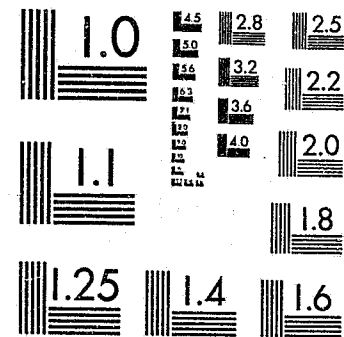


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Technical Appendix  
to  
Report to the Nation on Crime  
and Justice

U.S. Department of Justice  
National Institute of Justice

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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 numerous 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 than 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
Households suffering both burglary and violent crime by strangers	568,314
	6,101,227
	- 568,314
Households suffering only burglary	5,532,913
	3,182,011
	- 568,314
Household suffering only 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	$\frac{393,412}{225,349,000}$	= 1.75	10X
(per 1,000 persons)			
Business	$\frac{139,641}{8,000,000}$	= 17.5	
(per 1,000 businesses)			
Burglary rate--persons	$\frac{2,380,708}{80,976,800}$	= 29.4	5.1X
(per 1,000 households)			
Business	$\frac{1,197,220}{8,000,000}$	= 149.7	14X
(per 1,000 businesses)			
Burglary rate--persons	$\frac{2,380,708}{225,349,000}$	= 10.6	
(per 1,000 persons)			

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		1980 burglaries	
Personal total	393,412	Residence	2,380,708
Street, highway	276,168	Nonresidence	1,197,220
Residence	56,805		
Miscellaneous	60,439		
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	$\frac{625,842}{1,148,101}$	= 54.5%
Day	$\frac{191,055}{1,148,101}$	= 16.6%
Unknown	$\frac{331,204}{1,148,101}$	= 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
	<u>148,703</u>

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	Rape (A)	Robbery (B)	Aggravated assault (C)	Simple assault (D)	Violent crimes (E)	Motor vehicle theft (F)	Burglary (G)	Personal larceny with contact (ii)	Personal larceny without contact (ii)	Household larceny (i)
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			
	1973	1981	% change
UCR	1222.5	1632.1	+33.5%
NCS	97.1	87.9	- 4.1%

Population growth			
	1973	1981	% change
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	Rate	Year-to-year percent change	UCR residential burglaries	Rate	Year-to-year percent change
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	17.5
1975	213,124,000	3,277,438	15.38	1.5	2,081,344	9.72	9.1
1976	214,659,000	3,205,095	14.93	-2.9	1,946,574	9.07	-6.7
1977	216,332,000	3,301,271	15.26	2.2	1,983,930	9.17	1.1
1978	218,059,000	3,157,584	14.48	-5.1	2,017,925	9.25	0.9
1979	220,099,000	3,182,250	14.46	-0.1	2,111,680	9.59	3.7
1980	225,349,264	3,577,149	15.87	9.8	2,517,994	11.17	16.5
1981	229,146,000	3,778,344	16.49	3.9	2,505,666	10.93	-2.1

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

P. 9 UCR shows increase 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	1161.5	459.0	196.0	170.0	100.0	90.5	0.6
1972	3961.4	1991.6	1140.0	426.1	401.0	100.0	100.7	92.5	0.0
1973	4154.4	2071.9	1222.5	442.6	412.4	200.5	103.1	91.5	0.4
1974	4050.4	2409.5	1417.7	462.2	461.1	215.0	209.3	90.3	0.0
1975	5201.7	2804.0	1525.9	469.4	481.5	222.4	210.2	90.1	0.6
1976	5266.4	2921.1	1439.4	446.1	459.6	220.7	195.0	90.4	0.0
1977	5055.1	2729.9	1410.9	447.6	466.6	241.5	107.1	90.1	0.0
1978	5109.3	2741.9	1471.7	454.7	406.9	255.9	191.1	90.0	0.0
1979	5521.5	2900.4	1499.1	490.5	535.5	279.1	212.1	111.5	0.7
1980	5899.9	3156.1	1660.2	494.6	500.0	290.6	241.5	100.4	0.0
1981	5799.9	3122.1	1632.1	460.7	576.9	280.9	250.6	150.6	0.0
% change 71 to 81	39.26	45.51	40.20	11.94		152.10	111.30	121.66	111.95

Source: 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.

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

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

January February March April May June July August September October November December

(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

	<u>Total incidents</u>	<u>% no weapon</u>	<u>Total with weapon</u>	<u>%</u>	<u>Total with guns</u>	<u>%</u>	<u>Total with knives</u>	<u>%</u>	<u>Total with other</u>	<u>%</u>	<u>Total type DK</u>	<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	595,650	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	8,853,254	
Total victimizations with weapons	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
	<u>1,963,640</u>

Total incidents with weapons 1,952,520

Overlap  $\frac{11,590}{1,952,050}$  = 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

	Robbery		Aggravated assault	
	Stranger (A)	Nonstranger (B)	Stranger (D)	Nonstranger (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 (G)	Nonstranger (H)	Stranger (J)	Nonstranger (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  $\frac{\text{Completed}}{\text{Total}} = \frac{1,084,196}{2,017,865} = 53.7\%$

Other weapon armed  $\frac{\text{Completed}}{\text{Total}} = \frac{310,342}{572,560} = 54.2\%$

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

Other weapon armed  $\frac{\text{Injured}}{\text{Total}} = \frac{302,249}{572,559} = 52.8\%$

Unarmed  $\frac{\text{Injured}}{\text{Total}} = \frac{682,977}{2,017,864} = 33.8\%$

Knife armed  $\frac{\text{Injured}}{\text{Total}} = \frac{285,245}{1,122,267} = 25.4\%$

Gun armed  $\frac{\text{Injured}}{\text{Total}} = \frac{224,622}{1,315,577} = 17.1\%$

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	37,336,806	100

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 Group	Age	Year
		Per 1,000	Per 100,000			
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 plus off-base military	16+	1981
5	Accidental injury at work	68	6,795	Civilian noninstitutional	17+	1981
6	Violent victimization	33	3,334	Civilian noninstitutional plus off-base military	16+	1981
7	Assault (aggravated & simple)	25	2,538	Civilian noninstitutional plus off-base military	16+	1981
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 plus off-base military	16+	1981
12	Death of spouse	9	856	Resident, married*	15+	1979
13	Robbery	7	704	Civilian noninstitutional plus off-base military	16+	1981
14	Heart disease death	4	423	Resident	15+	1979
15	Cancer death	2	232	Resident	15+	1979
16	Rape (women only)	2	165	Civilian noninstitutional plus off-base military, female	16+	1981
17	Accidental death, all circumstances	0.5	55	Resident	15+	1979
18	Motor vehicle accident death	0.3	28	Resident	15+	1979
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	All	1981
22	Homicide/legal intervention death	0.12	12	Resident	15+	1979
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

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

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

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) ELS, "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	Robberies	1,062,369			
	Population	= 221,819,000	X 1,000	= 4.8	
	Aggravated assaults	1,630,866			
	Population	= 221,819,000	X 1,000	= 7.4	
65+	Robberies	463,035			
	Population	= 153,608,000	X 1,000	= 3.0	
	Aggravated assaults	86,295			
	Population	= 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
	<u>11,981,000</u>

From table D, p. 44

Spouse/ex-spouse incidents 655,000

$$\frac{655,000}{11,981,000} = 5.4\%$$

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.<sup>1</sup> 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

<sup>1</sup>Discussions 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.<sup>2</sup> (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.

<sup>2</sup>A 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

Violent crimes	Percent reported
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

	<u>Owners</u>	<u>Renters</u>
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—GTR Penalty Assessments—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						
California	1965	PA	\$23,000	\$100		5 days	2 yrs		YES
Colorado	1982	PA	\$1,500	\$25	X	72 hrs	1 yr		NO
Connecticut	1979	PA	\$10,000	\$100		5 days	6 mos	X	NO
Delaware	1975	PA	\$10,000	\$25		5 days	2 yrs		YES <sup>1</sup>
Florida	1978	GTR, PA	\$10,000			YES	1 yr		YES
Hawaii	1967	GTR	\$10,000		X	72 hrs	1 yr		NO
Illinois	1973	GTR	\$10,000			YES	18 mos		YES
Indiana	1978	GTR, PA	\$15,000	\$200		72 hrs	1 yr	X	YES
Kansas	1978	GTR	\$10,000	\$100		48 hrs	90 days		NO
Kentucky	1976	GTR	\$10,000	\$100	X	72 hrs	1 yr		YES
Maryland	1968	GTR, PA	\$15,000	\$100	X	48 hrs	1 yr	X	YES <sup>1</sup>
Massachusetts	1969	GTR	\$45,000	\$100	X	48 hrs	180 days		YES
Michigan	1977	GTR	\$10,000	\$100		48 hrs	1 yr	X	NO
Minnesota	1974	GTR	\$15,000	\$100	X	48 hrs	30 days		NO
Missouri	1982	PA	\$25,000	\$100		5 days	1 yr	X	YES
			\$10,000	\$200		48 hrs	1 yr		Law is silent
Montana	1978	PA	\$25,000			72 hrs	1 yr		YES
Nebraska	1979	GTR	\$10,000			3 days	2 yrs	X	YES
Nevada	1981	PA	\$5,000	\$100	X	5 days	1 yr	X	NO
New Jersey	1971	GTR, PA	\$10,000	\$100		3 mos	1 yr		YES
New Mexico	1981	GTR	\$12,500			30 days	1 yr	X	NO
New York	1966	GTR	\$20,000 plus unlimd. medical expenses		X	1 wk	1 yr		YES
North Dakota	1975	GTR	\$25,000	\$100		72 hrs	1 yr		YES
Ohio	1976	PA	\$50,000			72 hrs	1 yr		YES
Oklahoma	1981	PA	\$10,000	\$250		72 hrs	1 yr	X	YES
Oregon	1978	GTR	\$23,000	\$100		72 hrs	6 mos		YES
Pennsylvania	1977	PA	\$25,000	\$100		72 hrs	1 yr		YES <sup>1</sup>
Tennessee	1976	PA	\$10,000	\$100		48 hrs	1 yr		YES
Texas	1980	PA	\$50,000			72 hrs	180 days		NO
Virginia	1976	PA	\$10,000	\$100	X	48 hrs	6 mos	X	YES <sup>1</sup>
West Virginia	1981	PA	\$20,000		X	72 hrs	2 yrs		YES
Wisconsin	1977	GTR	\$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 = 577,000  
 N = 32  
 Avg max = 18,031  
 ✓ 12

State Legislatures/November/December 1981

## Attachment B

### 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 Syinga, Judiciary Committee, City Council, Washington, D.C., 202/724-8176

Attachment C

STATE	NUMBER	AWARD	AWARD	PERIOD OF ADJUDICATION
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)	202-124-7130	\$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	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 (1982)	314-751-4239	\$10,000	\$100	1 year

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<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)	402-471-2828	\$10,000	\$500	2 years
Florida (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	No case-by-case basis	1 year
New York (1966)	212-587-5160	\$20,000	\$1,500	1 year
North Dakota (1975)	701-224-2700	\$25,000	\$1,000	1 year
Ohio (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	6 months
Pennsylvania (1976)	717-783-5153	\$25,000	\$1,000	1 year
Rhode Island (1978)	401-277-3266	\$25,000	No	2 years
South Carolina (1982)	803-758-8940	\$10,000	\$500	6 months
Tennessee (1976)	615-741-2734	\$10,000	\$500	1 year
Texas (1979)	512-475-8362	\$50,000	\$1,500	6 months
Virginia (1976)	804-786-5170	\$10,000	\$1,000	6 months
Washington (1974)	206-753-6310	\$15,000	No	1 year
West Virginia (1981)	304-348-3470	\$20,000	No	2 years
Wisconsin (1976)	608-266-6470	\$10,000	\$500	2 years

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ENACTED	TELEPHONE NUMBER	MAXIMUM AWARD	EMERGENCY AWARD	FILED DEADLINE
Zwizana (1978)	406-449-2047	\$25,000	No	1 year
Nebraska (1979)	402-471-2028	\$10,000	\$500	2 years
Utah (1981)	702-885-4065	\$5,000	No	1 year
N. Jersey (1971)	201-648-2107	\$10,000	\$1,500	2 years
N. Mexico (1981)	505-842-3900	\$12,500	No	1 year
N. York (1966)	212-587-5160	\$20,000	one-by-one	1 year
South Dakota (1975)	701-224-2700	\$25,000	\$1,500	1 year
Ala. (1976)	614-466-7190	\$25,000	\$1,000	1 year
Alabama (1981)	405-521-2330	\$10,000	No maximum	1 year
Oregon (1977)	503-370-5340	\$23,000	\$500	1 year
Pennsylvania (1976)	717-783-5153	\$25,000	\$1,000	6 months
Rhode Island (1978)	401-277-3266	\$25,000	\$1,000	1 year
South Carolina (1982)	803-758-8940	\$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)	804-786-5170	\$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	No	2 years
			\$500	2 years

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Victim Assistance Programs, Selected States

State	Financial award	Financial need	Police report (days)	Claim deadline (months)	Contact
Alaska	\$0-40,000 <sup>a</sup>	No	5	24	Sue Johnson, Violent Crimes Compensation Board, Juneau, (907) 465-3040
Illinois	\$0-15,000 <sup>b</sup>	No	3 <sup>c</sup>	12 <sup>d</sup>	Ron Gasteen, Office of the Attorney General, Chicago, (312) 793-2585
Louisiana	\$250-10,000	No	3 <sup>c</sup>	12	Ms. Abshire, Crime Victims Reparation Board, Department of Corrections, (504) 342-6615
Michigan	\$100-15,000 <sup>e</sup>	Yes	2	1 <sup>f</sup>	Dorothy Taylor, Crime Victims Compensation Board, (517) 373-7373
New Jersey	\$100-25,000 <sup>g</sup>	No	90	24	Ms. 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 Jeanline, Administrative Office of State Courts, Providence, (401) 277-3266
Wisconsin	\$0-12,000 <sup>h</sup>	No	5	24	Holly Hillelte, Crime Victims Compensation Program, Madison, (608) 266-6470

<sup>a</sup>The amount is for multiple dependents, deceased victim. For one dependent/deceased victim, the maximum amount is \$25,000.

<sup>b</sup>A \$200 deductible applies to all claims.

<sup>c</sup>Exceptions made for reasonable cause.

<sup>d</sup>Notice of intent to file must be given within 6 months.

<sup>e</sup>The \$100 minimum can be waived because of age or disability.

<sup>f</sup>In cases of death, the deadline is 90 days. Deadlines can be deferred up to 1 year for reasonable cause.

<sup>g</sup>For crimes that occurred prior to December 1982, the maximum is \$10,000.

<sup>h</sup>\$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

Violent crime total

Property crime total

Age	Age-specific arrest rates	Age	Age-specific arrest rates per 100,000 inhabitants
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

Year	Rate	Percent change
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

OJJDP-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 OJJDP. 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 PRCMIS (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	Percent				
		Heroin	Other drugs except heroin	Marijuana	Very drunk	Did not use drugs nor 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 governments <sup>1</sup>	Federal Government	State Governments	Local Governments <sup>1</sup>	Percent distribution		
					Federal Government	State governments	Local governments
<b>TOTAL CRIMINAL JUSTICE SYSTEM:</b>							
TOTAL EMPLOYEES	1 252 329	105 879	340 700	805 650	8.5	27.7	63.8
FULL-TIME EMPLOYEES	1 150 912	107 070	325 863	717 979	9.3	28.1	62.6
FULL-TIME EQUIVALENT EMPLOYEES	1 178 011	102 714	329 095	746 202	8.7	27.9	63.4
OCTOBER PAYROLL	1 697 013	205 418	468 979	1 022 616	12.1	27.6	60.3
<b>POLICE PROTECTION:</b>							
TOTAL EMPLOYEES	701 053	75 480	99 301	526 272	10.8	14.2	75.0
FULL-TIME EMPLOYEES	644 077	75 754	90 779	480 544	11.5	14.1	74.4
FULL-TIME EQUIVALENT EMPLOYEES	655 581	73 133	91 575	480 873	11.2	14.0	74.8
OCTOBER PAYROLL	975 752	135 992	130 915	708 845	13.1	13.4	73.5
<b>JUDICIAL:</b>							
TOTAL EMPLOYEES	160 235	8 153	49 443	111 639	4.8	30.7	64.5
FULL-TIME EMPLOYEES	146 141	8 051	45 654	92 436	5.2	31.2	63.6
FULL-TIME EQUIVALENT EMPLOYEES	159 361	8 084	48 669	99 608	5.2	31.1	63.7
OCTOBER PAYROLL	218 471	19 470	47 129	151 872	9.1	29.6	61.3
<b>LEGAL SERVICES AND PROSECUTION:</b>							
TOTAL EMPLOYEES	78 100	8 033	20 737	49 330	10.5	26.5	63.0
FULL-TIME EMPLOYEES	69 620	7 575	19 210	42 835	10.9	27.6	61.5
FULL-TIME EQUIVALENT EMPLOYEES	72 169	7 822	19 961	45 386	10.7	27.3	62.0
OCTOBER PAYROLL	114 634	15 996	32 409	66 229	10.0	29.4	60.6
<b>PUBLIC DEFENSE:</b>							
TOTAL EMPLOYEES	9 244	251	3 788	5 205	2.7	41.0	56.3
FULL-TIME EMPLOYEES	8 844	251	3 607	4 986	3.0	42.7	54.3
FULL-TIME EQUIVALENT EMPLOYEES	8 817	251	3 659	4 907	2.8	41.5	55.7
OCTOBER PAYROLL	14 750	587	5 055	8 108	4.0	50.7	45.3
<b>CORRECTIONS:</b>							
TOTAL EMPLOYEES	285 130	12 327	163 187	109 616	4.3	57.2	38.5
FULL-TIME EMPLOYEES	272 371	12 067	160 048	101 256	4.4	58.5	37.0
FULL-TIME EQUIVALENT EMPLOYEES	277 013	12 145	161 019	103 849	4.4	58.1	37.5
OCTOBER PAYROLL	365 058	28 386	206 085	129 587	7.0	56.7	36.3
<b>OTHER CRIMINAL JUSTICE:</b>							
TOTAL EMPLOYEES	9 056	1 635	4 244	3 177	17.5	44.9	37.6
FULL-TIME EMPLOYEES	8 859	1 372	4 165	3 322	15.5	47.0	37.5
FULL-TIME EQUIVALENT EMPLOYEES	9 070	1 479	4 192	3 499	16.3	46.2	37.5
OCTOBER PAYROLL	12 341	5 987	5 529	3 795	24.3	45.4	30.3

<sup>1</sup>Local 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 2.60	456,210 2.77	484,710 2.89	490,850 2.87	522,510 3.01	558,100 3.16	614,210 3.43	654,960 3.61	643,720 3.51
(A) UCR Index arrests (age 13+)	152,216 .94	152,004 .92	198,903 1.18	189,655 1.11	218,001 1.25	254,182 1.44	253,526 1.41	255,804 1.41	263,580 1.44



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 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 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%	76%	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 <sup>1</sup>	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
<b>TOTAL ALL AGENCIES: 11,499 agencies; population 192,945,000:</b>						
Number .....	1,383,380	468,212	802,734	20,796	21,625	70,013
Percent <sup>2</sup> .....	100.0	33.8	58.0	1.5	1.6	5.1
<b>TOTAL CITIES: 8,098 cities; population 128,658,000:</b>						
Number .....	1,158,280	401,012	661,347	17,422	18,495	60,004
Percent .....	100.0	34.6	57.1	1.5	1.6	5.2
<b>GROUP I</b>						
48 cities, 250,000 and over; population 28,406,000:						
Number .....	238,908	77,496	149,780	2,489	5,890	3,253
Percent .....	100.0	32.4	62.7	1.0	2.5	1.4
<b>GROUP II</b>						
107 cities, 100,000 to 249,999; population 15,521,000:						
Number .....	128,046	42,166	78,334	2,922	1,742	2,882
Percent .....	100.0	32.9	61.2	2.3	1.4	2.3
<b>GROUP III</b>						
287 cities, 50,000 to 99,999; population 19,579,000:						
Number .....	172,251	60,001	98,349	4,153	2,391	7,357
Percent .....	100.0	34.8	57.1	2.4	1.4	4.3
<b>GROUP IV</b>						
597 cities, 25,000 to 49,999; population 20,542,000:						
Number .....	206,437	75,696	113,813	3,266	3,436	10,226
Percent .....	100.0	36.7	55.1	1.6	1.7	5.0
<b>GROUP V</b>						
1,519 cities, 10,000 to 24,999; population 23,818,000:						
Number .....	225,547	83,101	122,260	2,500	2,528	15,158
Percent .....	100.0	36.8	54.2	1.1	1.1	6.7
<b>GROUP VI</b>						
5,540 cities under 10,000; population 20,792,000:						
Number .....	187,091	62,552	98,811	2,092	2,508	21,128
Percent .....	100.0	33.4	52.8	1.1	1.3	11.3
<b>SUBURBAN COUNTIES</b>						
1,027 agencies; population 38,140,000:						
Number .....	155,753	49,011	98,066	2,012	1,509	5,155
Percent .....	100.0	31.5	63.0	1.3	1.0	3.3
<b>RURAL COUNTIES</b>						
2,374 agencies; population 26,147,000:						
Number .....	69,347	18,189	43,321	1,362	1,621	4,854
Percent .....	100.0	26.2	62.5	2.0	2.3	7.0
<b>SUBURBAN AREA<sup>3</sup></b>						
5,529 agencies; population 92,011,000:						
Number .....	634,252	241,188	337,270	7,884	3,180	39,730
Percent .....	100.0	38.0	53.2	1.2	1.3	6.3

<sup>1</sup> Includes all offenses except traffic and neglect cases.

<sup>2</sup> Because of rounding, the percentages may not add to total.

<sup>3</sup> 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.

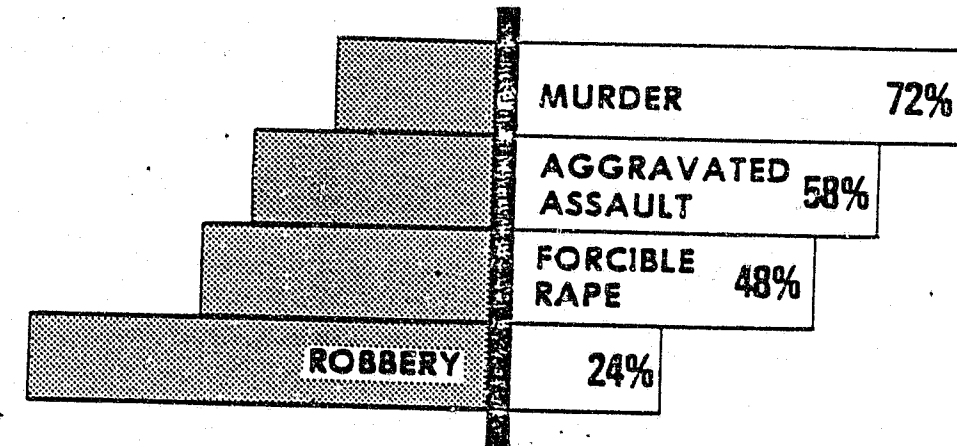
p. 52-53 For every five offenses.....there is approximately one arrest

See p. 17 of Technical Appendix

## CRIMES CLEARED BY ARREST 1981

### CRIMES OF VIOLENCE

NOT CLEARED                      CLEARED



### CRIMES AGAINST PROPERTY

NOT CLEARED                      CLEARED

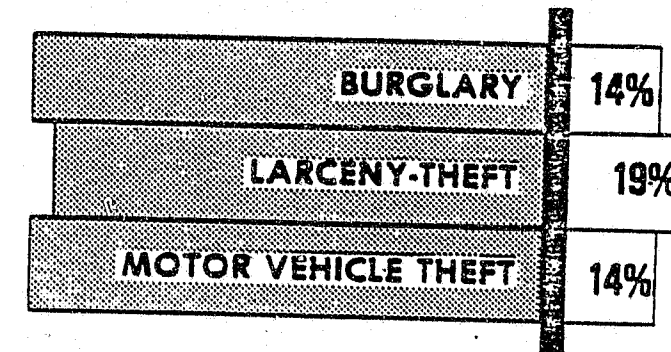


Table 19.—Offenses Known and Percent Cleared by Arrest<sup>1</sup>, Population Group, 1981

[Estimated population]

Population group	Crime Index total	Modified <sup>2</sup> Crime Index total	Violent <sup>3</sup> crime	Property <sup>4</sup> crime	Murder and non-negligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny-theft	Motor vehicle theft	Arson <sup>5</sup>
<b>TOTAL ALL AGENCIES:</b> 3,334 agencies; total population 218,287,000:												
Offenses known .....	12,715,894	12,838,504	1,275,135	11,440,759	21,413	77,623	557,162	618,937	3,569,753	6,842,886	1,028,120	127,610
Percent cleared by arrest ..	19.5	19.4	42.9	16.9	71.6	48.1	23.9	58.3	14.3	18.6	14.2	15.4
<b>TOTAL CITIES: 9,179 cities;</b> total population 146,165,000:												
Offenses known .....	10,275,410	10,370,473	1,066,647	9,208,763	16,364	60,173	506,023	484,087	2,755,525	5,584,401	868,837	95,063
Percent cleared by arrest ..	19.5	19.4	40.9	17.0	71.1	46.4	23.4	57.5	13.9	19.2	12.9	14.3
<b>GROUP I</b>												
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	29,015	337,567	198,671	1,065,424	1,713,078	442,033	41,872
Percent cleared by arrest ..	17.5	17.5	34.9	14.5	67.5	44.3	21.8	34.2	11.9	17.5	8.6	10.7
10 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	10,915	124,251	86,330	430,772	586,413	245,856	20,603
Percent cleared by arrest ..	16.5	16.4	31.0	13.2	63.5	40.6	20.5	30.2	10.4	18.0	6.7	5.2
7 cities, 500,000 to 999,999; total population 11,493,000:												
Offenses known .....	1,096,298	1,105,295	140,057	956,241	2,318	8,502	79,414	49,823	300,334	549,853	106,054	8,997
Percent cleared by arrest ..	18.0	18.0	27.8	15.1	70.4	46.4	22.9	58.7	13.1	17.1	10.4	18.5
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	9,598	73,902	62,518	334,318	576,812	90,123	12,272
Percent cleared by arrest ..	18.6	18.5	39.7	15.4	72.9	46.6	23.8	56.2	12.8	17.5	11.8	14.2
<b>GROUP II</b>												
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	9,335	58,080	67,903	412,299	911,385	99,726	13,180
Percent cleared by arrest ..	20.5	20.4	44.2	18.0	75.5	46.5	25.9	58.6	14.9	20.0	14.6	15.1
<b>GROUP III</b>												
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	7,343	44,098	59,629	378,284	768,334	109,929	12,106
Percent cleared by arrest ..	19.9	19.8	44.4	17.7	75.0	47.4	25.2	57.4	14.3	20.0	13.2	14.4

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)?
ALABAMA ...	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
ALASKA .....	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
IDAHO .....	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, licenses 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
NEW YORK ..	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
NORTH 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
NORTH 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
OHIO	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 latest 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
South 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			Funding source		FY 81 funding total (in millions)*
	Public defender	Local	Ad hoc	Contract	State	County	Judicial district	Funding source		
								State	County	
Alabama			X				X	X	31.7	
Alaska	X				X			X	1.3	
Arizona		X	X			X			6.7	
Arkansas		X	X				X		1.4	
California		X		X	X			X	93.3	
Colorado	X				X			X	6.1	
Connecticut	X				X			X	4.2	
Delaware	X				X			X	1.3	
District of Columbia		X		X	X			X	6.6	
Florida		X					X	X	12.0	
Georgia			X			X		X	1.1	
Hawaii	X				X			X	1.5	
Idaho		X	X	X		X		X	1.3	
Illinois		X	X			X		X	17.0	
Indiana		X	X	X		X		X	5.8	
Iowa		X	X			X		X	4.5	
Kansas			X		X		X	X	2.7	
Kentucky		X	X		X		X	X	4.7	
Louisiana		X	X	X		X	X	X	4.1	
Maine			X			X		X	.9	
Maryland	X				X			X	7.3	
Massachusetts	X			X	X	X		X	10.6	
Michigan		X	X	X		X		X	19.1	
Minnesota		X	X			X	X	X	6.3	
Mississippi		X	X		X			X	1.2	
Missouri		X	X		X	X		X	1.9	
Montana		X	X	X		X		X	1.1	
Nebraska		X	X			X		X	1.5	
Nevada	X	X			X	X		X	1.1	
New Hampshire	X				X		X	X	1.7	
New Jersey	X				X		X		16.2	
New Mexico	X				X		X		1.3	
New York		X	X		X	X		X	48.3	
North Carolina*		X	X			X		X	7.9	
North Dakota		X	X	X		X		X	.5	
Ohio	X	X	X		X	X		X	12.5	
Oklahoma			X	X		X		X	2.9	
Oregon		X		X		X		X	9.8	
Pennsylvania		X			X			X	14.5	
Puerto Rico	X				X		X		1.4	
Rhode Island	X				X		X		1.1	
South Carolina		X	X			X		X	1.3	
South Dakota		X	X	X		X		X	.8	
Tennessee		X	X		X		X	X	4.5	
Texas		X	X	X		X		X	18.0	
Utah		X	X	X		X		X	1.4	
Vermont	X				X		X		1.9	
Virginia		X	X		X	X	X	X	4.6	
Washington		X	X	X		X		X	11.2	
West Virginia	X		X		X	X		X	1.3	
Wisconsin	X				X		X		10.2	
Wyoming	X				X		X		1.3	
Total	13	27	11	15	17	33	7	22	3	

\*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

X - State  
O - Local  
Total

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	54,304	81.13
Bail made	4,092	6.11
Bail not made	50,127	74.89
Couldn't afford	31,095	46.45
Other reason	19,033	28.43
Not reported	84	.13
Bail not set	11,607	17.34
Released on recognizance	348	.52
Non-bail offense	3,714	5.55
Detainer or warrant	,045	1.56
Had no bail hearing	2,089	3.12
Under sentence	116	.17
Security risk	1,509	2.25
Did not want bail	348	.52
Other	812	1.21
Don't know	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	Bail set			Total	Bail not made		Not reported	Bail not set	Not reported
		Total	Bail made	Could not afford		Other reason				
Total	66,936	54,301	81%	4,092	50,127	31,095	62%	19,031	11,607	1,026
Violent	25,011	21,001		1,185	19,774	13,738		6,036	3,680	360
Murder	4,869	3,221		168	3,055	2,291		764	1,557	90
Manslaughter	354	266		0	266	177		88	88	0
Sexual assault	2,734	2,288		168	2,077	1,494		584	362	81
Robbery	10,900	9,846		462	9,384	6,587		2,798	921	133
Nonsexual assault	5,143	4,384		296	4,088	2,502		1,586	706	52
Other	1,041	995		91	904	688		217	46	0
Property	28,267	23,648		2,028	21,620	12,345		9,275	4,224	395
Burglary	13,708	11,723		1,135	10,587	6,419		4,168	1,778	207
Auto theft	1,742	1,522		49	1,473	665		809	220	0
Forgery or fraud	4,403	3,426		248	3,178	1,462		1,716	934	42
Larceny	6,081	4,982		464	4,518	2,419		2,100	1,042	57
Other	2,333	1,995		132	1,863	1,381		482	250	88
Drug	4,019	3,193		388	2,804	1,664		1,140	927	0
Trafficking or unspecified	1,780	1,471		91	1,379	846		534	310	0
Possession or use	2,239	1,722		297	1,425	818		607	517	0
Public order	8,454	5,690		486	5,204	2,814		2,390	2,572	193
Weapons offense	1,481	1,344		138	1,206	758		448	136	0
Obstruction of justice or administration	2,336	1,443		180	1,263	868		395	813	60
Traffic offense	2,130	1,548		121	1,427	533		891	539	42
Drunkenness, vagrancy, or vice	1,997	1,137		46	1,091	564		527	769	91
Other	512	217		0	217	91		126	295	0
Unspecified or juvenile	1,155	772		5	725	534		191	104	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		
	Alaska	X					
	Arizona	X					
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				
	Missouri			X			
	Montana						X
X	Nebraska						
	Nevada						X
	New Hampshire	X					
	New Jersey			X			
	New Mexico				X		
X	New York						
	North Carolina			X			
	North Dakota						X

	Ohio						X
	Oklahoma	X					
	Oregon						X
	Pennsylvania					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	X					
	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	Missouri	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 <sup>a</sup>
Alabama	Kansas	Oklahoma	Georgia	Michigan	Connecticut
Alaska	Kentucky	Oregon	Illinois	Missouri	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) <sup>b</sup>					
18	17				16 <sup>c</sup>
Arkansas	- 15, any offense				Georgia - any age, capital offense
Colorado	- 14, major felony				None
	- 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				

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While portions of this document are illegible, it was micro-filmed 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

*Initial Selection of Judges*

Source Table	ELECTION					MERIT SYSTEM					OTHER				
	1-1	1-2	1-3	1-4	1-5	1-1	1-2	1-3	1-4	1-5	1-1	1-2	1-3	1-4	1-5
Alabama	P	P	P												
Alaska															
Arizona															
Arkansas															
California															
Colorado															
Connecticut															
Delaware															
Dist of Col															
Florida															
Georgia															
Hawaii															
Idaho															
Illinois															
Indiana															
Iowa															
Kansas															
Kentucky															
Louisiana															
Mass															
Maryland															
Massachusetts															
Michigan															
Minnesota															
Mississippi															
Missouri															
Montana															
Nebraska															
Nevada															
New Hampshire															
New Jersey															
New Mexico															
New York															
North Carolina															
North Dakota															
Ohio															
Oklahoma															
Oregon															
Pennsylvania															
Rhode Island															
South Carolina															
South Dakota															
Tennessee															
Texas															
Utah															
Vermont															
Virginia															
Washington															
West Virginia															
Wisconsin															
Wyoming															
Unk. dist.															
Unk. state															

32 States make initial selection of judges by election

29 States elect intermediate appellate court judges

21 out of 32 States use to some extent merit selection

21 used merit system

Nonpartisan = 24      Legislative = 4

Partisan = 29      Popular = 1

Merit = 13

32 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 <sup>b</sup>	
<b>ALABAMA:</b>				
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
<b>ALASKA:</b>				
All judges			X	Same as initial selection
Magistrates		Presiding judge of judicial district		Same as initial selection
<b>ARIZONA:</b>				
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			Governor appoints until next general election
Justices of Peace	Partisan			County Board of Supervisors appoint for balance of term
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
<b>ARKANSAS:</b>				
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
<b>CALIFORNIA:</b>				
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
<b>COLORADO:</b>				
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
<b>CONNECTICUT:</b>				
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
	Popular election	Appointment by:	Merit plan <sup>b</sup>	
Judges except Alderman's			X	Merit selection
County Court judges		Determined by local governing body		Same as initial selection
Probate court judges			X	Merit selection
Circuit Court judges	Nonpartisan			Merit selection
County Court judges	Partisan			Appointed by Governor
Circuit Court judges	Partisan			Appointed by Governor with a merit plan
Justices of the Peace	Partisan			Special election is held
County Court judges	Partisan			Special election is held
Probate Court judges		Presiding Superior/Circuit Judge		Same as initial selection
Circuit judges		Governing bodies		Same as initial selection
Probate judges		Determined by local governing bodies		Locally determined
Probate court judges			X	Same as initial selection
Circuit Court judges			X	Same as initial selection
Circuit Court judges		Chief Justice using a merit plan		Same as initial selection
Probate Court judges	Non partisan			Appointed by Governor
Circuit Court judges	Non partisan			Appointed by Governor
Circuit Court magistrates		District Magistrate Commission		District Magistrate Commission appoints
Probate judges		Circuit judges		Same as initial selection
Justices of Claims judges		Executive		Same as initial selection
Other judges	Partisan			Appointed by Supreme Court justices
Probate court judges, Superior Court judges of Len, Lake, St. Joseph, Vanderburgh, and Marion counties, and Marion County Municipal Court judges			X	Same as initial selection
Other judges	Partisan			Appointed by Governor
Probate court judges			X	Same as initial selection
Circuit Court judges			X	Same as initial selection
Circuit Court magistrates		District Court judges using merit plan		Same as initial selection
Circuit Court part-time magistrates		County Judicial Magistrate Appointing		Same as initial selection
Probate court judges			X	Same as initial selection
Circuit court judges--23 districts			X	Same as initial selection
Probate trial court judges	Partisan			Appointed by Governor
Probate judges	Non partisan			Merit selection

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 <sup>b</sup>	
<b>LOUISIANA:</b>				
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
<b>MAINE:</b>				
All judges except Probate Court judges		Governor		Same as initial selection
Probate Court judges	Partisan			Same as initial selection
<b>MARYLAND:</b>				
All judges except Orphan's Court judges			X	Same as initial selection
Orphan's Court judges		Governor		Same as initial selection
<b>MASSACHUSETTS:</b>				
All judges			X	Same as initial selection
<b>MICHIGAN:</b>				
All judges except Municipal Court judges	Non partisan			Appointed by Governor
Municipal Court judges		Determined by local governing body		Same as initial selection
<b>MINNESOTA:</b>				
All judges			X	Appointed by Governor using a merit plan
<b>MISSISSIPPI:</b>				
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
<b>MISSOURI:</b>				
Judges of the Supreme Court, Court of Appeals, Circuit and Probate Courts in St. Louis, City and County, and Jackson, Platte, and Clay counties			X	Merit selection
Other Circuit and Probate Court judges	Partisan			Appointed by Governor
Municipal Court judges		Locally determined		Locally determined
<b>MONTANA:</b>				
All judges except Municipal Court judges	Nonpartisan			Appointed by Governor
Municipal Court judges		City Council		Same as initial selection
<b>NEBRASKA:</b>				
All judges			X	Same as initial selection
<b>NEVADA:</b>				
All judges	Nonpartisan			Merit selection; Justice and Municipal Courts, locally determined
<b>NEW HAMPSHIRE:</b>				
All judges		Governor		Same as initial selection; Probate Court, Registrar of Probate appoints from another court
<b>NEW JERSEY:</b>				
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
<b>NEW MEXICO:</b>				
All judges	Partisan			Appointed by Governor; Probate Court, appointed by County Commissioners; Municipal Court, appointed by municipal governing body



State and court title	Method of initial judicial selection			Method of filling interim vacancies
	Popular election	Appointment by:	Merit plan <sup>b</sup>	
<b>NEW YORK:</b>				
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
<b>SOUTH CAROLINA:</b>				
All judges except special judges of the Superior Court .....	Partisan .....	Appointed by Governor		
Special judges of the Superior Court .....		Governor .....		Same as initial selection
<b>NORTH DAKOTA:</b>				
All judges .....	Non partisan .....	Merit selection		
<b>OHIO:</b>				
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 .....		Locally determined
<b>OKLAHOMA:</b>				
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
<b>OREGON:</b>				
All judges except Municipal Court judges .....	Nonpartisan .....	Appointed by Governor		
Municipal Court judges .....		Locally determined .....		Locally determined
<b>PENNSYLVANIA:</b>				
All judges except Pittsburgh Magistrates Court judges .....	Partisan .....	Merit selection		
Pittsburgh Magistrates Court judges .....		Mayor .....		Same as initial selection
<b>RHODE ISLAND:</b>				
Supreme Court Justices .....		Legislature .....		Same as initial selection
Probate and Municipal Court judges .....		City Council .....		Same as initial selection
All other judges .....		Executive <sup>a</sup> .....		Same as initial selection
<b>SOUTH CAROLINA:</b>				
Appellate court judges .....		Legislature .....		Legislature fills vacancy unless an expired term is less than 1 year, then Governor appoints
Circuit Court judges .....		Legislature .....		Appointed by Governor
Family Court judges .....		Legislature .....		Appointed by Governor
Probate Court judges .....	Partisan .....	Appointed by Governor		State statutes and Constitution do not address this issue
Magistrate Court judges .....		Governor .....		
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 <sup>b</sup>	
<b>SOUTH DAKOTA:</b>				
All judges except magistrates .	Nonpartisan .....			Voluntary merit selection
Magistrates .....		Presiding Circuit Court judge		Same as initial selection
<b>TENNESSEE:</b>				
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
<b>TEXAS:</b>				
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
<b>UTAH:</b>				
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
<b>VERMONT:</b>				
All judges except Probate Court judges .....			X	Same as initial selection
Probate Court judges .....	Partisan .....			Succeeded by register of probate
<b>VIRGINIA:</b>				
All judges except substitute District Court judges .....		Legislature .....		Same as initial selection
Substitute District Court judges .....		Chief judge of Circuit .....		Same as initial selection
<b>WASHINGTON:</b>				
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 <sup>b</sup>	
<b>INIA:</b>				
Judges except Magistrate and Municipal Court	Partisan	Appointed by Governor		Appointed by Governor
State Court Judges	Partisan	Chief Judge of Circuit Court appoints		Chief Judge of Circuit Court appoints
Judicial Court Judges		Locally determined		Locally determined
<b>Other:</b>				
Judges except Municipal	Non-partisan	Appointed by Governor		Appointed by Governor
Judges		Determined by local governing body		Special election is held
Judicial Court Judges				
<b>Other:</b>				
County Court, District Court, City Court, and Juvenile Domestic Relations			X	Merit selection
Judges		Mayor		Same as initial selection
Judicial Court Judges		County Board of Commissioners		Appointed by County Board of Commissioners
Judges of the Peace Court				
<b>SAHQA:</b>				
Judges		Appointed by the U.S. Secretary of the Interior		Same as initial selection
<b>OF COLUMBIA:</b>				
Judges			X	Same as initial selection
<b>Other:</b>				
Judges			X	Same as initial selection
<b>RICO:</b>				
Judges		Executive <sup>a</sup>		Same as initial selection
<b>ISLANDS:</b>				
Judges		Executive <sup>a</sup>		Same as initial selection

<sup>a</sup>Executive includes the executive officer responsible for administration at the level at issue, e.g., state or county governor; city level—mayor or city manager.

<sup>b</sup>Details 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  
 Appellate 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, EJS  
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

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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
TOTAL	34,875	31,535	27,968	30,355	31,823	4.2
PROCEEDINGS COMMENCED BY						
INDICTMENT	22,698	18,724	16,524	17,229	18,415	6.9
INFORMATION INDICTMENT WAIVED	1,148	744	473	487	808	65.5
INFORMATION OTHER	8,730	10,340	9,048	10,038	8,808	-12.3
REMOVED FROM APPELLATE COURT	152	125	50	83	74	-10.9
REMOVED FROM STATE COURT	50	81	30	22	18	-27.3
REOPENED/REINSTATED	228	181	100	87	120	37.9
APPEAL FROM U.S. MAGISTRATE	104	165	113	210	170	-18.1
JUVENILE DELINQUENCY PROCEEDINGS	120	78	85	82	91	11.0
CONSENT BEFORE MAGISTRATE	1,385	1,114	1,465	2,070	2,046	-47.1
RETRIAL ON MISTRIAL	-	-	19	17	46	70.6
RETRIAL - REMAND FROM APPEALS COURT	-	-	23	28	33	13.8
GENERAL OFFENSES						
HOMICIDE TOTAL	144	148	151	188	151	-18.8
MURDER 1ST DEGREE	49	63	67	83	70	-15.7
MURDER 2ND DEGREE	34	29	25	42	34	-19.1
MANSLAUGHTER	41	56	49	61	47	-23.0
ROBBERY TOTAL	1,227	1,299	1,241	1,415	1,427	0.8
BANK	1,293	1,068	1,147	1,314	1,323	0.7
POSTAL	38	41	52	41	47	14.8
OTHER	46	42	52	60	57	-5.0
ASSAULT	582	551	555	559	578	3.6
BURGLARY BREAKING AND ENTERING TOTAL	207	198	181	125	143	14.4
BANK	7	7	2	5	6	-
POSTAL	41	46	24	32	34	6.3
INTERSTATE SHIPMENTS	1	1	1	4	3	-
OTHER	158	144	154	84	99	18.7

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

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
<b>LARCENY AND THEFT, TOTAL</b>	<b>3,886</b>	<b>3,470</b>	<b>3,033</b>	<b>3,020</b>	<b>2,887</b>	<b>- 4.7</b>
BANK	121	136	124	134	141	20.1
POSTAL	1,480	887	890	818	631	2.6
INTERSTATE SHIPMENTS	348	376	389	307	256	-18.9
OTHER U. S. PROPERTY	1,002	1,262	1,188	1,168	1,083	- 8.2
TRANSPORTATION, ETC. OF STOLEN PROPERTY	302	243	228	280	342	22.1
OTHER	767	688	634	633	636	-16.6
<b>EMBEZZLEMENT, TOTAL</b>	<b>1,844</b>	<b>1,826</b>	<b>1,628</b>	<b>1,828</b>	<b>2,072</b>	<b>12.9</b>
BANK	946	944	920	1,018	1,051	3.2
POSTAL	270	251	257	274	288	4.4
OTHER	708	630	391	644	738	36.1
<b>FRAUD, TOTAL</b>	<b>4,827</b>	<b>5,008</b>	<b>4,832</b>	<b>4,744</b>	<b>4,709</b>	<b>- 0.7</b>
INCOME TAX	1,247	1,429	1,367	1,323	1,056	-13.7
LENDING INSTITUTION	417	421	416	470	485	3.2
POSTAL	776	1,005	881	830	837	0.8
VETERANS AND ALLOWMENTS	3	16	10	10	16	50.0
SECURITIES AND EXCHANGE	28	28	13	11	16	38.4
SOCIAL SECURITY	177	278	320	330	225	-31.8
FALSE PERSONATION	42	85	37	42	46	7.1
NATIONALITY LAWS	186	217	217	186	180	- 2.7
PASSPORT FRAUD	79	82	89	72	76	4.2
FALSE CLAIMS AND STATEMENTS	732	720	757	817	948	16.0
OTHER	841	786	661	664	728	11.3
<b>AUTO THEFT</b>	<b>810</b>	<b>398</b>	<b>381</b>	<b>306</b>	<b>389</b>	<b>21.0</b>
<b>FORGERY AND COUNTERFEITING, TOTAL</b>	<b>3,818</b>	<b>2,877</b>	<b>2,124</b>	<b>1,810</b>	<b>2,128</b>	<b>17.6</b>
TRANSPORTATION OF FORGED SECURITIES	385	242	219	200	200	-
POSTAL FORGERY	112	121	88	92	113	22.8
OTHER FORGERY	2,812	2,055	1,298	922	1,177	27.7
COUNTERFEITING	426	469	522	608	638	7.0
<b>SEX OFFENSES, TOTAL</b>	<b>187</b>	<b>138</b>	<b>180</b>	<b>192</b>	<b>136</b>	<b>-11.2</b>
RAPE	101	98	102	104	78	-26.9
OTHER	86	40	78	88	58	-22.9

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TABLE D-3 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
DRUG ABUSE PREVENTION AND CONTROL ACT. TOTAL*	3,748	3,727	3,130	3,892	4,193	13.4
MARIJUANA	1,026	784	676	1,189	1,664	39.9
DRUGS	1,608	1,673	1,856	1,772	1,698	4.2
CONTROLLED SUBSTANCES	1,115	820	799	736	831	12.9
MISCELLANEOUS GENERAL OFFENSES TOTAL	9,468	8,704	7,240	8,416	8,757	4.1
BRIEBRY	121	168	136	173	145	-16.2
DRUNK DRIVING AND TRAFFIC ESCAPES	4,454	5,448	4,558	5,231	5,188	-0.8
EXTORTION, HACK TEEHING, AND THREATS	1,078	1,095	832	919	819	-10.9
KIDNAPING AND TORTURE	318	376	324	391	424	8.4
PERJURY	60	48	51	26	36	38.5
WEAPONS AND FIREARMS	76	64	74	59	60	1.7
OTHER	138	162	114	80	142	57.8
SPECIAL OFFENSES	3,058	1,209	931	1,208	1,775	36.2
IMMIGRATION LAWS	169	154	180	221	164	-25.8
FEDERAL STATUTES TOTAL	1,734	1,869	1,821	1,929	1,803	-6.5
IMMIGRATION LAWS	100	41	25	30	20	-33.3
FEDERAL STATUTES TOTAL	1,096	2,144	1,256	2,121	2,290	8.1
AGRICULTURAL ACTS	280	283	300	490	667	36.1
ANTI TRUST VIOLATIONS	30	28	38	82	77	-10.0
FUND AND BOND ACT	101	113	104	95	80	-15.9
INTERNAL SECURITY LAWS	38	75	89	69	87	25.1
MOTOR CARRIER ACT	70	80	72	82	96	23.8
NATIONAL DEFENSE LAWS	89	407	106	145	62	-11.4
CIVIL RIGHTS*	82	81	79	76	43	-43.4
CONTENTS	38	47	40	70	59	-15.7
CUSTOMS LAWS	85	114	100	96	108	12.5
POSTAL LAWS	352	363	226	246	252	2.0
OTHER	717	643	802	670	624	-9.6

\*PERCENT CHANGE IS COMPUTED ON 10 OR MORE CASES  
 \*THE COMPREHENSIVE DRUG ABUSE PREVENTION AND CONTROL ACT OF 1970 (PUBLIC LAW 91 613) BECAME EFFECTIVE MAY 1, 1971  
 \*INCLUDES ESCAPE FROM CUSTODY, AIDING OR ABETTING AN ESCAPE, FAILURE TO APPEAR IN COURT AND BAIL JUMPING  
 \*THESE 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
ALABAMA	\$10	5¢/mile	NEBRASKA	\$20	10¢/mile
ALASKA	\$20	None	NEVADA	\$ 9 (\$15)	19¢/mile
ARIZONA	\$12	10¢/mile	NEW HAMPSHIRE	\$30	17¢/mile
ARIZONA	\$ 5 (\$20) \$ 6 Justice Courts	5¢/mile 5¢/mile	NEW JERSEY	\$ 5	2¢/mile
ARIZONA	(\$ 5) (\$ 6) (San Francisco civil trials)	15¢/mile 15¢/mile	NEW MEXICO	\$ 2.30/hour	None
ARIZONA	\$ 3 (\$6)	15¢/mile	NEW YORK	\$12; \$8 in Suffolk County expenses allowed-\$1/day	8¢/mile
ARIZONA	\$20	10¢/mile	NORTH CAROLINA	\$ 3	None
ARIZONA	\$15	15¢/mile	NORTH DAKOTA	\$25; \$10 in Justice of the Peace Courts	15¢/mile
ARIZONA	\$10	10¢/mile	OHIO	\$10; \$15 in 3rd week	None
ARIZONA	\$10—state average; per diem varies from from \$5 to \$25	None	OKLAHOMA	\$12.50	5¢/mile
ARIZONA	\$20	20¢/mile	OREGON	\$10	8¢/mile
ARIZONA	\$ 5/half day	10¢/mile	PENNSYLVANIA	\$ 9; \$25 after 3rd day	17¢/mile
ARIZONA	\$10 (large counties) \$ 5 (small counties)	18¢/mile	RHODE ISLAND	\$15	8¢/mile
ARIZONA	\$ 7.50 (\$17.50) (\$20.00 in Lake County)	17¢/mile 17¢/mile	SOUTH CAROLINA	\$10	None
ARIZONA	\$10	15¢/mile	SOUTH DAKOTA	\$10 (\$20)	15¢/mile
ARIZONA	\$10	None	TENNESSEE	\$10	None
ARIZONA	\$ 5; expenses allowed up to \$7.50/day	None	TEXAS	\$ 6—varies up to \$30	None
ARIZONA	\$12 (\$8); (\$16 in New Orleans)	6¢/mile	UTAH	\$14; \$6 for City Courts	10¢/mile
ARIZONA	\$20	10¢/mile	VERMONT	\$30	8¢/mile
ARIZONA	\$10; expenses allowed up to \$15/day	15¢/mile	VIRGINIA	\$15	15¢/mile
ARIZONA	\$14-\$18; expenses allowed up to \$2.50/day Cambridge--\$40 after 3rd day	8¢/mile 8¢/mile	WASHINGTON	\$10	13¢/mile
ARIZONA	\$ 7.50/half day	10¢/mile	WEST VIRGINIA	\$15	None
ARIZONA	\$15	13¢/mile	WISCONSIN	\$ 8.50/half day; full day varies from \$7 to \$25	10¢/mile
ARIZONA	\$15	None	WYOMING	\$ 6/half day	15¢/mile; 18¢/mile for 4- wheel drive vehicles
ARIZONA	\$ 6	10¢/mile	AMERICAN SAMOA	(Information not available)	
ARIZONA	\$12; \$7.50 in Justice of the Peace Courts over 10	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.

Notes: 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.

	# cases filed	% guilty plea	Estimated # guilty pleas	# cases tried	% convicted of cases tried	Estimated # convictions	Estimated # convictions & guilty pleas
Golden	1,739	49%	852	63	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

	Estimated # pleas	Estimated # trial convictions	Estimated total convictions	% of total convictions from pleas
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)

	<u>Guilty pleas</u>	<u>Guilty trials</u>	<u>Acquittal trials</u>	<u>Dismissals</u>	<u>Total</u>
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						Occupational exemptions
	Public necessity or undue hardship	Personal bad health	Financial hardship	Females with small children (age limit)	Judicial officers	Local officials	
ALABAMA		X					None
ALASKA		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
IDAHO	(b)						None
ILLINOIS		X			X	X	6,7,8,10,16,19
INDIANA					X	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					3,7
MISSOURI	X	X	X		X	X	5,6,7,8,14,15,19,25,30,32
MONTANA		X		X<(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		X<(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.

\*The Uniform Jury Selection and Service Act reads, "Undue hardship, extreme inconvenience or public necessity."

<sup>b</sup>In 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.

<sup>c</sup>The statute is sex-neutral and applies to any person charged with caring for a child.

	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
.....		X		X<(minor)	X	X	6,7,8,15,24,25,26
.....	X				X		3,5,7,8,10,13,15,19,20,30,35
.....	X		X		X		3,6,7,11,13,15,17,23,32,33
.....		X			X	X	3,6,8,10,15,19,24,26,30,32
INA	X	X		X(7 years)	X		7,17,19,23,24,30
A		X			X		8
.....		X					6,7,10,15,19,23,27,30,32
.....	X						None
.....	X	X					None
.....	X						6,7,8,10,17,19,24,30,32
.....				X<(16 years)	X		2,3,6,7,8,9,10,11,12,13,14,15,18,19,20,21,22,23,24,26,27,30,31,32,35
.....							None
.....							None
IA	X				X		8,30
.....	X						8,10,15,24
.....	X						None
MOA	(Information not available)						
F							None
.....	X	X					None
.....	(Information not available)						
O		X		X		X	2,3,4,6,7,11,12,13,14,16,17,18,19,20,23,24,26,28,29,30,31,32,33,34,35
ANDS	(Information not available)						

Letters in the last column indicate the following occupations:

- 1 - Infants
- 2 - Line pilots or other employees
- 3 - Truys
- 4 - Drivers
- 5 - Operators
- 6 - Lawyers
- 7 - Physicians/dentists
- 8 - Judicial officials
- 9 - Boat operators
- 10 - Men
- 11 - Government employees: local, state, federal
- 12 - Hospital employees
- 13 - Licensed embalmers
- 14 - Members of the military forces
- 15 - National guardsmen on active duty
- 16 - Newspaper reporters
- 17 - Sees
- 18 - Officers and employees of ships
- 19 - Officers of the United States
- 20 - Contractors
- 21 - Persons caring for disabled
- 22 - Persons participating in the harvest
- 23 - Pharmacists
- 24 - Police and members of other law enforcement agencies
- 25 - Postal employees
- 26 - Prison guards
- 27 - Railroad employees
- 28 - School bus drivers
- 29 - Sole proprietors of businesses
- 30 - State officials
- 31 - Students
- 32 - Teachers
- 33 - Telegraph operators
- 34 - Telephone operators
- 35 - Veterinarians
- 36 - Persons who are conscientiously opposed to jury duty because of their religion
- 37 - First aid and rescue squad personnel
- 38 - Game wardens
- 39 - Cloistered members of religious orders
- 40 - Licensed clinical psychologists

Source: State Court Administrator; Staff review of state statutes; 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 list
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								Other
		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 <sup>a</sup>		X				X		List of persons with trapping, hunting and fishing licenses.
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	In Honolulu, voters' list, supplemented with telephone directory.
IDAHO ✓	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 <sup>a</sup>		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-								

Sources used for master list

State	Selection process	Sources used for master list								Other
		Voter registration list	Telephone directory	Drivers' license list	City directory	Utility customers	State income tax list	Other tax rolls	Census	
MAINTLAND ✓	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				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.
MONTANA ✓	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				Volunteers are accepted.
NORTH CAROLINA ✓	Random selection	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								

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

State	Selection process	Sources used for master list								Other
		Voter registration list	Telephone directory	Drivers' license list	City directory	Utility customers	State income tax list	Other tax rolls	Census	
OREGON ✓	Random selection	X								
PENNSYLVANIA ✓	Random selection, followed (in Philadelphia and Allegheny Counties) by some personal interviews	X	X	Xd	X					Welfare recipients <sup>d</sup> .
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 (Information not available)	X								
AMERICAN SAMOA	(Information not available)									
DISTRICT OF COLUMBIA	Random selection (Information not available)	X			X					
GUAM	(Information not available)									
PUERTO RICO	Discretion by appointed jury commissioners	No particular master list is used.								
VIRGIN ISLANDS ✓	(Information not available)									

X = Affirmative.

<sup>a</sup>List of actual voters is used.<sup>b</sup>State income tax lists are used only in Middlesex County.<sup>c</sup>Voter registration lists are supplemented in Nevada.<sup>d</sup>Allegheny 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.

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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

FEDERAL			
JURISDICTION	INSANITY TEST USED	ALLOCATION OF BURDEN	QUANTUM OF PROOF
All Circuits	ALI	prosecution	beyond reasonable doubt
STATES			
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

*Handwritten notes:*  
 2-2-81  
 1-25-81

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."

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

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

p. 69 Most criminal case appeals are decided in State courts\*

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

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



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	Other
		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	•	•	•	•	•
1943 ..	3,093	363	11.7	581	950	299	826	41	33
1944 ..	3,072	437	14.1	621	954	253	717	57	33
1945 ..	2,730	486	17.8	651	758	228	511	51	45
1946 ..	2,627	400	15.2	690	894	165	418	21	39
1947 ..	2,615	370	14.1	770	861	154	400	20	40
1948 ..	2,758	359	13.0	677	1,118	114	381	63	46
1949 ..	2,989	309	10.3	791	1,171	134	491	43	50
1950 ..	2,830	308	10.9	708	1,114	122	485	55	38
1951 ..	2,982	298	10.0	677	1,172	139	566	79	51
1952 ..	3,079	391	12.7	724	1,133	118	610	59	44
1953 ..	3,226	454	14.1	615	1,106	119	639	65	28
1954 ..	3,481	550	15.8	875	1,124	127	659	107	39
1955 ..	3,695	677	18.3	811	1,363	153	576	70	45
1956 ..	3,588	557	15.5	872	1,361	101	609	49	39
1957 ..	3,701	535	14.5	895	1,464	114	618	66	9
1958 ..	3,694	599	16.2	836	1,447	119	625	59	9
1959 ..	3,754	616	16.4	802	1,501	148	606	62	12
1960 ..	3,899	623	16.0	788	1,534	132	737	67	18
1961 ..	4,204	616	14.7	903	1,617	115	846	89	18
1962 ..	4,323	773	17.9	1,066	1,692	136	1,024	107	25
1963 ..	5,437	965	17.7	1,054	2,030	144	1,141	99	4
1964 ..	6,023	1,043	17.3	1,309	2,299	229	983	151	9
1965 ..	6,766	1,223	18.1	1,387	2,677	217	1,106	148	8
1966 ..	7,183	1,458	20.3	1,338	2,809	174	1,254	137	13
1967 ..	7,903	1,665	21.1	1,372	3,101	199	1,385	158	23
1968 ..	9,116	2,098	23.0	1,500	3,569	229	1,545	162	13
1969 ..	10,248	2,508	24.5	1,823	4,197	200	1,345	153	22
1970 ..	11,462	2,660	23.2	2,167	4,834	205	1,522	241	33
1971 ..	12,788	3,197	25.0	2,367	5,234	259	1,383	330	18
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	4,067	24.7	3,267	6,157	321	2,205	419	-
1975 ..	16,658	4,187	25.1	2,981	6,511	246	2,290	443	-
1976 ..	18,408	4,650	25.3	3,327	7,077	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	452	-
1979 ..	20,219	4,102	20.3	3,983	8,237	423	2,922	552	-
1980 ..	23,200	4,405	19.0	4,654	10,200	396	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	13,287	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

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)

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

death penalty -  
Sources: Capital Punishment 1981, Bureau of Justice Statistics (NCJ-36484) (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

	% eligible population under correctional sanction		Ratio-- persons under supervision to confined
	Adults	Juveniles	
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	.62	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	(187) 36	(29) 52	35	32	(168) 16	(25) 33	(43) 14	
Dist. of Columbia								
Florida	(4884) 56	(1085) 77	53	46	(4788) 30	(1074) 44	(1146) 29	
Georgia	(2170) 60	(290) 73	60	48	(2135) 18	(285) 46	(820) 16	
Hawaii								
Idaho	(219) 60	(33) 74	54	110	(183) 25	(24) 44	(75) 22	
Illinois	(5530) 62	(1430) 84	61	64	(5070) 15	(1340) 22	(1330) 15	
Indiana								
Iowa								
Kansas								
Kentucky	(1559) 59	(288) 120	36	24	(1334) 15	(226) 28	(377) 13	
Louisiana								
Maine						38	(7) 38	23
Maryland	(2010) 52	(482) 86	46	48	(1842) 19	(460) 36	(358) 17	
Massachusetts								
Michigan	(4520) 66	(730) 130	52	66	(4320) 26	(680) 34	(790) 22	
Minnesota								
Mississippi								
Missouri	(982) 48	(180) 86	36	60	(976) 13	(172) 40	(292) 10	
Montana								
Nebraska	(390) 48	(40) 84	48	26	(348) 21	(37) 48	(104) 21	
Nevada	(445) 59	(77) 60	59	60	(419) 14	(71) 16	(103) 13	
New Hampshire	(142) 52	(18) 54	44	54	(136) 14	(18) 20	(35) 14	
New Jersey	(3250) 65	(887) 90	62	61	(1978) 16	(495) 20	(678) 10	
New Mexico	(573) 70	(80) 104	66	72	(500) 23	(72) 38	(121) 21	
New York								
North Carolina	(5142) 31	(528) 81	32	35	(4961) 14	(506) 38	(986) 14	
North Dakota	(107) 22	(17) 34	25	22	(102) 12	(14) 18	(11) 18	
Ohio	(5822) 120	(1208) 298	120	119	(5439) 22	(1177) 35	(1234) 20	
Oklahoma								
Oregon								
Pennsylvania	(2853) 59	(642) 60	52	48	(2175) 20	(317) 22	(615) 17	
Rhode Island						14	(32) 30	9
South Carolina	(1212) 90	(197) 144	72	60	(1203) 30	(196) 51	(149) 23	
South Dakota	(42) 24	(18) 60	24	30	(154) 10	(18) 26	(42) 10	
Tennessee								
Texas						15	(1190) 26	14
Utah								
Vermont								
Virginia	(2640) 57	(435) 96	59	60	(2605) 24	(420) 39	(685) 25	
Washington								
West Virginia	(280) 98	(25) 110	110	54	(274) 30	(25) 51	(75) 33	
Wisconsin						22	(251) 31	20
Wyoming	(89) 54	(7) 60	49	60	(89) 24	(7) 24	(23) 21	

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



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

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 -

Sources: 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

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 on face litigation because of crowding

Region and State	Number of inmates	Percent less than 60 sq. ft.	Percent multiply confined	Percent crowded (1)
Total U.S.	256,676	64.6	59.1	43.7
<b>Northeast</b>	30,389	53.6	15.3	12.1
Maine <sup>b</sup>	665	87.1	18.5	14.9
New Hampshire <sup>a</sup>	269	98.5	16.4	15.2
Vermont	118	17.8	39.8	17.8
Massachusetts <sup>b</sup>	2,464	31.4	9.9	5.0
Rhode Island <sup>a,b,c</sup>	607	49.8	34.6	9.9
Connecticut <sup>a</sup>	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
<b>North Central</b>	56,708	52.5	46.5	31.0
Ohio <sup>a,b</sup>	12,159	61.7	62.6	44.1
Indiana <sup>a,b</sup>	4,785	28.4	47.1	2.7
Illinois <sup>a,b</sup>	10,515	78.7	65.6	62.2
Michigan <sup>a,c</sup>	13,271	31.3	31.0	12.4
Wisconsin <sup>b</sup>	3,143	50.5	15.9	4.3
Minnesota	1,831	26.5	6.9	2.1
Iowa <sup>a</sup>	1,772	81.9	13.1	.4
Missouri <sup>a</sup>	5,146	48.8	62.4	48.6
North Dakota	305	75.1	26.2	1.3
South Dakota	522	12.6	14.3	12.6
Nebraska	1,121	91.3	62.4	62.3
Kansas	2,138	57.7	25.7	20.6
<b>South</b>	107,184	76.9	82.8	65.9
Delaware <sup>a</sup>	896	32.7	47.9	19.8
Maryland <sup>a</sup>	7,341	66.1	61.2	49.5
District of Columbia <sup>a</sup>	2,196	18.0	68.7	2.4
Virginia <sup>a,b</sup>	5,563	54.5	51.4	23.2
West Virginia <sup>b</sup>	1,222	47.5	54.1	1.6
North Carolina <sup>b</sup>	10,559	92.5	88.4	84.5
South Carolina <sup>b</sup>	5,875	84.4	92.3	82.6
Georgia <sup>a</sup>	8,751	87.8	78.3	66.4
Florida <sup>a,c</sup>	16,912	77.2	85.2	72.8
Kentucky <sup>a,b</sup>	3,565	35.4	70.0	16.6
Tennessee <sup>a,c</sup>	4,366	82.6	80.9	67.8
Alabama <sup>a,c</sup>	2,627	57.9	84.5	44.8
Mississippi <sup>a,c</sup>	1,750	94.5	83.8	78.3
Arkansas <sup>a,c</sup>	2,407	58.7	75.7	58.7
Louisiana <sup>a</sup>	5,687	72.2	89.5	66.3
Oklahoma <sup>a,c</sup>	3,617	54.3	88.1	54.2
Texas <sup>a,c</sup>	23,850	92.9	96.0	89.5
<b>West</b>	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 <sup>a</sup>	380	86.1	38.2	24.2
Colorado <sup>a</sup>	1,709	68.0	8.0	2.6
New Mexico <sup>a</sup>	1,483	81.3	79.1	68.8
Arizona <sup>a</sup>	1,809	48.0	60.8	15.9
Utah <sup>a</sup>	823	92.7	32.0	32.0
Nevada <sup>a,b</sup>	1,248	69.1	57.9	46.9
Washington <sup>a,b</sup>	3,735	71.0	47.4	42.9
Oregon <sup>a</sup>	2,086	94.2	55.6	40.2
California <sup>b</sup>	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.

<sup>a</sup>One or more facilities operating under a court order or consent decree due to crowding and/or conditions of confinement.

<sup>b</sup>One or more facilities in litigation as of 3/8/82 due to crowding and/or conditions of confinement.

<sup>c</sup>Entire prison system declared to be unconstitutional.

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

p. 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
<b>Northeast</b>	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			
<b>North Central</b>	3,835	3,404	2,290
Ohio			
Indiana	164	194	240
Illinois	1,700	400	
Michigan	411	120	550
Wisconsin	50	370	1,000
Minnesota		400	
Iowa	310	564	500
Missouri	500	104	
North Dakota		150	
South Dakota	60		
Nebraska	640	256	
Kansas		56	
<b>South</b>	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		480
Alabama	1,200	992	984
Mississippi		1,456	
Arkansas	218	104	
Louisiana	500	500	
Oklahoma		725	90
Texas	2,032	6,924	3,844
<b>West</b>	4,717	4,134	1,688
Montana			
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	266
Hawaii		206	
<b>Total United States</b>	19,823	26,538	15,756

Source: 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	91,869	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 1925-81, Bulletin)	Rate per 100,000 U.S. population	Rate per 100,000 male (20-29) 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	1,400
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- 81 The court admission rate has remained relatively stable, but the number of conditional-release violators admitted to prison has increased

Year	Year-end population	Court	Admissions revoked	Total	Releases	Gain/Loss
1926	96,125	48,108	2,228	50,336	39,044	+11,292
1927	106,517	51,936	2,393	54,329	41,356	+12,973
1928	116,626	55,746	2,750	58,496	45,124	+13,372
1929	120,496	58,906	2,820	61,726	45,966	+15,740
1930	127,495	66,013	3,158	69,171	54,925	+14,246
1931	137,082	71,520	3,658	75,178	60,930	+14,248
1932	137,183	67,477	4,257	71,734	66,863	+4,871
1933	136,947	62,601	4,073	66,674	63,640	+3,234
1934	138,220	62,251	4,154	66,405	60,732	+5,673
1935	144,665	65,723	4,795	70,518	60,475	+10,043
1936	143,573	60,925	4,575	65,500	62,750	+2,750
1937	149,357	62,068	5,928	67,997	60,462	+7,536
1938	159,382	66,890	5,964	72,854	62,771	+10,083
1939	179,818	64,816	5,899	70,715	66,303	+4,412
1940	173,706	72,104	6,655	79,759	68,640	+11,119
1941	165,439	68,700	7,252	75,952	66,887	+9,065
1942	150,384	58,858	7,007	65,865	61,630	+4,235
1943	137,223	50,082	6,728	56,810	59,723	-2,913
1944	132,456	50,163	7,087	57,249	59,860	-2,611
1945	133,649	53,212	6,792	60,004	57,500	+2,504
1946	140,079	61,338	7,324	68,662	59,289	+9,373
1947	151,304	64,804	8,283	73,087	60,080	+13,007
1948	155,977	63,777	8,226	72,003	65,978	+6,025
1949	163,749	68,925	9,079	78,004	68,051	+9,953
1950	166,123	68,473	8,692	77,165	72,179	+4,986
1951	165,640	67,165	9,124	76,289	73,937	+2,352
1952	168,200	70,892	9,465	80,357	74,268	+6,089
1953	173,547	74,240	10,036	84,276	75,125	+9,151
1954	182,808	80,900	10,355	91,255	78,184	+13,071
1955	188,790	78,414	11,002	89,416	82,924	+6,492
1956	189,431	77,924	11,720	89,644	83,099	+6,545
1957	195,256	80,482	12,096	92,578	83,356	+9,222
1958	203,493	88,633	12,815	101,448	88,679	+12,769
1959	207,446	87,192	13,418	100,610	96,530	+4,080
1960	212,257	88,575	15,042	103,617	98,362	+5,255
1961	220,149	93,513	16,409	109,922	100,724	+9,198
1962	218,830	89,082	17,247	106,329	106,143	+186
1963	217,283	87,828	18,909	106,735	105,050	+1,685
1964	214,336	87,578	19,358	107,136	104,633	+2,503
1965	210,895	87,505	19,393	106,898	104,181	+2,717
1966	199,654	77,857	17,662	95,519	102,335	-6,816
1967	194,896	77,850	17,583	95,433	96,377	-944
1968	187,914	72,058	17,780	89,838	85,968	+3,870
1969	196,007	75,277	16,844	92,121	89,060	+3,061
1970	196,429	79,391	17,254	96,645	91,732	+4,913
1971	198,061	97,292	N/A	N/A	N/A	N/A
1972	196,183	116,857		119,316	115,195	+4,121
1973	204,349	124,440		127,686	113,771	+13,915
1974	218,205	103,754	16,317	120,071	154,480	-34,409
1975	242,750	129,573	18,956	148,529	165,730	-17,201
1976	283,291	129,482	22,792	152,274	156,259	-3,985
1977	291,667	128,050	21,746	149,796	147,895	+1,901
1978	306,602	126,121	23,244	149,365	154,484	-5,119
1979	314,006	131,047	25,688	156,735	166,132	-9,397
1980	328,695	142,122	28,817	170,939	169,826	+1,113
1981	353,167	160,272	35,674	212,364	174,355	+38,009

Source: Prisoners in United States 1926-1981, Historical Statistics of the United States 1976, Census Bureau

Admissions, Releases and Prison Population  
1930 - 1981

	<u>Court commitments</u>	<u>Conditional violators</u>	<u>Ratio commitments to violators</u>	<u>Admission rate (per 100,000) 20 - 29 years old</u>	<u>Conditional releases</u>	<u>Unconditional releases</u>	<u>Number</u>	<u>Rate per 100,000 inmates 20-29 years old</u>
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

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	32	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).

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

	<u>Federal</u>	<u>State</u>	<u>County</u>	<u>City</u>
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

	<u>Federal</u>	<u>State</u>	<u>Local</u>
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

	<u>Municipal</u>	<u>County</u>	<u>State</u>	<u>Federal</u>
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

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:

<u>State</u>	<u>All outside sources</u>	<u>State</u>	<u>All outside sources</u>
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

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. 28.

#### 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  
HCK, Washington, D.C.  
Tucker, Sadler and Associates, San Diego, California  
LEC & 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 2 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

	Dollars		Dollars
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

State	Per capita expenditure	Crime rate
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	80.6	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
1936	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	2.23	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

Year	All	Police	Corrections	Courts, etc.
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

Location	New construction					Renovations and additions			
	Fairfax, Virginia	Harrison, Virginia	Columbia, South Carolina	Clearwater, Florida	Chula Vista, California	Bel Air, Maryland	Lancaster, Pennsylvania	Baltimore, Maryland	Tacoma, Washington
Architects	HOA	LBC&W	GHR	BP	T&S	Ayers/Saint	Huchart	H. Beck	R&H
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 <sup>a</sup>	130,500	270,965	79,924	247,131 <sup>b</sup>	20,867	15,552
Bid date	1/79	5/82	11/77	8/80	3/79	2/80	6/75	11/81	11/80
Construction contract	\$15,231,000 <sup>c</sup>	\$7,573,000 <sup>c</sup>	\$11,725,000 <sup>c</sup>	\$7,100,000 <sup>c</sup>	\$35,000,000 <sup>c,d</sup>	\$8,870,000	\$8,767,324 <sup>e</sup>	\$1,234,000	\$566,248
Cost per gross square foot	\$64.50	\$61.00	<sup>a</sup>	\$54.41	<sup>f</sup>	\$67.0/\$123.00	<sup>b</sup>	\$54.34	\$36.41
Percent distribution of space									
Court rooms and judges chambers	56%	28%	28%	36%	16%	54%	29%	100%	33%
Administration and support	30%	56%	45%	58%	31%	26%	36%	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	<sup>g</sup>	<sup>g</sup>	5	6	3	3
Number of hearing rooms	7	0	0	0	0	3	6 <sup>e</sup>	0	0
Number of hearing rooms shelled for future	0	0	0	1	1 <sup>h</sup>	0	0	0	0

<sup>a</sup>Includes 190,000 square feet of underground parking garage, making square foot cost noncomparable to others.

<sup>b</sup>Includes 45,000 square feet of underground parking garage, making square foot cost noncomparable to others.

<sup>c</sup>Including site work

<sup>d</sup>Includes a jail

<sup>e</sup>One floor left unfinished, number of future courtrooms undetermined.

<sup>f</sup>Total cost includes purchase of land, making square foot cost noncomparable to others.

<sup>g</sup>Central plant building separate

<sup>h</sup>Plus two shelled for future.

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

**END**