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**AN OVERVIEW OF THE RELEVANCE OF
THE BUREAU OF JUSTICE STATISTICS DATA AND ANALYSES
TO UNDERSTANDING AND RESPONDING TO VIOLENT CRIME**

**A presentation to the
Southeastern Summit on Crime and the Administration of Justice**

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It is indeed a pleasure to be here today, back in "God's Country" (that is, below the "Mason-Dixon" line) where I have spent most of my life. I wish to thank all who are participating for having this segment on statistics and trends--it is a very logical starting point for devising strategies and plans of action for combating violent crime and preventing victimizations.

I have been asked to talk to you about recent crime and victimization trends, and what responses have been made to this critical policy issue, as well as what responses might be considered. You have just heard from Attorney General Barr as to the comprehensive reforms sought by the Administration, particularly within the President's pending crime control package. At the Attorney General's hearing before the Senate Judiciary Committee last week, it was evident that a determined attempt is underway to obtain much needed legislation and to hammer out significant and meaningful reforms.

Today, I am offering you some thoughts drawn from data available from the Bureau of Justice Statistics (BJS), the statistical arm of the U.S. Department of Justice. The business of collecting accurate and valid data on crime and the administration of justice is every bit as important a responsibility as collecting credible and useful information on the performance of our nation's health or

educational systems. For most of our citizens, crime continues to rank number one or number two in public opinion surveys as an issue of overriding public concern. Since 1971 the Bureau of Justice Statistics (or its predecessor agency) has been responsible for the collection, analysis, and reporting of national data on criminal victimizations, and the workload, activities, and results of the operations of the main components of the justice system--including law enforcement, the courts, and institutional and community-based corrections. BJS is the only source for national data on these aspects of justice and its administration, and we conduct more than two dozen ongoing surveys or censuses nationally. The only national-level crime data that we do not collect is the Uniform Crime Reports (UCR) which is collected by the Federal Bureau of Investigation (FBI) and is based on crime officially reported to law enforcement agencies.

The topic of this conference suggests a great concern among all of you in the effectiveness of the criminal justice system's response to the problem of crime. There is, quite obviously, considerable interest among all of our citizens who are taxpayers and potential crime victims in evaluating our policies and practices and how our resources are spent to accomplish our shared goals of

public safety and fairness. The evidence that I will offer to this discussion is derived from national data collection programs carried out by the Bureau of Justice Statistics. These data will, I believe, help us to collectively evaluate both the logic and reasonableness of recent practices and whether the resources allocated have produced meaningful results. I will address some very basic questions.

How much do we spend on criminal justice, especially incarceration?

In FY 90, Federal, state, and local governments spent slightly more than \$8,900 per person for all government services. Of this, about \$320, or 3.6 percent was spent for criminal justice functions. Of this amount, \$144 went for police and law enforcement, \$70 for courts and legal services, and \$105 for adult and juvenile corrections. State and Federal prison expenditures averaged about \$45.00 for each of us.

In FY 89-90, state and local governments in the 12 Southeastern States reported total expenditures of almost \$200 billion for all government activities and functions--of this, spending on justice totalled nearly \$13.5 billion, about

6.8 percent of all expenditures. On a per capita basis, the Southeastern States spent about \$3,350 for each of their nearly 60 million residents for all government activities and functions, with about \$100 going for law enforcement and police services, \$40 per person for judicial and legal services, and \$84 for all corrections activities, both adult and juvenile as well as institutional and non-institutional corrections. State prisons in FY 90 cost each resident of the 12 Southeastern States an average of \$35.59 during the year. So, while we frequently hear the comparison of prison expenditures to college tuition, the average figure of \$35 per year per citizen throughout the Southeast for the state prison systems may not seem quite as overwhelming or taxing as some may allege. This is not to say, of course, that intermediate punishments and other punishment options should not be developed. Quite the contrary, the Department and Congress strongly support effective intermediate sanctions such as boot camps, which I have visited in North Carolina and Louisiana, and have discussed with officials from South Carolina, Florida, Georgia and most of the Southeastern States. Intermediate sanctions that ensure an appropriate level of public safety are important components of all comprehensive correctional programs and should be further encouraged and developed.

What have the States purchased with their expenditures?

Perhaps the beginning point to examining the utility of imprisonment is to look at what has happened with both crime and victimizations, and the use of prisons over time. BJS assesses crime changes through our National Crime Victimization Survey (NCVS)--the second largest on-going Federal Survey--which gathers data on the crime experiences of representative samples of U.S. households. Overall, approximately 100,000 interviews are conducted annually in about 50,000 U.S. households. The NCVS has been carried out every year since 1973. It is the most sophisticated victimization survey in the world today, and we have been providing technical assistance to other nations on how to develop their own versions. The NCVS has been a stable way of measuring the levels of crime, and it also compliments crime measurements which rely on calls for service to law enforcement agencies. As we all know, a substantial fraction of violent crime (usually about one-half) is never reported to law enforcement. The NCVS captures information on both those crimes reported to the police and those crimes which victims experienced but did not report to a law enforcement agency.

Over the decade of the 1980s, both the number of admissions to state and Federal prisons as well as the number of prisoners held at the end of the year climbed about 80 percent on a per capita basis. During the same period, as measured by NCVS surveys of the general population, the per capita rate of crime against persons dropped 20 percent and the number of crimes per household declined 29 percent. Had the rates of criminal victimization in 1990 been the same as in 1980, an estimated 4.7 million more personal crimes and an estimated 6.4 million additional household crimes would have occurred. In 1980, an estimated 30 percent of all households in the nation had at least one member who had been victimized by crime during the year. In 1990, estimates dropped to 23.7 percent of all households being affected by crime. While such numbers are still far too large and crime remains a national priority, significant reductions in rates of criminal victimization have in fact occurred during the period of prison population growth. This finding is consistent with the major conclusions reached by the National Academy of Sciences which reviewed major research findings and concluded that "there is unquestionably a direct incapacitative effect" of imprisonment on the levels of crime. I think most States understand this corollary--just last week, when I reviewed the latest

research findings by the Texas Criminal Justice Policy Council, they had incorporated a projection of reduced crime associated with longer incarceration.

The observation that rates of criminal victimization have declined during the period of prison population increase is borne out as well by the data on crimes reported to law enforcement agencies. Murder rates (I emphasize "rates" not "total numbers") are often used to tell us about crime because the count of murders is not as susceptible to changes in reporting behavior, as with crimes like rape or aggravated assault. Nationally, murder rates rose 43 percent during the decade of the 1960s, increased 23 percent during the decade of the 1970s and declined 15 percent during the 1980s. Simultaneously, imprisonment rates nationwide had declined by 20 per cent during the 1960s, climbed by 36 per cent during the 1970s, and grew by 148 per cent during the 1980s. While recent murder rates have begun to approach the 1980 level, it is fair to assume the "drug-crime" relationship is one important factor underlying the recent increase.

In the Southeastern States murder rates were 11 percent lower at the end of the 1980s than they were at the beginning of the 1970s. The 1970 murder rate in the Southeast was 11.4 per 100,000 residents; in 1989 it was 10.1. If the

1970 rate had occurred in 1989, we would have had nearly 800 more murder victims that year. Again, the murder rate is entirely too high and continues at an unacceptable level, but it is important to understand that, over-time, the Southeast has experienced even higher rates during certain periods in the 1970s and early 1980s.

Why do States and even nations have different rates of incarceration?

There is little doubt that U.S. prison populations are high on a per capita basis when compared to other nations--they certainly are higher than at anytime in our past. At the end of 1991, the States in the Southeast reported a sentenced prison population of nearly 200,000--a per capita rate of about 337 per 100,000 residents, or about 50 per 100,000 more than the average rate for the nation. However, it is important to understand that people are imprisoned for crime, and there is, to my knowledge, no known goal or rationally prescribed number of prisoners per capita which should be adopted. Instead, per capita imprisonment rates should be the product of an efficient and fair criminal justice process. Different countries, just as different States in our own country, have different crime problems. Also, citizens demand, through

law, different sentences for crimes. Other countries may define conduct we call "criminal," as conduct for which mental hospitalization or commitment to a work camp is required. They would not count these people as prisoners. What is most important is whether the likelihood of imprisonment is different for conduct which is similarly defined as criminal across different countries. Recent international research comparing the probability of imprisonment for robbery, for example, showed that while a person arrested for robbery in the United States stood a 49 percent chance of ultimately going to prison, in England the probability was 48 percent. The number of imprisoned robbers per capita in the United States, however, was eight times that of England. What governs per capita imprisonment rates is obvious--it is a function of how much crime of a given type that a community or nation has to deal with, and how it chooses to deal with that crime. Finally, with regard to the Southeast and violent crime trends, as measured by the UCR, it may be argued that Florida's crime problem is somewhat different from that of the other Southeastern States. If one were to separate out Florida from the Southeast, the region's 1990 UCR violent crime rates would be significantly lower than the nation's average as a whole, especially for the crimes of robbery and aggravated assault which drive the overall levels because of the magnitude.

What about the impact of race on criminal justice populations?

The issue of race and the criminal justice system continues to be one of great interest, particularly in examining correctional populations. There is little doubt that blacks are over-represented among prison populations compared to their share of the general population. In 1991, blacks accounted for 47 percent of prisoners nationwide, a percentage which has remained stable since first described in 1974 when it was also 47 percent. What appears to account for this apparent disproportion where 12 percent of the population accounts for 47 percent of our prisoners? Part of the answer can be found in the descriptions of offenders obtained from victims of crime. The race distribution of violent offenders as reported by crime victims to the National Crime Victimization Survey generally parallels the race distribution of those committing crimes of violence for which the probability of imprisonment is high. That is, in robbery, for example, victims report that 60 percent of robbers were black, police arrest reports show that 60 percent of those arrested for robbery are black, and prison admissions show that 60 percent of those admitted to prison for robbery are black. Our data also show that blacks and Hispanics are far more likely to be the victims of violent crime than whites and non-Hispanics. Obviously, the

black and Hispanic communities are hardest hit by violent crime and deserve emphasis in designing effective response and reforms. We in BJS will continue to examine the topic of race in order to ascertain whether legitimate, legal factors underlie criminal justice decisions and practices.

Who is in our criminal justice system, and why are they there?

Since 1985, the number of persons under the care, custody or control of Federal, state, or local correctional authorities has increased from about 3 million to 4.3 million persons. On any given day, only about one-quarter of all convicted offenders are actually behind bars in local jails or state or Federal prisons. The remaining three-quarters are under supervision in the community as either probationers, parolees, or persons serving other types of conditional sentences. In Southeastern States in 1990, about 68 percent of the more than 1 million adults under correctional supervision were being supervised in the community--not behind bars.

Imprisoned offenders are quite different from the rest of those offenders under the jurisdiction of criminal justice authorities. The most recent national

data indicate, for example, that about 63 percent of state prisoners have been convicted of violent crimes either on the current offense or a prior offense, and about 80 percent have prior histories of sentences to probation, jail, youth confinement facilities, or prisons. Combining these two characteristics, an estimated 93 percent of all state prisoners are either violent offenders or recidivists. Of the others, 8 out of 10 had been convicted of such crimes as arson, weapons violations, drug trafficking, and burglary and about one-third of this 7 percent had multiple current conviction offenses. Overall, these facts strongly suggest that judicial sentences of imprisonment are given to those types of offenders, violent or recidivists, who most would agree deserve confinement.

About half of those in state prisons nationwide are currently serving time for a violent crime. The types of violent offenses they committed include murder (10 percent of all prisoners), rape and sexual assault (8 percent), robbery (15 percent), assault (8 percent), and other violent crimes including manslaughter, kidnapping, extortion, and child abuse (5 percent). This translates into about 75,000 murderers, 60,000 rapists and sexual assaulters, nearly 113,000 robbers, and another 98,000 offenders convicted of manslaughter,

kidnapping, aggravated assault, extortion and violent acts against children serving time in state prisons at the end of 1991. Based upon interviews with national samples of these violent offenders a picture emerges of who they victimized--nearly half said a female had been the victim; about 1 in 6 committed their violent crime against a child; 1 in 10 said the victim was a relative; more than 40 percent said that they had known the victim; a quarter of the offenders said they committed their violent crime against multiple victims; and more than half said they were using drugs and/or alcohol at the time of the crime.

Based upon what inmates tell us about their backgrounds, there is a strong logic for imprisonment decisions based upon the seriousness of offense and prior criminal history. The logic is that, overall, the probability of imprisonment appears proportional to the gravity of the offense and the extensiveness of the criminal history.

How has the drug-problem impacted our criminal justice system?

There is little doubt that the recent emphasis on combatting drug abuse and drug trafficking has significantly affected the offense composition of American prisons. Over the decade of the 1980s the number of arrests for drug law violations climbed by 165 percent with arrests for drug trafficking climbing nearly 300 percent. About two-thirds of those serving time in state prison for drug crimes were serving time for dealing drugs. In 1986, drug traffickers accounted for 5.4 percent of the state prison population. By 1991, drug traffickers accounted for 13 percent of the prison population. At the end of 1991, there were an estimated 98,000 drug traffickers in state prisons nationwide.

Among drug users in prison and jail, 4 out of 5 report a prior history of convictions which resulted in sentences to confinement or probation. Among convicted jail inmates, about 13 percent said they committed their offense to obtain money for purchasing drugs. Among state prisoners, about 14 percent were daily users of drugs and committed a crime for gain. The prevalence of use of every major drug among offenders has declined in the most recent

surveys except for cocaine or crack use. Cocaine or crack use, across both prison and jail populations, are the only drugs for which increased use has been reported by both jail and prison inmates.

Does imprisonment protect the public or make offenders worse?

There is no systematic evidence that the experience of imprisonment turns prisoners into more serious or more criminally active offenders. Most offenders confined in state prisons are already experienced criminals--45 percent of those in state prisons have had at least three prior convictions which resulted in sentences to probation and/or confinement. Nearly one in five had at least six prior sentences. A recent study conducted in 11 States and covering 109,000 prison releases tracked for 3 years through fingerprint records, found that recidivism rates had little to do with how much imprisonment time an individual had experienced. Among those released after serving 6 months or less, 61 percent were rearrested on new felony or serious misdemeanor charge compared to 48 percent of those who had served more than 5 years. Rather, recidivism rates were found to be strongly related to the prior arrest history--over 74 percent of those with 11 or more arrests were rearrested compared to

only 38 percent of the first-time offenders. Those released had more than 1.3 million prior arrest charges filed against them before their imprisonment and acquired more than 300,000 new charges within 3 years of their release including: 2,300 homicides, 1,500 kidnappings, 1,300 rapes, 2,600 other sexual assaults, 17,000 robberies, 23,000 assaults, and about 2,800 additional charges for other violent crimes.

BJS studies also find that the larger the number of prior arrests, the higher the probability of rearrest. Among those with 11 or more prior arrests, for example, about 8 out of 10 are rearrested within 3 years--if we only examined the group of those who are age 24 or younger and who have 11 or more prior arrests, the likelihood of rearrest approaches nearly 100 percent. Among those for whom their first arrest resulted in a prison sentence, about 38 percent are rearrested within 3 years, the lowest rate of rearrest among those released from prison. This means that a majority of those serving their first sentence of imprisonment are not rearrested after they exit prison, and that the majority of offenders sentenced to prison do not return to prison.

How crowded are our prison facilities?

In 1984 and again in 1990, BJS collected data on every cell and dormitory in every prison in the United States. In 1984 there were 694 state prisons housing 382,000 prisoners in about 23.7 million square feet of housing space. In 1990, there were 957 state prisons, housing 641,000 prisoners in about 37.5 million square feet of housing space. In other words, between 1984 and 1990, the number of state prisons nationwide increased by 38 percent, the number of prisoners increased by 68 percent and the amount of housing space grew by 58 percent. This means the average inmate lost 1 square foot of floor space in his/her cell or dormitory. Over the same years, the number of staff working in state prisons grew by 70 percent, dropping the number of inmates per employee from 2.8 to 2.7, about a 4 percent improvement in the staffing ratio.

Although the decade of the 1980s saw the largest increase ever in the number of state and Federal prisoners this growth in prisoners generally was matched by an increased housing capacity. Available evidence also does not show an increased risk of violence in prison. While prison populations more

than doubled during the decade of the 1980s, the number of prison murders decreased and the number of suicides per capita was 26 percent lower.

In 1984, Southeastern prisons reported an average of 65 square feet per inmate. In 1990, Southeastern correctional facilities reported an average of 66 square feet per inmate. Over the entire region, the addition of space between 1984 and 1990 outpaced the growth in inmates, resulting in a small increase in the amount of space per inmate.

Correctional facilities in the Southeast in 1984 employed just over 38,000 employees, a ratio of 2.9 inmates per staff member. In 1990, the more than 61,000 employees equalled a ratio of 2.7 inmates per staff member. These data reflect an improvement in the ratio of inmates to staff--between 1984 and 1990, when Southeastern correctional populations increased 51 percent while the number of staff grew by 62 percent.

Do prisons simply warehouse offenders?

There are some who contend that prisons are "simply warehouses for crime" which waste tax dollars. BJS data, however, offer quite a different picture of what takes place in U.S. prisons. For example, in 1989, with an average daily population of about 48,000 inmates, the Federal Prison System enrolled nearly 18,000 inmates in Adult Basic Education courses, more than 10,000 completed Adult Basic Education (or ABE) course work, 3,100 more completed their general equivalency diploma and more than 11,000 prisoners finished occupational training programs. There is no indication that the increased number of prisoners has resulted in a diminution of program opportunities for state inmates. In June, 1984, for example, 8.2 percent of all state prisoners participated in Adult Basic Education; in June, 1990, 8.7 percent were enrolled in such programs. On the same date in 1984, 14 percent of state prisoners were participants in counseling programs designed to assist them with personal, drug, or alcohol problems; in 1990, 31 percent were involved in such programs. Certainly most States and correctional systems would like to expand even further these types of programs, and available evidence suggest you have, in fact, been doing exactly that.

Overall, what do these various data tell us about the trends and workings of our criminal justice system?

BJS data reveal that prison populations are by and large composed of offenders who have a current or past history of violence or are repeat offenders. BJS data also reveal that over time the risk of imprisonment has risen though there is no evidence that the time actually served has increased. In 1981, the median time served by those exiting prison for the first time was 17 months; in 1988, median time served was 13 months. The only category of crime which has shown a systematic increase in time served since 1950 has been rape. However, BJS data also show that the size of the non-confined population of offenders has grown as rapidly as the population of confined offenders. Our data on corrections also indicate that although prison populations have grown rapidly over the last decade, there is no evidence of increased violence or suicide which could be attributed to more populous prisons or an increased racial disparity because of differential handling by the justice system. In fact, the rapid population growth has been counter-balanced by the growth of staff in correctional facilities. Average floor-space per inmate in prisons in 1990 was only slightly less than the average space per inmate in 1984.

Most importantly, however, BJS data reveal that the public has been reporting decreased rates of criminal victimization over the period when prison population increases have occurred. Recent data suggest a greater logic and rationality in the use of and selection for prison than is sometimes ascribed to the justice system by its critics. Indeed, much of the available data from the NCVS, as well as other national surveys, indicate a growing efficiency and effectiveness.

Does this data, then lead to the conclusion that all is well and we can be complacent and satisfied with our criminal justice policies and systems as they are now operating?

My answer to this question is "No"--based both on available data and personal opinion--as I am sure your answer is also, or you would not be here today. While we know from the data that many of our programs are making an important difference and that new efficiencies are being achieved, it is clear that the current levels of crime remain unacceptable, and that additional reforms and efficiencies are needed. Several months ago, my mother was the victim of an attempted armed robbery less than 20 miles from here, and the perpetrator has not been apprehended. To me, or to you, I am sure that a single crime of this

type is unacceptable. Crime and crime control efforts merit our continued vigilance and best efforts and that is why we are here at this conference.

Lastly, I wish to address one final topic as you prepare to discuss new strategies and reforms during your deliberations at this conference.

This topic relates to adopting an "approach" to combating violent crime and ensuring justice which we in BJS believe in and have a role in. That approach is one that recognizes that we live in an increasingly "high tech" age, and that, as a consequence, we must apply to our justice activities better information, analyses and ideas. In doing this, we at BJS are now preparing more reports and findings than ever before--resulting in approximately one new publication every 4 working days--and are now disseminating nationally more than a million documents per year. Please avail yourself of this important national resource and send in your requests using the materials we have provided.

Secondly, we are actively assisting the States in developing criminal justice records systems. We are pleased to announce that BJS has now received

applications from all 50 States to participate in the Attorney General's \$27 million Criminal History Record Improvement (CHRI) program, which is being funded by the Bureau of Justice Assistance (BJA), and has already committed more than \$21 million. These improved records systems serve essential criminal justice functions, including: identifying felons who attempt to illegally purchase firearms; and arresting, prosecuting, convicting and sentencing habitual offenders.

Third, we and the FBI are actively promoting the development and use of the National Incident-based Reporting System (NIBRS), which is by far the most promising tool for understanding violent crime, and which also serves a host of vital law enforcement analytical needs. We wish to commend South Carolina, the first site to fully implement NIBRS, for also providing the first state-wide analysis of crime, which is presented in a report issued a month or so ago. BJS is now beginning a special violent crime-related initiative involving incident-based data utilization in South Carolina, Alabama, and two other States which have received FBI certification for their data systems. We and the FBI continue to urge other States to develop their systems as soon as possible.

Finally, BJS is sponsoring a conference in September with the Statistical Analysis Center (SACs), the BJS counterpoints at the state level, which will highlight the many uses of data and analysis in combating crime. We will discuss recent progress in developing a national information infrastructure in meeting Federal, state and local needs. We invite you all to attend and to review the published proceedings.

In sum, we are most appreciative of your help and the help of your agencies in developing the nation's most accurate and comprehensive data bases and analyses of violent crime topics. You can be assured that we are moving decisively to meet your information needs, and to support effective responses to violent crime and the continued protection of our citizens' safety. We wish you continued success in your deliberations here on this national, regional, state and local priority--and we wish you Godspeed in your efforts!

Thank you very much.