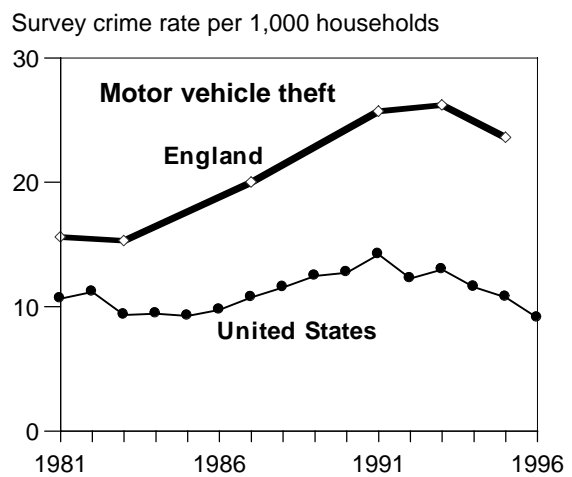
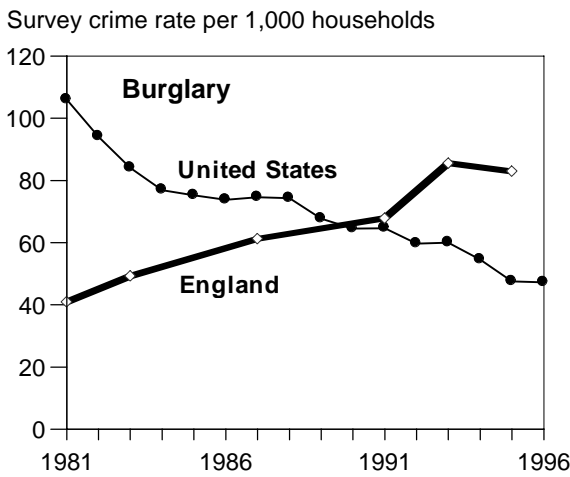
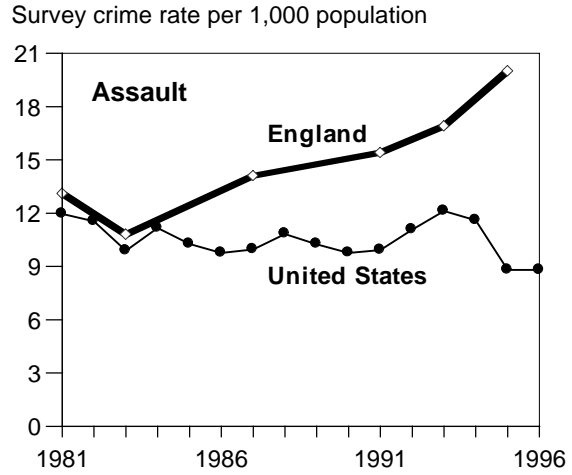
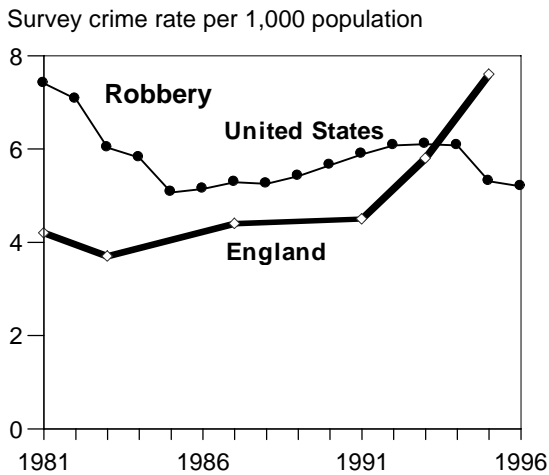




Bureau of Justice Statistics

Crime and Justice in the United States and in England and Wales, 1981-96

In 1995 victim surveys, crime rates for robbery, assault, burglary, and motor vehicle theft are higher in England (including Wales) than in the United States.





Crime and Justice in the United States and in England and Wales, 1981-96

By Patrick A. Langan, Ph.D.
BJS Statistician

and

David P. Farrington, Ph.D.
BJS Visiting Fellow, University of Cambridge

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U.S. Department of Justice

Bureau of Justice Statistics

Jan M. Chaiken, Ph.D.
Director

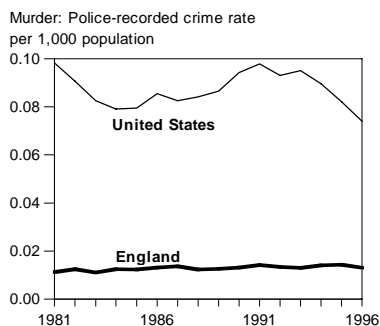
Patrick A. Langan, Ph.D., BJS Statistician, and David P. Farrington, Ph.D., BJS Visiting Fellow and University of Cambridge, wrote this report. Jeffry Anderson, Margaret Ayres, Gordon Barclay, Allen Beck, Sharon Birch, Jeff Butts, Billy Burns, Robyn Cohen, Patrick Collier, Judy Egger, Pat Mayhew, Catriona Mirrlees-Black, Chris Nuttall, Andrew Percy, Craig Perkins, Michael Rand, Bill Sabol, Reese Satin, Howard Snyder, Roger Stevens, and Doris Wilson provided data. David Levin verified the report. Rhonda Keith and Tom Hester produced the report. Marilyn Marbrook, assisted by Yvonne Boston and Jayne Robinson, produced the final publication.

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Highlights

- Whether measured by surveys of crime victims or by police statistics, serious crime rates are not generally higher in the United States than England. (All references to England include Wales.) According to 1995 victim surveys — which measure robbery, assault, burglary, and motor vehicle theft — crime rates are all higher in England than the United States (figures 1-4 of the report beginning on page 1). According to latest (1996) police statistics — which measure incidents reported to police of murder, rape, robbery, assault, burglary, and motor vehicle theft — crime rates are higher in England for three crimes: assault, burglary, and motor vehicle theft (figures 5-10). The 1996 crime rate for a fourth crime (robbery) would have been higher in England than the United States had English police recorded the same fraction of robberies that came to their attention as American police (figure 15).

- The major exception to the pattern of higher crime rates in England is the murder rate. The 1996 U.S. murder rate is vastly higher (nearly six times) than England's, although the difference between the two countries has narrowed over the past 16 years (below, and figure 5 of the report).



- Firearms are more often involved in violent crimes in the United States than in England. According to 1996 police statistics, firearms were used in 68% of U.S. murders but 7% of English murders, and 41% of U.S. robberies but 5% of English robberies.

- Since 1981, an offender's risk of being caught, convicted, and sentenced to incarceration has risen in the United States for all six measured crimes (murder, rape, robbery, assault, burglary, motor vehicle theft) but has fallen in England for all but murder (figures 43-48).

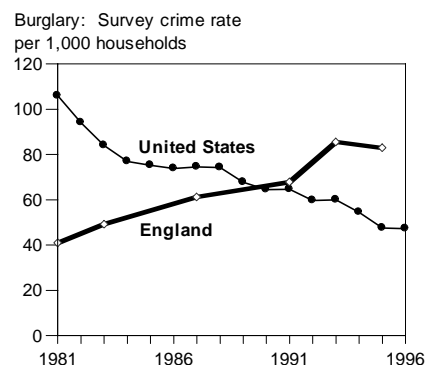
- U.S. crime rates — whether measured by surveys of crime victims or by police statistics — generally fell in the early 1980's, rose thereafter until around 1993, and then fell again (figures 1-10). For most U.S. crimes (survey estimated assault, burglary, and motor vehicle theft; police-recorded murder, robbery, and burglary), the latest crime rates (1996) are the lowest recorded in the 16-year period from 1981 to 1996. By comparison, English crime rates as measured in both victim surveys and police statistics have all risen since 1981. For half of the measured English crime categories, the latest crime rates (1995 for rates from victim surveys; 1996 for rates from police statistics) are the highest recorded since 1981 (figures 1-10).

As a result of different crime trends in the two countries —

- the U.S. robbery rate as measured in the victim survey was nearly double England's in 1981, but in 1995 the English robbery rate was 1.4 times America's (figure 1)

- the English assault rate as measured in the victim survey was slightly higher than America's in 1981, but in 1995 the English assault rate was more than double America's (figure 2)

- the U.S. burglary rate as measured in the victim survey was more than double England's in 1981, but in 1995 the English burglary rate was nearly double America's (below, and figure 3 of the report)



- the English motor vehicle theft rate as measured in the victim survey was 1.5 times America's in 1981, but in 1995 the English rate for vehicle theft was more than double America's (figure 4)

- the U.S. murder rate as measured in police statistics was 8.7 times England's in 1981 but 5.7 times in 1996 (figure 5)

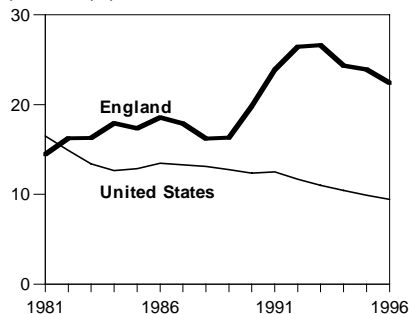
- the U.S. rape rate as measured in police statistics was 17 times England's in 1981 but 3 times in 1996 (figure 6)

- the U.S. robbery rate as measured in police statistics was 6 times England's in 1981 but 1.4 times in 1996 (figure 7)

- the U.S. assault rate as measured in police statistics was 1.5 times England's in 1981, but in 1996 the English assault rate was slightly higher than America's (figure 8)

- the U.S. burglary rate as measured in police statistics was slightly higher than England's in 1981, but in 1996 the English burglary rate was more than double America's (below, and figure 9 of the report)

Burglary: Police-recorded crime rate per 1,000 population



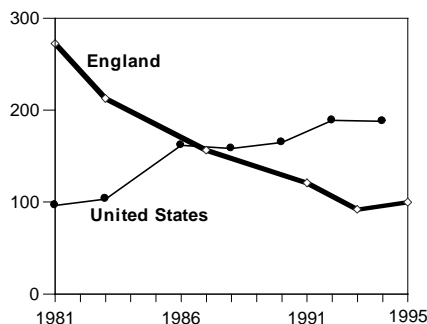
- the English motor vehicle theft rate as measured in police statistics went from 1.4 times America's in 1981 to nearly 2 times in 1996 (figure 10).

According to statistics on the criminal justice systems in the two countries (1994 in the United States; 1995 in England) —

- a person committing a serious crime in the United States (rape, robbery, assault, burglary, and motor vehicle theft, but not murder) is generally more likely than one in England to be caught

and convicted (below, and figures 25-30 of the report)

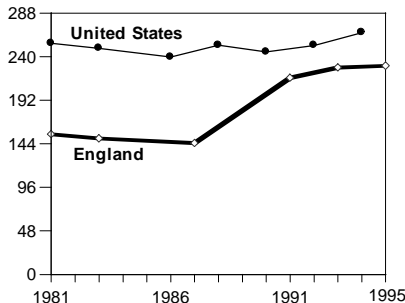
Rape convictions per 1,000 alleged rapists



- courts in the United States are generally more likely to sentence a convicted offender to incarceration (for robbery, assault, burglary, and motor vehicle theft, but not murder or rape) than courts in England (figures 31-36)

- for all offenses (murder, rape, robbery, assault, burglary, motor vehicle theft), courts in the United States sentence convicted offenders to longer periods of incarceration than courts in England (below, and figures 49-54 of the report)

Average incarceration sentence imposed on convicted murderers, in months



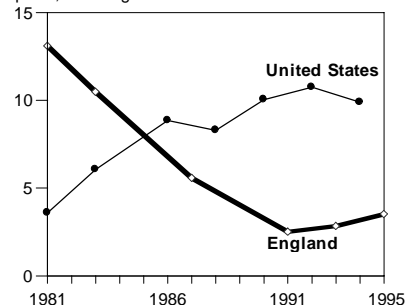
- for all offenses (murder, rape, robbery, assault, burglary, motor vehicle theft), the length of time in confinement before being released is longer for incarcerated offenders in the United States than in England (figures 55-60)

- the fraction of the sentence served before release is generally about the same in the United States and England (figures 61-66).

Since 1981 —

- an offender's risk of being caught, convicted, and incarcerated has been rising in the United States but falling in England (below, and figures 43-48 of the report)

Number of incarcerated motor vehicle thieves per 1,000 alleged vehicle thieves



- sentences for serious crime generally have not been getting longer in the United States, while in England sentences generally have been getting longer for violent crimes (figures 49-54)

- in general, the length of time in confinement before release has not been rising in the United States but it has been rising for violent crimes in England (murder, rape, and robbery) (figures 55-60)

- the fraction of the sentence served before release has not been showing any clear general trend in the United States, while in England the sentence fraction served has been staying fairly stable for murder, rape and robbery, but has been dropping for assault, burglary, and motor vehicle theft (figures 61-66)

- the risk of criminal punishment has been rising in the United States and falling in England (figures 67-72).

Crime rates from victim surveys

Robbery: Survey crime rate per 1,000 population

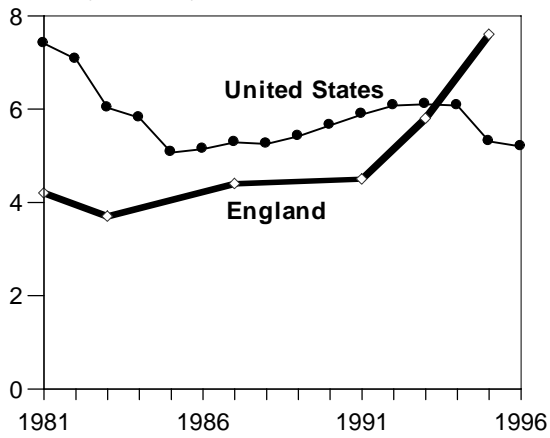


Figure 1

Assault: Survey crime rate per 1,000 population

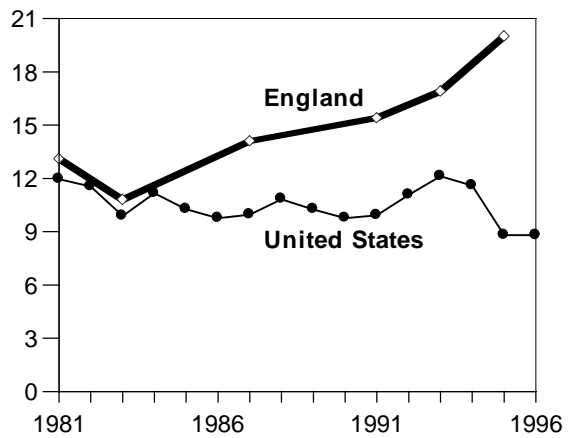


Figure 2

Burglary: Survey crime rate per 1,000 households

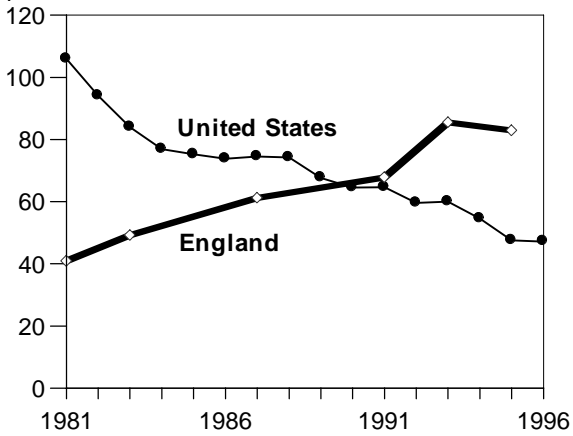


Figure 3

Motor vehicle theft: Survey crime rate per 1,000 households

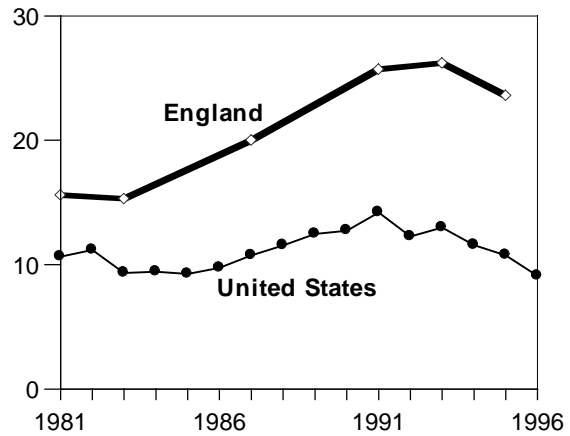


Figure 4

For additional information on these graphs, see the section labeled *Notes on figures 1-82*.

One of the best ways to determine the level of serious crime in a country is through crime victim surveys. In these surveys of the general public, samples of persons are asked whether they had been victimized by crime in the recent past. Interviewers ask about all crime, whether reported to police or not.

National crime victim surveys are conducted in both the United States and England (including Wales). In 1995 —

- survey-estimated *robberies* totaled 1.1 million in the United States and 313,000 in England
- survey-estimated *assaults* totaled 1.9 million in the United States and 823,000 in England
- survey-estimated *burglaries* totaled 4.8 million in the United States and 1.8 million in England
- survey-estimated *motor vehicle thefts* totaled 1.1 million in the United States and ½ million in England.

The higher volume of crime in the United States is due, at least in part, to the greater population size of the United States. A more meaningful comparison is between the crime *rates* of the two countries.

According to victim surveys, which country has higher crime rates?

- In 1995 (the latest year that could be compared), serious crime rates measured in victim surveys were all higher in England than in the United States (statistically significant at the 95% confidence level).

According to 1995 crime victim surveys, the —

- English *robbery* victimization rate was 1.4 times the U.S. rate (7.6 per 1,000 population versus 5.3) (figure 1)
- English *assault* victimization rate was 2.3 times the U.S. rate (20.0 versus 8.8) (figure 2)
- English *burglary* victimization rate was 1.7 times the U.S. rate (82.9 per 1,000 households versus 47.5) (figure 3)
- English *motor vehicle theft* victimization rate was 2.2 times the U.S. rate (23.6 versus 10.8) (figure 4).

According to national surveys of crime victims, is the crime rate increasing or decreasing in each country?

- U.S. crime rates as measured in victim surveys generally (robbery, assault, and motor vehicle theft) fell in the early 1980's, rose thereafter until around 1993, and then fell again (figures 1, 2, and 4). For survey estimated assault, burglary, and motor vehicle theft, the latest U.S. rates (1996) are the lowest recorded in the 16-year period since 1981. By comparison, English crime rates as measured in victim surveys all rose. For robbery and assault, the latest English rates (1995) are the highest recorded since 1981 (figures 1-4).

Comparing 1981 crime rates from victim surveys to rates for 1995 (the latest year that U.S. and English surveys have in common), the rate of victimization from —

- *robbery* rose 81% in England (4.2 per 1,000 population rising to 7.6), but fell 28% in the United States (7.4 dropping to 5.3) (figure 1)
- *assault* rose 53% in England (13.1 rising to 20.0), but declined 27% in the United States (12.0 dropping to 8.8) (figure 2)
- *burglary* doubled in England (40.9 per 1,000 households rising to 82.9), but was cut in half in the United States (105.9 declining to 47.5) (figure 3)
- *motor vehicle theft* rose 51% in England (15.6 rising to 23.6), but stayed virtually unchanged in the United States (10.6 in 1981, 10.8 in 1995) (figure 4).

As a result of different crime trends in the two countries —

- the U.S. victim survey rate for *robbery* was nearly double England's in 1981, but in 1995 the English robbery survey rate was 1.4 times America's (figure 1)
- the English victim survey rate for *assault* was slightly higher than America's in 1981, but in 1995 the English assault survey rate was more than double America's (figure 2)
- the U.S. victim survey rate for *burglary* was more than double England's in 1981, but in 1995 the English burglary survey rate was nearly double America's (figure 3)
- the English victim survey rate for *motor vehicle theft* was 1.5 times America's in 1981, but in 1995 the English survey rate for vehicle theft was more than double America's (figure 4).

Crime rates from police records

Murder: Police-recorded crime rate per 1,000 population

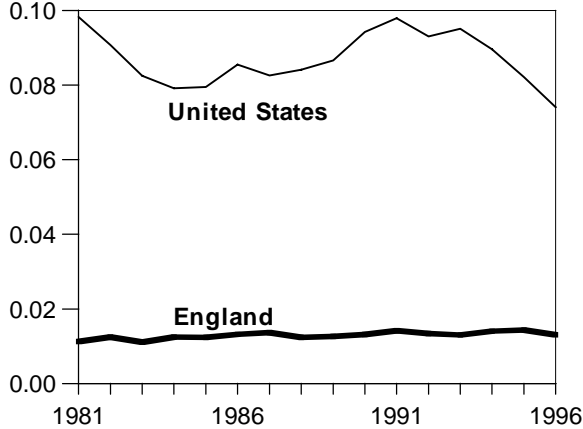


Figure 5

Rape: Police-recorded crime rate per 1,000 female population

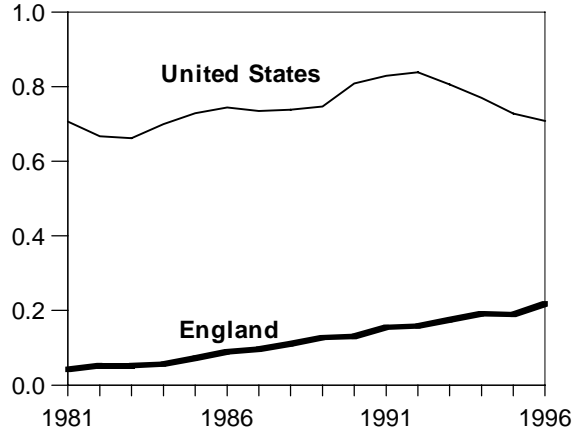


Figure 6

Robbery: Police-recorded crime rate per 1,000 population

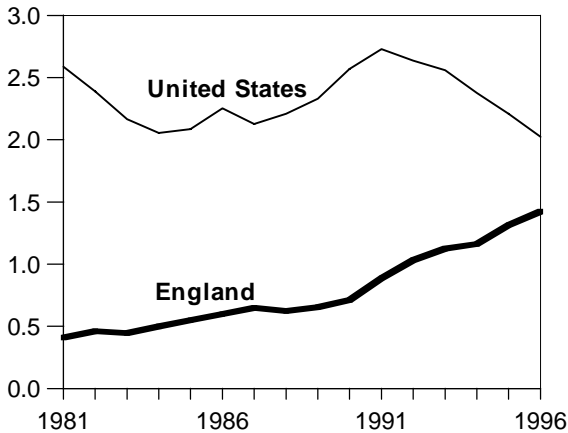


Figure 7

Assault: Police-recorded crime rate per 1,000 population

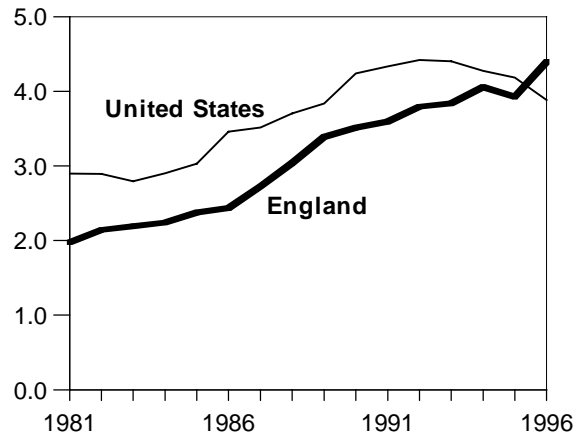


Figure 8

Burglary: Police-recorded crime rate per 1,000 population

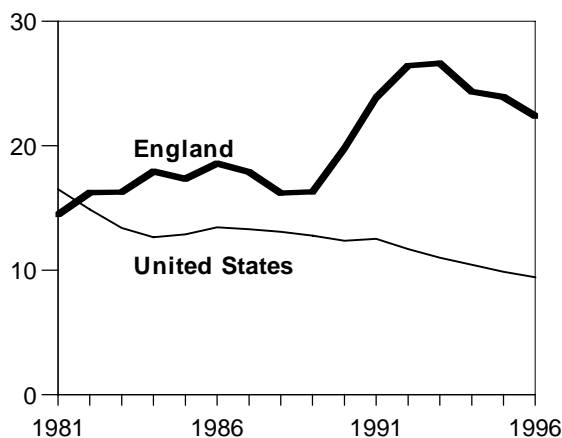


Figure 9

Motor vehicle theft: Police-recorded crime rate per 1,000 population

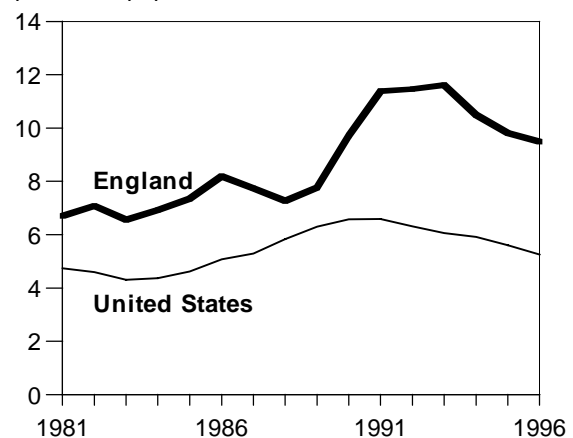


Figure 10

For additional information on these graphs, see the section labeled *Notes on figures 1-82*.

Police in both the United States and England (including Wales) keep annual statistics on the volume of crime that comes to their attention. According to latest police statistics (1996) —

- police-recorded *murders* totaled 19,650 in the United States and 681 in England
- police-recorded *rapes* totaled 95,770 in the United States and 5,759 in England
- police-recorded *robberies* totaled 537,050 in the United States and 74,035 in England
- police-recorded *assaults* totaled 1,029,810 in the United States and 228,636 in England
- police-recorded *burglaries* totaled 2,501,500 in the United States and 1,164,583 in England
- police-recorded *motor vehicle thefts* totaled 1,395,200 in the United States and 493,489 in England.

The higher volume of crime recorded by the police in the United States is due, at least in part, to the larger population of the United States (265 million in 1996) as compared to that of England and Wales (52 million). A more meaningful comparison is between the crime *rates* of the two countries.

According to latest police statistics (1996), is the serious crime rate higher in the United States or England?

- In 1996, rates of murder, rape, and robbery recorded by the police were all higher in the United States than in England, while assault, burglary, and motor vehicle theft rates were all higher in England than in the United States.

According to police statistics for 1996 —

- the U.S. *murder* rate was 5.7 times higher than England's (0.074 per 1,000 population versus 0.013) (figure 5)
- the U.S. *rape* rate was about 3 times higher than England's (0.71 per 1,000 female population versus 0.22) (figure 6)
- the U.S. *robbery* rate was 1.4 times higher than England's (2.0 versus 1.4) (figure 7)
- the English *assault* rate was 1.1 times higher than the U.S. rate (4.4 versus 3.9) (figure 8)
- the English *burglary* rate was 2.4 times higher than the U.S. rate (22.4 versus 9.4) (figure 9)
- the English *motor vehicle theft* rate was 1.8 times higher than the U.S. rate (9.5 versus 5.3) (figure 10).

According to police statistics, is the crime rate increasing or decreasing in each country?

- U.S. crime rates as measured in police statistics generally (all crimes except burglary) fell in the early 1980's, rose thereafter until around 1993, and then fell again (figures 5-10). For murder, robbery, and burglary recorded by the police, the latest U.S. rates (1996) are the lowest recorded in the 16-year period from 1981 to 1996. By comparison, crime rates as measured in English police statistics have all risen since 1981. For rape, robbery, and assault recorded by the police, the latest English rates (1996) are the highest recorded since 1981 (figures 6, 7, and 8).
- The major exception to the U.S. pattern is the steady decline in the burglary rate since 1981. The major exception to the English pattern is

downturns since 1993 in rates of burglary and motor vehicle theft.

According to police statistics —

- the English *murder* rate rose slightly after 1981 (0.011 per 1,000 population in 1981, 0.013 in 1996), while the U.S. rate fell in the early 1980's, increased thereafter until 1991, and then fell again, reaching a 16-year low in 1996 (0.098 in 1981, 0.074 in 1996) (figure 5)
- the English *rape* rate rose almost continuously after 1981, reaching a 16-year high in 1996 (0.04 per 1,000 female population in 1981, 0.22 in 1996), while the U.S. rate fell in the early 1980's, rose thereafter until 1992, and then fell again, returning in 1996 to its 1981 level (0.7) (figure 6)
- the English *robbery* rate rose fairly continuously since 1981, reaching a 16-year high in 1996 (0.4 in 1981, 1.4 in 1996), while the U.S. rate fell in the early 1980's, rose thereafter until 1991, and then fell again, reaching a 16-year low in 1996 (2.59 in 1981, 2.02 in 1996) (figure 7)
- the English *assault* rate rose fairly continuously since 1981, reaching a 16-year high in 1996 (2.0 in 1981, 4.4 in 1996), while the U.S. rate fell in the early 1980's, rose thereafter until 1992, and then fell again (2.9 in 1981, 3.9 in 1996) (figure 8)
- the English *burglary* rate generally rose from 1981 to 1993 and fell thereafter (14.5 in 1981, 22.4 in 1996), while the U.S. rate fell fairly continuously after 1981, reaching a 16-year low in 1996 (16.5 in 1981, 9.4 in 1996) (figure 9)
- the English *motor vehicle theft* rate generally rose from 1981 to 1993 and fell thereafter (6.7 in 1981, 9.5 in 1996), while the U.S. rate fell in the early 1980's, rose thereafter until 1991, and then fell again (4.7 in 1981, 5.3 in 1996) (figure 10).

As a result of different crime trends in the two countries —

- the police-recorded U.S. *murder* rate was 8.7 times England's in 1981 but 5.7 times in 1996 (figure 5)
- the police-recorded U.S. *rape* rate was 17 times England's in 1981 but 3 times in 1996 (figure 6)

- the police-recorded U.S. *robbery* rate was 6 times England's in 1981 but 1.4 times in 1996 (figure 7)

- the police-recorded U.S. *assault* rate was 1.5 times England's in 1981, but in 1996 the English assault rate was slightly higher than America's (figure 8)

- the police-recorded U.S. *burglary* rate was slightly higher than England's in 1981, but in 1996 the English burglary rate was more than double America's (figure 9)

- the police-recorded English *motor vehicle theft* rate went from 1.4 times America's in 1981 to nearly 2 times in 1996 (figure 10).

Reporting of crime to police

Robbery: Percent reported to police

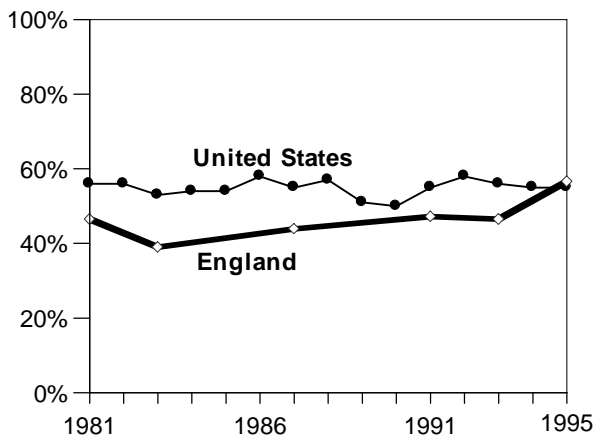


Figure 11

Assault: Percent reported to police

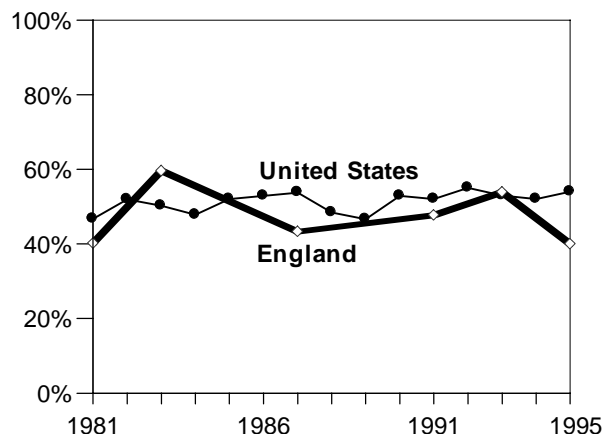


Figure 12

Burglary: Percent reported to police

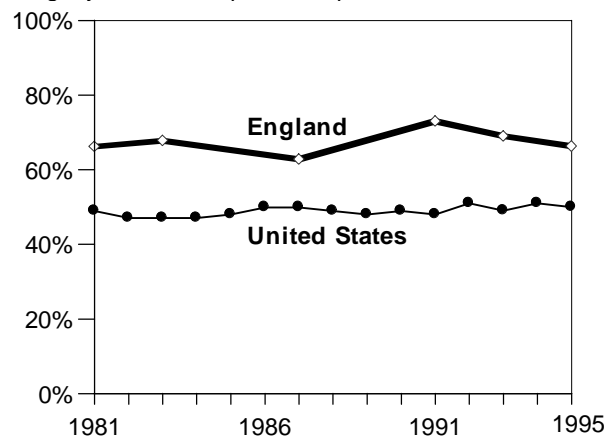


Figure 13

Motor vehicle theft: Percent reported to police

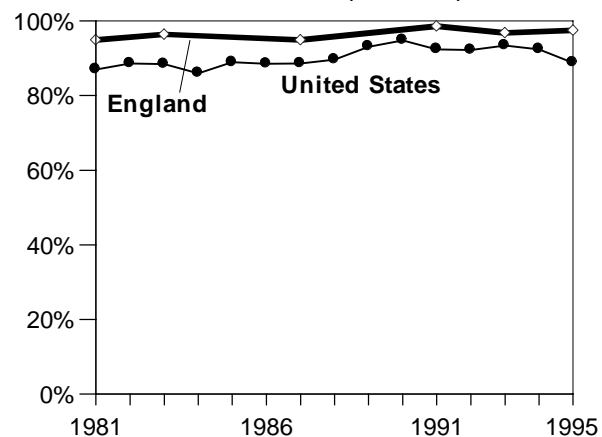


Figure 14

For additional information on these graphs, see the section labeled *Notes on figures 1-82*.

Reporting of crime to police

The level of crime recorded in police statistics depends partly on how often victims report crime to police. Comparisons of police statistics between countries can be misleading if victims in one country call police more often than victims in another country.

Information on how often victims (and others) report crime to police is available from victim surveys. In these surveys, victims are asked whether the police were notified or otherwise became aware of the crime.

Is serious crime reported to police more often in the United States or England (including Wales)?

According to crime victims in 1995, the *percentage reported to the police* was —

- for *robbery* not significantly different between England (57% reported to the police) and the United States (55%) (figure 11)

- for *assault* significantly greater in the United States (54%) than in England (40%) (figure 12)

- for *burglary* significantly greater in England (66%) than in the United States (50%) (figure 13)

- for *motor vehicle theft* not significantly different between England (98%) and the United States (88%) (figure 14).

Historically (after 1981) —

- *robbery* is more often reported to the U.S. police than the English police (figure 11)

- *assault* is more often reported to the U.S. police than the English police, but the historical pattern for assault is less consistent than for other crimes (figure 12)

- *burglary* is more often reported to the English police than to the U.S. police (figure 13)

- *motor vehicle theft* is more often reported to the English police than to the U.S. police, although the difference is typically small (figure 14).

Are crimes being reported to police more often today than in the past?

- Reporting of crime to police is showing no clear trend in either England or the United States. A possible exception is English robbery, for which reporting to police has generally risen since 1983. In 1983, 39% of robberies were reported to police in England; in 1995, 57% were reported (figure 11).

Police recording of crime

Robbery: Percent recorded by police

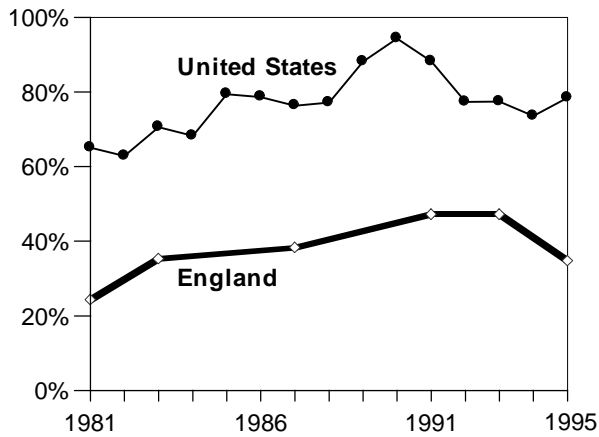


Figure 15

Assault: Percent recorded by police

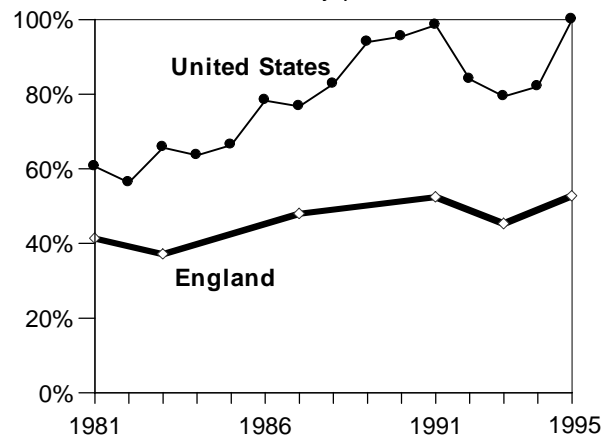


Figure 16

Burglary: Percent recorded by police

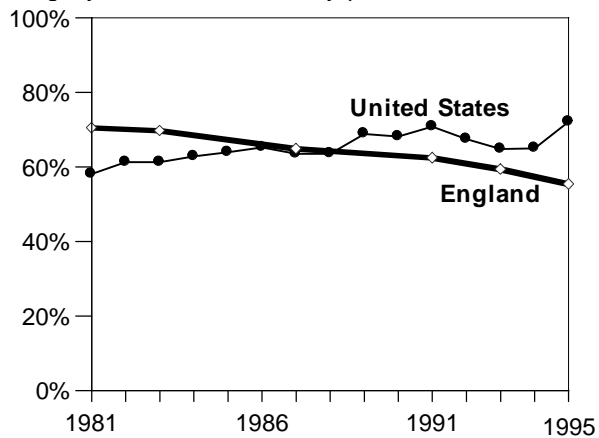


Figure 17

Motor vehicle theft: Percent recorded by police

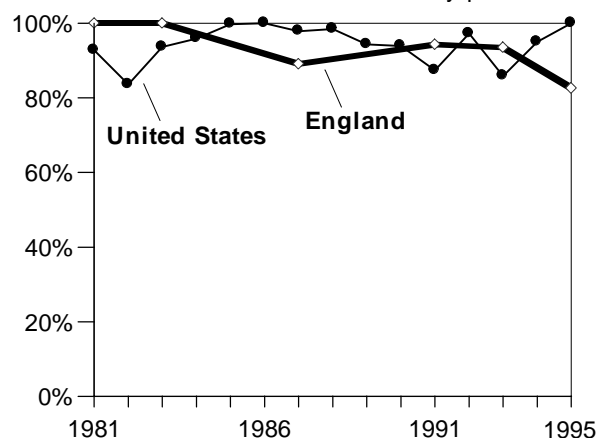


Figure 18

For additional information on these graphs, see the section labeled *Notes on figures 1-82*.

The level of crime recorded in police statistics depends not only on how often victims report crimes to police, but also on how often police record as crimes the incidents that are reported to them. Police do not always record as a crime every allegation that comes to them. Sometimes police find insufficient evidence that a crime has occurred. Alleged crimes go unrecorded because of poor record keeping. Police also weed out crimes they do not consider to be serious.

Comparison of the volume of crime that victims said they reported to police during the year with the volume that police actually recorded that year reveals how often police record as crimes those incidents that come to their attention.

Are police more likely to record crimes in the United States or England (including Wales)?

- Compared to police in England, police in the United States more often record as crimes those alleged offenses that are reported to them.

According to 1995 statistics, of all —

- *robberies* reported to police, 78% of U.S. robberies were recorded as robberies in police statistics, compared to 35% of English robberies (figure 15)
- *assaults* reported to police, virtually all U.S. assaults were recorded as assaults in police statistics, compared to 53% of English assaults (figure 16)
- *burglaries* reported to police, 72% of U.S. burglaries were officially recorded by police, compared to 55% of English burglaries (figure 17)
- *motor vehicle thefts* reported to police, virtually all U.S. vehicle thefts were officially recorded in police statistics, compared to 83% of English vehicle thefts (figure 18).

Are police today recording more of the violent crime that comes to their attention?

- A growing fraction of the violent crime reported to police is being officially recorded in both the United States and England.

From 1981 to 1995, the percentage of reported crimes that were officially recorded in police statistics —

- rose from 65% to 78% for U.S. *robberies*, and from 24% to 35% for English robberies (figure 15)
- rose from 61% to virtually 100% for U.S. *assaults*, and from 41% to 53% for English assaults (figure 16).

Are police today recording more of the property crime that comes to their attention?

- A growing fraction of the burglaries reported to police are being officially recorded in the United States. In England, the trend is in the opposite direction, with a progressively smaller percentage of property crimes being officially recorded since 1981.

From 1981 to 1995, the percentage of reported crimes that were officially counted in police statistics —

- rose from 58% to 72% for U.S. *burglaries*, but fell from 70% to 55% for English burglaries (figure 17)
- remained at around 95% for U.S. *motor vehicle thefts*, but fell from virtually 100% to 83% for English motor vehicle thefts (figure 18).

In both England and the United States, police are recording a growing fraction of the violent crimes (robberies and assaults) reported to them. U.S. police recorded 63% in 1981 and 93% in 1995. English police recorded 37%

in 1981 and 46% in 1995, bringing England in 1995 to about the level the United States was in 1973 (44%). What changes in policing might explain the trend in both countries toward more complete recording and more formal handling of violent crimes that come to police attention?

1. Police have become more professional.
2. Police operations have become more computerized.
3. Calls to police are increasingly being electronically recorded, creating an audit trail. Consequently, police are keeping closer track of responses to calls.
4. Police have become increasingly responsive to demands that domestic violence be handled more formally and be treated more seriously. In the United States, for example, a growing number of States now mandate arrests in all domestic assaults — misdemeanor as well as felony. In States where arrest is not mandatory, new laws now permit police to make probable cause arrests even when the police themselves have not witnessed the violence. Previous laws had required that the victim file a formal complaint when no police had witnessed the crime.
5. Society has perhaps become more litigious. In response to the growing threat of civil suit, police have adopted what might be called “defensive policing.” In defensive policing, the actions police take toward victims, witnesses, suspects, and the general public are closely managed by formal procedural rules established by police departments in part to protect police from suits. Among other things, the rules define situations in which police have a duty to act. Fewer decisions are left to police discretion.

Victim surveys versus police records

Is the violent crime rate higher in the United States or England?

- Crime rates are available from two different sources — from victim surveys and from police statistics — and sometimes the answer depends on which source is compared.

According to the latest comparable figures on violent crime (1995), victim surveys indicated higher violent crime rates in England (including Wales) than in the United States, while police statistics indicated the opposite:

- According to victim surveys, the 1995 *robbery* rate was higher in England than in the United States (7.6 versus 5.3) (figure 1), but according to police statistics the robbery rate was higher in the United States than in England (2.2 versus 1.3) (figure 7).

- According to victim surveys, the 1995 *assault* rate was much higher in England than in the United States (20.0 versus 8.8) (figure 2), but police statistics showed a slightly higher assault rate in the United States than in England (4.2 versus 3.9) (figure 8).

Why did 1995 police statistics indicate higher violent crime rates in the United States than in England, while 1995 victim surveys indicated higher violent crime rates in England than in the United States?

- If *robbery* were more often reported to police in the United States than in England, that might help to explain why the U.S. rate of robberies from police statistics is higher than England's. But robberies were *not* more often reported to the U.S. (55% reported) than to the English (57% reported) police (figure 11). However, U.S. police *did* more

often than the English police *record* robberies that came to their attention. Of all robberies reported to police in the United States in 1995, an estimated 78% were ultimately recorded as robberies in police statistics (figure 15). Of those reported to English police, a much smaller proportion — 35% — was officially recorded as robberies.

- The *assault* rate from police statistics is higher in the United States than in England for two reasons. One is that assaults in 1995 were more often *reported* to police in the United States (54%) than in England (40%) (figure 12). The other is that, compared to police in England, police in the United States *recorded* a higher proportion of assaults that came to their attention in 1995 (virtually all in the United States versus 53% in England) (figure 16).

In 1996 the rate of robbery recorded by police was higher in the United States (2.0 per 1,000 population) than in England (1.4 per 1,000 population) (figure 7). Is that because American police recorded a greater fraction of the robberies that were reported to them than English police?

As noted above, in 1995 American police recorded 78% of all robberies reported to them, while English police recorded 35% (figure 15). In other words, American police were about twice as likely as English police to record a robbery coming to their

attention in 1995. Assuming the same was true for rates of robbery recorded by police in 1996, the English rate is not directly comparable to the American rate because American police recorded a greater fraction than English police of the robberies reported to them. Had English police recorded the same fraction of robberies that were reported to them as had American police, the English robbery rate would have been 2.8 per 1,000 population, exceeding the American rate of 2.0 robberies per 1,000.

Is the property crime rate higher in the United States or England?

Both victim surveys and police statistics for 1995 indicated higher property crime rates in England than in the United States.

- For the property offense of *burglary*, the rate from victim surveys was higher in England than in the United States (82.9 per 1,000 households versus 47.5) (figure 3), and the rate from police statistics was also higher in England than in the United States (23.9 per 1,000 population versus 9.9) (figure 9).

- For the property offense of *motor vehicle theft*, the rate from victim surveys was higher in England than in the United States (23.6 per 1,000 households versus 10.8) (figure 4), and the rate from police statistics was also higher in England than in the United States (9.8 per 1,000 population versus 5.6) (figure 10).

Are trends in crime rates derived from victim surveys similar to trends in police-recorded crime rates in both countries?

• In England (including Wales), 1981-1995 crime trends calculated from police statistics corresponded closely to 1981-1995 crime trends obtained from victim surveys. By contrast, in the United States for the period 1981 to 1996, the correspondence was less close.

Trends in police-recorded crime rates can be compared to trends in survey rates for robbery, assault, burglary, and motor vehicle theft.

In England from 1981 to 1995 —

• the rise in the police-recorded *robbery* rate corresponded closely to the

rise in the robbery rate as estimated from victim surveys ($r = + .91$) (table 1)

• the rise in the police-recorded *assault* rate corresponded closely to the rise in the survey assault rate ($r = + .88$) (table 1)

• the rise in the police-recorded *burglary* rate corresponded closely to the rise in the survey-estimated burglary rate ($r = + .95$) (table 1)

• the rise in the police-recorded *vehicle theft* rate corresponded closely to the rise in the vehicle theft rate as documented in victim surveys ($r = + .98$) (table 1).

In the United States from 1981 to 1996 —

• the rise in the police-recorded *robbery* rate corresponded fairly well to the rise

documented in victim surveys ($r = + .56$) (table 1)

• changes in the police-recorded *assault* rate did not correspond at all to changes in the assault rate as estimated from victim surveys ($r = - .15$) (table 1)

• a striking correspondence existed between the drop in the police-recorded *burglary* rate and the drop in the survey-estimated burglary rate ($r = + .97$) (table 1)

• changes in the police-recorded *vehicle theft* rate corresponded closely to vehicle theft rate changes documented in victim surveys ($r = + .86$) (table 1).

Table 1. Correlation between trends in crime rates as measured by data from police records and victim surveys in the United States and England, from 1981 to 1995/96

	Police recorded rate of —						Victim survey estimated rate of —			
	Murder	Rape	Robbery	Assault	Burglary	Motor vehicle theft	Robbery	Assault	Burglary	Motor vehicle theft
Police-recorded rate of —										
Murder	X	.565*	.968**	.337	.352	.493	.653**	.539*	.246	.770**
Rape	.725**	X	.688**	.849**	-.354	.874**	-.134	.083	-.511*	.771**
Robbery	.687**	.964**	X	.488	.185	.619*	.558*	.414	.064	.825**
Assault	.691**	.988**	.929**	X	-.692**	.916**	-.255	-.145	-.807**	.705**
Burglary	.715**	.829**	.851**	.812**	X	-.419	.540*	.418	.969**	-.081
Motor vehicle theft	.726**	.828**	.786**	.832**	.955**	X	-.183	-.078	-.588*	.861**
Victim survey estimated rate of —										
Robbery	.624	.811*	.912*	.780	.677	.536	X	.700**	.601*	.207
Assault	.787	.905*	.952**	.880*	.784	.708	.953**	X	.474	.249
Burglary	.752	.968**	.965**	.967**	.951**	.852*	.809	.862*	X	-.227
Motor vehicle theft	.816*	.944**	.860*	.955**	.965**	.982**	.597	.771	.899*	X

Unshaded = correlations between U.S. crime rate trends
 Shaded = correlations between English crime rate trends

Note: For rape, rates are per 1,000 female population; for all other crimes, rates are per 1,000 population or per 1,000 households. The table shows Pearson correlation coefficients. U.S. correlations are all based on 16 years of data spanning the period 1981 to 1996. English correlations between two police-recorded crime rates are based on 16 years of data spanning the period 1981 to 1996; correlations between two victim-survey crime rates, 6 years of data spanning the period 1981 to 1995; correlations between a victim-survey crime rate and a police-recorded crime rate, 6 years of data spanning the period 1981 to 1995.
 *Correlation is significant at the 0.05 level (2-tailed).
 **Correlation is significant at the 0.01 level (2-tailed).

Convictions per 1,000 population

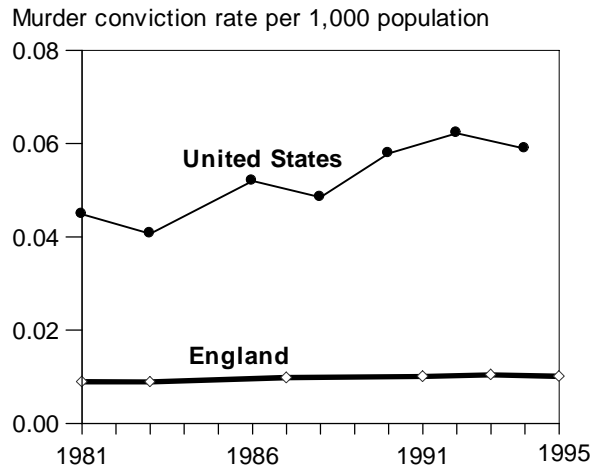


Figure 19

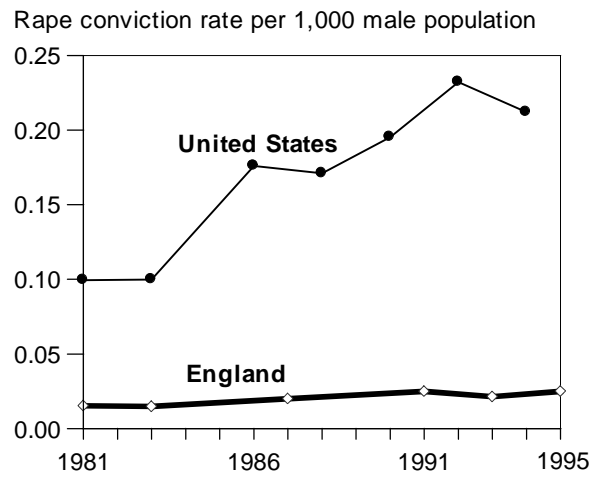


Figure 20

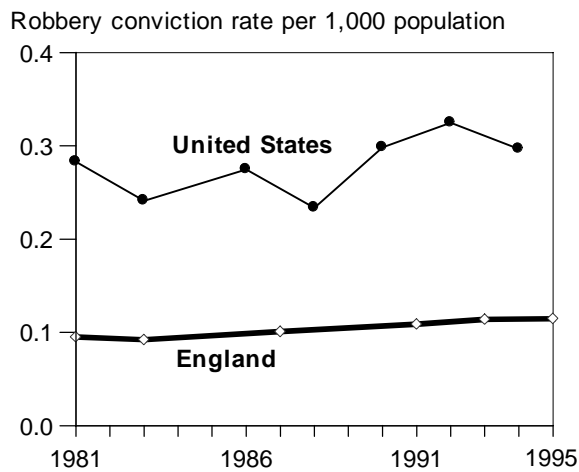


Figure 21

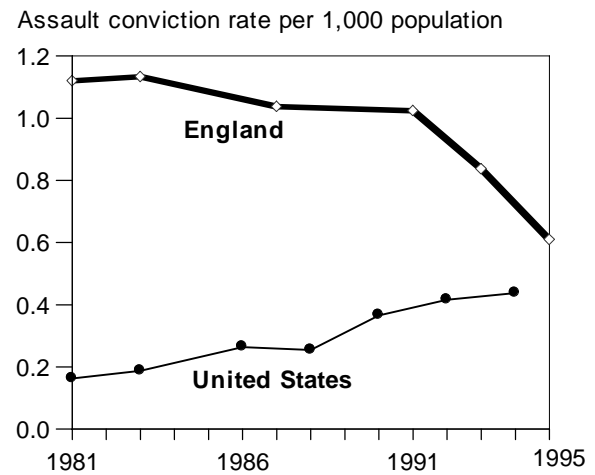


Figure 22

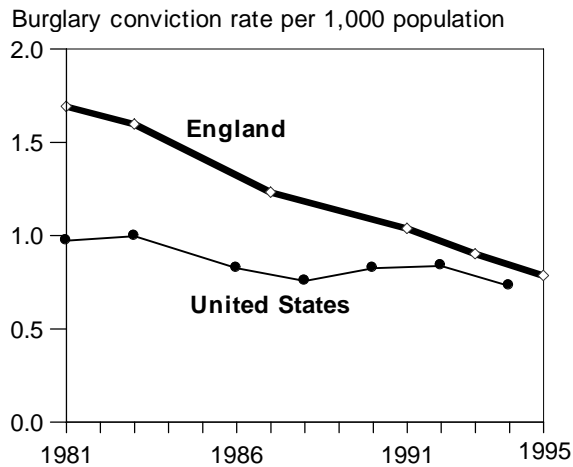


Figure 23

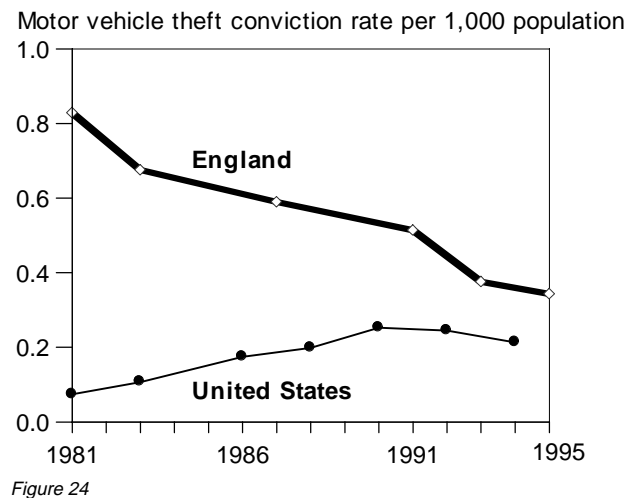


Figure 24

For additional information on these graphs, see the section labeled *Notes on figures 1-82*.

Depending on the circumstances, a person charged in the United States with a serious crime can be prosecuted in a State court, a Federal court, or a juvenile court. Likewise in England (including Wales), depending on the circumstances, the case can go to the Crown Court, a magistrate court, or a juvenile court (a specialized magistrate court).

U.S. Federal courts treat persons 18 years of age and older as adults. In the vast majority of States, a defendant is considered an adult once he or she reaches the age of 18; in a small number of States, age 17 is the beginning of adulthood; in a few States it is age 16. In England, adulthood in the eyes of the law begins at age 18. Before 1992, it was age 17.

In both countries, a juvenile charged with or previously found delinquent of a serious crime can be prosecuted in the adult court rather than the juvenile court. In America, State and Federal laws define special circumstances in which adult prosecution of a juvenile is automatic (for example, a juvenile charged with murder, rape, or armed robbery), and circumstances in which such prosecution is at the discretion of either the juvenile court or the prosecutor. English law requires that all juveniles charged with homicide be prosecuted in the Crown Court (the adult court) rather than the juvenile court (called the youth court in England). If the crime is not a homicide but is one that is punishable by at least 14 years confinement for an adult (for example, household burglary), or the crime is carried out with an adult accomplice, the English juvenile court, at its discretion, can commit the juvenile for trial in the Crown Court. Commitment for trial in the Crown Court is distinguished from commitment for sentencing in the Crown Court. When a juvenile is convicted in the English juvenile court but the magistrate

believes the juvenile deserves a longer sentence than the maximum that the juvenile court can impose (12 months), the juvenile can be committed to the Crown Court for sentencing. In such a case the maximum sentence the Crown Court can impose is 2 years.

The total number of convictions (juvenile and adult combined) in the United States is not directly comparable to the English total because the U.S. population is far larger than the English population. Naturally the United States has more convictions: it has roughly five times more people than England. A more meaningful comparison is between conviction *rates* per 1,000 population, a measure that takes into account the difference in population size.

The U.S. conviction rate per 1,000 population is higher than England's for murder, rape, and robbery. Is that because the United States has higher rates of victimization from murder, rape, and robbery? Or because the criminal justice system in the United States is more likely than the English system to catch and convict murderers, rapists, and robbers?

- The higher U.S. conviction rate for *murder* is explained entirely by the higher U.S. murder rate. According to the most recent statistics on crime (1996) and the justice system (1994 in the United States, 1995 in England), the U.S. murder rate is nearly six times the English murder rate (figure 5). Correspondingly, the U.S. murder conviction rate per 1,000 population is nearly six times England's (.059 versus .010) (figure 19).

- The higher U.S. conviction rate for *rape* is attributable both to the higher U.S. police-recorded rape rate and to a United States criminal justice system that catches and convicts rapists at a higher rate than England's system.

According to the most recent statistics on crime (1996) and the justice system (1994 in the United States, 1995 in England), the U.S. police-recorded rape rate is three times England's (figure 5), but the U.S. rape conviction rate is over eight times England's (.212 versus .025) (figure 20), indicating that a rape in the United States is more likely to lead to conviction than one in England.

- The higher U.S. conviction rate for *robbery* cannot be attributed to a higher U.S. robbery victimization rate since, according to the latest figures, the U.S. robbery victimization rate is lower than England's. Instead the reason for the higher U.S. robbery conviction rate is that the English criminal justice system is less likely than America's to catch and convict robbers. According to the most recent statistics on robbery victimization (1995) and the criminal justice system (1994 in the United States, 1995 in England), the English robbery victimization rate is 1.4 times the U.S. rate (figure 1), but the U.S. robbery conviction rate is nearly 3 times England's (.30 versus .11) (figure 21), indicating that a robbery in the United States is more likely to lead to conviction than one in England.

The English conviction rate per 1,000 population is higher than the U.S. conviction rate for assault, burglary, and motor vehicle theft. Is that because England has higher rates of victimization from assault, burglary, and motor vehicle theft? Or because the criminal justice system in England is more likely than the U.S. system to catch and convict assaulters, burglars, and motor vehicle thieves?

- The higher English conviction rate for *assault* is attributable to a higher English assault victimization rate, not

to different performance by the English justice system. According to the most recent statistics on assault victimization (1995), the English assault victimization rate is 2.3 times the U.S. rate (figure 2). However, according to the most recent conviction statistics (1994 in the United States, 1995 in England), the English assault conviction rate is 1.4 times the U.S. assault conviction rate (.61 versus .44) (figure 22), indicating that an assault in England is *less* likely to lead to conviction than one in the United States.

- The higher English conviction rate for *burglary* is attributable to a higher English crime rate for burglary, not to different performance by the English justice system. According to the most recent statistics on burglary victimization (1995), the English burglary victimization rate is 1.8 times the U.S. rate (figure 3). However, according to the most recent conviction statistics (1994 in the United States, 1995 in England), the English burglary conviction rate is 1.1 times the U.S. burglary conviction rate (.78 versus .73) (figure 23), indicating that a burglary in England is *less* likely to lead to conviction than one in the United States.

- The higher English conviction rate for *motor vehicle theft* is attributable to a higher English crime rate for motor vehicle theft, not to different performance by the English justice system. According to the most recent statistics on motor vehicle theft victimization (1995), the English motor vehicle theft victimization rate is 2.2 times the U.S. rate (figure 4). However, according to the most recent conviction statistics (1994 in the United States, 1995 in England), the English motor vehicle theft conviction rate is 1.6 times the U.S. conviction rate (.34 versus .21)

(figure 24), indicating that a motor vehicle theft in England is *less* likely to lead to conviction than one in the United States.

Have conviction rates per 1,000 population been rising or falling in each country?

From 1981 to the latest year of conviction data (1994 in the United States, 1995 in England) —

- The U.S. *murder* conviction rate rose steeply (.045 in 1981 rising to .059 in 1994), while the English rate rose modestly (.009 in 1981 rising to .010 in 1995) (figure 19). Unlike the rise in the U.S. conviction rate, the rise in the English conviction rate is linked to an increase in the country's murder rate.

- The U.S. *rape* conviction rate rose sharply (.099 in 1981 rising to .212 in 1995), while the English rate rose comparatively modestly (.015 in 1981 rising to .025 in 1995) (figure 20). Unlike the rise in the U.S. conviction rate, the rise in the English conviction rate could partly be explained by an increase in the country's rape rate, although the increase in the English rape rate (more than 5 times) was far higher than the modest increase in the rape conviction rate.

- Both the U.S. (.28 in 1981 rising to .30 in 1994) and the English (.10 in 1981 rising to .11 in 1995) *robbery* conviction rates increased slightly (figure 21). The U.S. conviction rate modestly rose while the robbery victimization rate fell. In England, by contrast, the conviction rate rose modestly while the robbery victimization rate soared.

- The U.S. *assault* conviction rate rose sharply (.16 in 1981 rising to .44 in 1994), while the English rate fell sharply (1.12 in 1981 falling to .61 in 1995) (figure 22). The rise in the U.S. conviction rate was accompanied by a decline in the assault victimization rate. By contrast, the decline in the English conviction rate was accompanied by a steep rise in the assault victimization rate.

- Both the U.S. (.97 in 1981 falling to .73 in 1994) and the English (1.69 in 1981 falling to .78 in 1995) *burglary* conviction rates fell, and the English rate fell more than the U.S. rate (figure 23). The falling English rate was accompanied by a steep rise in the burglary victimization rate. The falling U.S. conviction rate was accompanied by a steep decline in the burglary victimization rate. However, the conviction rate decline was less steep than the victimization rate decline, indicating that the risk of burglary conviction was actually rising in the United States during the period.

- The U.S. *motor vehicle theft* conviction rate rose sharply (.07 in 1981 rising to .21 in 1994), while the English rate fell sharply (.83 in 1981 falling to .34 in 1995) (figure 24). The rising U.S. conviction rate was accompanied by a stable victimization rate for vehicle theft. By contrast, the falling English conviction rate was accompanied by a rising victimization rate for vehicle theft.

Convictions per 1,000 offenders

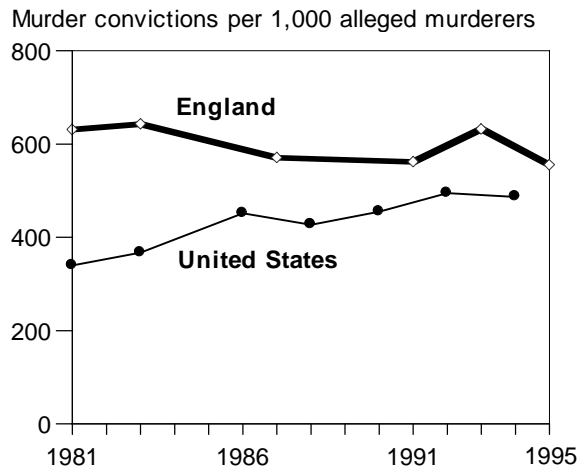


Figure 25

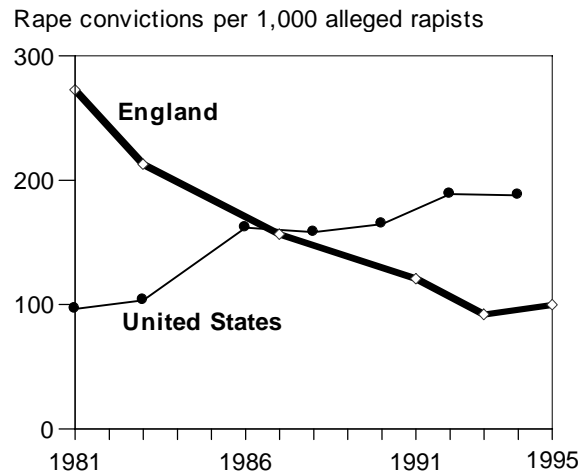


Figure 26

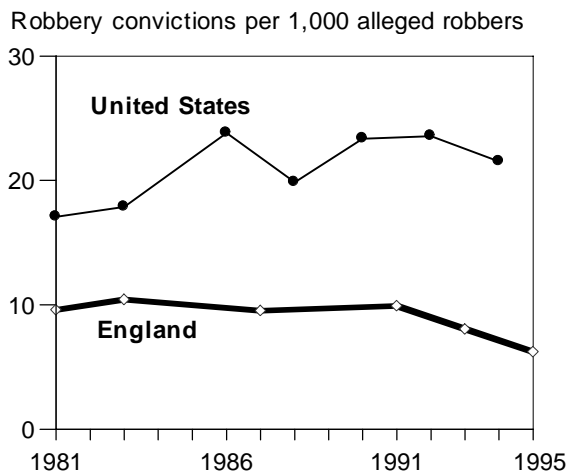


Figure 27

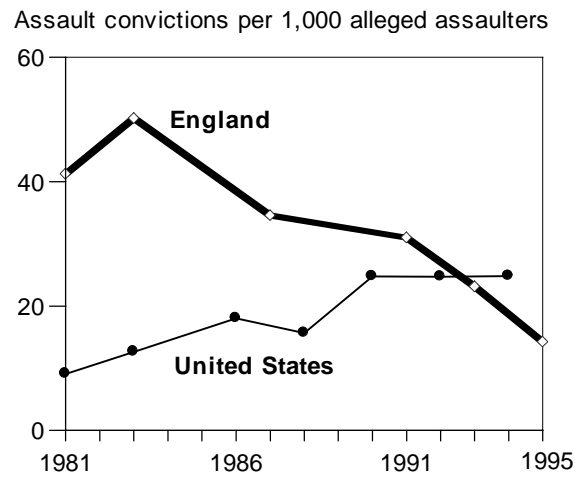


Figure 28

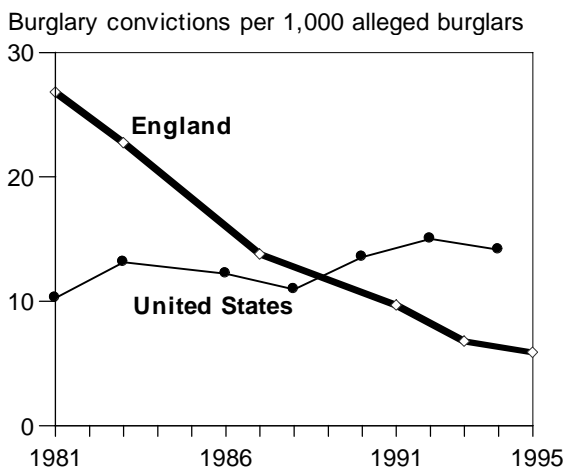


Figure 29

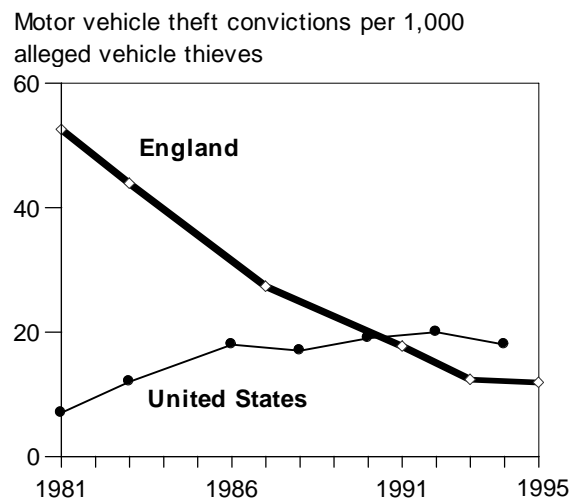


Figure 30

For additional information on these graphs, see the section labeled *Notes on figures 1-82*.

Convictions per 1,000 offenders

Is a person committing a crime in the United States more likely or less likely to be caught and convicted than one committing a crime in England?

According to latest conviction figures (1994 in the United States, 1995 in England) —

- with the exception of murder, a person committing a crime in the United States is more likely to be caught and convicted than one committing crime in England (including Wales).

The number of persons convicted in 1994 of —

- *murder* for every 1,000 alleged murderers was 487 in the United States and 555 in England, indicating that a murderer's risk of conviction is slightly greater in England than in the United States (figure 25)
- *rape* for every 1,000 alleged rapists was 188 in the United States and 100 in England, indicating that a rapist's risk of conviction in the United States is nearly double that in England (figure 26)
- *robbery* for every 1,000 alleged robbers was 22 in the United States and 6 in England, indicating that a robber's risk of conviction in the United States is nearly four times that in England (figure 27)
- *assault* for every 1,000 alleged assaulters was 25 in the United States and 14 in England, indicating that an assaulter's risk of conviction in the United States is nearly double that in England (figure 28)
- *burglary* for every 1,000 alleged burglars was 14 in the United States and 6 in England, indicating that a burglar's risk of conviction in the United States is more than double that in England (figure 29)

• *motor vehicle theft* for every 1,000 alleged vehicle thieves was 18 in the United States and 12 in England, indicating that a vehicle thief's risk of conviction is 50% greater in the United States than in England (figure 30).

Is an offender's risk of being caught and convicted rising or falling in each country?

- An offender's risk of being caught and convicted is rising in the United States but falling in England.

From 1981 to the latest year of conviction data (1994 in the United States, 1995 in England), the number of persons convicted of —

- *murder* per 1,000 alleged murderers has risen 43% in the United States (340 in 1981 rising to 487 in 1994) but fallen 12% in England (631 in 1981 falling to 555 in 1995) (figure 25)
- *rape* per 1,000 alleged rapists has risen 94% in the United States (97 in 1981 rising to 188 in 1994) but fallen 63% in England (272 in 1981 falling to 100 in 1995) (figure 26)
- *robbery* per 1,000 alleged robbers has risen 29% in the United States (17 in 1981 rising to 22 in 1994) but fallen 40% in England (10 in 1981 falling to 6 in 1995) (figure 27)
- *assault* per 1,000 alleged assaulters has nearly tripled in the United States (9 in 1981 rising to 25 in 1994) but fallen 66% in England (41 in 1981 falling to 14 in 1995) (figure 28)
- *burglary* per 1,000 alleged burglars has risen 40% in the United States (10 in 1981 rising to 14 in 1994) but fallen 78% in England (27 in 1981 falling to 6 in 1995) (figure 29)
- *motor vehicle theft* per 1,000 alleged vehicle thieves has more than doubled in the United States (7 in 1981 rising to

18 in 1994) but fallen 77% in England (53 in 1981 falling to 12 in 1995) (figure 30).

Are persons committing a crime unlikely to be caught and convicted in both countries?

In both countries, persons committing a crime are unlikely to be caught and convicted. The major exception is murder.

According to latest statistics (derived from figures 25-30 covering 1994 in the United States, 1995 in England), the likelihood of conviction was about —

- 50% for *murder* in both countries
- 20% for *rape* in the United States and 10% in England
- 2% for *robbery* in the United States and less than 1% in England
- 2% for *assault* in the United States and 1% in England
- 1% for *burglary* in the United States and less than 1% in England
- 2% for *motor vehicle theft* in the United States and 1% in England.

However, these estimates must be interpreted cautiously. For example, the rape conviction likelihood is inflated because it is based on the number of convictions divided *not* by the total number of rapes but by just the number recorded by police.

In other respects, all of these estimates (including rape) are conservative because, to be precise, the data used to calculate them estimate the likelihood of an *offense* leading to conviction, not the likelihood of an *offender* being convicted sooner or later. To estimate the likelihood of an *offender* being convicted, the number of *different* persons convicted is divided by the

number of *different persons* committing the crime. But in available data, persons who are convicted more than once or who commit crime more than once during the year are counted over and over again.

Such overcounting is particularly prevalent in the data on the number of persons committing crime because the typical offender commits more than one crime over the course of a year (the typical violent offender commits from 2 to 4 violent crimes per year and the typical property offender commits from 5 to 10 per year according to Blumstein and others, 1986, page 4).

Some adjustment can be made for their overcounting. For example, if the typical robber in the United States commits 4 robberies per year, the likelihood that a person committing robbery will be convicted of robbery during the year is nearly 8%, not 2%.

At first glance that might seem like a small difference but a 1 in 12 chance of conviction (the equivalent of 8%) is considerably greater than a 1 in 50 chance (the equivalent of 2%). Furthermore it should be stressed that, despite the adjustment, the 8% is still conservative because it is the probability that a robber will be convicted *just* of robbery during the year. Obviously the likelihood that a robber will be convicted of robbery *or* some other offense during the year is greater than just the probability that he will be convicted of robbery. How much greater is not known but for two reasons it is probably substantial.

One reason has to do with the practice, common both in England and the United States, of downgrading offenses. Because of downgrading, when persons are convicted of a crime, the crime they are convicted of is often less serious than the one for which they were originally arrested and charged (in the United States, downgrading occurs

in 40% of violent crime convictions and 25% of nonviolent convictions according to Reaves, 1998, tables 26 and 27).

The other reason is related to the fact that persons who commit a crime typically commit more than one a year. Importantly the crimes they commit typically differ from one another. For example, a man committing a robbery one day may commit a burglary the next. While he might not be caught for the robbery, he might be caught and convicted for the burglary. Consequently his chance of conviction is greater than just the chance he takes of being convicted of the robbery.

Over periods longer than a year, the probability of an offender being convicted can be quite high. For example, Farrington (1989, pages 339-423) found that 58% of English males who admitted to committing burglary were eventually caught and convicted of burglary at least once before reaching age 33.

Percent sentenced to incarceration

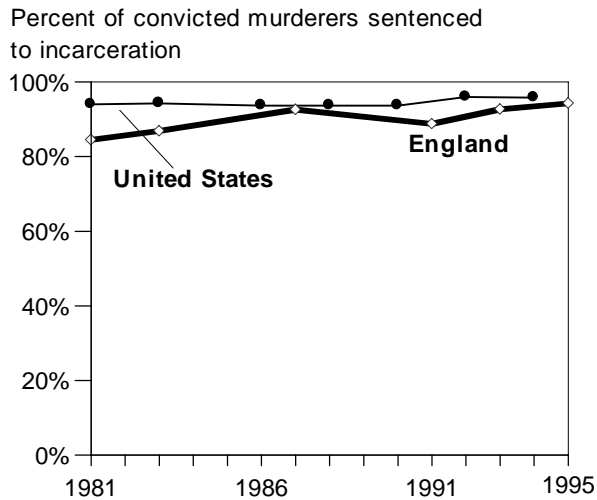


Figure 31

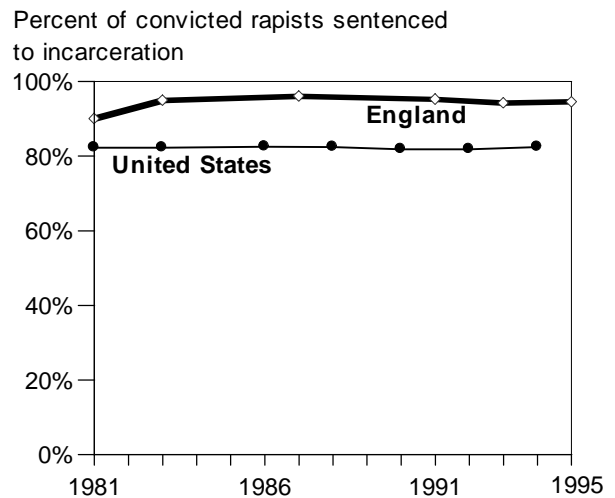


Figure 32

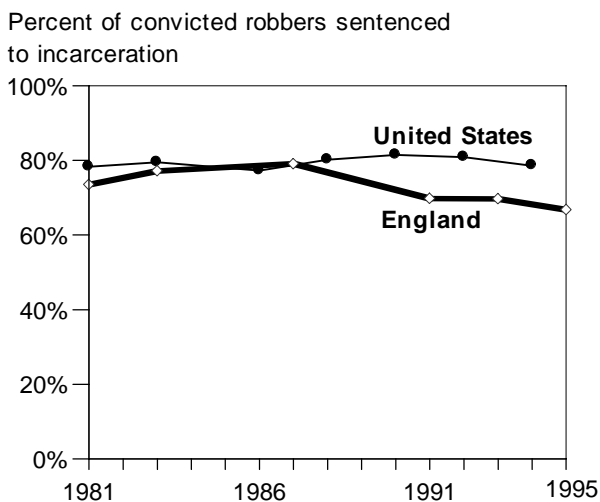


Figure 33

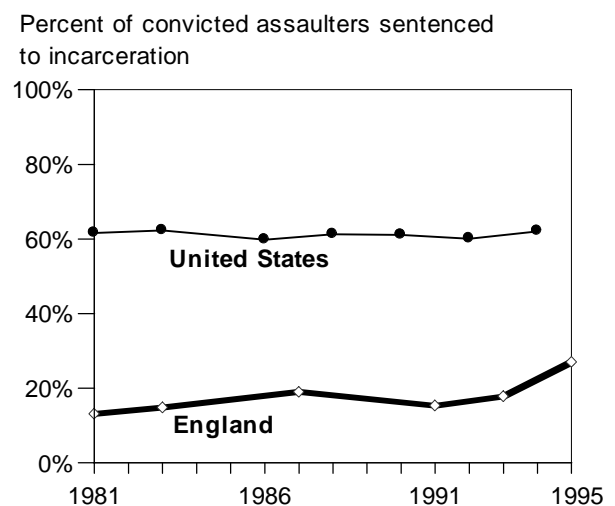


Figure 34

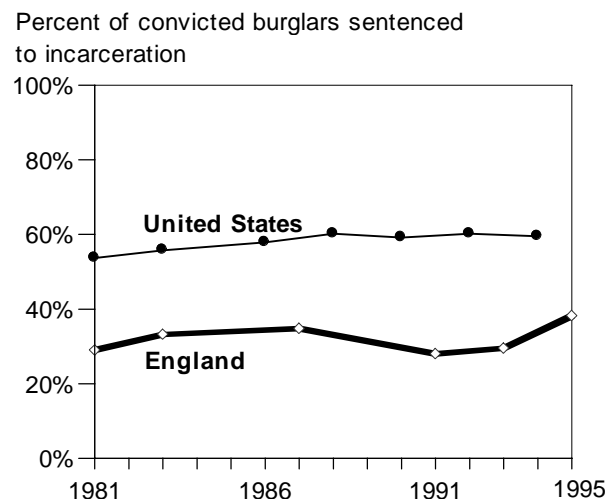


Figure 35

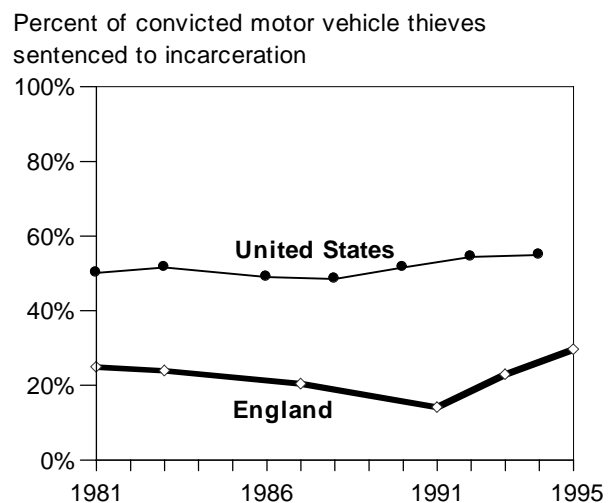


Figure 36

For additional information on these graphs, see the section labeled *Notes on figures 1-82*.

In the United States, various types of institutions are used to incarcerate persons convicted of crime. There are State prisons and local jails for adults convicted in State courts; Federal prisons for persons convicted in Federal courts; and various types of residential institutions (for example, training schools) for juveniles found delinquent in juvenile courts.

In England (including Wales), adults are incarcerated in either prisons (for persons ages 21 and over) or young offender institutions (for persons ages 15-20). Juveniles in England are incarcerated in two types of facilities: those that are exclusively for juveniles (secure accommodation for juveniles), and those for persons under age 21 (young offender institutions). Unlike the United States, where juveniles and adults are kept in separate institutions, English young offender institutions confine juveniles and adults together.

This report focuses only on incarceration, but there are many other sentences that offenders receive in both countries, such as probation, community service, and fines.

Are courts in the two countries equally likely to sentence a convicted offender to incarceration?

- Courts in the United States are more likely to sentence an offender to incarceration than courts in England. Two exceptions are offenders convicted of murder or rape.

According to the latest court figures (1994 in the United States, 1995 in England) —

- 96% of convicted U.S. *murderers* and a nearly identical percentage of English murderers (94%) were sentenced to incarceration (figure 31)

- 82% of convicted U.S. *rapists* were sentenced to incarceration, which is less than the 95% of English rapists (figure 32)

- 79% of convicted U.S. *robbers* and 67% of English robbers were sentenced to incarceration (figure 33)

- 62% of convicted U.S. *assaulters* and 27% of English assaulters were sentenced to incarceration (figure 34)

- 60% convicted U.S. *burglars* and 38% of English burglars were sentenced to incarceration (figure 35)

- 55% of convicted U.S. *motor vehicle thieves* and 30% of English motor vehicle thieves were sentenced to incarceration (figure 36).

Are courts in both countries sentencing relatively more convicted offenders to incarceration today than in the past?

- In the United States, the percentage of convicted offenders receiving an incarceration sentence has been fairly stable since 1981. In England, the percentage has been less stable but has shown no long-term trend.

However, since 1991 the percentage receiving an incarceration sentence has been rising in England for murder, assault, burglary, and motor vehicle theft.

From 1981 to the latest year of sentencing data (1994 in the United States, 1995 in England), the percentage of convicted offenders receiving an incarceration sentence has been —

- staying at about 95% for U.S. *murder* while increasing to 94% for English murders (up from 85% in 1981 and up from 89% in 1991) (figure 31)

- staying at about 82% for U.S. *rape* and staying at about 95% for English rape (figure 32)

- staying at about 80% for U.S. *robbery* while falling somewhat to 67% for English robbery (down from 74% in 1981 and 79% in 1987) (figure 33)

- staying at about 60% for U.S. *assault* while rising to 27% for English assault (up from 13% in 1981 and up from 15% in 1991) (figure 34)

- rising slightly to 60% for U.S. *burglary* (up from 54% in 1981) and rising to 38% for English burglary (up from 29% in 1981 and up from 28% in 1991) (figure 35)

- staying at about 50% for U.S. *motor vehicle theft* and rising to 30% for English vehicle theft (up from 25% in 1981 and up from 14% in 1991) (figure 36).

Incarcerations per 1,000 population

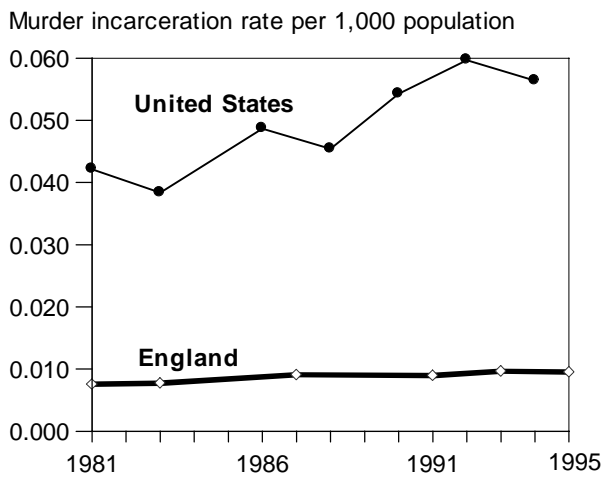


Figure 37

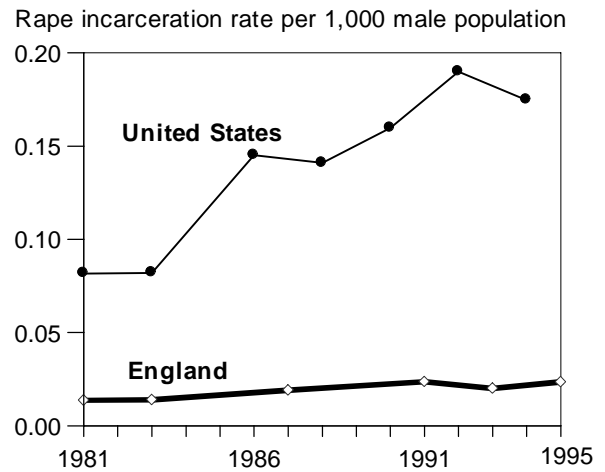


Figure 38

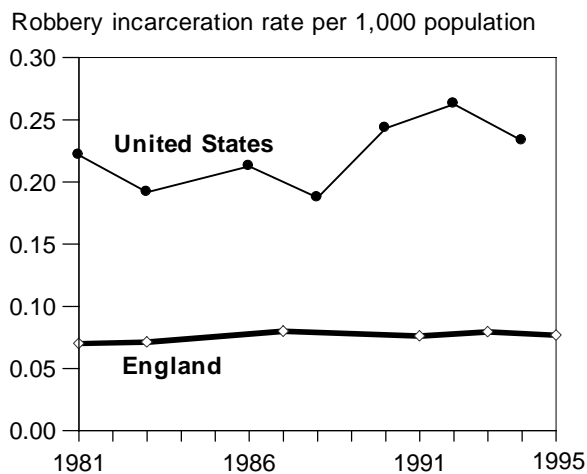


Figure 39

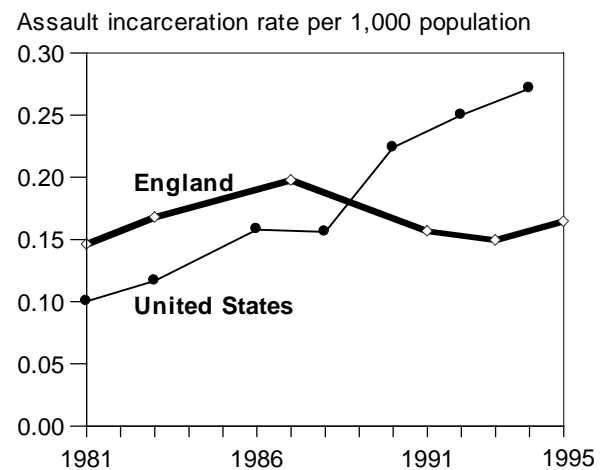


Figure 40

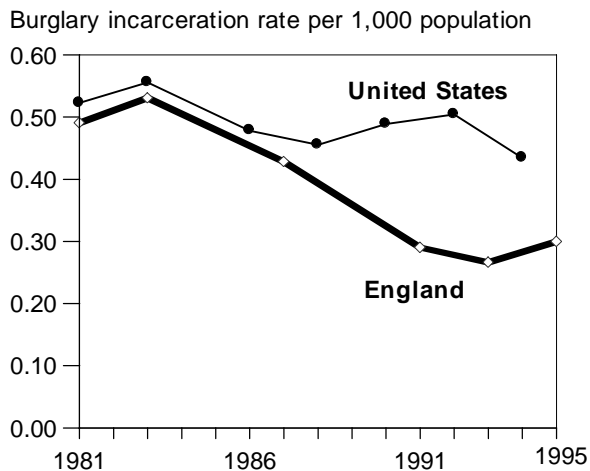


Figure 41

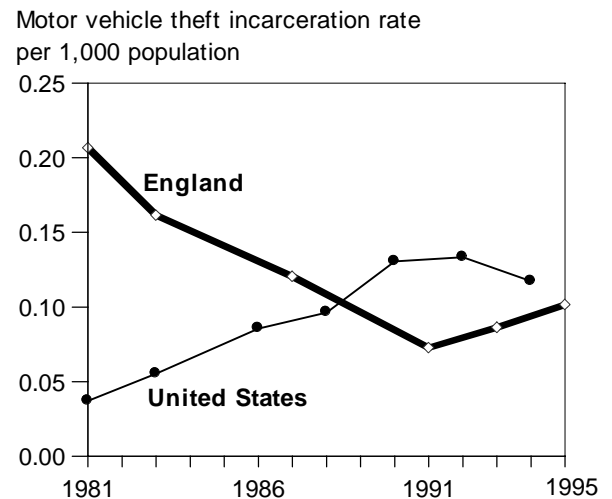


Figure 42

The total number of convicted offenders (juvenile and adult combined) sentenced to incarceration in the United States is not directly comparable to the English total because of the vast difference in the number of people that live in the two countries. Naturally the United States incarcerates more people than England (including Wales): far more people live in the United States. A more meaningful comparison is between incarceration *rates* per 1,000 population, a measure that takes into account the difference in population size.

The U.S. incarceration rate per 1,000 population is higher than England's incarceration rate. Is that because the United States has higher crime rates? Or because the criminal justice system in the United States is more likely than the English system to catch and convict criminals? Or because convicted criminals in the United States are more likely to be incarcerated?

- The higher U.S. incarceration rate for *murder* is explained entirely by the higher U.S. murder rate. According to the most recent statistics on the murder rate (1996) and the justice system response (1994 in the United States, 1995 in England), the U.S. murder rate is nearly six times the English murder rate (figure 5). Correspondingly, the U.S. murder incarceration rate per 1,000 population is nearly six times England's (.056 versus .010) (figure 37).

- The higher U.S. incarceration rate for *rape* is attributable both to the higher U.S. police-recorded rape rate and to a United States criminal justice system that is more likely than England's to catch and convict rapists. According to the most recent statistics on crime (1996) and the justice system (1994 in the United States, 1995 in England), the U.S. police-recorded rape rate is three times England's (figure 6), but the U.S.

rape incarceration rate is seven times England's (.175 versus .024) (figure 38), indicating that a rape in the United States is more likely to lead to incarceration than one in England. However, the higher U.S. incarceration rate for rape is not a function of a higher probability of an incarceration sentence being imposed following a conviction.

- The higher U.S. incarceration rate for *robbery* cannot be attributed to a higher U.S. robbery victimization rate since, according to the latest figures, the U.S. robbery victimization rate is lower than England's. Instead the reason for the higher U.S. robbery incarceration rate is that the United States criminal justice system is more likely than England's to catch, convict, and incarcerate robbers. According to the most recent statistics on crime (1995) and the criminal justice system (1994 in the United States, 1995 in England), the English robbery victimization rate is 1.4 times the U.S. rate (figure 1), but the U.S. robbery incarceration rate is 3 times England's (.23 versus .08) (figure 39), indicating that a robbery in the United States is more likely to lead to incarceration than one in England. This is largely because a robbery in the United States is more likely to lead to a conviction.

- The higher U.S. incarceration rate for *assault* cannot be attributed to a higher U.S. assault victimization rate since, according to latest figures, the U.S. assault victimization rate is lower than England's. Instead the higher U.S. assault incarceration rate is due to the higher rate at which the United States justice system catches, convicts, and incarcerates assaulters. According to the most recent statistics on crime (1995) and the criminal justice system (1994 in the United States, 1995 in England), the English assault victimization rate is 2.3 times the U.S. rate (figure 2), but the U.S. assault incarceration rate is 1.7 times England's (.27 versus .16) (figure 40), indicating that an assault in the United States is more

likely to lead to incarceration than one in England.

- The higher U.S. incarceration rate for *burglary* cannot be attributed to a higher U.S. burglary victimization rate since, according to latest figures, the U.S. burglary victimization rate is lower than England's. Instead the higher U.S. burglary incarceration rate is attributable to the higher rate at which the United States justice system catches, convicts, and incarcerates burglars. According to the most recent statistics on crime (1995) and the criminal justice system (1994 in the United States, 1995 in England), the English burglary victimization rate is 1.7 times the U.S. rate (figure 3), yet the U.S. burglary incarceration rate is 1.4 times England's (.43 versus .30) (figure 41), indicating that a burglary in the United States is more likely to lead to incarceration than one in England.

- The higher U.S. incarceration rate for *motor vehicle theft* cannot be attributed to a higher U.S. vehicle theft victimization rate since, according to latest figures, the U.S. vehicle theft victimization rate is lower than England's. Instead the higher U.S. burglary incarceration rate is attributable to the higher rate at which the United States justice system catches, convicts, and incarcerates vehicle thieves. According to the most recent statistics on crime (1995) and the criminal justice system (1994 in the United States, 1995 in England), the English motor vehicle theft victimization rate is 2.2 times the U.S. rate (figure 4), yet the U.S. vehicle theft incarceration rate is 1.2 times England's (.12 versus .10) (figure 42), indicating that a motor vehicle theft in the United States is more likely to lead to incarceration than one in England.

Have incarceration rates per 1,000 population been rising or falling in both countries?

• With the exception of the burglary incarceration rate, incarceration rates per 1,000 population have been rising in the United States. In England, incarceration rates per 1,000 population have been rising slightly for murder, rape and robbery; showing no clear trend for assault; and declining sharply for burglary and motor vehicle theft. However, the sharp decline for burglary and motor vehicle theft appears to have ended in the early 1990's.

From 1981 to the latest year of incarceration data (1994 in the United States, 1995 in England) —

• Both the U.S. *murder* incarceration rate (.042 per 1,000 population in 1981 rising to .056 in 1994) and the English rate rose (.008 in 1981 rising to .010 in 1995) (figure 37). Unlike the rise in the U.S. incarceration rate, the rise in the English incarceration rate occurred because of an increase in the country's murder rate.

• The U.S. *rape* incarceration rate rose sharply (.082 per 1,000 male population in 1981 rising to .175 in 1994), while the English rate rose comparatively modestly (.014 in 1981 rising to .024 in 1995) (figure 38). Unlike the rise in the U.S. incarceration rate, the rise in the English incarceration rate occurred partly because of a marked increase in the country's rape rate.

The contrast between the modest increase in the incarceration rate and the marked increase in the crime rate indicated that the risk of incarceration following a rape in England was decreasing.

• Both the U.S. (.22 in 1981 rising to .23 in 1994) and the English (.07 in 1981 rising to .08 in 1995) *robbery* incarceration rates rose slightly (figure 39). Unlike the rise in the U.S. incarceration rate, the slight rise in the English incarceration rate was accompanied by a soaring robbery victimization rate. The contrast between the slight increase in the incarceration rate and the marked increase in the crime rate indicated that the risk of incarceration following a robbery in England was decreasing.

• The U.S. *assault* incarceration rate rose sharply (.10 in 1981 rising to .27 in 1994), while the English rate rose slightly (.15 in 1981 rising to .16 in 1995) (figure 40). Unlike the rise in the U.S. incarceration rate, the slight rise in the English incarceration rate was accompanied by a steep rise in the assault victimization rate. However, the rise in the English incarceration rate (figure 40) was far less steep than the rise in the English assault rate (figure 2), indicating that risk of incarceration for English assault was falling during the period.

• Both the U.S. (.52 in 1981 falling to .43 in 1994) and the English (.49 in 1981 falling to .30 in 1995) *burglary* incarceration rates fell, with the English rate falling more than the U.S. rate (figure 41). The falling English incarceration rate was accompanied by a steep rise in the burglary victimization rate, indicating that the risk of incarceration after a burglary was falling in England. The falling U.S. incarceration rate was accompanied by a falling burglary victimization rate. However, the incarceration rate decline was less steep than the victimization rate decline, indicating that the risk of incarceration for burglary was actually rising in the United States during the period.

• The U.S. *motor vehicle theft* incarceration rate rose sharply (.04 in 1981 rising to .12 in 1994), while the English rate fell sharply (.21 in 1981 falling to .10 in 1995) (figure 42). The rising U.S. incarceration rate was accompanied by no clear trend in the victimization rate for vehicle theft. By contrast, the falling English incarceration rate was accompanied by a rising victimization rate for vehicle theft. Therefore, the risk of incarceration after a motor vehicle theft was decreasing in England and increasing in the United States.

Incarcerations per 1,000 offenders

Number of incarcerated murderers per 1,000 alleged murderers

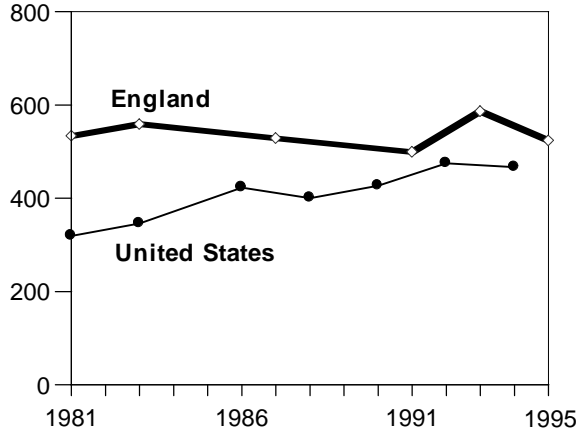


Figure 43

Number of incarcerated rapists per 1,000 alleged rapists

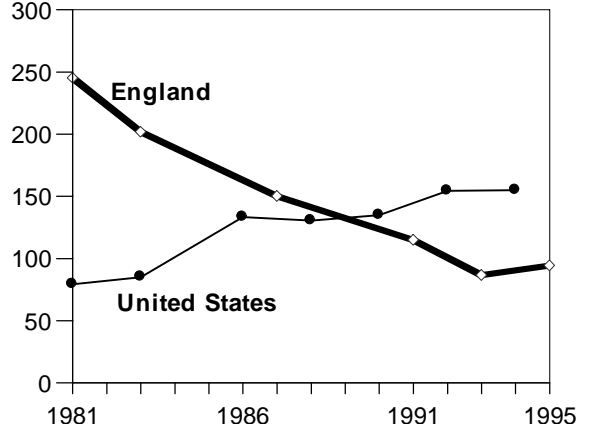


Figure 44

Number of incarcerated robbers per 1,000 alleged robbers

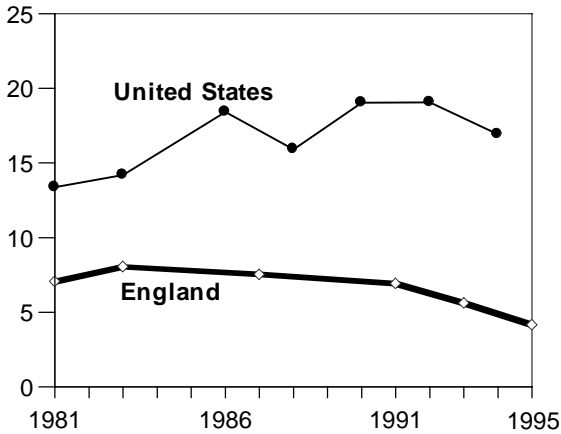


Figure 45

Number of incarcerated assaulters per 1,000 alleged assaulters

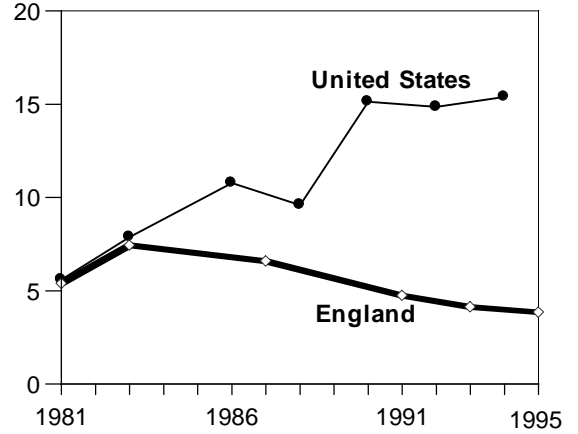


Figure 46

Number of incarcerated burglars per 1,000 alleged burglars

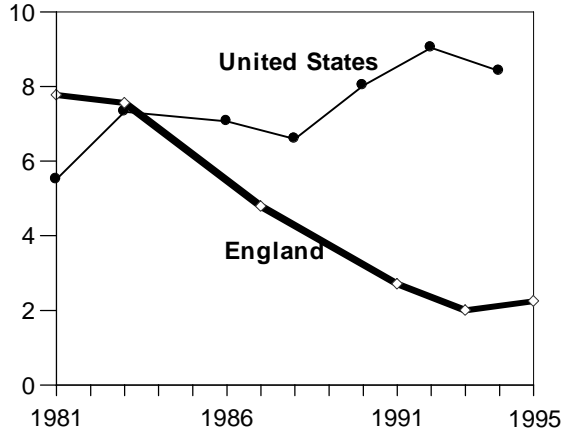


Figure 47

Number of incarcerated motor vehicle thieves per 1,000 alleged vehicle thieves

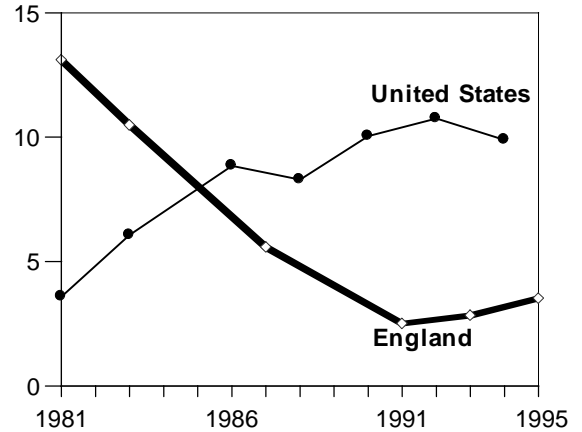


Figure 48

For additional information on these graphs, see the section labeled *Notes on figures 1-82*.

Are persons committing a serious crime equally likely in the two countries to be caught, convicted, and incarcerated?

• A person committing a serious crime in the United States is *more* likely to be caught, convicted, and incarcerated than one committing a crime in England (including Wales). The sole exception is murder.

According to the latest available figures (1994 in the United States, 1995 in England), the number of persons incarcerated for —

• *murder* for every 1,000 alleged murderers was 466 in the United States and 523 in England, indicating that a murderer's risk of incarceration is 12% greater in England than in the United States (figure 43)

• *rape* for every 1,000 alleged rapists was 155 in the United States and 94 in England, indicating that a rapist's risk of incarceration is 65% greater in the United States than in England (figure 44)

• *robbery* for every 1,000 alleged robbers was 17 in the United States and 4 in England, indicating that a robber's risk of incarceration in the United States is more than four times that in England (figure 45)

• *assault* for every 1,000 alleged assaulters was 15 in the United States and 4 in England, indicating that an assaulter's risk of incarceration in the United States is nearly four times that in England (figure 46)

• *burglary* for every 1,000 alleged burglars was 8 in the United States and 2 in England, indicating that a burglar's risk of incarceration in the United States is four times that in England (figure 47)

• *motor vehicle theft* for every 1,000 alleged vehicle thieves was 10 in the United States and 4 in England, indicating that a vehicle thief's risk of incarceration in the United States is more than double that in England (figure 48).

Is an offender's risk of being caught, convicted, and incarcerated rising in each country?

• The risk of incarceration is rising for persons committing crime in the United States but falling for those committing crime in England. The one exception is murderers in England. Their risk of being caught, convicted, and incarcerated has remained essentially unchanged since 1981.

Since 1981, the number of persons incarcerated for —

• *murder* per 1,000 alleged murderers has risen 46% in the United States (319 in 1981 rising to 466 in 1994) but fallen 2% in England (533 in 1981 falling to 523 in 1995) (figure 43)

• *rape* per 1,000 alleged rapists has risen 96% in the United States (79 in 1981 rising to 155 in 1994) but fallen 62% in England (245 in 1981 falling to 94 in 1995) (figure 44)

• *robbery* per 1,000 alleged robbers has risen 31% in the United States (13 in 1981 rising to 17 in 1994) but fallen 41% in England (7.1 in 1981 falling to 4.2 in 1995) (figure 45)

• *assault* per 1,000 alleged assaulters has nearly tripled in the United States (5.6 in 1981 rising to 15.4 in 1994) but fallen 30% in England (5.4 in 1981 falling to 3.8 in 1995) (figure 46)

• *burglary* per 1,000 alleged burglars has risen 53% in the United States (5.5 in 1981 rising to 8.4 in 1994) but fallen 72% in England (7.8 in 1981 falling to 2.2 in 1995) (figure 47)

• *motor vehicle theft* per 1,000 alleged vehicle thieves has nearly tripled in the United States (3.6 in 1981 rising to 9.9 in 1994) but fallen 73% in England (13.1 in 1981 falling to 3.5 in 1995) (figure 48).

Incarceration sentence length

Average incarceration sentence imposed on convicted murderers, in months

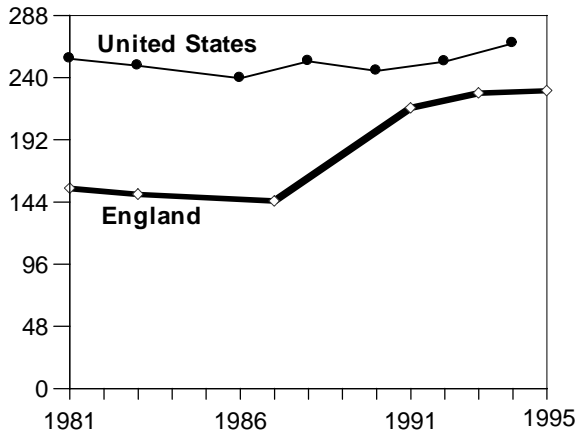


Figure 49

Average incarceration sentence imposed on convicted rapists, in months

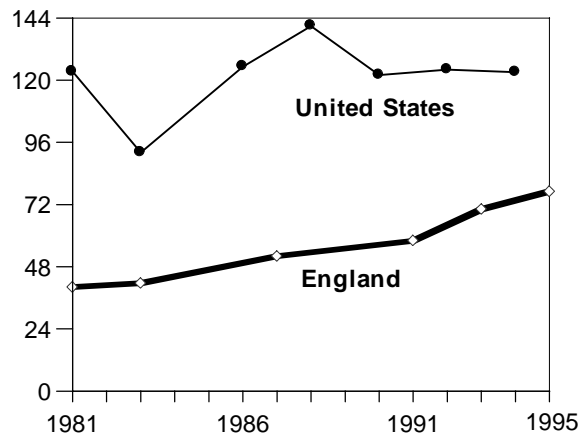


Figure 50

Average incarceration sentence imposed on convicted robbers, in months

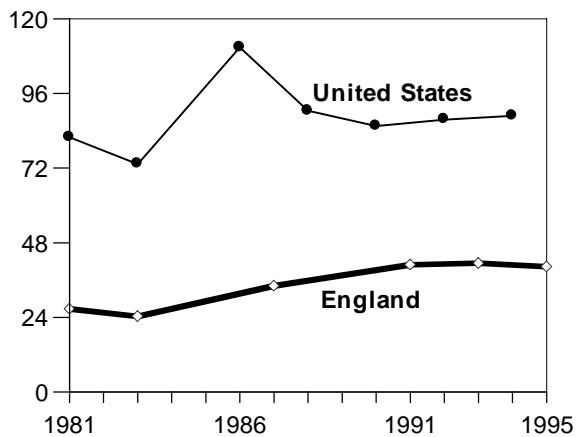


Figure 51

Average incarceration sentence imposed on convicted assaulters, in months

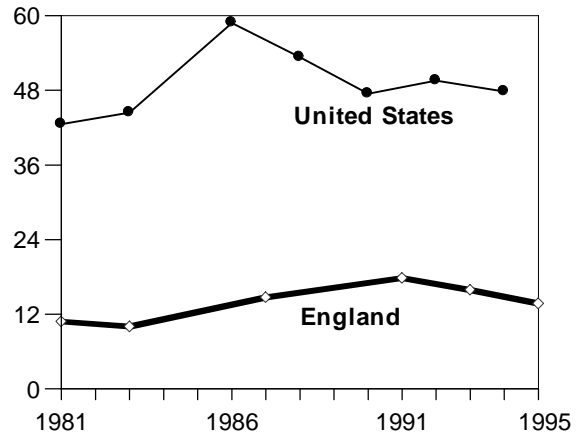


Figure 52

Average incarceration sentence imposed on convicted burglars, in months

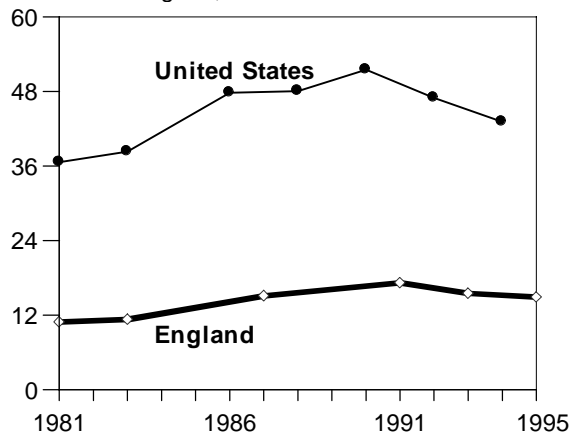


Figure 53

Average incarceration sentence imposed on convicted motor vehicle thieves, in months

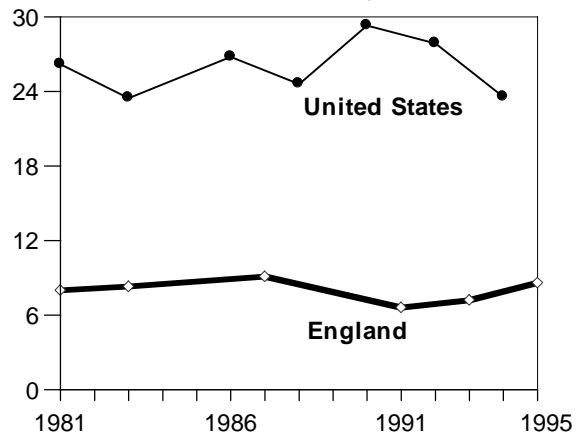


Figure 54

For additional information on these graphs, see the section labeled *Notes on figures 1-82*.

In the United States, incarceration sentence lengths are either determinate or indeterminate. In imposing an indeterminate sentence, the judge sets the maximum length of time the offender can be confined before being released. A parole board decides when an adult offender with an indeterminate sentence is released; a juvenile court judge or an authorized State agency decides the release date for a juvenile offender with an indeterminate sentence. In most States, sentences imposed in adult courts and juvenile courts are indeterminate. Before 1987, sentences imposed in Federal courts were also indeterminate.

An adult sentence of "10 to 20 years" is an example of an indeterminate sentence. What makes the sentence indeterminate is the fact that, at the time of sentencing, the offender cannot know how long he or she will serve before being released because the offender cannot know when the parole board will grant release. All that is known is a specified time range.

By contrast, a determinate sentence has no time range: it is a single maximum period of time, such as "20 years." The length of time that the offender with a determinate sentence will serve is whatever maximum term was imposed, less whatever number of days or months was deducted from the sentence for good behavior or special achievements.

Before 1992 the English sentencing system was largely indeterminate. Except for sentences under 10½ months, all sentences were indeterminate. That changed in 1992, when a more determinate sentencing system was adopted. Today, as in 1992, the only sentences that are indeterminate are those that are at least 4 years long.

In the United States the maximum juvenile sentence is typically "until age 18" or "until age 21." In England, before

1992 the maximum was 1 year. In 1992 the maximum was set at 1 year for juveniles sentenced in the juvenile court and 2 years for those sentenced as juveniles in the Crown Court.

Unlike the United States, England does not have the death penalty. Both countries have life sentences, but there is a difference. In the United States, "life without the possibility of parole" and "life with the possibility of parole" are sentencing options available in most States. By contrast, life *with* the possibility of parole is the only type of life sentence available in English courts.

Which courts — those in the United States or those in England — impose longer incarceration sentences?

- Incarceration sentences are longer in the United States than in England (including Wales).

According to latest figures (1994 in the United States, 1995 in England) incarceration sentences, on average, were —

- 3 years longer for *murder* in the United States than in England (266 months in the United States versus 230 in England) (figure 49)

- nearly 4 years longer for *rape* in the United States than in England (123 months in the United States versus 77 in England) (figure 50)

- 4 years longer for *robbery* in the United States than in England (89 months in the United States versus 40 in England) (figure 51)

- nearly 3 years longer for *assault* in the United States than in England (48 months in the United States versus 14 in England) (figure 52)

- over 2 years longer for *burglary* in the United States than in England (43

months in the United States versus 15 in England) (figure 53)

- over 1 year longer for *motor vehicle theft* in the United States than in England (24 months in the United States versus about 9 in England) (figure 54).

Are sentences getting longer in both countries?

- Of the six crimes investigated, sentence lengths are getting longer for only one crime in the United States: murder. In England, sentences are getting longer for three crimes: murder, rape, and robbery.

From 1981 to the latest year of sentencing data (1994 in the United States, 1995 in England) —

- U.S. incarceration sentences lengthened by 11 months for *murder* (average of 255 months in 1981 rising to 266 in 1994); English sentences lengthened by 6 years (155 months in 1981 rising to 230 in 1995) (figure 49)

- U.S. incarceration sentence lengths for *rape* showed no clear trend, while English rape sentences lengthened by 3 years (average of 40 months in 1981 rising to 77 months in 1994) (figure 50)

- U.S. incarceration sentence lengths for *robbery* showed no clear trend, while English robbery sentences lengthened by 1 year (average of 27 months in 1981 rising to 40 months in 1994) (figure 51)

- Both U.S. and English incarceration sentence lengths for *assault* showed no clear trend (figure 52)

- Both U.S. and English incarceration sentence lengths for *burglary* showed no clear trend (figure 53)

- Both U.S. and English incarceration sentence lengths for *motor vehicle theft* showed no clear trend (figure 54).

Time served

Incarcerated murderers: average time served, in months

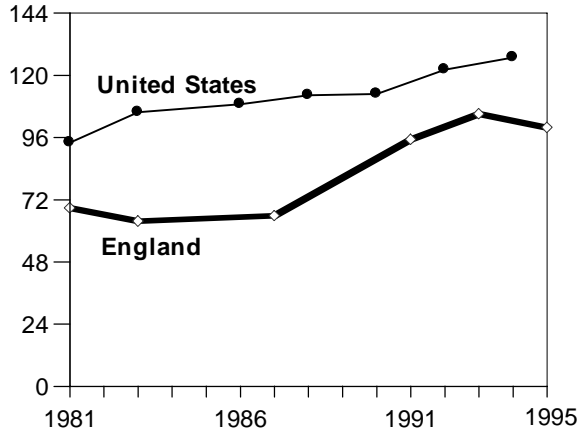


Figure 55

Incarcerated rapists: average time served, in months

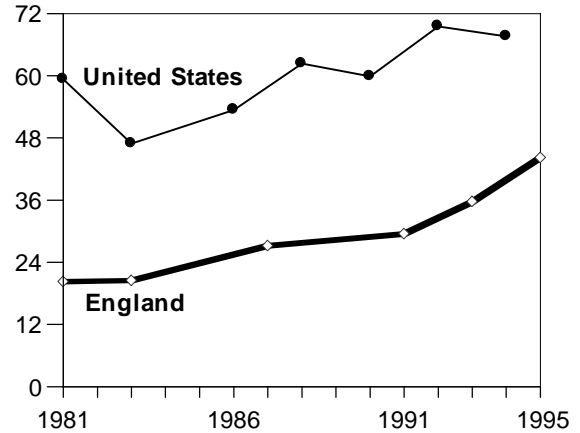


Figure 56

Incarcerated robbers: average time served, in months

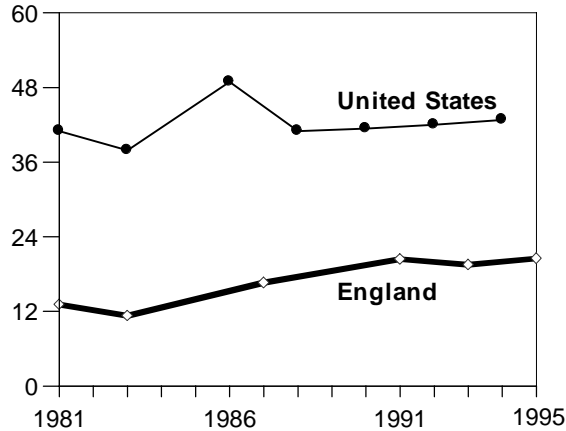


Figure 57

Incarcerated assaulters: average time served, in months

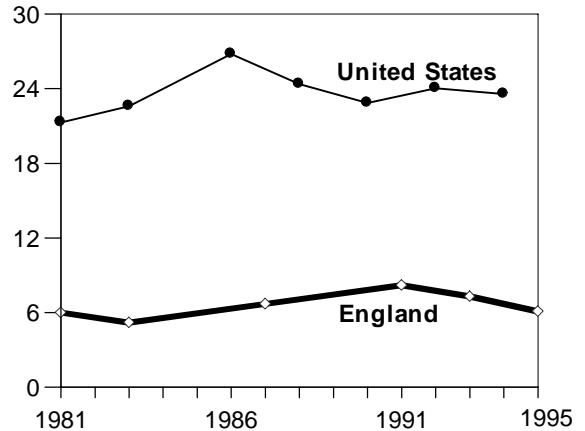


Figure 58

Incarcerated burglars: average time served, in months

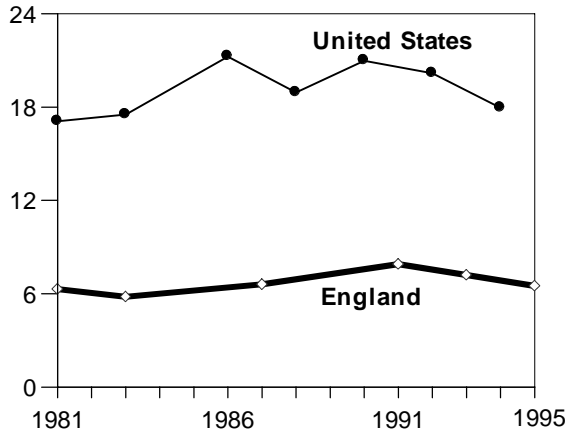


Figure 59

Incarcerated motor vehicle thieves: average time served, in months

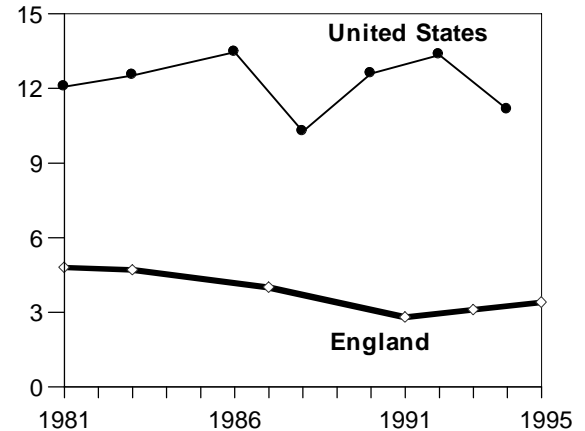


Figure 60

In both the United States and England (including Wales), virtually all convicted offenders sentenced to incarceration are eventually released. The amount of time they serve before release is almost always shorter than the sentence that the court imposed. There are two major reasons. Good behavior while in confinement earns incarcerated offenders early release in both countries. Also, parole boards in England and in most States give offenders a chance to demonstrate their readiness to return to society by releasing them early and placing them on parole. During the time they are on parole, they must stay out of trouble and follow the rules of their parole. Otherwise they can be returned to confinement to complete their sentence.

Prior to 1992 in England, parole boards had jurisdiction over inmates with sentences of 10½ months or more. Such inmates were eligible for parole after serving one-third of their sentence (or a minimum of 6 months) and had to be released from confinement once they had served two-thirds. Those with sentences under 10½ months were automatically released after serving two-thirds of their term unless they misbehaved in prison and lost remission. Beginning in 1992, all English inmates, regardless of sentence length, were required to serve a minimum of one-half of their sentence. Once they serve half, those with sentences under four years are automatically released and those with sentences of four years or more become eligible for parole.

Parole regulations in the United States vary from State to State, between Federal and State parole, between State and local jurisdictions and over time. Consequently, they cannot be simply described. Some States and the Federal Government abolished parole, replacing it with a system in which the inmate can reduce the period in confinement through good behavior, but requiring some minimum

percentage of the sentence be served (for example, 85% of Federal sentences over one year). Most States have parole boards with jurisdiction over persons with sentences of a year or more. The point at which an inmate becomes eligible for parole depends on numerous factors (for example, sentence length, type of felony), and the factors vary from State to State.

"Time served" is the amount of time that incarcerated offenders spend in confinement before being released. Is time served in confinement before release equally long in the two countries?

• Time served is greater in the United States than in England, mostly because courts impose longer sentences in the United States than in England.

According to latest available figures (1994 in the United States, 1995 in England) time served, on average, was —

- longer for *murder* in the United States (10½ years) than in England (8 1/4 years) (figure 55)
- longer for *rape* in the United States (5½ years) than in England (nearly 4 years) (figure 56)
- longer for *robbery* in the United States (3½ years) than in England (nearly 2 years) (figure 57)
- longer for *assault* in the United States (2 years) than in England (6 months) (figure 58)
- longer for *burglary* in the United States (1½ years) than in England (6 months) (figure 59)
- longer for *motor vehicle theft* in the United States (just under 1 year) than in England (3 months) (figure 60).

Is time served getting longer in both countries?

• Of the six crimes investigated, time served is getting longer for two crimes in the United States (murder and rape) and three crimes in England (murder, rape, robbery).

From 1981 to the latest year of data (1994 in the United States, 1995 in England) —

- time served for *murder* rose nearly 3 years in both the United States (94 months in 1981 rising to 127 in 1994) and England (69 months in 1981 rising to 100 in 1995), reflecting increases over the period in the lengths of murder sentences imposed (figure 55)
- time served for *rape* rose 8 months in the United States (59 months in 1981 rising to just over 67 in 1994) despite the fact that sentence lengths for rape had not increased; while time served for rape rose 2 years in England (20 months in 1981 rising to 44 in 1995), reflecting an increase in the length of rape sentences imposed (figure 56)
- time served for *robbery* was trendless in the United States; while time served for robbery rose over 7 months in England (13 months in 1981 rising to just over 20 in 1995), reflecting an increase in the length of robbery sentences imposed (figure 57)
- time served for *assault* was trendless in both the United States and England (figure 58)
- time served for *burglary* was trendless in both the United States and England (figure 59)
- time served for *motor vehicle theft* was trendless in the United States but decreased in England (figure 60).

Percent of sentence served

Incarcerated murderers: Percent of sentence served

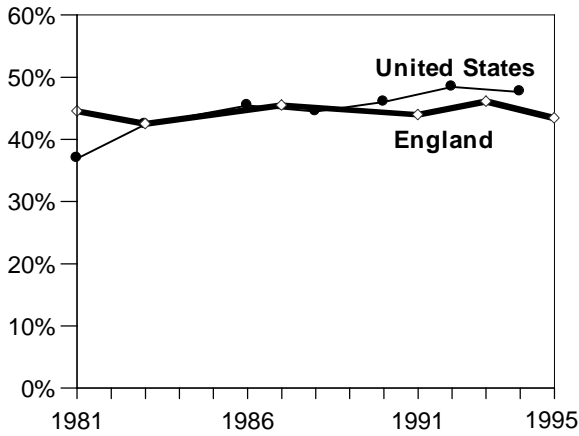


Figure 61

Incarcerated rapists: Percent of sentence served

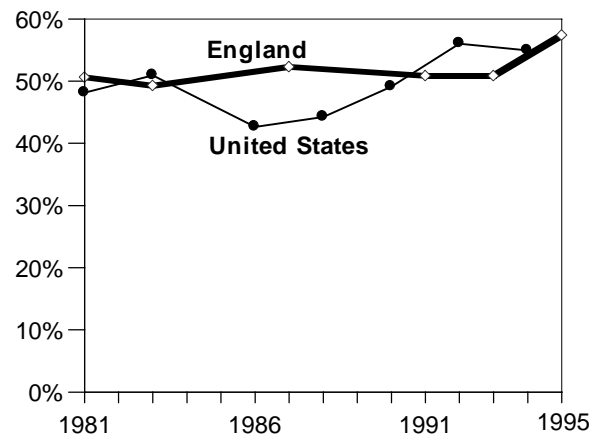


Figure 62

Incarcerated robbers: Percent of sentence served

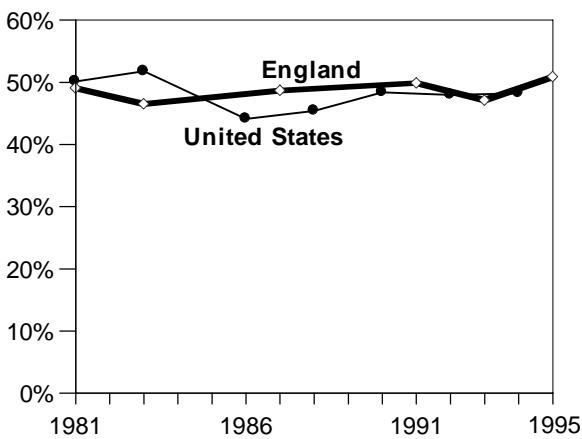


Figure 63

Incarcerated assaulters: Percent of sentence served

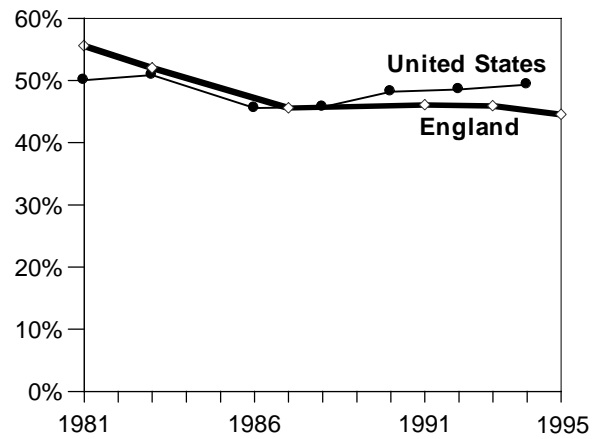


Figure 64

Incarcerated burglars: Percent of sentence served

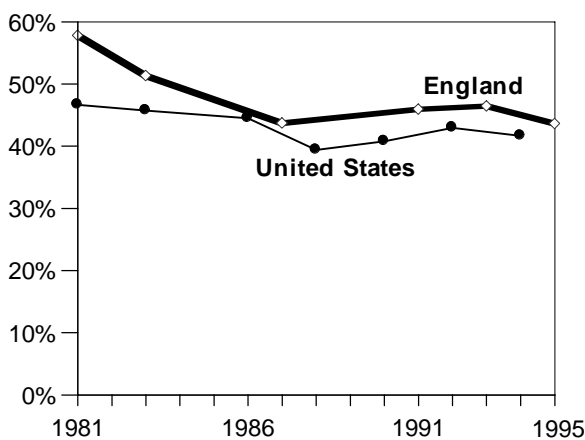


Figure 65

Incarcerated vehicle thieves: Percent of sentence served

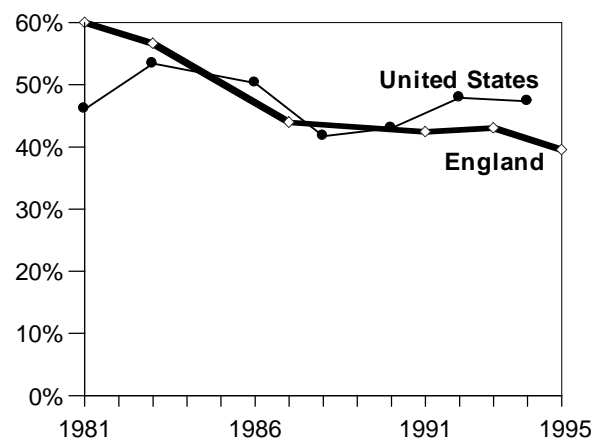


Figure 66

For additional information on these graphs, see the section labeled *Notes on figures 1-82*.

Is the fraction of the sentence served in confinement before release about the same in the two countries?

- The fraction of the sentence that is served before release is generally about the same in the United States and England (including Wales).

According to latest figures (1994 in the United States, 1995 in England), on average, the fraction of the sentence that was served before incarcerated offenders were released was —

- about the same in the United States (48%) and England (43%) for *murder* (figure 61)
- about the same in the United States (55%) and England (57%) for *rape* (figure 62)
- about the same in the United States (48%) and England (51%) for *robbery* (figure 63)
- about the same in the United States (49%) and England (45%) for *assault* (figure 64)

- about the same in the United States (42%) and England (44%) for *burglary* (figure 65)

- slightly higher in the United States (47%) than in England (40%) for *motor vehicle theft* (figure 66).

Is the fraction of the sentence served before release rising in both countries?

- Since 1981 in England, the fraction served has generally stayed constant or fallen. In the United States, the fraction served generally dropped through around the mid-1980's and has risen since then.
- Since 1981, the sentence fraction served has stayed fairly constant for English murderers (45% in 1981 and 43% in 1995), while the U.S. fraction has risen fairly consistently (37% in 1981 rising to 48% in 1994) (figure 61).
- Since 1981, the fraction of the sentence served has stayed at around 50% for English rapists, while the U.S. fraction fell to 43% in 1986 and has generally risen since then, reaching 55% in 1994 (figure 62).

- Since 1981, the fraction of the sentence served has stayed at around 49% for English robbers, while the U.S. fraction fell to 44% in 1986 and has generally risen since then, reaching 48% in 1994 (figure 63).

- Since 1981, the fraction of the sentence served by assaulters has generally fallen in England (56% in 1981 falling to 45% in 1995), while the U.S. fraction fell to 46% in 1986 and has generally risen since then, reaching 49% in 1994 (figure 64).

- Since 1981, the fraction of the sentence served by burglars has generally fallen in England (58% in 1981 falling to 44% in 1995) and the United States (47% in 1981 falling to 42% in 1994) (figure 65).

- Since 1981, the fraction of the sentence served by motor vehicle thieves has generally fallen in England (60% in 1981 falling to 40% in 1995), while the fraction served in the United States generally fell through the late 1980's (46% in 1981 falling to 42% in 1988) and has generally risen since then (47% in 1994) (figure 66).

Days at risk of serving

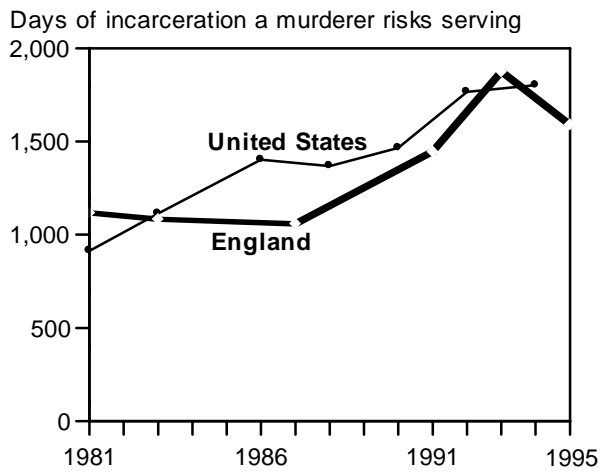


Figure 67

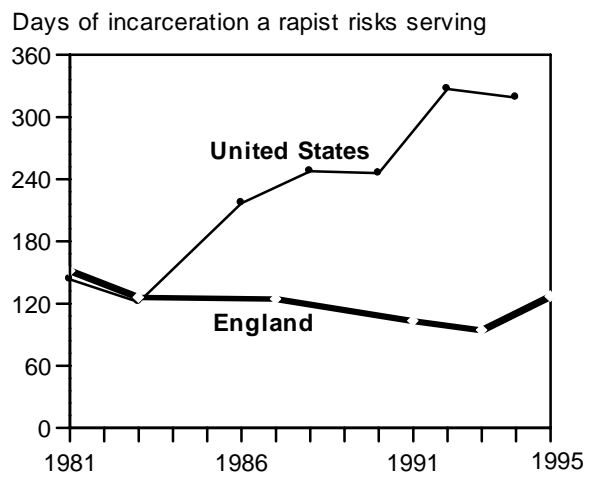


Figure 68

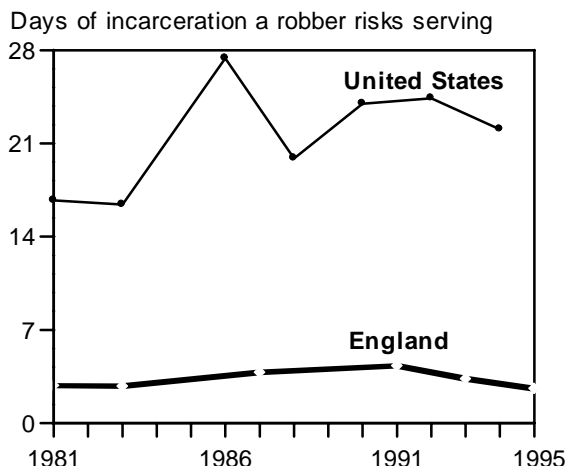


Figure 69

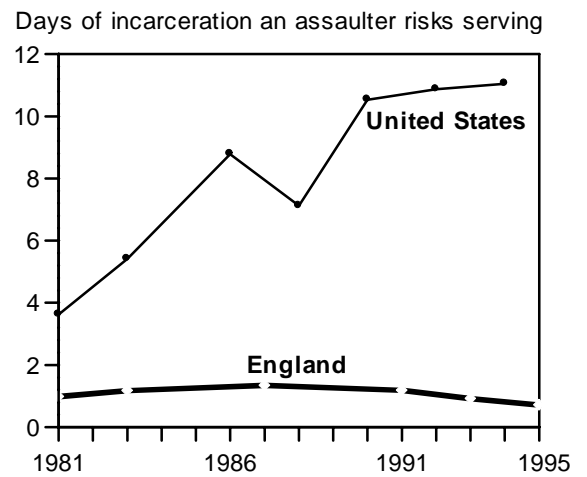


Figure 70

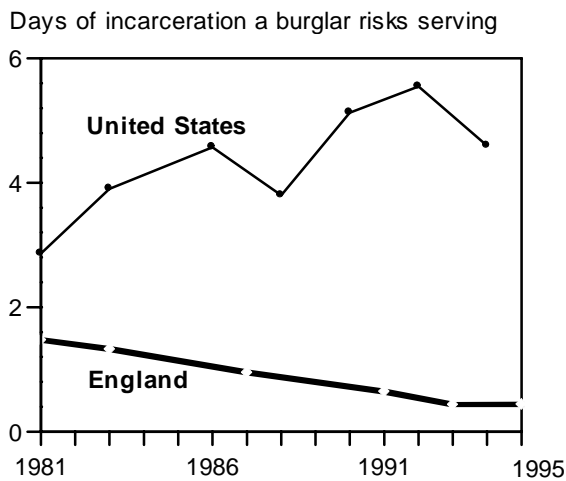


Figure 71

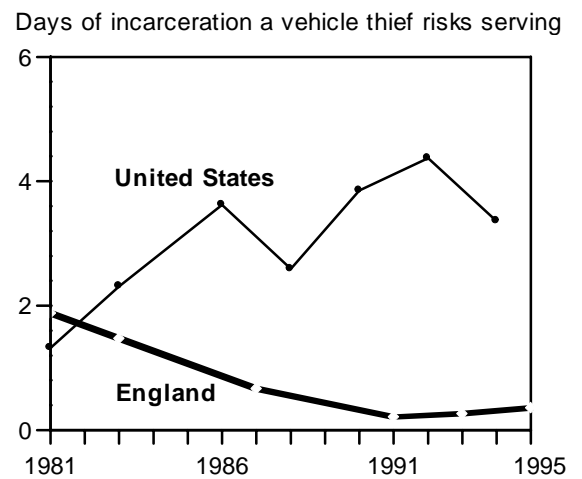


Figure 72

For additional information on these graphs, see the section labeled *Notes on figures 1-82*.

The risk of punishment an offender runs for committing a particular crime depends both on how long those who are caught typically serve for committing such a crime, and on the likelihood of being caught, convicted, and incarcerated. The two are combined in a single measure of risk called "the number of days (or months or years) of incarceration an offender risks serving."

By this measure, is the risk of punishment the same in the two countries?

• By this measure, the risk of punishment is generally greater in the United States than in England (including Wales).

According to the latest figures (1994 in the United States, 1995 in England) —

- a person committing *murder* risked nearly 5 years of incarceration in the United States versus a little over 4 years in England (figure 67)
- a person committing *rape* risked 11 months of incarceration in the United States versus 4 months in England (figure 68)
- a person committing *robbery* risked 22 days of incarceration in the United States versus 3 days in England (figure 69)

- a person committing *assault* risked 11 days of incarceration in the United States versus 1 day in England (figure 70)
- a person committing *burglary* risked 5 days of incarceration in the United States versus less than 1 day in England (figure 71)
- a person committing *motor vehicle theft* risked 3 days of incarceration in the United States versus less than 1 day in England (figure 72).

Is the risk of punishment rising or falling in both countries?

• The risk of punishment is generally rising in the United States and falling in England.

From 1981 to the latest year of available data (1994 in the United States, 1995 in England), the risk of punishment for committing —

- *murder* rose 2.4 years in the United States (914 days in 1981 rising to 1,802 in 1994) and rose 1.3 years in England (1,117 days in 1981 rising to 1,590 in 1995) (figure 67)

- *rape* rose 6 months in the United States (143 days in 1981 rising to 319 in 1994) and fell 24 days in England (151 days in 1981 falling to 127 in 1995) (figure 68)

- *robbery* rose 5 days in the United States (17 days in 1981 rising to 22 in 1994) and stayed constant in England (2.8 days in 1981 and 2.6 in 1995) (figure 69)

- *assault* rose 7 days in the United States (4 days in 1981 rising to 11 in 1994) and fell in England (1 day in 1981 falling to .7 in 1995) (figure 70)

- *burglary* rose 2 days in the United States (3 days in 1981 rising to 5 in 1994) and fell by 1 day in England (1.5 days in 1981 falling to .4 in 1995) (figure 71)

- *motor vehicle theft* rose 2 days in the United States (1 day in 1981 rising to 3 in 1994) and fell by more than 1 day in England (1.9 days in 1981 falling to .4 in 1995) (figure 72).

Justice system's impact on crime

Is there a connection between trends in legal punishment and trends in crime in the two countries?

The two countries differ greatly in how their justice systems responded to crime throughout the 1980's and continuing into the 1990's. For example, during that time an offender's risk of conviction rose in the United States but fell in England (including Wales). Such differences in punishment trends might help explain why crime trends since 1981 differed between the two countries. In theory, raising the risk or severity of punishment might lead to crime decreases, and lowering the risk or severity of punishment might lead to crime increases.

To investigate these possibilities, correlations were computed between punishment trends and crime trends in the two countries. Negative correlations (for example, a falling conviction rate and a rising crime rate) were interpreted as possible support for the theory. Correlations dealt with two separate types of punishment trends: trends in the *risk* of punishment, and trends in the *severity* of punishment. Two measures of punishment risk are the conviction rate (defined as the number of convictions per 1,000 alleged offenders) and the incarceration rate (defined as the number of incarcerations per 1,000 alleged offenders). Four measures of punishment severity are the percent of convicted offenders sentenced to incarceration, sentence length, time served, and percent of sentence served. A fifth is "days of incarceration at risk of serving," although this measure actually combines elements of both risk and severity.

U.S. trends were based on data for seven points in time (1981, 1983, 1986, 1988, 1990, 1992, and 1994); English trends were based on six (1981, 1983, 1987, 1991, 1993, and 1995).

Detecting a statistically significant relationship between crime and punishment trends is difficult when trends are based on so few points in time. Consequently, statistical significance was not given more weight than other criteria for evaluating results. Other criteria used were strength and direction of correlations between punishment trends and crime trends, and consistency of correlations across offense categories.

Major findings were:

- Negative correlations in England between trends in punishment *risk* and crime trends offer the strongest support for the theory that links falling risk of punishment to rising crime (table 2). Specifically, since 1981 the conviction rate fell in England, and English crime rates (both police-recorded crime rates and crime rates from victim surveys) rose (figures 1-10 and figures 25-30). Likewise, the incarceration rate fell, and English crime rates (both police-recorded rates and victim survey rates) rose (figures 1-10 and figures 43-48).
- In England, correlations between punishment *severity* and crime trends were mixed (table 2). Roughly half were positive and half were negative. The major exception was motor vehicle theft: correlations were fairly consistently strong and negative between trends in punishment severity (however measured) for motor vehicle theft and trends in the rate of vehicle theft (however measured) (figures 4, 10, 36, 54, 60, 66, and 72). Specifically, the percent of convicted motor vehicle thieves sentenced to incarceration, their average sentence length, their average time served, the percent of sentence they served, and the number of days of incarceration they were at risk of serving all fell since 1981. At the same time, the motor vehicle theft rate, as measured in both victim

surveys and police statistics, generally rose.

- In the United States, correlations between punishment *risk* and crime trends were mixed (table 2). About half were positive and half were negative. Moreover, negative correlations were often low. Furthermore, correlations between trends in punishment risk and trends in crime were predominantly negative when crime trends were measured with victim surveys but predominantly positive when measured with police statistics. In short, trends in punishment risk had an inconsistent relationship with trends in crime in the United States. The major exception is burglary, where there were consistent negative correlations: the risk of punishment (whether measured by the conviction rate or the incarceration rate) rose, and the burglary rate (whether measured in victim surveys or police statistics) fell (figures 3, 9, 29, and 48).
- In the United States, correlations between punishment *severity* and crime trends were mixed (table 2). Approximately half were positive and half were negative. Moreover, in instances where there were negative correlations, they were often weak. Furthermore, unlike results from England, correlations between punishment severity and *survey* crime rates often had a different sign than correlations between severity and *police-recorded* rates for the same crime. In short, trends in punishment severity had an inconsistent relationship with trends in crime in the United States. The major exception is burglary, where there were consistent negative correlations: for most measures of severity (percent of convicted offenders sentenced to incarceration; sentence length imposed; time served), increases in severity of punishment for burglary were associated with decreases in the burglary rate regardless of whether the burglary rate was

Table 2. Correlations between 1981-1994 trends in U.S. crime rates and U.S. trends in legal punishment; and correlations between 1981-1995 trends in English crime rates and English trends in legal punishment

	Correlation between crime rate trends and trends in —						
	Risk of punishment		Severity of punishment				
	Conviction rate: convictions per 1,000 alleged offenders	Incarceration rate: incarcerations per 1,000 alleged offenders	Percent of convicted offenders sentenced to incarceration	Average incarceration sentence imposed	Average time served	Percent of sentence served	Days of incarceration at risk of serving
United States' crime rate							
Police-recorded rate of —							
Murder	-.031	-.015	.178	.206	-.162	-.252	-.040
Rape	.844*	.835*	-.573	.487	.776*	.389	.865*
Robbery	.215	.288	.370	-.153	-.045	.207	.169
Assault	.950**	.957**	-.347	.267	.277	-.299	.935**
Burglary	-.835*	-.841*	-.830*	-.518	-.334	.632	-.789*
Motor vehicle theft	.774*	.791*	.389	.544	-.100	-.784	.729
Victim survey estimated rate of —							
Robbery	-.606	-.595	-.111	-.581	-.440	.696	-.612
Assault	-.146	-.132	.267	-.421	-.449	.319	-.178
Burglary	-.826*	-.880**	-.899**	-.680	-.524	.687	-.874*
Motor vehicle theft	.546	.583	.409	.518	-.208	-.790	.517
England's crime rate							
Police-recorded rate of —							
Murder	-.907*	-.483	.782	.641	.638	.241	.482
Rape	-.953**	-.968**	.434	.969*	.933**	.613	-.699
Robbery	-.868*	-.852*	-.811	.896*	.897*	.437	.030
Assault	-.901*	-.684	.654	.775	.614	-.866*	-.475
Burglary	-.934**	-.956**	-.019	.815*	.711	-.686	-.967**
Motor vehicle theft	-.883*	-.899*	-.331	-.672	-.974**	-.792	-.890*
Victim survey estimated rate of —							
Robbery	-.981**	-.964**	-.775	.681	.712	.533	-.317
Assault	-.995**	-.790	.826*	.544	.379	-.724	-.713
Burglary	-.970**	-.964**	.258	.759	.522	-.788	-.982**
Motor vehicle theft	-.943**	-.951**	-.301	-.533	-.987**	-.888*	-.951**

*Correlation is significant at the 0.05 level (2-tailed)

** Correlation is significant at the 0.01 level (2-tailed)

measured using victim surveys or police statistics (figures 3, 9, 35, 53, and 59).

To summarize, notable consistencies and notable inconsistencies both characterized results relating punishment trends to crime trends. Notably consistent was the close association in England, across the different crime types, between falling risk of punishment (however measured) and rising crime rates (however measured). Notable inconsistent results were those between England and the United States; between trends in punishment risk versus trends in punishment severity; between police statistics and victim surveys; between different measures of punishment severity; and between different offenses. The major exception

was burglary, where trends were fairly consistent irrespective of country, source of crime-rate data, or type of punishment trend.

Possible explanations for the inconsistencies are:

- Victim surveys may provide a more reliable measure of crime trends than police statistics. If so, that may explain inconsistencies between victim surveys and police statistics.
- Changes in the risk of punishment are widely thought to have a greater impact on crime rates than changes in punishment severity. If so, that may explain why punishment risk trends and crime trends were more consistently associated with one another than were

punishment severity trends and crime trends.

- Most U.S. crime rates fell in the early 1980's, increased until the early 1990's, and then fell again. Yet linear correlation was used to analyze these nonlinear trends. Perhaps nonlinear correlation would show a closer association between punishment trends and crime trends in the United States.
- The fact that all trends were based on a small number of points in time (seven in the United States, six in England) suggests a more general explanation for inconsistencies. That number of data points may be adequate for documenting a relationship between punishment trends and crime trends only if major changes occur in

Justice system's impact on crime

punishment trends during the study period in *both* countries, which was not the case here. English conviction rates, for example, declined sharply during the study period. The increase in U.S. conviction rates was modest by comparison. Consequently, the negative correlations between rising U.S. conviction rates and falling crime rates were relatively modest for most crime rates derived from victim surveys, whereas the negative correlations between falling English conviction rates and rising English crime rates were uniformly strong. The implication is that punishment trends and crime trends should not always be expected to have the same relationship in two countries over any period of time.

- Some crimes (such as burglary) are more rationally motivated than others (assault, for example). Consequently,

in comparison with other crimes, those that are committed by more rationally motivated offenders — by persons who, for example, plan their crime and weigh their chances of being caught — are probably more influenced by increases or decreases in the likelihood or severity of punishment. The implication is that punishment trends and crime trends should not always be expected to have the same relationship irrespective of type of crime.

- A positive correlation between punishment and crime trends was interpreted as possible evidence that increasing punitiveness does not reduce crime. Such an interpretation may not always be justified. For example, if the crime rate rose over some period of time but was kept from soaring by increasingly punitive policies over that period, it would be a mistake to interpret the observed positive

correlation between punishment and crime trends as evidence that increasing punitiveness had no crime reduction benefit. Perhaps some of the inconsistent findings described above stem from misinterpreting positive correlations. By the same token, perhaps some of the inconsistencies stem from misinterpreting negative correlations. Interpreting a negative correlation as possible evidence that increasing punitiveness reduces crime may not always be justified. For example, crime rates can fall for reasons having nothing to do with increasing punitiveness. To illustrate, demographic changes in the age and race composition of the U.S. population might explain 41% of the drop in the U.S. murder rate from 1981 to 1996; 47% of the drop in the police-recorded U.S. robbery rate; and 19% of the drop in the police-recorded U.S. burglary rate.

Justice system changes

Probability: United States murder

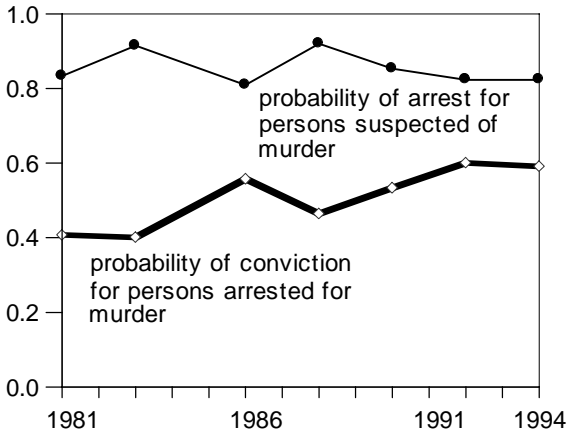


Figure 73

Probability: United States rape

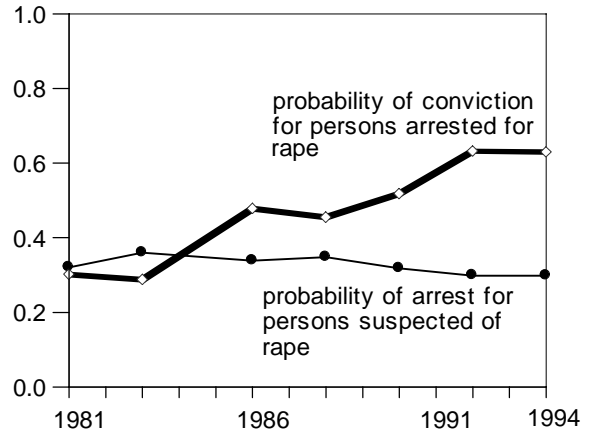


Figure 74

Probability: United States robbery

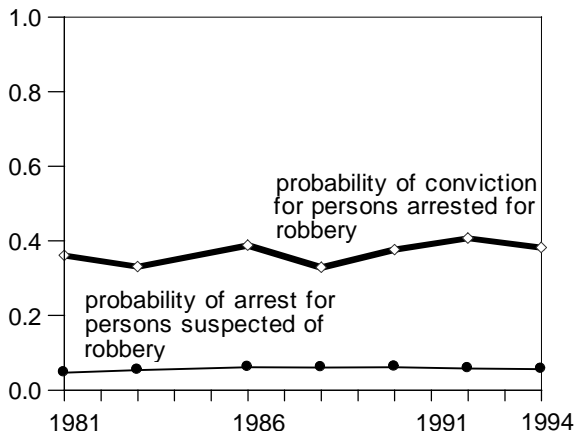


Figure 75

Probability: United States assault

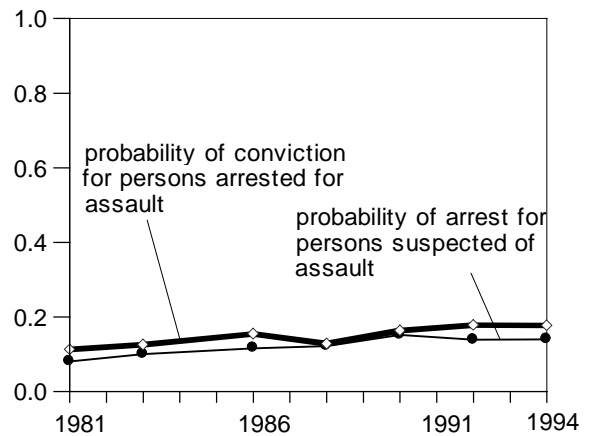


Figure 76

Probability: United States burglary

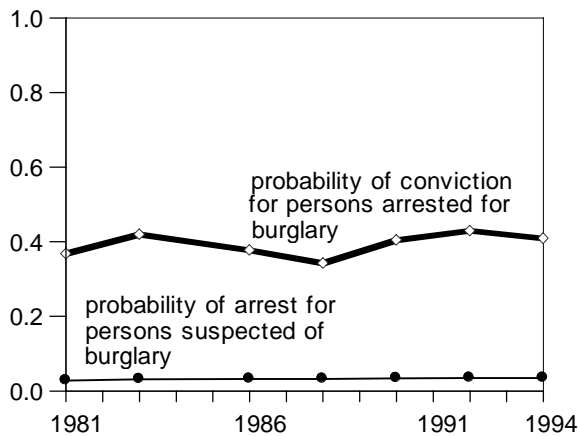


Figure 77

Probability: United States motor vehicle theft

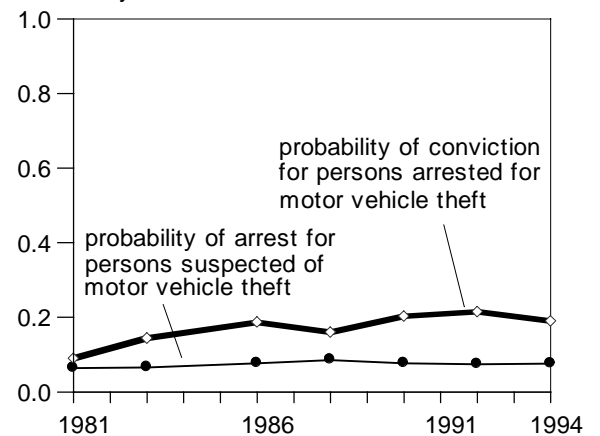


Figure 78

For additional information on these graphs, see the section labeled *Notes on figures 1-82*.

Reasons for divergent trends in legal punishment in England (including Wales) and the United States

Changes in the likelihood of conviction and incarceration can be explained more convincingly than changes in crime rates. The English decreases in the probability of conviction were caused by —

- the increasing use of recorded cautions and unrecorded warnings for detected offenders (Home Office, 1985, 1990b; Farrington, 1992)
- the Police and Criminal Evidence Act 1984, which increased procedural safeguards for accused persons (Irving and MacKenzie, 1989)
- the introduction of the Crown Prosecution Service in 1986, with lawyers replacing police officers as prosecutors, leading to an increasing tendency to drop cases rather than prosecute them (Home Office, 1993, table 6.2).

There were also measures affecting specific offenses. For example, from 1993 onwards, the police were increasingly likely to charge assault offenders with "common assault" rather than "wounding."

There were two main reasons why the time served and sentence length for homicide increased in England:

- Murder convictions (carrying a mandatory life sentence) increased, whereas manslaughter convictions fell. For example, in 1981, 126 offenders were convicted for murder and 262 for manslaughter, whereas in 1995, 214 offenders were convicted for murder and 241 for manslaughter.

- The average time served by life-sentence prisoners increased, from 126 months in 1981 to 163 months in 1995.

The English decreases in the probability of incarceration in 1987-91 were caused by —

- pronouncements by the Home Office (roughly equivalent to the U.S. Department of Justice) encouraging judges and magistrates to avoid sending offenders to prison as far as possible, especially for non-violent offenses such as burglary and vehicle theft (Home Office, 1988, 1990a)
- the downgrading of the offense of unauthorized taking of a motor vehicle to a non-indictable offense (in the Criminal Justice Act 1988), which encouraged judges to treat it as a relatively trivial offense and to use non-custodial penalties.

As has been noted (Wilson, 1997), up to and including the Criminal Justice Act 1991 (which greatly restricted the ability of sentencers to pass custodial sentences), Home Office policy makers were primarily concerned with reducing the prison population.

In contrast, in America during the 1980's and continuing into the 1990's, growing emphasis was placed on retribution, deterrence, and incapacitation as major goals of the justice system. One way the change revealed itself was a rising risk of conviction for persons committing crime. Reasons varied across crime categories but, in general, the rise in risk of conviction occurred both because police made more arrests relative to the number of persons committing crime, and prosecutors obtained more convictions relative to the number of persons being arrested (figures 73-78). (These same trends cannot be investigated for England because there are no nationwide English data on arrests.)

Another change was in prison release policies. Since around 1986 growth has occurred in the fraction of the sentence that prisoners served before they were released, especially for violent offenders (figures 61-66). For example, the U.S. Congress passed legislation requiring that Federal prisoners with sentences longer than 1 year serve at least 85% of their sentence (McDonald and Carlson, 1992, page 8).

In England, Home Office policy changed in 1993. Judges and magistrates were encouraged to make more use of custodial sentences, and new laws were introduced to facilitate this. For example, the Criminal Justice Act 1993 repealed the provision in the Criminal Justice Act 1991 that barred judges from imposing longer sentences for persons with previous convictions. Another repealed provision had barred judges from punishing more severely a person who had harmed two or more victims than a person who had harmed one.

These new English policies were popular with the general public. For example, in one 1993 survey, 88% thought that too lenient court sentences caused crime and 86% thought that prison sentences should be imposed to make criminals suffer (Kirby and Cusick, 1993).

There are many possible explanations for changes in crime rates over time. However, many of the relevant factors — such as the trend toward single parent families, the aging of the population, and routine activities — vary similarly over time in America and England (Farrington and Langan, 1992). Hence, they cannot explain divergent crime trends between the two countries.

Racial disparities in incarceration

In the United States, the incarceration rate of blacks is six times the incarceration rate of whites. Is racial disparity markedly worse in the United States than in England?

- Racial disparity is no worse in the United States than in England (including Wales).

In the United States in 1991—

- of the 160.8 million white adults, approximately 636,000 were incarcerated in a local jail, a State prison, or a Federal prison on any given day, or 396 per 100,000 population

- of the 20.6 million black adults, about 528,000 were incarcerated, or 2,563 per 100,000 population

- of the 5.6 million adults of other races, roughly 36,000 were incarcerated, or 643 per 100,000 population.

In England in 1991 —

- of the 36.7 million white adults, approximately 37,600 were incarcerated on any given day, or 102 per 100,000 population

- of the roughly three-quarter million black adults, about 5,000 were incarcerated, or 667 per 100,000 population

- of the 1.2 million adults of other races, an estimated 2,800 were incarcerated, or 233 per 100,000 population.

In 1991 —

- the black incarceration rate was approximately six times the white incarceration rate in both England and the United States

- the incarceration rate for persons of other races was roughly two times the white incarceration rate in both England and the United States.