\$ 5; expenses allowed up to \$7.50/day	None	TEXAS	\$ 6-varies up to \$30	None
LANA	\$12 (\$8); (\$16 in New Orleans)	6¢/mile	UTAH	\$14; \$6 for City Courts	10¢/mile
	\$20	10¢/mile	VERMONT	\$30	8¢/mile
AND	\$10; expenses allowed up to \$15/day	15¢/mile	VIRGINIA	\$15	15¢/mile
ACHUSETTS	\$14-\$18; expenses allowed up to \$2.50/day Cambridge--\$40 after 3rd day	8¢/mile 8¢/mile	WASHINGTON	\$10	13¢/mile
IGAN	\$ 7.50/half day	10¢/mile	WEST VIRGINIA	\$15	None
ESOTA	\$15	13¢/mile	WISCONSIN	\$ 8.50/half day; full day varies from \$7 to \$25	10¢/mile
ISSIPPI	\$15	None	WYOMING	\$ 6/half day	15¢/mile; 18¢/mile for 4- wheel drive vehicles
OURI	\$ 6	10¢/mile	AMERICAN SAMOA ...	(Information not available)	
ANA	\$12; \$7.50 in Justice of the Peace Courts	10¢/mile; 17¢/mile over 10	DISTRICT OF COLUMBIA	\$30	None
			GUAM	(Information not available)	
			PUERTO RICO	(Information not available)	
			VIRGIN ISLANDS ...	\$15/half day	None

* Dollar amount paid to jurors when serving.

Source: State Court Administrators; NCSP staff review of state statutes; Virgin Island Code §81, Title 4;
Center for Jury Studies, Newsletter #2-2, March 1980.

p. 65 Many guilty pleas are the result of plea negotiations

Source: B. Boland, INSLAW, Inc., The Prosecution of Felony Arrests (Washington: BJS, forthcoming), 1983.

	<u># cases filed</u>	<u>% guilty plea</u>	<u>Estimated # guilty pleas</u>	<u>% convicted</u>	<u># cases tried</u>	<u># cases of cases tried</u>	<u>= Estimated # convictions</u>	<u>Estimated # convictions & guilty pleas</u>
Golden	1,739	49%	852	63	646	64	40	892
Rhode Island	3,367	79	2,660	111	64	71	2,731	
St. Louis	3,388	64	2,168	157	64	100	2,268	
Kalamazoo	710	79	561	68	68	46	607	
D.C.	6,857	51	3,497	629	68	428	3,925	
Manhattan	25,233	63	15,897	675	70	473	16,370	
Milwaukee	2,689	74	1,990	198	73	145	2,135	
New Orleans	3,894	70	2,726	690	70	483	3,209	
Los Angeles	22,258	61	13,577	1,966	73	1,435	15,012	
Indianapolis	1,491	67	999	226	77	174	1,173	
Louisville	1,496	66	987	296	77	228	1,215	
Salt Lake City	1,852	56	1,037	137	84	115	1,152	
Geneva	913	48	438	24	96	23	461	

	<u>Estimated # pleas</u>	<u>Estimated # trial convictions</u>	<u>Estimated total convictions</u>	<u>% of total convictions from pleas</u>
Golden	852	40	892	96%
Rhode Island	2,660	71	2,731	97
St. Louis	2,168	100	2,268	95
Kalamazoo	561	46	607	92
D.C.	3,497	428	3,925	89
Manhattan	15,897	473	16,370	97
Milwaukee	1,990	145	2,135	93
New Orleans	2,726	483	3,209	85
Los Angeles	13,577	1,435	15,012	90
Indianapolis	999	174	1,173	85
Louisville	987	228	1,215	81
Salt Lake City	1,037	115	1,152	90
Geneva	438	23	461	95

p. 65 18 States and the District of Columbia require a unanimous verdict in all trials

Source: National Center for Jury Studies Newsletter, November 1981

p. 66 Cases resulting in trials generally take longer than ones that end in dismissals or guilty pleas

Source: B. Boland, INSLAW, Inc., The Prosecution of Felony Arrests (Washington: BJS, forthcoming) 1983

Exhibit V.2. Arrest to disposition time by type of final disposition
(Median number of months)

	Guilty pleas	Guilty trials	Acquittal trials	Dismissals	Total
Cobb County	6.1	5.2	9.5	7.0	6.5
Geneva	2.2	3.2	*	1.4	1.8
Golden	4.3	9.0	7.3	8.4	6.0
Indianapolis	5.0	5.4	5.3	4.2	4.9
Kalamazoo	2.7	11.3	*	7.0	3.8
Los Angeles	3.3	5.8	6.0	1.7	3.1
Louisville	4.5	5.8	5.4	5.4	5.0
Manhattan	.8	8.1	8.4	1.4	.9
Milwaukee	2.9	7.1	7.0	1.6	3.0
New Orleans	1.2	2.6	2.6	2.8	1.6
Rhode Island	8.5	13.2	11.9	14.5	10.0
St. Louis	4.3	7.6	7.4	2.2	5.0
Salt Lake City	1.8	4.7	4.3	1.7	1.9
Washington, D.C.	2.5	8.0	8.1	2.1	2.7
Average	3.8	6.9	6.7	4.4	4.0

*Too few cases to estimate.

p. 67 All States compensate trial jurors

Source: Survey of Court Organization 1980, Table 36

p. 67 Only 15% of American adults have ever been called for jury duty

Source: Center for Jury Studies Newsletter, November 1980

The maximum period of service required by a juror varies by State

Source: Center for Jury Studies Newsletter, March 1981

Innovations have eased the burden of being a juror

Sources: Center for Jury Studies Newsletter

• March 1981

• September 1980

p. 67 Most States have statutory exemptions for jury service

Source: Survey of Court Organization 1980, Table 33

Table 33: Statutory exemptions from trial jury service, 1980

State	Exemptions from jury service						
	Public necessity or undue hardship	Personal bad health	Financial hardship	Females with small children (age limit)	Judicial officers	Local officials	Occupational exemptions
ALABAMA	X						None
ALASKA	X	X			X		6,7,32
ARIZONA	X	X	X				None
ARKANSAS	X	X	X		X		5,6,7,8,10,13,14,15,17,20,23,24
CALIFORNIA	X						Limited to certain peace officers
COLORADO	(a)	X					None
CONNECTICUT	X	X		X(16 years)			7,8,10,14,15,17,21,24,32,37
DELAWARE	X				X	X	8,10,14,19,24,30
FLORIDA				X(15 years)	X	X	24,30
GEORGIA	X			X(14 years)	X		3,7,10,12,17,23,24,32
HAWAII		X			X	X	3,6,7,8,10,14,15,34,30
IDAH0	(b)						None
ILLINOIS		X			X	X	6,7,8,10,16,19
INDIANA						X	8,14,15,19,30
(Lake County)	(a)	X			X	X	8,14,19,30
IOWA				X	X		8,19,30,36
KANSAS	X	X					None
KENTUCKY	X						None
LOUISIANA	X			X	X		5,6,7,8,10,14,15,19,20,23,24,30
MAINE	X	X		X			7,8,19,24,30
MARYLAND	X	X					14,15
MASSACHUSETTS	X			X(15 years)	X	X	3,6,7,8,10,11,12,17,19,24,30,31,32,36
(Middlesex County)	X	X					None
MICHIGAN		X					None
MINNESOTA	X	X			X	X	3
MISSISSIPPI	X	X	X				3,7
MISSOURI	X	X	X		X	X	5,6,7,8,14,15,19,25,30,32
MONTANA	X			Xc(minor)	X	X	3,6,7,8,10,12,13,15,16,17,19,23,25,26,27,30,32,33
NEBRASKA	X						None
NEVADA	X	X			X		7,10,17,19,23,24,25,26,27,30,32,33
NEW HAMPSHIRE					X		7,8,10,24,30
NEW JERSEY	X			Xc(minor)	X		7,10,12,14,15,24,30,32,33,34,37,38
NEW MEXICO	X						None
NEW YORK				X(16 years)	X		3,6,7,8,10,13,14,15,16,17,19,20,23,24,29,30
NORTH CAROLINA	X		X				None
NORTH DAKOTA	(a)						None
OHIO	X	X					None

X = Affirmative

^aThe Uniform Jury Selection and Service Act reads, "Undue hardship, extreme inconvenience or public necessity
^bIn a 2-year period, no person will be required to serve or attend more than 30 days except to finish a case,
serve on more than 1 grand jury, or serve on both a grand and a petit jury.
^cThe statute is sex-neutral and applies to any person charged with caring for a child.

The statute is sex-neutral and applies to any person charged with caring for a child.

The last column indicates the following occupations:

- | | |
|--|--|
| inants | 21 - Persons caring for disabled |
| line pilots or other employees | 22 - Persons participating in the harvest |
| runays | 23 - Pharmacists |
| drivers | 24 - Police and members of other law enforcement agencies |
| opracitors | 25 - Postal employees |
| gy | 26 - Prison guards |
| ors/dentists | 27 - Railroad employees |
| ated officials | 28 - School bus drivers |
| y boat operators | 29 - Sole proprietors of businesses |
| men | 30 - State officials |
| overnment employees: local, state, federal | 31 - Students |
| pital employees | 32 - Teachers |
| ensed embalmers | 33 - Telegraph operators |
| bers of the military forces | 34 - Telephone operators |
| ional guardsmen on active duty | 35 - Veterinarians |
| spaper reporters | 36 - Persons who are conscientiously opposed to jury duty
because of their religion |
| ses | 37 - First aid and rescue squad personnel |
| icers and employees of ships | 38 - Game wardens |
| icers of the United States | 39 - Cloistered members of religious orders |
| olitrists | 40 - Licensed clinical psychologists |

: State Court Administrator; Staff review of state juries; Center for Jury Studies, Newsletter #5, September, 1979; John M. Van Dyke, Jury Selection Procedures, Appendix C: Statutory Excuses, 1977.

p. 67 Names of prospective jurors are selected from lists intended to make jury pools representative of the community

Source: Survey of Court Organization 1980, Table 31

Voter registration as only source of master jury list Voter registration and driver license lists as sources of master jury lis

Arizona	Alabama
Arkansas	Alaska
Delaware	California
Georgia	Colorado
Illinois	Hawaii
Maine	Idaho
Maryland	Minnesota
Michigan	Missouri
Mississippi	North Dakota
Nebraska	Pennsylvania
Nevada	District of Columbia
New Jersey	
New Mexico	
Ohio	
Oklahoma	
Rhode Island	
South Carolina	
South Dakota	
Texas	
Utah	
Washington	
Wisconsin	
Wyoming	

Table 31: Selection of trial jury pool, 1980.
Selection process and sources used for master list.

State	Selection process	Sources used for master list							
		Voter registration list	Telephone directory	Drivers' license list	City directory	Utility customers	State income tax list	Other tax rolls	Census
ALABAMA ✓.....	Random selection (some counties use drivers list exclusively)	X	X	X	X	X	X	X	Civic organizations.
ALASKA ✓.....	Random selection	X ^a		X			X		
ARIZONA ✓.....	Random selection	X -							
ARKANSAS ✓.....	Discretion exercised by a 3 to 12-member citizen jury commission appointed by a circuit judge	X -							
CALIFORNIA ✓.....	Random selection	X		X					
COLORADO ✓.....	Random selection (Uniform Jury Selection Act)	X	X	X	X	X	X	X	
CONNECTICUT'.....	Discretion, exercised by town civil servants	X			X				
DELAWARE ✓.....	Random selection	X -							
FLORIDA ✓.....	Discretion, exercised by county commissioner or 2-citizen jury commissions (in Dade County [Miami] and a number of other counties, random selection from voter lists)								No particular master list is used.
GEORGIA ✓.....	Discretion, exercised by a 6-member citizen jury commission, appointed by a judge	X -							State tax digest; personal acquaintances.
HAWAII ✓.....	Random selection	X	X	X	X	X	X	X	In Honolulu, voters' list, supplemented with telephone directory.
IDAH0 ✓.....	Random selection (Uniform Jury Selection Act)	X	X	X	X	X			
ILLINOIS ✓.....	Random selection	X -							
INDIANA ✓.....	Discretion, exercised by court-appointed commissioners (random selection in Lake County)	X					X		
IOWA	Random selection	X ^a		X					Other sources are also used.
KANSAS ✓.....	Random selection	X						X	
KENTUCKY ✓.....	Random selection	X					X		
LOUISIANA	Discretion, exercised by a 5-member citizen jury commission appointed by a judge except in Orleans Parish where they are appointed by the Governor								No particular master list is used.
MAINE ✓.....	Random selection	X -							

State	Selection process	Sources used for master list								
		Voter registration list	Telephone directory	Drivers' license list	City directory	Utility customers	State income tax list	Other tax rolls	Census	Other
MARYLAND	Random selection	X -								
MASSACHUSETTS	Discretion, exercised by town officials and county officials followed by personal interviews	X	Xb							Including police census list.
MICHIGAN	Random selection	X -								
MINNESOTA	Random selection	X X X X X	X							Welfare recipients.
MISSISSIPPI	Random selection	X -								
MISSOURI	Random selection in the major cities, discretion in the less populated counties	X X X		X						Public records.
NEVADA	Random selection	X		X						
NEBRASKA	Random selection	X -								
NEVADA	Discretion, exercised by county commissioners or jury commissioners	Xc -								
NEW HAMPSHIRE	Discretion, exercised by town selectmen			No particular master list is used.						
NEW JERSEY	Random selection	X -								
NEW MEXICO	Random selection	X -								
NEW YORK	Random selection	X X X X X	X							Volunteers are accepted.
NORTH CAROLINA	Random selection	X		X						
NORTH DAKOTA	Random selection (Uniform Jury Selection Act)	Xa X X X	X							
OHIO	Random selection, followed by personal interviews conducted by a 2-member citizen jury commission, appointed by judges and representing the 2 major political parties	X -								
OKLAHOMA	Discretion, exercised by a jury commission composed of civil servants, or—at the discretion of the presiding judge—random selection (Oklahoma and Tulsa Counties now both select randomly from the voter list)	X -								

115

134

Table 31: Selection of trial jury pool, 1980 (continued)

State	Selection process	Sources used for master list								
		Voter registration list	Telephone directory	Drivers' license list	City directory	Utility customers	State income tax list	Other tax rolls	Census	Other
OREGON	Random selection	X								
PENNSYLVANIA	Random selection, followed (in Philadelphia and Allegheny Counties) by some personal interviews	X X Xd								Welfare recipients.
RHODE ISLAND	Random selection, followed by personal interviews	X ✓								
SOUTH CAROLINA	Discretion, exercised by a jury commission composed of civil servants	X ✓								Volunteers are accepted.
SOUTH DAKOTA	Random selection	X -								
TENNESSEE	Discretion, exercised by a jury commission composed of civil servants	X	X X							
TEXAS	Random selection	X -								
UTAH	Discretion, exercised by 2 court-appointed jury commissioners from different parties	X -								
VERMONT	Random selection	X X								X
VIRGINIA	Random selection			No particular master list is used.						
WASHINGTON	Random selection	X -								
WEST VIRGINIA	Discretion, exercised by 2-member citizen jury commission representing the 2 major political parties			No particular master list is used.						
WISCONSIN	Random selection, followed by personal interviews conducted by a 3-member citizen jury commission	X -								
WYOMING	Random selection	X -								
AMERICAN SAMOA	(Information not available)									
DISTRICT OF COLUMBIA	Random selection	X								
GUAM	(Information not available)	X	X							
PUERTO RICO	Discretion by appointed jury commissioners			No particular master list is used.						
VIRGIN ISLANDS	(Information not available)									

X = Affirmative.

aList of actual voters is used.

bState income tax lists are used only in Middlesex County.

cVoter registration lists are supplemented in Nevada.

dAllegheny County, Pennsylvania, uses the voter registration list, the telephone directory, and the welfare recipients list.

Source: State Court Administrators; NCSP staff review of state statutes; Jon M. Van Dyke, Jury Selection Procedures, (Cambridge, Massachusetts: Ballinger Publishing Company, 1977), Appendix A.

116

135

p. 67 All States require 12 member juries in capital cases; 6 States permit less than 12 member juries in felony trials

Jury size by States

	<u>Felonies</u>	<u>Misdemeanors</u>		<u>Felonies</u>	<u>Misdemeanors</u>
Alabama	12	12	Montana	12	12
Alaska	12	6	Nebraska	12	12
Arizona	8	8	Nevada	12	12
Arkansas	12	12	New Hampshire	12	12
California	12	12	New Jersey	12	12
Colorado	12	6	New Mexico	12	12
Connecticut	6	6	New York	12	6
Delaware	12	12	North Carolina	12	12
D.C.	12	12	North Dakota	12	12
Florida	6	6	Ohio	12	8
Georgia	12	12	Oklahoma	12	6
Hawaii	12	12	Oregon	6	6
Idaho	12	6	Pennsylvania	12	12
Illinois	12	12	Rhode Island	12	12
Indiana	12	12	South Carolina	12	12
Iowa	12	8	South Dakota	12	12
Kansas	12	12	Tennessee	12	6
Kentucky	12	12	Texas	12	12
Louisiana	6	6	Utah	8	8
Maine	12	12	Vermont	12	12
Maryland	12	12	Virginia	12	7
Massachusetts	12	12	Washington	12	12
Michigan	12	12	West Virginia	12	12
Minnesota	12	12	Wisconsin	12	12
Mississippi	12	6	Wyoming	12	6
Missouri	12	12			

Prepared by Center for Jury Studies, August 1982.

p. 68 A defense of insanity is recognized in all but two States
States vary in many specific ways in their handling of an
insanity defense

Eight States provide a verdict of guilty but mentally ill

Source: American Bar Association Policy on the Insanity Defense,
Criminal Justice Mental Health Standards Project, ABA Standing
Committee on Association Standards for Criminal Justice, Approved
by the House of Delegates, February 9, 1983, Appendix One

APPENDIX ONE

TABLE ON CURRENT TESTS FOR INSANITY, ALLOCATION OF BURDEN AND QUANTUM OF PROOF WITHIN FEDERAL JURISDICTIONS AND THE SEVERAL STATES

JURISDICTION All Circuits	INSANITY TEST USED ALI	FEDERAL	
		ALLOCATION OF BURDEN prosecution	QUANTUM OF PROOF beyond reasonable doubt
<u>STATES</u>			
Alabama*	ALI	defendant	reasonable satisfaction of jury
Alaska*	ALI modified	state	beyond reasonable doubt
Arizona*	M'Naghten	state	beyond reasonable doubt
Arkansas	ALI	defendant	preponderance of evidence
California*	ALI(\$1)	defendant	preponderance of evidence
Colorado*	M'Naghten/irresistible impulse	state	beyond reasonable doubt
Connecticut*	ALI	state	beyond reasonable doubt
Delaware*	ALI/irresistible impulse	defendant	preponderance of evidence
Dist. Columbia	ALI	defendant	preponderance of evidence
Florida*	M'Naghten modified	state	beyond reasonable doubt
Georgia*	M'Naghten	defendant	preponderance of evidence
Hawaii*	ALI modified	defendant	preponderance of evidence
Idaho	No affirmative defense - "Mens Rea" only	state	beyond reasonable doubt
Illinois*	ALI	state	beyond reasonable doubt
Indiana*	ALI	defendant	preponderance of evidence
Iowa*	M'Naghten	state	beyond reasonable doubt
Kansas*	M'Naghten	state	beyond reasonable doubt
Kentucky*	ALI	defendant	preponderance of evidence
Louisiana	M'Naghten modified	defendant	preponderance of evidence
Maine	ALI modified	defendant	preponderance of evidence
Maryland	ALI modified	state	beyond reasonable doubt
Massachusetts	ALI(\$1)	state	beyond reasonable doubt
Michigan*	ALI modified	state	beyond reasonable doubt
Minnesota	M'Naghten	defendant	preponderance of evidence
Mississippi	M'Naghten	state	beyond reasonable doubt
Missouri*	ALI modified	defendant	preponderance or greater weight of evidence
Montana	unique	defendant	preponderance of evidence
Nebraska*	M'Naghten	state	beyond reasonable doubt
Nevada	M'Naghten	defendant	preponderance of evidence
New Hampshire*	unique	defendant	preponderance of evidence
New Jersey*	M'Naghten	defendant	preponderance of evidence
New Mexico*	M'Naghten/irresistible impulse	defendant	preponderance of evidence
New York	M'Naghten modified	state	beyond reasonable doubt
North Carolina	M'Naghten	defendant	satisfaction of jury
North Dakota	unique	state	beyond reasonable doubt
Ohio	ALI(\$1)	defendant	preponderance of evidence
Oklahoma	M'Naghten	state	beyond reasonable doubt
Oregon*	ALI	defendant	preponderance of evidence
Pennsylvania*	M'Naghten	defendant	preponderance of evidence
Rhode Island	ALI modified	defendant	preponderance of evidence
South Carolina	M'Naghten modified	defendant	preponderance of evidence
South Dakota	M'Naghten modified	state	beyond reasonable doubt
Tennessee*	ALI	state	beyond reasonable doubt
Texas*	ALI	defendant	preponderance of evidence
Utah	ALI	state	beyond reasonable doubt
Vermont	ALI modified	state	beyond reasonable doubt
Virginia*	M'Naghten/irresistible impulse	state	beyond reasonable doubt
Washington*	M'Naghten	defendant	preponderance of evidence
West Virginia	ALI	state	beyond reasonable doubt
Wisconsin*	ALI	defendant	reasonable certainty by greater weight of credible evidence
Wyoming*	ALI	state	beyond reasonable doubt

* States where insanity defense revisions received legislative consideration during 1981 and 1982.

* States which also have "Guilty But Mentally Ill" verdict.

p. 68 The largest group of convicted or accused persons admitted to mental health facilities are drawn from the prison population

Source: Henry J. Steadman, et.al., "Mentally disordered offenders: A National survey of patients and facilities," Law and Human Behavior 6(1):31-38 (1982)

The data presented were collected from all 50 States, the District of Columbia, and the Federal system. Data were collected by mail survey, directed to the Forensic Director (or equivalent) of the State Mental Health Program or his or her designee. Where statistics on admissions or the average daily population were not available, "best estimates" of the relevant data were used. Concerning the legal status of admissions, only 23 jurisdictions kept figures for "incompetent to stand trial," 22 for "not guilty by reason of insanity," and 18 for "transfers from prisons." Census data were kept by 21 jurisdictions on "incompetent to stand trial," 20 for "not guilty by reason of insanity," and 10 for "transfers from prison."

p. 69 Most criminal case appeals are decided in State courts²

Source: 1982 Annual Report of the Director of the Administrative Office of the U.S. Courts and State Court Caseload Statistics, Special Report, Bureau of Justice Statistics

140

p. 69 In 1982, more appeals were filed in Federal appeals courts than at any time in their history

Source: Administrative Office of the U.S. Courts

141

U.S. Courts of Appeals
Appeals Filed, By Type Case
During the Twelve Month Periods Ended June 30, 1940 through 1982

Year	Total	U.S. District Courts			Other Appeals			
		Criminal		Civil		Bank- ruptcy	Admini- strative Agency	Original Pro- ceedings
		Number	Percent of Total	U.S.	Private			
1940 ..	3,446	260	7.5	1,432	1,754	-	-	-
1941 ..	3,213	249	7.7	1,361	1,603	-	-	-
1942 ..	3,228	339	10.5	510	-	-	835	1,544
1943 ..	3,093	363	11.7	581	950	299	826	41
1944 ..	3,072	437	14.1	621	954	253	717	57
1945 ..	2,730	486	17.8	651	758	228	511	51
1946 ..	2,527	400	15.2	690	894	165	418	21
1947 ..	2,615	370	14.1	770	861	154	400	20
1948 ..	2,758	359	13.0	677	1,118	114	381	63
1949 ..	2,889	309	10.3	791	1,171	134	491	43
1950 ..	2,830	308	10.9	708	1,114	122	485	55
1951 ..	2,982	298	10.0	677	1,172	139	566	79
1952 ..	3,079	391	12.7	724	1,133	118	610	59
1953 ..	3,226	454	14.1	815	1,106	119	639	65
1954 ..	3,481	550	15.8	875	1,124	127	659	107
1955 ..	3,695	677	18.1	811	1,383	153	576	70
1956 ..	3,588	557	15.5	872	1,361	101	609	49
1957 ..	3,701	535	14.5	895	1,464	114	618	66
1958 ..	3,694	599	16.2	836	1,447	118	625	59
1959 ..	3,754	616	16.4	802	1,501	148	606	62
1960 ..	3,899	623	16.0	788	1,534	132	737	67
1961 ..	4,204	616	14.7	903	1,617	115	846	89
1962 ..	4,823	773	16.0	1,066	1,692	136	1,024	107
1963 ..	5,437	985	17.7	1,054	2,030	144	1,141	99
1964 ..	6,023	1,043	17.3	1,309	2,299	229	983	151
1965 ..	6,766	1,223	18.1	1,387	2,577	217	1,106	148
1966 ..	7,183	1,458	20.3	1,338	2,809	174	1,254	137
1967 ..	7,903	1,885	21.1	1,372	3,101	199	1,285	158
1968 ..	9,116	2,098	23.0	1,500	3,569	223	1,545	162
1969 ..	10,248	2,508	24.5	1,823	4,197	200	1,345	153
1970 ..	11,462	2,680	22.8	2,167	4,834	205	1,522	241
1971 ..	12,785	3,197	25.0	2,367	5,234	259	1,383	330
1972 ..	14,535	3,980	27.4	2,604	5,795	299	1,509	348
1973 ..	15,629	4,453	28.5	2,704	6,172	338	1,616	346
1974 ..	16,436	4,087	24.7	3,267	6,157	321	2,205	419
1975 ..	16,658	4,187	25.1	2,981	8,511	246	2,290	443
1976 ..	18,408	4,650	25.3	3,327	7,977	302	2,515	537
1977 ..	19,118	4,738	24.8	3,622	7,358	303	2,564	533
1978 ..	18,918	4,487	23.7	3,928	7,234	435	2,382	432
1979 ..	20,219	4,102	20.1	3,983	8,237	423	2,922	552
1980 ..	23,200	4,405	19.0	4,654	10,200	398	2,950	595
1981 ..	26,362	4,377	16.6	4,940	12,074	465	3,800	706
1982 ..	27,946	4,767	17.1	5,517	13,267	509	3,118	768

* Data not reflected separately.

Source: Administrative Office of the United States Courts.

p. 69 The number of appeals in Federal criminal cases increased greatly in the early 1970's but has remained relatively constant since 1975

Year	Criminal appeals	Other appeals
1940	260	3,186
1941	249	2,964
1942	339	2,889
1943	363	2,730
1944	437	2,635
1945	486	2,244
1946	400	2,227
1947	370	2,245
1948	359	2,399
1949	309	2,680
1950	308	2,522
1951	298	2,684
1952	391	2,688
1953	454	2,772
1954	550	2,931
1955	677	3,018
1956	557	3,031
1957	535	3,166
1958	599	3,095
1959	616	3,138
1960	623	3,276
1961	616	3,588
1962	773	4,050
1963	965	4,472
1964	1,043	4,980
1965	1,223	5,543
1966	1,458	5,725
1967	1,665	6,238
1968	2,098	7,018
1969	2,508	7,740
1970	2,660	9,002
1971	3,197	9,591
1972	3,980	10,555
1973	4,453	11,176
1974	4,067	12,369
1975	4,187	12,471
1976	4,650	13,758
1977	4,738	14,380
1978	4,487	14,431
1979	4,102	16,117
1980	4,405	18,795
1981	4,377	21,985
1982	4,767	23,179

Chapter IV. The response to crime
Section 5. Sentencing and corrections

144

p. 71 Sentencing reforms of the 1970's took two approaches - administrative and statutory

Sources: Setting Prison Terms, BJS Bulletin NCJ-76218 (Washington: U.S. Department of Justice, August 1983)

Prisoners in 1982, BJS Bulletin NCJ-87933 (Washington: U.S. Department of Justice, April 1983)

145

p. 73 What types of sentences are usually given to offenders?

death penalty -

Sources: Capital Punishment 1981, Bureau of Justice Statistics (NCJ-86484) (Washington: U.S. Department of Justice, December 1982)

Capital Punishment 1982, BJS Bulletin NCJ-89395
(Washington: U.S. Department of Justice, July 1983)

incarceration -

Source: Census of Facilities 1979, unpublished draft

probation -

Sources: Probation and Parole 1981, BJS Bulletin, NCJ-83647, (Washington: U.S. Department of Justice, August 1982)

1976 Survey of Parole and Probation Agencies

split sentences and shock probation -

Source: National Institute of Justice Solicitation on jail research

community service -

Source: National Institute of Justice Program Model on Community Service

p. 74 More than 1% of the U.S. population is under some form of correctional sanction

Three out of four persons under correctional sanction are being supervised in the community

	Adults	Juveniles	Ratio—
			persons under supervision to confined
Alabama	1.02	1.13	1.6
Alaska	.93	2.23	1.6
Arizona	1.21	1.41	2.2
Arkansas	.70	1.73	2.1
California	1.30	2.38	3.1
Colorado	.88	1.33	3.2
Connecticut	1.38	.67	5.6
Delaware	1.46	1.21	2.8
Florida	1.15	1.64	1.9
Georgia	2.32	1.49	3.2
Hawaii	.97	1.11	5.0
Idaho	.82	2.18	2.8
Illinois	1.14	.78	4.0
Indiana	.89	1.79	2.9
Iowa	.67	1.58	3.8
Kansas	1.04	2.20	3.7
Kentucky	1.10	1.18	3.9
Louisiana	1.13	1.14	1.5
Maine	.54	.91	2.5
Maryland	2.20	1.42	4.2
Massachusetts	.86	2.06	6.6
Michigan	.81	1.60	2.2
Minnesota	1.28	1.69	8.4
Mississippi	.90	1.17	1.7
Missouri	.88	2.13	3.3
Montana	.74	2.23	3.7
Nebraska	.92	1.44	3.4
Nevada	1.69	3.77	3.0
New Hampshire	.47	1.25	3.1
New Jersey	1.04	1.36	4.5
New Mexico	.78	1.15	2.2
New York	.97	.70	2.4
North Carolina	1.51	1.05	2.7
North Dakota	.36	1.83	4.3
Ohio	.74	1.71	2.4

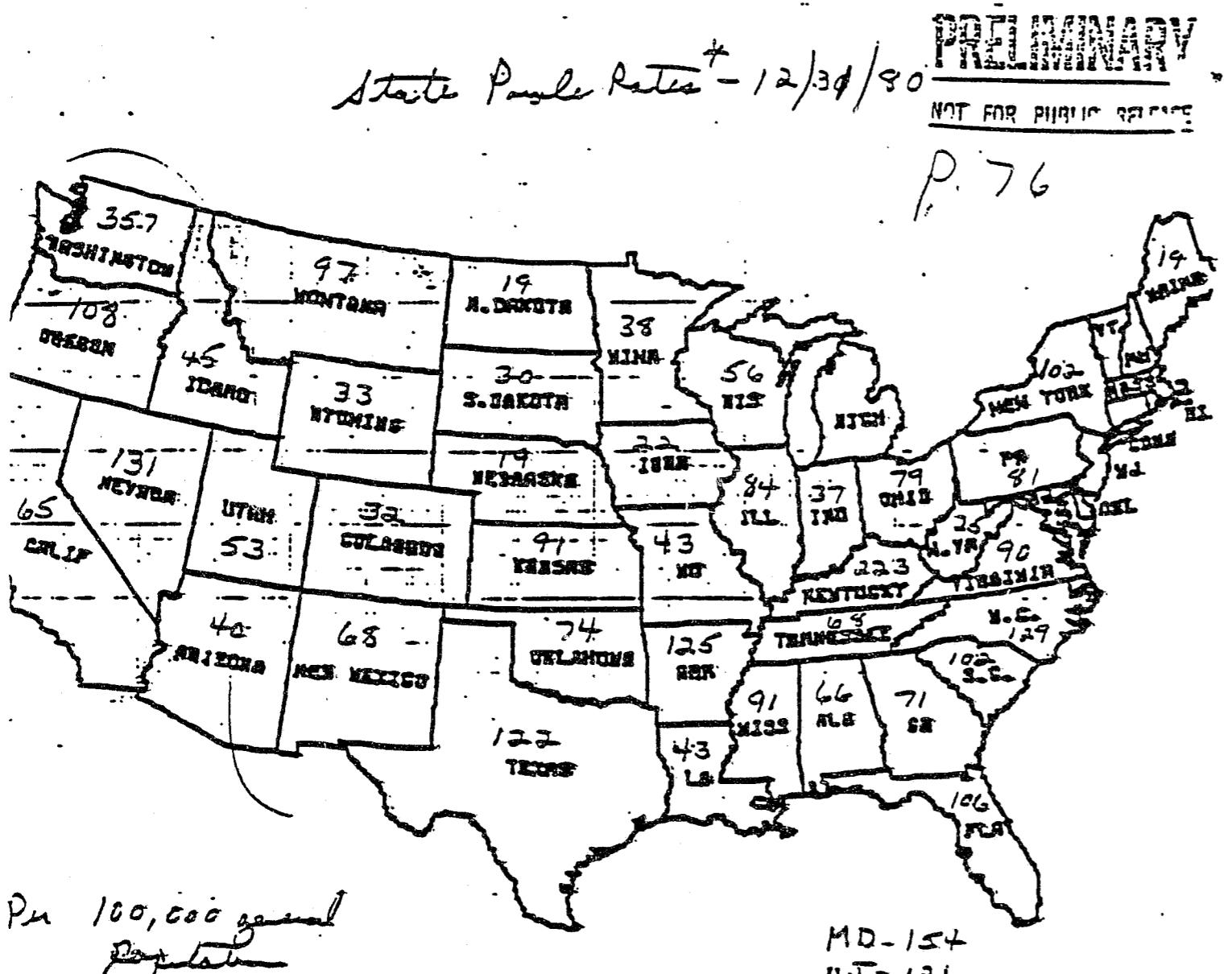
Oklahoma	1.12	1.39	2.6
Oregon	1.10	2.55	3.6
Pennsylvania	.91	1.29	4.2
Rhode Island	.98	1.93	7.0
South Carolina	1.53	1.76	2.5
South Dakota	1.28	1.85	5.0
Tennessee	.79	1.48	1.5
Texas	2.18	.96	4.2
Utah	1.08	1.04	4.4
Vermont	1.15	.66	5.9
Virginia	.82	1.35	1.8
Washington	1.23	2.08	4.1
West Virginia	.41	1.35	2.5
Wisconsin	.87	1.56	4.3
Wyoming	.66		1.7

p- 76 Sentences often have a wide variation between minimum and maximum terms and are longer for violent crimes

Median maximum sentence length and median time served for persons entering parole during 1979, by state and type of crime

	Median maximum sentence length (in months)				Median time served (in months)			
	All crimes	Robbery	Burglary	Drugs	All crimes	Robbery	Burglary	
Alabama								
Alaska								
Arizona								
Arkansas								
California								
Colorado								
Connecticut								
Delaware								
Dist. of Columbia	(187)	36	(29)	52	35	32	(168)	16
Florida	(4824)	56	(1025)	77	53	46	(4788)	30
Georgia	(2170)	60	(290)	73	60	48	(2135)	18
Hawaii								
Idaho	(219)	60	(33)	74	54	110	(183)	25
Illinois	(5530)	62	(1430)	84	61	64	(5070)	15
Indiana								
Iowa								
Kansas								
Kentucky	(1559)	59	(285)	120	36	24	(1334)	15
Louisiana								
Maine								
Maryland	(2010)	52	(482)	86	46	46	(1842)	19
Massachusetts								
Michigan	(4520)	68	(730)	130	52	66	(4320)	26
Minnesota								
Mississippi								
Missouri	(992)	48	(180)	60	36	60	(976)	13
Montana								
Nebraska	(390)	48	(40)	84	48	26	(348)	21
Nevada	(445)	59	(77)	60	59	65	(419)	14
New Hampshire	(142)	52	(18)	54	44	54	(138)	14
New Jersey	(3250)	65	(887)	90	62	61	(1976)	16
New Mexico	(573)	70	(80)	104	66	72	(500)	23
New York								
North Carolina	(5142)	31	(528)	81	32	35	(4961)	14
North Dakota	(1077)	22	(177)	34	25	22	(102)	12
Ohio	(5622)	120	(1208)	298	120	119	(5439)	22
Oklahoma								
Oregon								
Pennsylvania	(2853)	59	(642)	60	52	46	(2175)	23
Rhode Island								
South Carolina	(1212)	90	(197)	144	72	60	(1203)	30
South Dakota	(42)	24	(18)	60	26	30	(154)	10
Tennessee								
Texas								
Utah								
Vermont								
Virginia	(2640)	57	(435)	96	59	60	(2605)	24
Washington								
West Virginia	(280)	98	(25)	110	110	54	(274)	30
Wisconsin								
Wyoming	(89)	54	(7)	60	49	60	(89)	24

Sources: Characteristics of Persons Entering Parole During 1978 & 1979 - Uniform Parole Reports - San Francisco - NCJRS, December 1982



MD - 154
 NJ - 121
 D.C. - 479
 Conn - ~~44~~ 62
 Del - 164
 NH - 50
 UT - 57
 RI - 27
 Mass - 84

Since UPR, 1980

p. 76 Parole is a selective process for releasing offenders

Sources: Characteristics of the parole population 1977, NCJ-66479 (San Francisco: National Council on Crime and Delinquency, April 1979).

Profile of State prison inmates, National Criminal Justice Information and Statistics Service, NCJ-58257 (Washington: U.S. Department of Justice, August 1979).

p. 76 Persons conditionally released from prison spend about a third of their maximum sentence in confinement

Source: Characteristics of the Parole Population, 1977, NCJ-66479 (San Francisco: National Council on Crime and Delinquency, April 1979)

Characteristics of the Parole Population, 1982 draft report

p. 76 Most prisoners are released before serving their maximum sentence

Source: Parole in the United States (1978 and 1979), NCJ-58722, NCJ-69562 (San Francisco: National Council on Crime and Delinquency, July 1979 and December 1980)

p. 77

Almost 72,000 juveniles were in custody by year-end 1979; 12,600 of them were awaiting adjudication or placement and juvenile offenders are housed in many kinds of facilities.

Sources: Children in Custody: Advance reports on the 1979 census of private and public juvenile facilities, Office of Juvenile Justice and Delinquency Prevention, NCJ-76215, 75319 (Washington: U.S. Department of Justice, October 1980) and unpublished data from same census

154

p. 78 Confined offenders are housed in three types of facilities

o jails -

Source: Jail Inmates 1982, BJS Bulletin, NCJ-87161, (Washington: U.S. Department of Justice, February 1983)

o prisons -

Source: Prisoners in State and Federal institutions 1981, Bureau of Justice Statistics, NCJ-86485 (Washington: U.S. Department of Justice, March 1982)

Prisoners in 1982, BJS Bulletin, NCJ-87933, (Washington: U.S. Department of Justice, April 1983)

o community-based facilities

Source: Census of facilities 1979, draft report, Bureau of Justice Statistics

155

p. 78 Two out of every three local jails in 1978 housed an average of fewer than 21 inmates on a given day

Source: Census of Jails, 1978 (volumes I-IV) Bureau of Justice Statistics (NCJ-72279, 72280, 72281, 72282) (Washington; U.S. Department of Justice, August 1981)

p. 78 Community-based facilities house 4% of the population of State prison systems

Source: Census of facilities 1979, draft report, Bureau of Justice Statistics

p. 79 Prisons are often classified by level of security

Source: American prisons and jails (Vol. III) National Institute of Justice
(Washington: U.S. Department of Justice, October 1980)

p. 79 About half of all prison inmates are in maximum security prisons

Source: American prisons and jails (Vol. III) National Institute of Justice
(Washington: U.S. Department of Justice, October 1980)

Census of facilities 1979, draft report, Bureau of Justice Statistics

CONTINUED

2 OF 3

p. 80 Crowding and conditions of confinement pose difficult problems in most States

Source: ACLU Newsletter, January 1983, Appendix C

p. 80 Many States hold prisoners in local jails because of crowding in prisons

Source: Prisoners in 1982, BJS Bulletin, NCJ-87933 (Washington: U.S. Department of Justice, April 1983)

pg. 80 More prisoners are housed in cells than in dormitories and in multiple- than single-occupancy units; most units provide less than 60 square feet of floor space per person

Many States are under court order or face litigation because of crowding.

<u>Region and State</u>	<u>Number of inmates</u>	<u>Percent less than 60 sq. ft.</u>	<u>Percent multiply confined</u>	<u>Percent crowded (1)</u>
Total U.S.	256,576	64.6	59.1	43.7
Northeast	30,389	53.6	15.3	12.1
Maine ^b	665	87.1	18.5	14.9
New Hampshire ^a	269	98.5	16.4	15.2
Vermont	118	17.8	39.8	17.8
Massachusetts ^b	2,464	31.4	9.9	5.0
Rhode Island ^{a,b,c}	607	49.8	34.6	9.9
Connecticut ^a	2,079	54.9	11.5	9.3
New York	11,830	74.4	19.8	19.8
New Jersey	5,283	47.6	23.5	13.6
Pennsylvania	7,074	26.7	2.4	1.2
North Central	56,703	52.5	46.5	31.0
Ohio ^{a,b}	12,159	61.7	62.6	44.1
Indiana ^{a,b}	4,785	28.4	47.1	2.7
Illinois ^{a,b}	10,515	78.7	65.6	62.2
Michigan ^{a,c}	13,271	31.3	31.0	12.4
Wisconsin ^b	3,143	50.5	15.9	4.9
Minnesota	1,831	20.5	6.9	2.1
Iowa ^a	1,772	81.9	13.1	.4
Missouri ^a	5,146	48.8	62.4	48.6
North Dakota	305	75.1	26.2	1.3
South Dakota	522	12.6	14.9	12.6
Nebraska	1,121	91.1	62.4	62.3
Kansas	2,138	57.7	25.7	20.6
South	107,184	76.9	82.8	65.9
Delaware ^a	896	32.7	47.9	19.3
Maryland ^a	7,141	66.1	61.2	49.5
District of Columbia ^a	2,196	18.0	68.7	2.4
Virginia ^{a,b}	5,563	54.5	51.4	23.2
West Virginia ^b	1,222	47.5	54.1	1.6
North Carolina ^b	10,559	92.5	88.4	84.5
South Carolina ^b	5,875	84.4	92.3	82.6
Georgia ^a	8,751	87.8	78.1	66.4
Florida ^{a,c}	16,912	77.2	85.2	72.8
Kentucky ^{a,b}	3,565	15.4	70.0	16.6
Tennessee ^{a,c}	4,366	82.6	80.9	67.8
Alabama ^{a,c}	2,627	57.9	84.5	44.8
Mississippi ^{a,c}	1,750	94.5	83.8	78.3
Arkansas ^{a,c}	2,407	58.7	75.7	58.7
Louisiana ^a	5,687	72.2	89.5	66.3
Oklahoma ^{a,c}	3,617	54.3	88.1	54.2
Texas ^{a,c}	23,850	92.9	96.0	89.5
West	34,271	59.0	42.7	18.5
Montana	600	41.3	20.2	14.7
Idaho	697	33.9	54.4	30.1
Wyoming ^a	380	86.1	38.2	24.2
Colorado ^a	1,709	68.0	8.0	2.6
New Mexico ^a	1,483	81.3	79.1	68.8
Arizona ^a	1,809	48.0	60.8	15.9
Utah ^a	823	92.7	32.0	32.0
Nevada ^{a,b}	1,248	69.1	57.9	46.9
Washington ^{a,b}	3,736	71.0	47.4	42.9
Oregon ^a	2,086	94.2	55.6	40.2
California ^b	18,670	51.3	38.3	5.0
Alaska	486	50.6	75.7	49.6
Hawaii	544	32.7	84.6	24.4
Federal	28,124	61.2	61.6	45.9

(1) Percent crowded is the percentage of inmates multiply-housed in a confinement unit which provided less than 60 square feet per inmate. Professional standards generally recommend single occupant confinement units providing 60 square feet per occupant.

^aOne or more facilities operating under a court order or consent decree due to crowding and/or conditions of confinement.

^bOne or more facilities in litigation as of 3/8/82 due to crowding and/or conditions of confinement.

^cEntire prison system declared to be unconstitutional.

Sources: American Prisons and Jails, Vol. III, ACLU Newsletter, March 6, 1982.

pg. 80 Many States are enlarging their prison systems or taking measures to control prison populations

Capital additions to prison capacity -
- by state
September 1981

	Beds added 10/80 - 9/81	Beds under construction 9/81	Beds authorized as of 9/81
Northeast	1,941	2,162	2,764
Maine	60		
New Hampshire	10	100	
Vermont	98	98	
Massachusetts	200		434
Rhode Island	96	242	
Connecticut		360	156
New York	1,465	512	1,674
New Jersey	12	850	500
Pennsylvania			
North Central	3,835	3,404	2,290
Ohio			
Indiana	164	194	240
Illinois	1,700	400	
Michigan	411	120	
Wisconsin	50	370	550
Minnesota		400	1,000
Iowa	310	564	
Missouri	500	104	
South Dakota		350	
North Dakota	60		
Nebraska	640	256	
Kansas		56	
South	9,330	16,838	9,014
Delaware		424	
Maryland	912		970
Virginia	72	1,100	1,000
West Virginia			
North Carolina	288	1,800	150
South Carolina	1,370	728	796
Georgia	1,388	1,535	100
Florida	300	400	600
Kentucky	250	150	
Tennessee	800		
Alabama	1,200	992	480
Mississippi		1,456	984
Arkansas	218	104	
Louisiana	500	500	
Oklahoma		725	
Texas	2,032	6,924	3,844
West			
Montana	4,717	4,134	1,688
Idaho	136		80
Wyoming	520		
Colorado	721		
New Mexico	192	488	1,088
Arizona	1,200	400	
Utah			
Nevada	288	612	150
Washington	893	500	
Oregon			
California	600	1,718	96
Alaska	167	210	286
Hawaii		206	
Total United States	19,823	26,538	15,756

Sources: NIC Survey of the States, October 1981

p. 81 The number of persons in prison was at an alltime high in 1982

The incarceration rate for the entire U.S. population was at an alltime high, but the rate for your adult males—while increasing—did not reach the peak of the 1960's

Year	# of prisoners (Source: Prisoners 1925-81, Bulletin)	Rate per 100,000 U.S. population	Rate per 100,000 male (20-29) U.S. population
1925	91,669	79	958
1926	97,991	83	1,014
1927	109,983	91	1,122
1928	116,390	96	1,170
1929	120,496	98	1,194
1930	129,453	104	1,263
1931	137,082	110	1,321
1932	137,997	110	1,315
1933	136,810	109	1,291
1934	138,316	109	1,292
1935	144,180	113	1,334
1936	145,038	113	1,333
1937	152,741	118	1,396
1938	160,285	123	1,456
1939	179,818	137	1,622
1940	173,706	131	1,556
1941	165,439	124	1,474
1942	150,384	112	1,378
1943	137,220	103	1,357
1944	132,456	100	1,577
1945	133,649	98	1,863
1946	140,079	99	1,252
1947	151,304	105	1,317
1948	155,977	106	1,351
1949	163,749	109	1,419
1950	166,123	109	1,427
1951	165,680	107	1,480
1952	168,233	107	1,557
1953	173,579	108	1,634
1954	182,901	112	1,743
1955	185,780	112	1,743
1956	189,565	112	1,786
1957	195,414	113	1,854
1958	205,643	117	1,954
1959	208,105	117	1,970

p. 81 (cont.)

Year	# of prisoners (Source: Prisoners	Rate per 100,000 U.S.	Rate per 100,000 male (20-29)
	1925-81, Bulletin)	population	U.S. population

1960	212,953	117	2,006
1961	220,149	119	2,045
1962	218,830	117	1,998
1963	217,283	114	1,912
1964	214,336	111	1,826
1965	210,895	108	1,749
1966	199,654	102	1,629
1967	194,896	98	1,520
1968	187,914	94	1,405
1969	196,007	97	1,460
1970	196,429	96	1,334
1971	198,061	95	1,274
1972	196,092	93	1,200
1973	204,211	96	1,212
1974	218,466	102	1,249
1975	240,593	111	1,325
1976	262,833	120	1,390
1977	278,141	126	1,450
1978	294,396	132	1,502
1979	301,470	133	1,505
1980	315,974	138	1,542
1981	353,167	153	1,689
1982	412,303	170	1,944

p. 81 The total population of State and Federal prisons increased by an average of more than 16,000 per year between 1977 and 1981.

The recent increases in prison population, while striking, are not unprecedented.

p. 87 The court admission rate has remained relatively stable, but the number of conditional-release violators admitted to prison has increased.

Year-end population	Court	Admissions revoked	Total	Releases	Gain/Loss
1926	96,123	48,108	2,228	50,336	39,044
1927	106,517	51,936	2,393	54,329	41,356
1928	116,626	55,746	2,750	58,496	45,124
1929	120,496	58,906	2,820	61,725	45,986
1930	127,495	66,013	3,158	69,171	54,925
1931	137,082	71,520	3,658	75,178	60,930
1932	137,183	67,477	4,257	71,734	66,863
1933	136,947	62,801	4,073	66,874	63,640
1934	138,220	62,251	4,154	66,405	60,732
1935	144,665	65,723	4,795	70,518	60,475
1936	143,573	60,925	4,575	65,500	62,750
1937	149,157	62,068	5,928	67,987	60,462
1938	159,382	68,890	5,964	72,854	62,771
1939	179,818	64,816	5,899	70,715	66,103
1940	173,706	73,104	6,655	79,759	68,640
1941	165,439	68,700	7,252	75,952	66,887
1942	150,384	58,858	7,007	63,865	61,630
1943	137,223	50,082	6,728	56,810	69,723
1944	132,456	50,163	7,057	57,249	59,860
1945	133,649	53,212	6,732	60,004	57,500
1946	140,079	61,338	7,324	68,662	59,289
1947	151,304	64,804	8,283	73,067	60,080
1948	155,977	63,777	8,226	72,003	65,978
1949	163,749	68,925	9,079	78,004	60,451
1950	166,123	68,473	8,692	76,165	72,179
1951	165,640	67,165	9,124	76,289	73,937
1952	168,200	70,492	9,468	80,357	74,268
1953	173,547	74,240	10,036	84,276	75,125
1954	182,846	80,900	10,155	91,255	78,186
1955	185,700	78,414	11,002	89,416	82,924
1956	189,427	77,324	11,720	89,644	83,039
1957	198,256	80,482	12,096	92,378	83,156
1958	205,483	88,633	12,415	101,448	88,679
1959	207,466	87,192	13,418	103,610	96,530
1960	212,957	88,575	15,042	103,617	98,362
1961	229,149	93,313	16,409	109,322	100,724
1962	219,430	89,082	17,247	106,329	106,143
1963	217,283	87,426	18,509	106,735	105,050
1964	216,338	87,578	19,458	107,136	106,633
1965	216,395	87,105	19,193	106,496	106,181
1966	199,654	77,857	17,462	95,519	102,333
1967	194,396	77,450	17,583	95,433	96,377
1968	187,314	72,056	17,780	89,438	85,568
1969	196,007	75,277	16,846	92,121	89,060
1970	196,429	79,131	17,254	96,645	91,732
1971	196,081	97,282	8/A	8/A	8/A
1972	196,183	116,857	119,316	115,195	116,121
1973	204,349	126,446	127,686	113,777	113,915
1974	218,205	103,754	16,917	120,671	154,480
1975	242,750	129,573	18,956	148,529	165,730
1976	283,291	129,482	22,792	152,274	156,259
1977	291,667	128,050	21,746	149,796	147,895
1978	306,602	128,121	21,844	149,985	154,484
1979	314,006	131,047	25,685	156,735	166,132
1980	328,695	142,122	28,817	170,939	169,826
1981	353,167	160,272	35,674	212,264	174,355

Sources: Prisoners in United States 1925-1981; Historical Statistics of the United States 1976; Census Bureau.

Admissions, Releases and Prison Population
1930 - 1981

Court commitments	Conditional violators	Ratio commitments to violators	Admission rate (per 100,000)		Conditional releases	Unconditional releases	Number	Rate per 100,000 inmates 20-29 years old
			20 - 29 years old					
1930	66,013	3,158	20.9	647	29,509	25,416	129,453	1269
1935	65,723	4,795	13.7	614	35,093	25,382	144,180	1347
1940	73,104	6,655	11.0	659	49,001	39,639	173,706	1565
1945	53,212	6,792	7.8	467	36,743	20,757	133,649	1172
1950	69,473	8,692	8.0	599	42,236	29,943	166,123	1432
1955	78,414	11,002	7.1	706	45,913	37,011	185,780	1674
1960	88,575	15,042	5.9	844	59,398	36,964	212,953	2028
1965	87,505	19,393	4.5	700	68,044	38,117	210,895	1687
1970	79,351	17,294	4.6	547	61,877	29,855	196,429	1355
1975	129,573	18,956	6.8	740	89,808	30,694	240,593	1375
1980	142,122	28,817	4.9	697	122,952	25,915	315,974	1549
1981	160,272	35,674	4.5	767	124,415	27,901	353,167	1690

Sources: Historical Statistics of United States, Prisoners in United States 1926-1981

168

p. 82 Trends in jail populations are not as dramatic as those of prison populations

Sources: Jail Inmates 1982, BJS Bulletin, NCJ-87161 (Washington: U.S. Department of Justice, February 1983)

Census of jails, 1978 (volumes I-IV), Bureau of Justice Statistics (NCJ-72279, 72280, 72281, 72282) (Washington: U.S. Department of Justice, August 1981)

Census of jails and survey of jail inmates 1978, National Criminal Justice Information and Statistics Service, NCJ-55172 (Washington: U.S. Department of Justice, February 1979).

p. 82 Annual admissions to juvenile facilities have been declining since 1974

Source: Children in custody: Advance reports on the 1979 census of private and public juvenile facilities, Office of Juvenile Justice and Delinquency Prevention NCJ-76215, 75319 (Washington: U.S. Department of Justice, October 1980).

p. 83 The number of prisoners on death row reached an alltime high in 1982

Year	Death-row inmates
1953	131
1954	141
1955	125
1956	146
1957	151
1958	147
1959	164
1960	210
1961	266
1962	268
1963	298
1964	322
1965	351
1966	415
1967	434
1968	517
1969	575
1970	631
1971	642
1972	334
1973	134
1974	243
1975	487
1976	419
1977	421
1978	478
1979	588
1980	688
1981	838
1982	1,050

p. 83 6 persons were executed between 1967 and 1982

Year	Persons executed	Year	Persons executed	Year	Persons executed
1930	155	1950	82	1970	0
1931	153	1951	105	1971	0
1932	140	1952	83	1972	0
1933	160	1953	62	1973	0
1934	168	1954	81	1974	0
1935	199	1955	76	1975	0
1936	195	1956	65	1976	0
1937	147	1957	65	1977	1
1938	190	1958	49	1978	0
1939	160	1959	49	1979	2
1940	124	1960	56	1980	0
1941	123	1961	42	1981	1
1942	147	1962	47	1982	2
1943	131	1963	21		
1944	120	1964	15		
1945	117	1965	7		
1946	131	1966	1		
1947	153	1967	2		
1948	119	1968	0		
1949	119	1969	0		

p. 83 By the end of 1982, 37 States had death penalty laws in effect.

Source: Capital punishment 1982, BJS Bulletin, NCJ-89395 (Washington: U.S. Department of Justice, July 1983).

Chapter V. The Cost of Justice

p. 84 Within 1 year after release on parole, about 12% of those released are likely to be back in prison.

Source: Characteristics of the parole population, 1977, NCJ-66479 (San Francisco: National Council on Crime and Delinquency, April 1979)

p. 88 The dominance of municipal spending for the justice system has been diminishing

Federal State County City

1971	11.55%	25.50%	20.47%	42.49%
1972	12.81	25.13	20.69	41.38
1973	12.69	25.40	21.57	40.34
1974	12.53	26.21	21.73	39.53
1975	12.68	26.74	22.20	38.38
1976	12.45	26.44	23.35	37.76
1977	12.88	26.94	23.49	36.69
1978	12.94	27.72	23.25	36.09
1979	12.98	28.40	23.23	35.39

p. 88 While the Federal Government transfers the highest proportion of its justice expenditures to other levels of government, the proportion transferred by States is increasing

Federal State Local

1971	16.12%	8.19%	2.62%
1972	19.93	11.77	2.78
1973	26.96	14.31	2.37
1974	28.55	14.25	2.64
1975	27.52	13.32	2.89
1976	26.24	13.07	2.25
1977	22.85	13.11	2.49
1978	18.58	11.35	3.87
1979	16.90	12.65	3.85

p. 89 53 cents of every dollar is spent for police protection

	Municipal	County	State	Federal
Police	30.1	7.8	7.6	7.9
Courts	1.5	5.5	4.6	1.4
Prosecution/public defense	1.6	3.0	2.1	1.9
Corrections	6.4	1.9	13.6	1.4
All other	.2	.6	.5	.4

178

p. 90 The Rocky Mountain, Southwest, and Plains States make the least use of revenue from outside their taxing authority to fund justice activities

Percent of total justice spending from:

State	All outside sources	State	All outside sources
Alabama	19.9	Montana	14.5
Alaska	13.2	Nebraska	10.9
Arizona	11.1	Nevada	9.0
Arkansas	19.9	New Hampshire	15.4
California	15.4	New Jersey	16.5
Colorado	8.0	New Mexico	12.1
Connecticut	12.3	New York	16.6
Delaware	12.1	North Carolina	15.9
Florida	10.8	North Dakota	11.4
Georgia	14.7	Ohio	19.1
Hawaii	18.0	Oklahoma	9.2
Idaho	13.9	Oregon	15.7
Illinois	10.2	Pennsylvania	23.1
Indiana	14.3	Rhode Island	16.9
Iowa	15.4	South Carolina	18.6
Kansas	12.2	South Dakota	15.8
Kentucky	17.5	Tennessee	12.2
Louisiana	16.6	Texas	11.7
Maine	17.6	Utah	12.8
Maryland	22.7	Vermont	5.9
Massachusetts	27.6	Virginia	18.1
Michigan	20.2	Washington	21.2
Minnesota	15.2	West Virginia	12.6
Mississippi	20.1	Wisconsin	18.7
Missouri	20.4	Wyoming	5.1

179

pp. 92-95 What do justice dollars buy?

Note: Entries here match the stubs of the tables on these pages. Entries from a single source are sometimes grouped, and hence do not exactly match the order in the table to avoid excessively repeating a source note.

Victim compensation

Average maximum award (1981)

(Average computed from data in source.) "New Roads to Justice: Compensating the Victim," Mindy Gaynes, State Legislatures (1981) 7:11-17

Average award (1980)

"Crime Victim Compensation: A Survey of State Programs," Gerald F. Ranker and Martin S. Meagher, Federal Probation Quarterly, Administrative Office of the United States Courts (March 1982).

Investigative and court costs

Average cost to return fugitive interstate (1976 data adjusted to 1981 dollars using deflation method 1 described in next section.)

County Law Enforcement: An Assessment of Capabilities and Needs. National Sheriff's Association. Washington: National Sheriff's Association, 1976, p. 257.

Average cost for State or Federal wiretap (1981)

Report on Applications for Orders Authorizing or Approving the Interception of Wire or Oral Communications for the Period January 1, 1981 to December 31, 1981. Administrative Office of the United States Courts. Washington: USGPO, 1982. (Note: This is the average total cost of intercepts terminating during the reference period.)

Average annual cost to protect a Federal witness (FY 1982)

Memorandum from Howard Safir, Assistant Director for Operations, United States Marshals Service, June 10, 1982, updated by telephone with Edna Dolan, March 28, 1983.

Daily payment for juror (1980)

State Court Organization 1980. U.S. Department of Justice, Bureau of Justice Statistics. Washington: USGPO, 1982, p. 127.

Average court cost per case-related minute (FY 1982)

Costs of the Civil Justice System: Court Expenditures for Processing Tort Cases. James S. Kakalik and Abby Eisenshtat Robyn. Santa Monica: RAND Corporation, 1982, p. xiv.

Cost to arrest, prosecute, and try a robbery case in New York City (1981)
The Price of Justice: The Cost of Arresting and Prosecuting Three Robbery Cases in Manhattan. Criminal Justice Coordinating Council, The City of New York, 1981.

Most frequent assigned counsel hourly rate (1981--Frequency computed from data in source.)

Criminal Defense Services for the Poor: Methods and Programs for Providing Legal Representation and the Need for Adequate Financing. Norman Lefstein. Chicago: American Bar Association, 1982, p. 9 and Appendix D.

Corrections operations

Average annual cost for one adult offender

Note: All of these costs are computed as if they were for one offender who stayed in the type of institution for the indicated year. They do not represent the cost to treat an average offender in the type of facility, which would be different because of different lengths of stay; for example, one offender may stay in prison for several years, while another may stay in jail or a community facility only a few months.

—in a Federal prison (FY 1982)

"Bureau of Prisons Obligations and Per Capita FY 1982." U.S. Department of Justice, Bureau of Prisons (unpublished budget document). Average daily cost per inmate multiplied by 365.

—in a State prison (FY 1982)

The Corrections Yearbook: Instant Answers to Key Questions in Corrections. George and Camille Camp (Pound Ridge, N.Y.: Criminal Justice Institute, 1982), p. 21-22.

—in a State halfway house (1977 data adjusted to FY 1982 using deflation method 2). William DeJong, American Prisons and Jails Vol. V: Supplemental Report—Adult Pre-Release Facilities. U.S. Department of Justice, National Institute of Justice. Washington: USGPO, 1980, p. 51.

—in a local community-based facility (FY 1981)—12 responding jurisdictions National Association of Criminal Justice Planners, survey of selected jurisdictions. (unpublished) 1982.

—in a local jail (1981)

The State of our Nation's Jails 1982. Kenneth E. Kerle and Francis R. Ford, Washington, D.C.: National Sheriff's Association, 1982, p. 63. Average daily cost multiplied by 365.

—on Federal probation or parole (FY 1982)

Telephone call—Mr. Hall, Administrative Office of the United States Courts, Division of Probation, March 22, 1983.

—on non-Federal probation or parole (FY 1982)

op. cit. Corrections Yearbook; p. 28-29.

Average daily cost to Federal Government to house an unSENTENCED Federal prisoner in a local jail (1982)

Correspondence, Pat Macherey, Prisoner Support Division, U.S. Marshals Service, March 15, 1983.

Average daily cost to Federal Government to house a SENTENCED prisoner in a State or local halfway house, prison or jail (1982)
Community Programs Branch, Bureau of Prisons. U.S. Department of Justice, March 23, 1983.

Average daily cost to a State government to house a State prisoner in a local jail (1982)

State of our Nation's Jails 1982, National Sheriff's Association, Washington: National Sheriff's Association, 1982.

Average hourly wage for inmates in prison industry (1982)
op cit. Corrections Yearbook, p. 26.

Buildings and equipment

Average construction cost per bed in a
—maximum security prison (FY 1982)
—medium security prison (FY 1982)
—minimum security prison (FY 1982)
op cit. Corrections Yearbook, p. 23.

—constitutional jail (1982)

The Costs of Constitutional Jails, U.S. Department of Justice, National Institute of Corrections. Washington: USGPO, 1982, p. 7.

Typical courthouse construction cost per square foot (1982)

Walter H. Sobel, F.A.I.A. and Associates, Chicago, Illinois. Survey conducted of the following architectural firms: (See Appendix Table 5.1 for input data)

Geiger, McElveen, Kennedy, Columbia, South Carolina

Rasmussen Hobbs, Tacoma, Washington

Ayers/Saint, Baltimore, Maryland

Basco (formerly Buchart Architects), Lancaster, Pennsylvania

Prindle, Patrick, and Associates, Inc., Clearwater, Florida

Mark Beck Associates, Baltimore, Maryland

HOK, Washington, D.C.

Tucker, Sadler and Associates, San Diego, California

LBC & W, Falls Church, Virginia

Average purchase price for a police car (FY 1981)—25 responding jurisdictions

Average cost to equip a new police car (FY 1981)—9-14 responding jurisdictions

Average cost to maintain and operate a police car (FY 1981)—20-27 responding jurisdictions

Average resale value of a police car (FY 1981).

op cit. National Association of Criminal Justice Planners

Average annual salary

Law enforcement officers

City police officer (cities 10,000 or more population, January 1, 1982)
"Police, Fire, and Refuse Collection and Disposal Departments: Personnel, Compensation, and Expenditures," Urban Data Service Report (1982) Vol. 14, No. 8.

County sheriff or patrol officer (starting salary)(1981)

op cit. The State of our Nation's Jails, 1982, p. 149.

State trooper (1981—averages computed from source.)

"State Salary Comparison," Kansas Highway Patrol, Planning, Research, and Staff Inspection, in Sourcebook of Criminal Justice Statistics 1981, U.S. Department of Justice, Bureau of Justice Statistics, Washington: USGPO, 1982, p. 54.

U.S. Border Patrol agent (September 30, 1982)

Deputy U.S. Marshall (September 30, 1982)

U.S. Immigration inspector (September 30, 1982)

U.S. Immigration agent (September 30, 1982)

FBI agent (September 30, 1982)

Federal drug agent (September 30, 1982)

Employment Fact Book: For the Period October 1, 1981 - September 30, 1982.

U.S. Department of Justice, Washington: USGPO, 1983, Table 9.

U.S. Secret Service agent (1981—computed from information provided by source.)
U.S. Department of the Treasury, U.S. Secret Service, Office of Public Affairs, April 8, 1982.

Prosecutors

Local prosecutors (1983)

Unpublished data for 44 local prosecutors' offices provided by the Jefferson Institute for Justice Studies, Prosecutors' Data Bank, Washington, D.C.

State assistant attorney general (entry level) (1982)

State assistant attorney general (1982)

State deputy attorney general (1982)

State attorney general (1982)

National Association of Attorneys General, 1982 survey, unpublished. (Average salaries only supplied to the Bureau of Justice Statistics) March 23, 1983.

Federal prosecutor (September 30, 1982—computed from data in source.)

Attorney Employment Fact Book: As of September 30, 1982. U.S. Department of Justice, Washington: USGPO, 1983, Table 3.

Defenders

Staff State or local defender, Chief State or local defender (1979 and 1980)

Unpublished information for 39 public defender systems provided by Abt Associates, Boston, Massachusetts. Salary data for five systems were for 1980; data for one system was for 1979.

Federal defender (September 30, 1982)

Telephone call—Criminal Justice Act Division, Administrative Office of the United States Courts, March 30, 1983.

Court personnel

State general jurisdiction trial court judge (January 31, 1982)

State intermediate appellate court justice (January 31, 1982)

State court administrator (January 31, 1982)

State supreme court justice (January 31, 1982)

Survey of Judicial Salaries. National Center for State Courts, Williamsburg, Va.: National Center for State Courts, 1982, p. 3.

State supreme court clerk (1976 data adjusted to December 31, 1981 dollars using deflation method 3 described in next section; averages computed from source.)

"Q/A," National Center for State Courts, State Court Journal (1977) 1:30-32.

U.S. Magistrate (March 31, 1983)

U.S. Bankruptcy Court Judge (March 31, 1983)

U.S. Court of Claims Judge (March 31, 1983)

U.S. Court of International Trade Judge (March 31, 1983)

U.S. district court judge (March 31, 1983)

U.S. circuit court judge (March 31, 1983)

U.S. Supreme Court Associate Justice (March 31, 1983)

U.S. Supreme Court Chief Justice (March 31, 1983)

Telephone call—James McCafferty, Chief, Statistical Analysis and Reports Division, Administrative Office of the United States Courts, March 1983.

Corrections officers

County sheriff jail officer (starting salary) (1981)

op cit., The State of our Nation's Jails, 1982, p. 149.

State correctional officer

State correctional sergeant

State superintendent of correction

(Salary data for August 1, 1980, adjusted to third quarter 1982 dollars using deflation method 4 described in next section.) State Salary Survey, August 1, 1980. U.S. Office of Personnel Management, Intergovernmental Personnel Program, in Sourcebook of Criminal Justice Statistics 1981, U.S. Department of Justice, Bureau of Justice Statistics, Washington: USGPO, 1982, pp. 126-128, 135.

Federal correctional officer (September 30, 1982)

op cit. Employment Fact Book.

Probation and parole officers

State probation and parole officer

Senior state probation and parole officer

State director of probation and parole

(Salary data for August 1, 1980, adjusted to third quarter 1982 dollars using deflation method 4 described in next section.) State Salary Survey, August 1, 1980. U.S. Office of Personnel Management, Intergovernmental Personnel Program, in Sourcebook of Criminal Justice Statistics 1981, U.S. Department of Justice, Bureau of Justice Statistics, Washington: USGPO, 1982, pp. 126-128, 135.

Federal probation personnel (October 1982)

James McCafferty, Administrative Office of the United States Courts, March 17, 1983. Note: Federal probation officers also supervise Federal parolees. For beginning probation officers with a college degree and no experience the entry level is \$16,559; for others with experience the entry level is \$20,256. The salaries of Chiefs of Federal District Probation Offices partially depend on the size of the office; chiefs in the smaller districts have lower salaries than chiefs in the larger districts.

Federal parole personnel (October 1982)

Elizabeth A. Clark, Office of the Chairman, U.S. Parole Commission, March 17, 1983.

p. 96 The Mideast and Far West regions lead the Nation in justice costs per capita

State and local per capita expenditure for justice activities

	<u>Dollars</u>		<u>Dollars</u>
Alabama	65	Montana	76
Alaska	275	Nebraska	78
Arizona	124	Nevada	150
Arkansas	48	New Hampshire	70
California	132	New Jersey	122
Colorado	98	New Mexico	95
Connecticut	93	New York	175
Delaware	121	North Carolina	80
Florida	104	North Dakota	61
Georgia	76	Ohio	81
Hawaii	108	Oklahoma	69
Idaho	73	Oregon	109
Illinois	109	Pennsylvania	89
Indiana	62	Rhode Island	98
Iowa	72	South Carolina	69
Kansas	75	South Dakota	66
Kentucky	75	Tennessee	75
Louisiana	93	Texas	70
Maine	58	Utah	79
Maryland	120	Vermont	76
Massachusetts	109	Virginia	88
Michigan	114	Washington	93
Minnesota	85	West Virginia	53
Mississippi	53	Wisconsin	87
Missouri	81	Wyoming	112

p. 96 States with high crime rates tend to have high expenditures for criminal and civil justice

<u>State</u>	<u>Per capita expenditure</u>	<u>Crime rate</u>
Alabama	65.2	4,134
Alaska	274.6	6,265
Arizona	123.6	7,295
Arkansas	48.3	3,479
California	132.1	7,289
Colorado	97.9	6,861
Connecticut	92.8	5,808
Delaware	120.8	6,341
Florida	104.0	7,192
Georgia	75.8	5,143
Hawaii	108.3	6,981
Idaho	73.0	4,114
Illinois	109.3	5,082
Indiana	62.4	4,538
Iowa	71.9	4,281
Kansas	75.0	4,942
Kentucky	75.5	3,082
Louisiana	93.5	5,212
Maine	58.5	4,200
Maryland	119.5	6,184
Massachusetts	109.1	5,942
Michigan	113.8	6,120
Minnesota	84.9	4,417
Mississippi	52.7	2,840
Missouri	80.5	4,919
Montana	76.2	4,444
Nebraska	78.1	4,019
Nevada	149.7	8,104
New Hampshire	69.6	4,453
New Jersey	121.8	5,788
New Mexico	95.0	5,608
New York	175.5	6,210
North Carolina	79.5	4,225
North Dakota	60.8	2,777
Ohio	80.7	5,098
Oklahoma	68.5	4,580
Oregon	109.5	6,247
Pennsylvania	88.9	3,453
Rhode Island	97.6	5,601
South Carolina	68.7	4,812
South Dakota	66.0	2,960
Tennessee	75.3	3,878
Texas	69.8	5,711
Utah	79.5	5,302
Vermont	75.7	5,163
Virginia	87.7	4,256
Washington	92.9	6,388
West Virginia	52.9	2,252
Wisconsin	87.4	4,439
Wyoming	112.4	4,803

p. 98 How do States rank on factors that influence justice spending

Procedures used to construct government priority for justice spending

The table on page 98 of Chapter V displays data on "Priority for justice spending." Priority was measured as the percent of all State and local spending in the State accounted for by justice expenditure. A State with a higher than average percent is assigning higher priority to justice spending compared with funding other government functions.

The justice expenditure data from the survey of justice expenditure and employment as published do not include the expenditure of police forces of special districts, independent school districts, and State colleges and universities. Because education is one of the government functions competing with justice for State and local funding, and because education funding levels cannot be assumed to be constant across the States, it was decided to adjust the justice expenditure data to include the special police force data.

Because data for 1979 were collected but not tabulated due to a cutback in funding for the program, 1978 data were adjusted using the percent increase from 1978 to 1979 for justice expenditure of general purpose governments and added to the published expenditure data. These estimates were then divided by the total State and local expenditure from the 1979 annual finance survey.

p. 99 In 1981, slightly less than 3% of all government spending was for criminal and civil justice

Expenditure data for courts, prosecution, and public defense activities were last collected for FY 1979 through the Criminal Justice Expenditure and Employment Survey, an annual survey that was discontinued at that time. 1981 data for other governmental functions, including police and corrections, were drawn from the Census Bureau's Annual Survey of Governmental Finances (Governmental Finances in 1980-81. U.S. Bureau of the Census, USGPO, 1983). In order to estimate the total spent on criminal justice* in 1981, the 11.2% increase from 1978 to 1979 in courts, prosecution, and public defense was used to estimate the 1980 and 1981 expenditures for these areas by assuming the same increases for 1980 and 1981. The resulting figure was added to the 1981 expenditure for police and corrections from the Annual Finance Survey.

*No attempt was made to estimate the 1981 expenditure for the residual "other criminal justice" category, which accounted for 1.8% of all criminal justice expenditures in 1979. This category includes general criminal justice planning, information, and communications systems serving more than one function, and general training programs. Spending for these types of activities has been erratic over the years, and the category is particularly affected by funds received from the now defunct Law Enforcement Assistance Administration program. For these reasons it was felt that changes in previous years could not be used to project expenditures for 1981.

p. 100 During this century, the police and corrections shares of State and local spending have not fluctuated as radically as the shares for some other government functions

	<u>Education</u>	<u>Highways</u>	<u>Welfare</u>	<u>Hospital</u>	<u>Police</u>	<u>Corrections</u>
1980	36.09%	9.03%	12.81%	8.72%	3.66%	1.75%
1979	36.47	8.68	12.79	8.62	3.73	1.69
1978	37.29	8.29	13.18	8.40	3.81	1.68
1977	37.48	8.41	13.09	8.40	3.81	1.59
1976	37.87	9.31	12.70	8.06	3.71	1.47
1975	38.08	9.76	12.20	8.17	3.70	1.46
1974	38.11	10.03	12.61	8.01	3.66	1.41
1973	38.44	10.26	13.00	7.63	3.74	1.31
1972	39.05	11.29	12.53	7.73	3.56	1.25
1971	39.43	12.01	12.10	7.44	3.47	1.25
1970	40.14	12.51	11.18	7.36	3.42	1.24
1969	40.47	13.21	10.37	7.30	3.34	1.19
1968	40.19	14.14	9.62	7.37	3.33	1.24
1967	40.62	14.92	8.80	7.11	3.27	1.22
1966	40.18	15.41	8.16	7.13	3.35	1.23
1965	38.25	16.36	8.46	7.18	3.41	1.30
1964	37.93	16.83	8.32	7.08	3.41	1.27
1963	37.09	17.43	8.47	7.25	3.50	1.28
1962	36.90	17.20	8.44	7.21	3.54	1.31
1961	36.61	17.52	8.40	7.23	3.59	1.36
1960	36.08	18.17	8.49	7.31	3.58	1.31
1959	35.35	19.62	8.46	7.62	3.50	1.37
1958	35.49	19.10	8.51	7.72	3.59	1.19
1957	35.01	19.36	8.63	7.73	3.64	1.28
1956	36.01	18.94	8.55	7.55	3.62	1.27
1954	34.39	18.00	9.97	7.85	3.68	1.29
1952	31.87	17.80	10.68	8.37	3.60	1.29
1950	31.50	16.69	12.90	7.67	3.41	0
1948	30.42	17.17	11.87	6.95	3.64	0
1946	30.43	15.16	12.78	7.42	4.34	0
1944	31.51	13.54	12.78	7.40	4.67	0
1942	28.14	16.21	13.33	6.43	4.29	0
1940	28.58	17.04	12.53	6.60	3.95	0
1938	23.48	18.64	10.82	6.11	4.11	0
1932	29.76	22.42	5.72	5.87	4.10	0
1927	31.00	25.09	2.09	4.92	3.74	0
1922	32.68	24.80	2.28	4.94	3.64	0
1913	27.96	20.30	2.72	5.23	4.31	0
1902	25.17	17.28	3.65	5.92	4.94	0

p. 101 State and local spending for all justice functions increased from 1971 to 1979

<u>Year</u>	<u>All</u>	<u>Police</u>	<u>Corrections</u>	<u>Courts, etc.</u>
1979	\$110	\$58	\$28	\$23
1978	112	59	28	23
1977	109	58	27	21
1976	108	59	26	21
1975	102	56	25	19
1974	98	54	23	19
1973	95	54	22	18
1972	93	54	21	17
1971	91	52	22	17

p. 100-101 "What are the trends in justice spending?"

Procedures to adjust figures for inflation

General description. "Implicit price deflators" provided by the Bureau of Economic Analysis (BEA) of the U.S. Department of Commerce were used to adjust dollar figures prior to 1981 to account for inflation that has occurred. The BEA has a wide variety of deflators for the purchase of specific types of goods and services, in both the private and public sectors. Deflators were selected for each of the specific methods described below by attempting to match the substantive referent of the deflator to the content of the figure to be adjusted. A perfect match was rarely possible because deflators have never been developed specifically for criminal justice expenditures. In general, criminal justice salary data were deflated using the State and local government implicit deflators for noneducation compensation. The selected deflators are identified in the specific method discussions below.

The reference period of the deflators was governed by the reference period of the data to be adjusted and the period to which the adjustment was desired. Because the BEA deflators are available for calendar quarters, it was possible to make a close match in reference period when the source indicated that a specific reference date was used, e.g. January 1 or October 15. It would have been possible to achieve greater precision by taking the midpoint between two quarters or assuming a constant rate of inflation and prorating the quarterly deflator to arrive at an estimated deflator for a specific date within the quarter. This was examined for a few adjustments, but discarded as the additional precision was usually lost in rounding the results to hundreds or thousands of dollars. When only a reference year was specified in the source, the annual deflator was used.

The BEA deflators use 1972 as the base year, that is, the deflator will produce data converted to 1972 dollars. In order to adjust 1976 data, for example, to December 31, 1981 dollars, the 1976 deflator was divided by the fourth quarter 1981 deflator; the result was then divided into the 1976 data to produce a figure in 1981 fourth quarter dollars.

The general formula used is as follows:

$$\frac{a}{b/c} = d$$

where:

- a = the dollar amount to be adjusted for inflation
- b = the government implicit price deflator for the period that most closely matches the reference date of a
- c = the government implicit price deflator that most closely matches the date to which a is being adjusted
- d = the dollar amount adjusted for inflation

Deflation method 1

Used for average cost to return a fugitive interstate.

Type of deflator used: State and local purchases of goods and services.

The annual 1976 deflator was selected for b because the reference date of the source data was unspecified for 1976. The annual 1981 deflator was used for c because it most closely matched the mixed reference dates for the other cost figures in that section of the table.

Deflation method 2

Used for average annual cost for one adult offender in a State halfway house.

Type of deflator used: State and local purchase of goods and services.

The fourth quarter 1976 deflator was used for b because the source data were for fiscal 1977. The fourth quarter 1981 deflator was used for c because the other State cost data in this section of the table are for FY 1982.

Deflation method 3

Used for average salary of State supreme court clerk.

Type of deflator used: State and local noneducation compensation.

The 1976 annual deflator (138.128) was used for b because the source did not indicate a specific reference date. The fourth quarter 1981 deflator (206.29) was selected for c because the other State judicial salary data were available for January 31, 1982. The resulting range was so narrow (\$38,167 - \$39,321) that the midpoint was used for data display.

Deflation method 4

Used for salaries of State probation, parole, and correctional personnel.

Type of deflator used: State and local noneducation compensation.

The third quarter 1980 deflator (184.570) was used for b because the reference date of the source data was August 1, 1980. The third quarter 1982 deflator (226.0) was used for c because most of the other available salary data related to September 30, 1982, or October 1982.

General comment on deflation methods 5 and 6

Methods 5 and 6 involve adjusting for inflation State and local expenditure data for various government functions. Because implicit price deflators have never been developed for many of the specific functions, the data to be adjusted were disaggregated as much as possible and different price deflators applied to the disaggregated data. For example, payroll amounts were adjusted using compensation deflators, capital outlay amounts were deflated using State and local government structures deflators. In many cases, rough estimates of the portions of the overall expenditure going for specific types of purchases had to be made; these are described below.

The annual implicit price deflators were used, although greater precision could have been obtained by attempting to match quarterly deflators to the

October payroll period, for example, or by averaging quarterly deflators to make the deflator more closely match the fiscal year reference period of the expenditure data. The effects of this were examined for a few figures and the resulting increase in precision was found to be lost in rounding the adjusted data to thousands or millions of dollars. The additional effort did not appear to be warranted for the gross comparisons to which these data are put in the text.

Deflation method 5

Used for 1960-1980 data from the Annual Government Finance Survey.

Type of deflator used: varied.

Education. The annual "education compensation" deflators were used because the bulk of education expenditure is for salaries.

Public welfare. The annual "personal consumption" deflators were used for the "categorical" and "cash assistance" components of public welfare because these programs provide cash directly to citizens. The annual "noneducation compensation" deflators were used for the "other public welfare" components because this category includes administration of welfare programs, which is mainly employee compensation.

Highways. The annual "State/local structures" deflators were used for the "capital outlay" component of highway expenditure because they most closely matched the construction nature of that component. The remainder of highway expenditure was adjusted using "noneducation compensation" deflators as that component is personnel intensive.

Hospitals and health. One-half the expenditure was adjusted using the "noneducation compensation" deflators to reflect salaries; one-quarter was adjusted using the "State and local government purchase of nondurable goods" deflator to reflect the cost of those supplies; and one-quarter was adjusted using the "State and local government purchase of other services" deflators.

Total expenditure. The "State and local government purchase of goods and services" deflators were used.

Police. The monthly payroll data for the October of each fiscal year was annualized by multiplying by 12. These estimates of annual payroll were adjusted using the "noneducation compensation" deflators. Police capital outlay for each year was estimated using the average percent it accounted for from 1971-1979 (4.96%) from the Criminal Justice Expenditure and Employment Survey; these estimates were adjusted using the "State and local government structures" deflators. The remainder for each year was prorated for "other services" and "nondurable goods" by multiplying them by the following factors supplied by BEA:

<u>Year</u>	<u>Services</u>	<u>Nondurables</u>
1959-67	.6634	.3366
1968	.6841	.3159
1969	.6834	.3136
1970	.6828	.3172
1971	.6821	.3179
1972-80	.6814	.3186

The resulting figures were adjusted using the appropriate State and local government deflators for services and nondurables.

Corrections. The same procedures were used for corrections except that payroll data were not available. The annual payroll expenditure was estimated by using the average percent it accounted for from 1971-79 from the Criminal Justice Expenditure and Employment Survey.

Deflation method 6

Used for 1971-79 data from the annual Justice Expenditure and Employment Survey.

Type of deflator used: varied.

The expenditures for each individual sector (police protection, courts, legal services and prosecution, public defense, corrections, and other) were deflated as follows: the annual payrolls were estimated by multiplying the monthly payroll for the October of each fiscal year by 12; these were adjusted using the "State and local government non-education compensation" deflators. Capital outlay was adjusted using the "State and local government structures" deflators (after verifying that only a small proportion of capital outlay was for land purchase, which would require a different deflator). The remainder for each year was prorated for "services" and "nondurable goods" by multiplying them by BEA factors presented above. The resulting figures were adjusted using the appropriate State and local government deflators for services or nondurables.

Source of implicit price deflators:

U.S. Department of Commerce, Bureau of Economic Analysis, The National Income and Product Accounts, Washington: USGPO, 1981, and revisions for 1977-80 as published in U.S. Department of Commerce, Bureau of Economic Analysis, Survey of Current Businesses, Revised Estimates of the National Income and Product Accounts, Vol. 62, No. 7, Washington: USGPO (July 1982), pp. 109 and 132.

Personal consumption, Table 7.1

State and local government:

Structures—Table 7.14A and 7.14B

Purchase of nondurable goods—Table 7.14A and 7.14B

Purchases of other services—Table 7.14A and 7.14B

Education compensation—unpublished

Noneducation compensation—unpublished

Appendix Table 5.1
Construction cost and related data for 9 recently completed courthouses

	<u>New construction</u>					<u>Renovations and additions</u>			
Location	Fairfax, Virginia	Henderson, Virginia	Columbia, South Carolina	Cleavwater, Florida	Chula Vista, California	Bethel, Maryland	Lancaster, Pennsylvania	Baltimore, Maryland	Tacoma, Washington
Architects	HOK	LBCHW	GHR	P&P	TTS	Ayers/Saint	Flachurt	H. Beck	Rall
Type of court jurisdiction	General	General	General	General	General	General	General	Federal	Limited
Type of construction	New	New	New	New	New	Renovation/ addition	Addition	Complete shell	Renovation
Gross area (square feet)	236,000	124,000	409,000 ^a	130,500	270,965	79,924	247,131 ^b	20,867	15,552
Bid date	1/79	5/82	11/77	6/80	3/79	2/80	6/75	11/81	11/80
Construction contract	\$15,231,000 ^c	\$7,573,000 ^c	\$11,725,000 ^c	\$7,100,000 ^c	\$35,000,000 ^{c,d}	\$8,870,000	\$8,767,324 ^e	\$1,234,000	\$566,240
Cost per gross square foot	\$64.50	\$61.00	\$	\$54.41	\$	\$67.00/\$123.00 ^b	\$54.34	\$36.41	
Percent distribution of space									
Court rooms and judges chambers	56%	20%	28%	36%	16%	54%	29%	100%	33%
Administration and support	30%	56%	45%	58%	31% ^f	26%	30%	0	60%
Parking, storage mechanical	14%	16%	27%	6%	24%	20%	33%	0	7%
Detention	0	0	0	0	29%	0	0	0	0
Number of court rooms									
Completed	21	10	13	8	8	9	6	3	3
Shelled for future	7	0	0	0	0	3	0	0	0
Number of hearing rooms	0	0	0	1	2 ^g	0	0	0	0

^aIncludes 190,000 square feet of underground parking garage, making square foot cost noncomparable to others.

^bIncludes 45,000 square feet of underground parking garage, making square foot cost noncomparable to others.

^cIncluding site work.

^dIncludes a jail.

^eOne floor left unfinished, number of future courtrooms undetermined.

^fTotal cost includes purchase of land, making square foot cost noncomparable to others.

^gCentral plant building separate

plus two shelled for future.

Sources: Walter H. Sobel, FAIA & Associates, Judicial/Legal Consultants, Chicago, Illinois, 1982 pro bono survey (unpublished) for BJS of the indicated architectural firms.

END