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# THE STATE OF VIOLENT CRIME IN AMERICA

January 1996

First Report of

## THE COUNCIL ON CRIME IN AMERICA

CO-CHAIRS:

GRIFFIN B. BELL

WILLIAM J. BENNETT

COUNCIL MEMBERS:

LYNNE M. ABRAHAM

WILLIAM P. BARR

ROBERT A. BUTTERWORTH

JOHN J. DIJULIO, JR.

JOHN W. GILLIS

STEPHEN GOLDSMITH

GALE A. NORTON

EXECUTIVE DIRECTOR:

JOHN P. WALTERS

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The Council on Crime in America was established in November 1995 to examine violent crime, crime prevention and law enforcement. It seeks to provide rigorous, factual information on the scope of violent crime to individuals, citizen-based groups, and officials who wish to develop effective, community-based anti-crime strategies. The bipartisan Council is comprised of leading experts on fighting crime at the federal, state and local levels. The views expressed in the Council's publications do not necessarily reflect the official views of the members of the Council.

### **The Council on Crime in America**

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**William J. Bennett**, Co-Director, Empower America; John M. Olin Distinguished Fellow, The Heritage Foundation; former Director, Office of National Drug Control Policy; former Secretary, U. S. Department of Education

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**Robert A. Butterworth**, Attorney General, State of Florida  
**John J. DiIulio, Jr.**, Professor of Politics and Public Affairs at Princeton University  
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**Stephen Goldsmith**, Mayor, City of Indianapolis  
**Gale A. Norton**, Attorney General, State of Colorado

#### *Executive Director:*

**John P. Walters**, President, The New Citizenship Project; former Deputy Director for Supply Reduction, Office of National Drug Control Policy

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The Council on Crime in America is a program of the New Citizenship Project (NCP), a Washington-based public policy organization. The NCP was founded in June 1994 to help forge a cohesive agenda for reinvigorating citizenship in an era marked by growing skepticism toward big government. For further information on the Council on Crime in America or on the NCP, please contact:

**The New Citizenship Project**  
1150 Seventeenth Street, N.W., Suite 510  
Washington, DC 20036  
Phone: (202) 822-8333 Fax: (202) 822-8325

## TEN HIGHLIGHTS

The American people are basically right about violent crime. The facts and figures support the public's principle fears of crime: **Revolving-door justice is a reality.** About one-third of all persons arrested for a violent crime (murder, rape, robbery, assault) are on probation, parole, or pretrial release; the vast majority of convicted criminals are *not* incarcerated; barely one criminal goes to prison for every 100 violent victimizations; and most violent prisoners serve less than half their time behind bars before being released. **Most prisoners are violent or repeat criminals.** Since 1974 over 90 percent of state prisoners have committed a violent crime or been sentenced to incarceration or probation one or more times in the past; even most "nonviolent" prisoners have long adult and juvenile criminal histories; and many state prisoners are probation or parole violators whose latest convictions were for violent crimes including murder and rape. **Prisons do cut crime.** Millions of violent and property crimes are averted each year by keeping multiply plea-bargained convicted criminals behind bars; tens of thousands of Americans have been killed or maimed by prisoners who were released early; and, as both empirical studies and common sense clearly suggest, if we freed any significant number of imprisoned felons tonight, we would have more murder and mayhem on the streets tomorrow.

Americans must search for better, more cost-effective ways of **preventing** violent crime and **protecting** themselves and their loved ones from violent and repeat criminals, adult and juvenile. But our first order of business must be **restraining** known, convicted, violent and repeat criminals. **Restraining violent criminals** is a necessary but **insufficient** condition for meeting America's crime challenges, reforming the justice system, and **restoring public trust** in the system and in representative democracy itself.

We hope that people will take the time to read this report from cover to cover. The national media have generally ignored the truth about the extent and dire consequences of revolving-door justice and the social benefits of incarceration. But in deference to convention and the needs of busy readers, we offer the following ten highlights from the pages ahead:

1. Despite recent reports of a decline in crime, crime rates remain at historic highs. America is a ticking violent crime bomb. In 1993 the actual number of completed violent crimes (10.8 million) was 5.6 times higher than the number of violent crimes reported to the police (1.9 million). In particular, rates of violent juvenile crime and weapons offenses have been increasing dramatically and by the year 2000 could spiral out of control.
2. There were 43.6 million criminal victimizations in America in 1993. One out of four criminal victimizations in America today is violent. Violent crimes committed in a single year will cost Americans about \$426 billion. The risk of being victimized by violent crime exceeds many other significant life risks. Violent crime in America is increasingly concentrated by race, place, and age.
3. Public understanding of violent crime is far greater than is often supposed. Those citizens who are objectively most likely to be victimized are most worried about being victimized.
4. Americans are plagued by revolving-door justice. The justice system imprisons barely one criminal for every 100 violent crimes. Over half of convicted violent felons are not even sentenced to prison. About one in three violent crimes are committed by persons "under supervision" in the community at the time that they murder, rape, or attack.

5. On any given day, seven offenders are on the street for every three who are behind bars. During 1994 about 4.2 million cases were handled on probation and 1.1 million were processed on parole. On any given day, there are about 1.5 times more convicted violent offenders out on the streets on probation or parole than behind bars.

6. Since 1977 over 400,000 Americans have been murdered. Recent evidence shows that community-based offenders on probation, parole, pretrial release, or other types of "supervision" have been responsible for a third of all violent crimes including murders. Adding bureaucratic insult to human tragedy, the federal government and most state corrections agencies keep plenty of data such as the kind and amount of "treatment" received by imprisoned rapists, but do not compile or retain comprehensive data on such questions as the ages of rape victims or how many convicted murderers were on probation, parole, or some other form of "supervision" at the very moment they killed.

7. In 1991, 45 percent of state prisoners were persons who, at the very time they committed their latest crimes, were on probation or parole. While free in the community, they committed at least 218,000 violent crimes including 13,200 murders and 11,600 rapes (over half of the rapes against children).

8. Since 1974 over 90 percent of all state prisoners have been violent offenders or recidivists. Between 1980 and 1993, the number of persons in state prisons for violent crimes grew by 221,000, 1.3 times the growth in imprisoned "drug offenders." Over 80 percent of imprisoned state and federal drug offenders are drug traffickers with multiple-offense histories. The average quantity of drugs involved in federal cocaine trafficking cases is 183 pounds. In the year prior to their imprisonment, half or more of all prisoners commit at least a dozen serious crimes, excluding all drug crimes. Even if measured only in terms of enhanced public safety, the cost to society of letting most violent or repeat prisoners out early is at least twice as much as keeping them in prison for all or most of their terms.

9. Most violent prisoners serve less than half their time in prison before being released. Most prisons are neither severely "overcrowded" nor without substantial programs for inmates. On average, murderers released from state prisons in 1992 served only 5.9 years. Despite the enactment of mandatory minimum laws, between 1985 and 1992 the average maximum sentences of prisoners declined about 15 percent from 78 months to 67 months. In 1992 the actual time served by violent felons (both jail credits and prison) was 43 months. Since it has been in effect, slightly over 1,000 thrice-convicted felons have been sentenced under California's "three strikes" law, not all of them for life. The full facts of their cases--including the much-publicized case of the "pizza thief"--do far more to underline than to undercut the case for imprisoning violent and repeat felons.

10. The juvenile justice system operates as the first revolving door. In 1991 about 51,000 male juveniles were in custody, a third of them for violent offenses. In 1992 alone, there were over 110,000 juvenile arrests for violent crimes and over 1.6 million juvenile arrests for other crimes. Stronger law enforcement and incarceration can work to restrain violent juvenile and adult criminals, enhance public safety, and restore public trust in the justice system--and in representative government itself.

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## THE STATE OF VIOLENT CRIME IN AMERICA

### I. America's Three Crime Challenges

Americans face at least three distinct but related crime challenges. First is the challenge of *preventing* at-risk children from becoming juveniles or adults who criminally violate the life, liberty and property of others by murdering, assaulting, raping, robbing, burglarizing, or dealing deadly drugs. Second is the challenge of *protecting* ourselves from victimization at the hands of juvenile and adult criminals. Third is the challenge of *restraining* convicted but community-based juvenile and adult criminals so that they cannot commit additional crimes against persons or property.

Facing up to the first challenge--preventing at-risk children from becoming criminals--means focusing our attention on the earliest stages of youth development. As every study shows, after all is said and done, the most serious criminals are males who begin committing crimes at a very early age. Many crime-prone boys, including the most violent ones, embark on their criminal careers well before they reach puberty; few wait until they are old enough to vote or legally take a drink before committing their first serious crimes. In thinking about the root causes of crime, conservatives stress such factors as fatherlessness and extreme moral poverty, while liberals stress such factors as hopelessness and extreme economic poverty. But nearly everyone now agrees that society's best anti-crime insurance policy would be to produce children who are born to loving, responsible parents or guardians, and raised in homes, schools, and neighborhoods where their life prospects--becoming literate, graduating from high school, escaping abuse and neglect, avoiding serious criminal victimization, landing a decent job--increase rather than diminish from birth into their 20's.

Facing up to the second challenge--protecting ourselves from juvenile and adult street criminals--means acknowledging that our vulnerability to criminal victimization varies according to a mix of at least three sets of factors: the quantity and quality of government law enforcement resources; the extent and efficacy of community-based anti-crime initiatives; and the size and scope of individual efforts to make the localities where we live, work, worship, recreate, attend school, shop, or do business relatively impervious to crime. At the extremes, and other things being equal, the residents of a well-policed neighborhood with an active town-watch association and many people or businesses who invest in security hardware or services will be much better protected from crime than the residents of an under-policed community where neighbors remain strangers and few people or businesses are able or willing to make such private investments.

Facing up to the third challenge--restraining convicted criminals from committing more crimes--means recognizing that a large fraction of all serious crime, including a large fraction of all violent crime, is committed by repeat criminals who have had numerous contacts with the justice system. In effect, much of crime in America is a self-inflicted wound. Each year a significant number of murders, rapes, robberies, assaults, burglaries, and drug crimes are committed by criminals whom the system has repeatedly had in hand but repeatedly let go, offenders who are serially placed in custody and released back to the streets under-supervised, ill-supervised, or not supervised at all.

As this great nation nears the 21st century, Americans can and should seek to achieve all three goals--prevention, protection, and restraint. As is perfectly obvious, progress on any one of these goals may well constitute progress on either or both of the other two goals as well. For example, fewer at-risk children who become criminals translates directly into fewer at-large criminals against whom we need to protect ourselves and fewer convicted criminals who need to be restrained. Likewise, better

community-based anti-crime efforts or more rigorous restraints on convicted predators spells fewer deviant, delinquent, or criminal influences on the lives of severely at-risk children.

But it is a mistake--in some cases, as we shall document below, quite literally a fatal mistake--to suppose that substantial progress on any one of these goals is necessary to making substantial progress on either or both of the other two.

For example, in debates over crime policy, one often hears it said that "Incarceration is not the answer." But if incarceration is not the answer, then what, precisely, is the question? If the question is how Americans can achieve substantially higher levels of crime prevention, then incarcerating convicted violent or repeat criminals who have been committing murder or wreaking mayhem on the streets for years is hardly the answer. But if the question is how Americans can achieve substantially greater levels of restraint against such offenders, then incarceration is most definitely a large part (though by no means the sum total) of the answer.

Likewise, one often sees crime experts quoted approvingly by journalists and pundits to the effect that "More incarceration does not cut crime." But as these self-same experts like to stress, crime rates are a function of complex linkages among demographic trends, socio-economic variables, and public policies. Given the multi-variate character of crime, it would be bizarre if crime rates did move in lockstep with incarceration rates. At the same time, it would be doubly curious if incarcerating violent or repeat criminals, most of whom commit many more serious crimes than they are ever prosecuted or punished for committing, did not cut crime. While imprisoned, a high-rate violent or repeat criminal cannot commit new crimes against anyone except other prisoners, staff, or visitors. In fact, as we shall document in detail below, incarceration does have a significant marginal reduction-effect on crime, and is well worth the cost in the vast majority (though not all) cases.

By the same token, some much-cited commentators and tough-on-crime lawmakers reflexively disparage community-based substance abuse treatment programs, gang-violence prevention networks, teen-pregnancy counseling centers, church-run "safe havens," and diversionary recreational programs for youth offenders (for example, the much-maligned "midnight basketball"). Such "touchy-feely" programs, they insist, do more to coddle or coax delinquents and criminals than to cut crime. Yet many of these same voices will acknowledge that most serious crime is indeed committed by very bad boys from very bad neighborhoods. To be worthwhile, such community-based programs (precious few of which are funded by Washington or receive other public funds, and most of which operate on shoestring budgets) need not decimate juvenile crime rates; they need only to divert a small number of youth who would otherwise be headed for a gang, a gun, a prison, or a premature death.

Indeed, it is a grave conceptual error--and an even worse practical mistake--to conclude that because few such programs have withstood the tests of scientific scrutiny, because they are so very hard to replicate widely, or because they do not ultimately take every bad guy off the streets, all we can and should do is wait to arrest and incarcerate.

To offer just one illustration, almost everyone reveres the 91-year-old voluntary Big Brothers/Big Sisters (BB/BS) program. In 1995, BB/BS maintained 75,000 active matches between an adult volunteer and a child. A recent scientific study tracked 959 10- to 16-year-olds who applied to BB/BS in 1992 and 1993. Over 60 percent of the youth were boys and more than half were minority group members (70 percent African-American).

Almost all lived with a single parent, 80 percent were from low-income households, and 30 percent had witnessed or experienced domestic violence. Half of the applicants got into the program; the other half were placed on a waiting list. On average, the adult-youth pairs met for three to four hours three times a month for at least a year. Each group was tracked for eighteen months. The study found that the simple addition of a Big Brother or Big Sister to a youngster's life cut first-time drug use by 46 percent (and reduced alcohol use as well), lowered school absenteeism by 52 percent (and improved school performance), and, perhaps best of all, reduced violent behavior (assaults) by 33 percent.<sup>1</sup>

Does anyone truly doubt that in at least some cases such prevention programs might succeed in diverting at least some youth away from crime, or that additional human and financial resources devoted to BB/BS or kindred programs would constitute a wise anti-crime investment? And does anyone truly doubt that in too many cases, and despite every social program intervention, a number of at-risk boys will go on to terrorize their families, neighbors, and total strangers and will need to be incarcerated, both for the sake of public safety and because they deserve punishment? We doubt neither set of propositions.

### *1. Prevention, Protection, Restraint*

Above all else, Americans and their leaders must be totally honest and realistic about the state of our applied policy knowledge with respect to crime, and, in turn, about government's capacities as an agent of crime prevention, protection, and restraint.

On prevention, we all know that at-risk youth of whatever race, region, religion, demographic description, or socio-economic status who are born healthy to good families and are fortunate to have good teachers, coaches, clergy, and other caring adults in their lives are much less likely than otherwise comparable children to become either crime victims or victimizers. And we all know that not all children are born so lucky.

The hard social fact is that America is now home to nearly 70 million children age 18 or younger, one of the largest youth cohorts in decades. As many as 15 million of these youngsters are growing up in relative poverty, many in places where the institutions of civil society--families, schools, churches, voluntary associations--are proving too weak to keep them on the straight and narrow.

The tragic and frightening numbers on juvenile crime contained in this report counsel that neither more spending by Washington, the states, or the cities, nor the mere withdrawal of government, can prevent today's at-risk four- to seven-year-old boys from becoming the next decade's 14- to 17-year-old predatory street felons or the next century's first big class of adult career criminals.

On protection, we are convinced that the drops in serious crime that occurred in the first half of the 1990's in New York City, Houston, and several other cities were due in no small measure to innovative community-based policing strategies, concomitant community-based citizen anti-crime initiatives, and continued target-hardening by private individuals and businesses. In this report, we conclude by briefly summarizing some of the best and latest empirical evidence on the efficacy of policing, and draw some preliminary but highly positive crime-protection lessons from recent success stories.

<sup>1</sup>Joseph P. Tierney and Jean Baldwin Grossman with Nancy L. Resch, *Making A Difference: An Impact Study of Big Brothers/Big Sisters* (Philadelphia: Public/Private Ventures, November 1996).

Through the Council's forthcoming hearings in several cities, we look forward to learning more about such successes, and how, if at all, they can be replicated and sustained.

But make no mistake: Recent drops in serious crime are but the lull before the coming crime storm. As this report forecasts, this storm is gathering in the form of a demographic bulge of young, highly crime-prone males. Between now and the year 2005, enormous upward pressure will be exerted on crime rates. Redoubling crime protection efforts will not keep the storm off shore. But it can help to keep its human and financial damage to a minimum.

On restraint, the facts, figures, and findings detailed in this report amply justify the frustrations and fears of crime-weary Americans, most especially their profound displeasure with a justice system that is not doing nearly enough to restrain convicted violent and repeat criminals from committing more crimes, including crimes committed while on probation, parole, or pretrial release. As things now stand, each and every day, and in far too many ways, the justice system institutionalizes crime without punishment, and invites convicted offenders, adult and juvenile, to return to crime without restraint.

## **2. Revolving-Door Justice Versus Representative Democracy**

As some of the best empirical political science research of the last thirty years plainly suggests, "Voters are not fools."<sup>2</sup> On crime and most other issues, the American people are far more capable than not of relating their beliefs and interests to electoral and policy choices, far more rational than reactionary, far more informed than ignorant, and far more savvy than simple-minded about the relative social costs and benefits of competing policy options.

Most average Americans understand perfectly well that government cannot "solve" the nation's crime problem. They understand that government's capacity to prevent crime and protect them from criminals is limited, not limitless. They stand ready to spend more on prisons and other means of restraint, and are aware of the opportunity costs of doing so. They even accept, albeit begrudgingly, that some arrested criminals are bound to escape justice on legal technicalities, and that every so many felons out on pretrial release, probation, or parole are bound to elude supervision and commit new crimes.<sup>3</sup>

But what the American people do not accept, and ought not to have to accept, is government's prolonged and persistent failure to restrain convicted violent and repeat criminals. Nothing could be more fundamental to the government's holding up its end of the social contract. A government incapable of restraining known criminals in its custody cannot be trusted to do any number of inherently more complicated and costly public chores, domestic or international. A government that passes wave after wave of "get-tough" anti-crime laws but often proves toothless in the execution of those laws is a

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<sup>2</sup>V.O. Key, *The Responsible Electorate* (Harvard University Press, 1966). Also see Benjamin I. Page and Robert Y. Shapiro, *The Rational Public: Fifty Years of Trends in Americans' Policy Preferences* (University of Chicago Press, 1992); John Zaller, *The Nature and Origins of Mass Opinion* (Cambridge University Press, 1992); William G. Mayer, *The Changing American Mind* (University of Michigan Press, 1992); and Morris Fiorina, *Retrospective Voting in American National Elections* (Yale University Press, 1981); Milton Lodge et al., "The Responsive Voter: Campaign Information and the Dynamics of Candidate Evaluation," *American Political Science Review*, June 1995, pp. 309-326; and Donald E. Stokes and John J. DiIulio, Jr., "The Setting: Valence Politics in Modern Presidential Elections," in Michael J. Nelson, ed., *The 1992 Elections* (Congressional Quarterly Press, 1993), chapter 1.

government well on its way to destroying public confidence in the integrity of lawmakers, in the prudence of judges, and in the competence of public administrators.

In 1993 and again in 1994, there was but one public institution in which the people had less confidence than they did in the U.S. Congress, namely, the criminal justice system.<sup>3</sup> Such poll results merely serve to reinforce our keen collective sense, bred by our combined years of public service, personal and professional experience, and intensive study, that government's failure to restrain convicted violent or repeat criminals has done as much as any other policy failure of the last thirty years to bring about the loss of public trust and confidence in our political institutions.

### ***3. About This Report***

In this, our first report, we begin with the challenge of restraining convicted criminals. We do so for at least four reasons. First, of the three crime challenges facing America, restraint is the most urgent, immediate, and tractable within the solitary compass of public policy and governmental authority. Second, we find overwhelming evidence that great gains to public safety can be realized by keeping violent or repeat criminals behind bars longer, by tightening enforcement of the terms of their community-based supervision, or (as we prefer) by doing both. Third, we feel that it is morally wrong to continue administering justice in ways that radically discount both how dangerous many community-based felons truly are, and how much punishment they truly deserve when measured by the full weight of their criminal acts, adult and juvenile, against life, liberty, and property.

But the fourth and overarching reason we begin with restraint is because no representative democracy, not even America's, can long survive the sort of deep and disheartening lack of public trust that swirls about the bleak reality of revolving-door justice. It is long past time to speak the truth, the whole truth, and nothing but the truth to the American people about revolving-door justice, especially as it relates to violent criminals.

Thus, in the remainder of this report we offer a detailed overview of the following: recent criminal victimization trends, with a special focus on violent juvenile crime today and tomorrow; the present extent and heavy toll of revolving-door justice; recent evidence on the efficacy of incarceration as a crime-restraint tool; and recent evidence on the efficacy of policing as a crime-protection tool.

We intend for this report to inform the American public, elected leaders, justice system professionals, judges, journalists, and others who are engaged in the civic discourse on crime policy. We hope that it will help to shape future deliberations on the challenges of crime prevention, protection, and restraint, and echo as a bipartisan moral call to arms.

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<sup>3</sup>The Gallup Poll News Service, April 25, 1994. According to the Gallup data, in both 1993 and 1994, 18 percent of poll respondents expressed a "great deal" or "quite a lot" of confidence in the U.S. Congress, versus 17 percent in 1993 and 15 percent in 1994 for the criminal justice system. But the police were an exception, enjoying over 50 percent public confidence in both years, on a par with organized religion and a distant third to the military.

## II. America's Ticking Crime Bomb

The title of a recent story in the *New York Times* almost got it right: "Crime Continues to Decline, but Experts Warn of Coming 'Storm' of Juvenile Violence." We say "almost" right rather than exactly right for at least four reasons.

First, national crime rates have been dropping in the 1990's, but that decrease has been heavily concentrated in a handful of high-crime big cities like New York City and Houston. Second, even if the large drops in crime in New York City and elsewhere continued for the next five years (and, as we shall see, they most definitely will not), the people of New York City and the rest of the nation would still face levels of homicide and other serious crime that are many times higher than pre-1970 norms. Third, not only is the storm of juvenile violence coming, it has already touched down in some places. And, fourth, like most popular accounts of crime and punishment in America, the *Times* story focused on crime data gathered by the Federal Bureau of Investigation (FBI), which counts only certain crimes reported to the police, and significantly underestimates the fraction of all crime that is violent crime.

Still, the story captured the big point. As all the best and most recent data make plain, America is a ticking violent crime bomb, and there is little time remaining to prepare for the blast.

### 1. Violent Crime By The Numbers: UCR and NCVS

There are two main sources of information about crime in America. The oldest and still the one cited most widely is the FBI's annual Uniform Crime Reports (UCR). Begun in 1929, the UCR tallies crimes reported to state and local law enforcement agencies. The UCR counts seven reported "index crimes," which, in turn, are often divided into "violent" crimes and "property crimes." The violent crimes in the UCR include murders and non-negligent manslaughters, forcible rapes, robberies, and aggravated assaults, while the property crimes are burglaries, larceny, thefts, and motor vehicle thefts. The overall crime rate rose steadily from 1960 to 1980, by each of these measures. Since 1980, the property crime rate has stabilized somewhat, while the rate of violent crime continued to increase during the 1980s but may have leveled off in the early 1990s.

But there are at least three limits to the FBI's crime data. First, remember that the UCR is based only on crimes reported to the police. Second, local police departments determine how to compile their statistics, which has given rise to informed suspicions of systematic undercounting in given periods by some big-city departments intent on reporting a reduction in crime. Third, the FBI uses a method of "hierarchical" counting in which only the "most serious" act in any one incident is recorded. If a woman is raped and her wallet is stolen, for example, the FBI records the rape but not the theft.

Although efforts to enrich the FBI's crime data are underway, it is not clear how successful they will be. For example, a number of states and localities are now experimenting with the FBI's National Incident-Based Crime Reporting System, or NIBRS. Under NIBRS, data are collected on 46 specific crimes. For each incident, there are a half-dozen categories of reporting, including details about the crime, the victim, and the offender. NIBRS includes a multiple-offense option in order to avoid the problem

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<sup>4</sup>Fox Butterfield, "Crime Continues to Decline, but Experts Warn of Coming 'Storm' of Juvenile Violence," *New York Times*, November 19, 1995, p. A18.

mentioned a moment ago. But the software problems with NIBRS have yet to be cracked, and the day when this complex database will be operational in 16,000 separate law enforcement agencies remains a long way off.

The other main source of crime data is the National Crime Victimization Survey (NCVS) of the U.S. Bureau of Justice Statistics (BJS). About 50,000 households and over 100,000 individuals have participated in the NCVS each year since 1973, making it the second largest household survey conducted by the federal government. The NCVS counts violent crimes (rapes, sexual assaults, robberies, aggravated assaults, simple assaults) and property crimes (burglaries, motor vehicle thefts, and thefts of other property). The survey reports that the overall level of crime has decreased since its peak in 1981. But rates for most types of crime have tended to fluctuate from year to year.

Generally speaking, the NCVS is a more reliable measure of crime than the UCR. And in recent years, the NCVS and the UCR trend lines have become more parallel (which tells us, in effect, that the UCR has been getting better). But the NCVS has been far from perfect. For example, the NCVS has undercounted the actual incidence of and increase in several types of violent crime. After consultations over the last decade with a consortium of experts in criminology, survey design, and statistics, the BJS has recently redesigned its survey to address this problem. It has also greatly improved the NCVS in other ways, including computer-assisted telephone interviewing and "short cues"--examples of specific people, places, objects, or actions which may have been associated with a victimization--used to jog respondents' memories of events.

The first survey to make use of this redesign was the BJS report on criminal victimization in 1993, released in May 1995. It is only a slight exaggeration to say that this BJS report is the first reliable tally of crime in America committed in a single calendar year.

Table 1 summarizes the NCVS crime data for 1993. It shows that in 1993, U.S. residents age 12 or older experienced a total of 43.6 million crimes, including nearly 11 million violent crimes (25 percent), and over 32 million property crimes (75 percent). That year there were 51.5 violent victimizations per 1,000 persons and 322 property crimes per 1,000 persons.

**Table 1. Criminal victimizations and victimization rates, 1993: Estimates from the redesigned National Crime Victimization Survey**

Type of crime	Number of victimizations (1,000's)	Victimization rates (per 1,000 persons age 12 or older)
<i>All crimes</i>	43,622	...
<i>Personal crimes<sup>a</sup></i>	11,409	53.9
Crimes of violence	10,896	51.5
Completed violence	3,226	15.3
Attempted/threatened violence	7,670	36.3
Rape/Sexual assault	485	2.3
Rape/attempted rape	313	1.5
Rape	160	.8
Attempted rape	152	.7
Sexual assault	173	.8
Robbery	1,307	6.2
Completed/property taken	826	3.9
With injury	276	1.3
Without injury	549	2.6
Attempted to take property	481	2.3
With injury	100	.5
Without injury	381	1.8
Assault	9,104	43.0
Aggravated	2,578	12.2
With injury	713	3.4
Threatened with weapon	1,865	8.8
Simple	6,525	30.8
With minor injury	1,358	6.4
Without injury	5,167	24.4
<i>Property crimes</i>	32,213	322.4
Household burglary	5,995	60.0
Completed	4,835	48.4
Forcible entry	1,858	18.6
Unlawful entry without force	2,977	29.8
Attempted forcible entry	1,160	11.6
Motor vehicle theft	1,967	19.7
Completed	1,297	13.0
Attempted	670	6.7
Theft	24,250	242.7
Completed <sup>b</sup>	23,033	230.5
Less than \$50	9,642	96.5
\$50-\$249	7,688	76.9
\$250 or more	4,264	42.7
Attempted	1,217	12.2

Note: These data are preliminary and may vary slightly from the final estimates. Completed violent crimes include completed rape, sexual assault, completed robbery with and without injury, aggravated assault with injury, and simple assault with minor injury. The total population age 12 or older was 209,352,860 in 1992; in 1993 it was 211,524,770. The total number of households in 1992 was 99,046,200; in 1993 it was 99,926,400.

... Not applicable

<sup>a</sup>The victimization survey cannot measure murder because of the inability to question the victim. Personal crimes include purse snatching and pocket picking, not shown separately.

<sup>b</sup>Includes thefts in which the amount taken was not ascertained.

Source: *Criminal Victimization 1993* (Bureau of Justice Statistics, May 1995), p. 2.

Table 2 summarizes the UCR crime data for 1993. It shows that the total number of reported crimes in 1993 recorded by the FBI was 14.1 million, including 1.9 million violent crimes (13 percent) and 12.2 million property crimes (87 percent). In 1993, there were 7.46 reported violent crimes per 1,000 persons and 47.3 reported property crimes per 1,000 persons.

**Table 2. Reported crimes and reported crime rates, 1993: Data from the Uniform Crime Reports**

Type of reported crimes	Number of reported crimes (1,000's)	Reported crime rates per 1,000 persons
All index crimes	14,141	54.82
Violent crimes	1,924	7.46
Murder	24.5	.095
Rape	104	.406
Robbery	659	25.5
Assault	1,135	4.40
Property crimes	12,216	47.36
Burglary	2,384	10.99
Larceny	7,820	30.32
Motor theft	1,561	6.05

Note: Offense totals are rounded. Rates calculated based on Bureau of Census estimate for total national population in 1990: 257,908,000. Complete data for 1993 were not available for the states of Illinois and Kansas; their crime counts were estimated.

Source: *Crime in the United States, 1993* (Federal Bureau of Investigation, 1994), p. 58.

Comparing the NCVS and UCR data on violent crimes in 1993 yields at least four important insights. First, in 1993 there were at least 5.7 times more violent crime victimizations than were reported to the police and recorded by the FBI. Second, contrary to the much-repeated notion that "fewer than 1 in 10 crimes is a violent crime," the NCVS suggests that 1 in 4 criminal victimizations are violent, while the UCR indicates that 1.3 in 10 reported crimes are violent. Third, by both measures, and despite recent drops in reported crimes, Americans suffer from a great deal of violent and other serious crime, both in absolute terms and relative to the best estimates of crime rates before 1970.

Fourth and finally, as table 3 indicates, the rate of violent criminal victimization for Americans age 12 and older (51.5 per 1,000) is substantially higher than the rate of many other serious life risks, including injury from a car accident and death from heart disease. Violent crime is now at least as much of a real danger to Americans as many other widely recognized threats to our individual and societal health and safety. Indeed, as a forthcoming National Institute of Justice study has found, the cost of crime to

victims is about \$450 billion annually, \$426 billion of which is due to violent crime. As the study reports:

- \* Violent crime causes 3 percent of U.S. medical spending.
- \* Violent crime results in wage losses equal to 1 percent of American earnings.
- \* A single rape costs its victim and society an average of \$87,000--many times greater than the cost of keeping a rapist in prison for a year.<sup>5</sup>

**Table 3. Rates of violent criminal victimization compared to rates of other life risks**

Risks	Rates per 1,000 adults per year
Accidental injury, all causes	220
Accidental injury at home	66
<b>Violent Victimization</b>	<b>51.5</b>
Injury in vehicle accident	22
Heart disease death	5
<b>Injury in aggravated assault</b>	<b>3.4</b>
Cancer death	3
<b>Rape</b>	<b>.8</b>
Accidental death, all causes	.4
Pneumonia/influenza death	.4
Vehicle accident death	.4
HIV infection death	.1
<b>Murder</b>	<b>.095</b>

Sources: *Highlights from 20 Years of Surveying Crime Victims* (Bureau of Justice Statistics, October 1993), p. 6; *Criminal Victimization 1993* (Bureau of Justice Statistics, May 1995), p. 2; and *Crime in the United States* (Federal Bureau of Investigation, 1994), p. 58.

## **2. Violent Crime: Concentrated By Race, Place, and Age**

The costs of violent crime fall disproportionately on certain citizens.<sup>5</sup> Violent crime in America is concentrated by race, place, and age. As early as 1969, the report of the National Commission on the Causes and Prevention of Violence explained that crime is "chiefly a problem of the cities of the nation, and there violent crimes are committed mainly by the young, poor, male inhabitants of the ghetto slum . . . increasingly powerful social forces are generating rising levels of violent crime which, unless checked, threaten to turn our cities into defensive, fearful societies."<sup>6</sup> As much of the data reported below make all too clear, over the last three decades this nightmarish prediction has largely come true.

But we do not wish to be misunderstood. For, while violent crime in America is heavily concentrated in the nation's inner-cities, it is hardly confined to the nation's inner-cities. The NCVS data indicate that while the violent crime victimization rate per 1,000 is a whopping 73.8 in urban America, it is a significant 47.8 in suburban America

<sup>5</sup>Ted R. Miller et al., *Crime in the United States: Victim Costs and Consequences*, Final Report to the National Institute of Justice, May 1995, p.1.

<sup>6</sup>National Commission on the Causes and Prevention of Violence, *Violent Crime: the Challenge to Our Cities* (George Brziller, 1969), p. 82.

and 43.4 in rural America.<sup>7</sup> It is not unreasonable to be concerned that, over time, the inner-city violent crime problem could spill over more and more into gentrified central city districts, inner-ring suburbs, edge cities, and even the rural heartlands. It is already disturbingly apparent that more and more violent crime involves strangers and teenage "wolf packs." As the International Association of Chiefs of Police has concluded, whereas most murders were once committed among persons who knew each other, today most murders in America are between strangers (53 percent of the 23,760 murders committed in 1992), while juvenile gang killings are the fastest growing type of murder (increasing 371 percent from 1980 to 1992).<sup>8</sup> Indeed, juveniles now commit about a third of all homicides against strangers, often murdering their victims in groups of two or more.<sup>9</sup>

By the same token, while it remains true that violent crime in America is predominantly *intra*-racial, not inter-racial, black-on-white violent crime has reached significant levels, most especially with respect to multiple-offender violent victimizations. Table 4 summarizes 1993 NCVS data on victim-offender relationships by type of crime and the perceived race of the offender. From these data, it would appear that in 1993 over 1.54 million violent crimes committed against whites (about 18 percent of all violent victimizations committed against whites) were committed by blacks, while in the same year over 1.29 million violent crimes committed against blacks (about 80 percent of all violent crimes committed against blacks) were committed by blacks. The black-on-white crime problem is more acute with respect to violent crimes committed by juveniles. For example, in 1991, 95 percent of all violent crimes committed by white juveniles were committed against whites, while 57 percent of all violent crimes committed by black juveniles were committed against whites.<sup>10</sup>

Nonetheless, it remains true that at this moment in time, America's violent crime problem, especially the rage of homicidal and near-homicidal violence, is extremely concentrated among young urban minority males who figure disproportionately as both violent crime victims and violent crime victimizers.

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<sup>7</sup>*Criminal Victimization 1993* (Bureau of Justice Statistics, May 1995), p. 3.

<sup>8</sup>*Murder in America* (International Association of Chiefs of Police, May 1995), p. 6.

<sup>9</sup>James Alan Fox, "Teenage Males are Committing Murder at an Increasing Rate," a report prepared for the National Center for Juvenile Justice, Pittsburgh, PA, April 1993.

<sup>10</sup>*Juvenile Offenders and Victims* (Office of Juvenile Justice and Delinquency Prevention, August 1995), p. 47.

**Table 4. Estimated numbers and percentages of violent victimizations by race of victims and perceived race of offenders, 1993**

	Numbers	Percentages
<i>Single-offender against whites</i>		
Single-offender by blacks against whites	1,071,867	15.8
Single-offender by whites against whites	5,006,596	73.8
Single offender by other against whites	583,421	8.6
Single-offender by unknown against whites	122,111	1.8
Total single-offender against whites	6.783 million	100
<i>Multiple-offender against whites</i>		
Multiple-offender by all blacks against whites	472,536	24.6
Multiple-offender by all whites against whites	918,180	47.8
Multiple-offender by all other against whites	474,457	24.7
Multiple-offender by unknown against whites	55,705	2.9
Total multiple-offender against whites	1.920 million	100
<i>Single-offender against blacks</i>		
Single-offender by whites against blacks	161,813	13.3
Single-offender by blacks against blacks	986,695	81.1
Single-offender by all other against blacks	42,582	3.5
Single-offender by unknown against blacks	25,599	2.1
Total single-offender against blacks	1.216 million	100
<i>Multiple-offender against blacks</i>		
Multiple-offender by all whites against blacks	24,527	6.0
Multiple-offender by all blacks against blacks	308,636	75.5
Multiple offender by all other against blacks	66,632	16.3
Multiple-offender by unknown against blacks	8,993	2.2
Total multiple-offender against blacks	408,788	100
<i>Violent crimes against whites</i>		
Total black against white	1.54 million	18
Total white against white	5.92 million	68
Grand total all against white	8.70 million	100
<i>Violent crimes against blacks</i>		
Total white against black	186,000	11
Total black against black	1.29 million	80
Grand total all against black	1.62 million	100

Note: Multiple-offender calculations for category "all other" adds categories "all other" and "mixed races" from original survey.  
 Source: Calculated from *Criminal Victimization in the United States, 1993* (Bureau of Justice Statistics, forthcoming), tables 42 and 48.

For example, a BJS study of murders committed in 1988 in the nation's 75 most populous counties found that blacks were 52 percent of all murder victims and 62 percent of all murder defendants, but they were only 20 percent of the general population in these metropolitan jurisdictions. By comparison, whites were 44 percent of all murder victims and 36 percent of all defendants, but they were over 77 percent of the general population in these urban areas. About 93 percent of all black murder victims and 83 percent of all white victims were killed by someone of the same race.<sup>11</sup>

Likewise, between 1985 and 1992 the rate at which males ages 14 through 17 committed murder increased by about 50 percent for whites and over 300 percent for blacks.<sup>12</sup> Between 1973 and 1992, the rate of violent victimizations of black males ages 12 to 24 increased about 25 percent; for example, black males ages 16 to 19 sustained one violent crime for 11 persons in 1973 versus one for every six in 1992.<sup>13</sup> In 1992, black males between the ages of 16 and 24 were one percent of the population age 12 or over and experienced five percent of all violent victimizations. By comparison, white males in this age group were six percent of the population and were victims in 17 percent of violent crimes. Moreover, the "violent crimes" experienced by young black males tended to be far more serious than those experienced by young white males; for example, aggravated assaults rather than simple assaults, and violence involving gunfire rather than weaponless attacks.<sup>14</sup>

Indeed, 23 percent of those arrested for weapons offenses during 1993 were younger than 18 years old, and overall weapons arrest rates were five times greater for blacks than for whites.<sup>15</sup> As summarized in table 5, from 1987 to 1992 the average annual rate of handgun victimization per 1,000 young black males was three to four times higher than for young white males. Likewise, between 1987 and 1991 the annual arrest rate per 100,000 for murder among white males ages 14 to 17 rose from 7.6 to 13.6, but for black males of the same ages it more than doubled from 50.4 to 111.8.<sup>16</sup>

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<sup>11</sup>*Sourcebook of Criminal Justice Statistics, 1994* (Bureau of Justice Statistics 1995), p. 343 (only single offender, single victim incidents); and *Murder in Large Urban Counties* (Bureau of Justice Statistics, May 1993).

<sup>12</sup>Alfred Blumstein, "Prisons," in James Q. Wilson and Joan R. Petersilia, eds., *Crime* (Institute for Contemporary Studies, 1995), pp. 397-419.

<sup>13</sup>*Young Black Male Victims* (Bureau of Justice Statistics, December 1994).

<sup>14</sup>*Ibid.*

<sup>15</sup>*Weapons Offenses and Offenders* (Bureau of Justice Statistics, November 1995).

<sup>16</sup>Alfred Blumstein, "Violence By Young People: Why the Deadly Nexus?," *National Institute of Justice Journal*, August 1995.

**Table 5. Average annual rate of crime, 1987 to 1992, committed with handguns per 1,000 males, by age and race of victims**

Age of victim	Race of victim	
	White	Black
12-15	3.1	14.1
16-19	9.5	39.5
20-24	9.2	29.4
25-34	4.9	12.3

Note: Rates do not include murder or non-negligent manslaughter committed with handguns.  
Source: *Young Black Male Victims* (Bureau of Justice Statistics, December 1994).

As suggestive as they are, such national data on the concentration of violent crime by race, place, and age need to be brought down to the street-level in order to be understood. Consider the case of Philadelphia. For many years, crime rates in Philadelphia have been lower than in the rest of the nation's ten largest cities. Still, as measured by the UCR, in 1990 Philadelphia's total crime rate was about twice that of the four surrounding suburban Pennsylvania counties, and its violent crime rate was over three times that of those counties. Forty-two percent of all violent crimes committed in Pennsylvania occurred in Philadelphia, which contained only 14 percent of the state's total population.<sup>17</sup>

In 1994, 433 people were murdered in the City of Brotherly Love, 340 of them black. Blacks were 39 percent of the city's population but 78.5 percent of its murder victims. More than half of the victims were males between the ages of 16 and 31. All but five of the 89 victims under 20 were non-white. Citywide, the number of murders per 100,000 residents was 23 (the national average since 1990 has hovered around 9.5). But in the predominantly white, working-class Greater Northeast region of the city, the murder rate was about two per 100,000; in predominantly poor, black North Philadelphia, the rate was 66; and in the heart of North Philadelphia, in an area known to residents and police as "the Badlands," the rate was over 100.<sup>18</sup> The picture on the next page is probably worth 1,000 words.

Like other big cities, Philadelphia's concentrated violent crime problem is exacerbated by street-gang activity. But compared to the gang problems of Los Angeles County and some other cities, Philadelphia should count its blessings. L.A. has some 400 street gangs organized mainly along racial and ethnic lines: 200 Latino, 150 black, the

<sup>17</sup>*Uniform Crime Report, Commonwealth of Pennsylvania, Annual Report, 1990* (Pennsylvania State Police, 1991), pp. A2-A4.

<sup>18</sup>Don Russell and Bob Warner, "Fairhill: City's Deadliest Turf in '94," *The Philadelphia Daily News*, January 9, 1995, pp. 4-5. Also see Craig R. McCoy et al., "Crime in the City," *The Philadelphia Inquirer*, September 25, 1995, pp. A6-A7.

rest white or Asian. Together these gangs claim over 50,000 members. In 1994 their known members committed 370 murders and over 3,300 felony assaults.<sup>19</sup>

### 3. Violent Crime Demographics

Demographic trends make it virtually certain that these gangs in L.A. and other cities will have plenty of potential recruits between now and the year 2005. As table 6 indicates, in 1990 the country had about 64 million children age 17 or younger. By the year 2010 that number will increase by 15 percent, eight percent for whites, 26 percent for blacks, and 71 percent for Latinos.

**Table 6. U.S. Juvenile Population, 1990 and projected 2010**

	Population		Increase	
	1990	2010	Number	Percent
<i>All juveniles</i>	64,185,000	73,617,000	9,432,000	15%
Ages 0-4	18,874,000	20,017,000	1,143,000	6%
Ages 5-9	18,064,000	19,722,000	1,658,000	9%
Ages 10-14	17,191,000	20,724,000	3,533,000	21%
Ages 15-17	10,056,000	13,154,000	3,098,000	31%
<i>White</i>	51,336,000	55,280,000	3,944,000	8%
<i>Black</i>	9,896,000	12,475,000	2,579,000	26%
<i>Latino</i>	7,886,000	13,543,000	5,657,000	71%

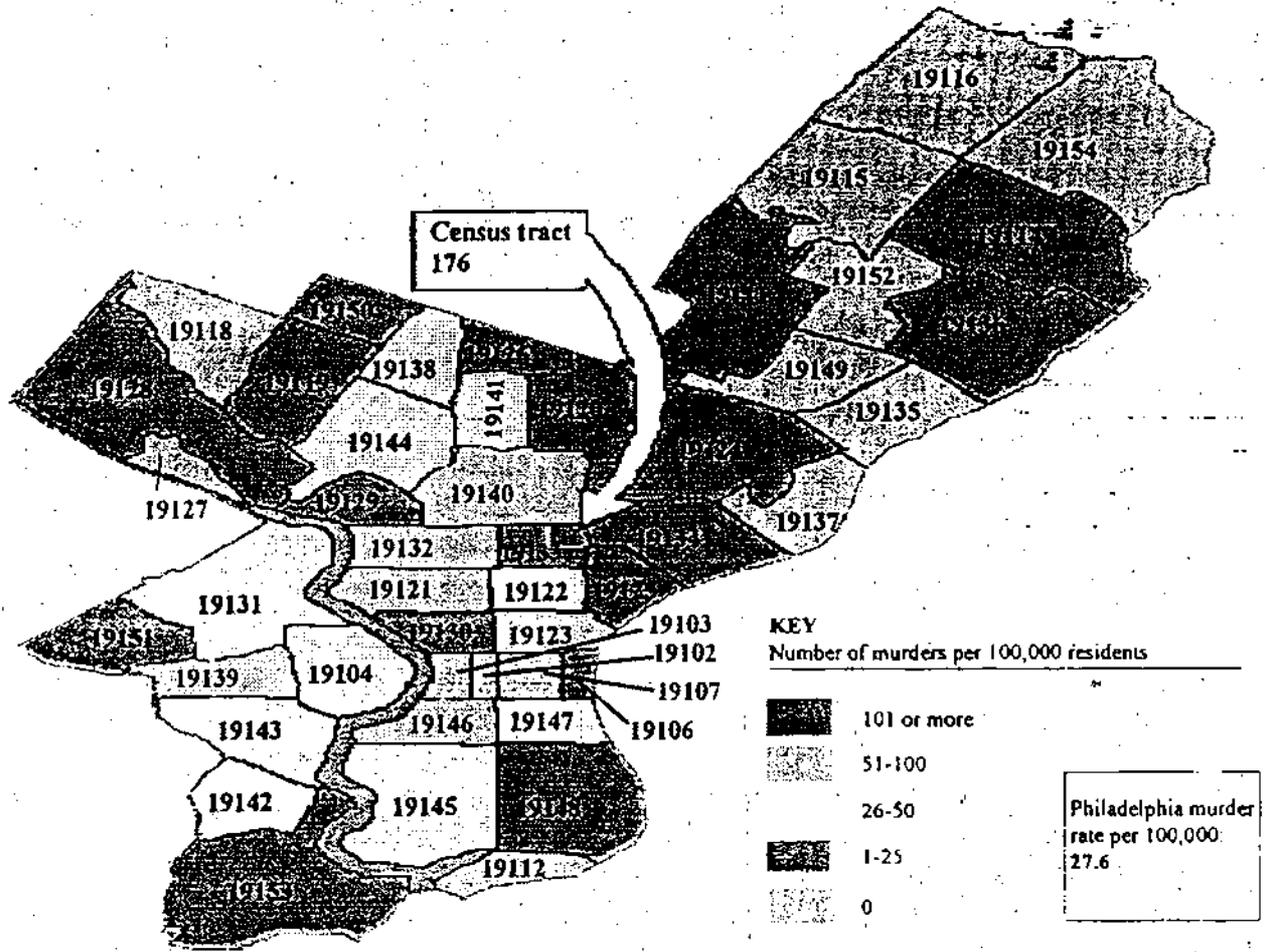
Source: Bureau of the Census, 1993, Office of Juvenile Justice and Delinquency Prevention, 1995.

Today America is home to about 7.5 million males between the ages of 14 to 17. That crime-significant cohort will increase by roughly 500,000 between now and the year 2000. Between now and the year 2005, the number of 14-to-17-year-old males will increase by 23 percent, with increases of 28 percent and 50 percent for blacks and Latinos, respectively.<sup>20</sup>

<sup>19</sup>Pehr Luedtke, *Gang Politics in Los Angeles County* (Senior Thesis, Woodrow Wilson School, Princeton University, 1995).

<sup>20</sup>James Alan Fox, "Homicide Offending Patterns: A Grim Look Ahead," paper presented at the American Academy for the Advancement of Science Annual Meeting, Atlanta, Georgia, February 16-21, 1995.

Figure 1. Murder in Philadelphia, according to ZIP code



Sources: Philadelphia Police Department, 1990 U.S. census, Philadelphia Daily News analysis.

Justice system officials are generally aware of these demographic shifts. For example, the New York City police department forecasts that between now and the year 2000, the number of males in the city between the ages of five and 14 will rise by over 50,000.<sup>21</sup> Likewise, California officials project that the state's number of juveniles ages 11 through 17 (the ages responsible for 99 percent of juvenile arrests) will increase 33 percent in the next decade.<sup>22</sup>

Still, it is worth stressing that this increase in young males may not simply be a matter of rising numbers in terms of violent crime rates in the years ahead, instead, it is likely that, on average, tomorrow's new young felons will commit more serious crimes than today's juvenile offenders do.

For starters, consider the results of a famous study of all 10,000 males born in 1945 who lived in Philadelphia between their tenth and eighteenth birthdays.<sup>23</sup> Over one-third had at least one recorded arrest by the time they were eighteen. Most of the arrests occurred when the boys were fifteen, sixteen, or seventeen. Half of the boys were arrested more than once; once a boy had been arrested three times, the chances that he would be arrested again were over 70 percent. But perhaps the most significant finding of the study was that six percent of the boys committed five or more crimes before they were eighteen, accounting for over half of all the crimes, and about two-thirds of all the violent crimes, committed by the entire cohort. This "six percent do 50 percent" statistic has been replicated in a series of subsequent longitudinal studies on Philadelphia and other cities.

But even more important, this same literature indicates that each generation of crime-prone boys is several times more dangerous than the one before it, and that over 80 percent of the most serious and frequent offenders escape detection and arrest. For example, crime-prone boys born in 1958 who resided in Philadelphia between their tenth and eighteenth birthdays did about three times as much crime as their older cousins in the class of '45. But about 60 percent of the most serious offenders in the former cohort were never known to the police, and it is probable that an even larger fraction of the serious offenders in the latter cohort had no official record.

Taken as a whole, the data suggest that the difference between the juvenile criminals of the 1950s and those of the 1970s and early '80s was about the difference between the Sharks and Jets of "West Side Story" and the Bloods and Crips of L.A. County fame. It is not inconceivable that the demographic surge of the next ten years will bring with it young male criminals who make the "O.G.s" (original gangsters) of the Bloods and Crips look tame by comparison. And it is all too likely that most of the worst of the worst offenders will escape detection, arrest, and punishment: clearance rates for murder dropped to a record low of 65 percent in 1992, and in a few cities where juvenile crime is already spiraling, half of all murders go unsolved for a year or more.<sup>24</sup>

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<sup>21</sup>Data supplied by Office of the Commissioner, New York City Police Department, September 26, 1995.

<sup>22</sup>Elizabeth G. Hill, *Juvenile Crime: Outlook for California* (Legislative Analyst's Office, State of California, May 1995), p. 22.

<sup>23</sup>Marvin E. Wolfgang et al., *Delinquency in a Birth Cohort* (University of Chicago Press, 1972).

<sup>24</sup>Murder in America (International Association of Chiefs of Police, May 1995), p. 6; Monica Rhor et al., "Half of Camden's '94 Homicides Unsolved," *The Philadelphia Inquirer*, March 12, 1995, pp. A1, A22-A23; Marvin Wolfgang et al., *From Boy to Man, From Delinquency to Crime* (University of Chicago Press, 1987);

#### **4. Violent Crime Dynamics**

No one fully understands the causal dynamics behind crime demographics. In the aggregate, it is easy to explain and predict differences in predatory criminal propensities between, say, well-off boys from intact families residing in good neighborhoods, and impoverished boys from single-parent families living in drug- and crime-infested places. But under what conditions do otherwise comparable young males vary in their propensities to commit violent crimes (remember, not every "bad home" produces a "bad boy" or a career street predator)? And why has each recent cohort of serious young male offenders been, on average, more prone to homicidal and violent crime than the one before it?

Many researchers in criminology, the social sciences, and even the bio-medical sciences are doing studies that may (or may not) yield definitive policy-relevant answers to such questions. For example, a number of analysts have been at work on the "project on human development in Chicago neighborhoods," described in a recent National Institute of Justice report as "an unprecedented, long-range program of research designed to study a broad range of factors at the level of the community, the family, and the individual believed to be important in explaining early aggression and delinquency, substance abuse, and criminal behavior, including violence."<sup>25</sup> Table 7 lists the thirty different "contexts" and "factors" being investigated in the Chicago project.

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Marvin Wolfgang et al., *Delinquency Careers in Two Birth Cohorts* (Plenum, 1990); D.S. Elliott et al., "Self-reported Violent Offending," *Journal of Interpersonal Violence* (1986), pp. 472-514; D.S. Elliott, "Serious Violent Offenders," *Criminology*, 1992, pp. 1-21; Alfred Blumstein et al., *Criminal Careers and Career Criminals* (National Academy Press, 1986); James Q. Wilson et al., *Understanding and Controlling Crime* (Springer-Verlag, 1986).

<sup>25</sup>Christy A. Visher, "Understanding the Roots of Crime: The Project on Human Development in Chicago Neighborhoods," *National Institute of Justice Journal*, November 1994, p. 9.

**Table 7. Thirty contexts and factors being studied as part of the Project on Human Development**

1. Social, economic, and demographic structure.
2. Organizational/political structure.
3. Community standards and norms.
4. Informal social control.
5. Crime, victimization, and arrests.
6. Social cohesion.
7. Residential turnover.
8. Level of involvement in drug and gang networks.
9. Academic achievement expectations.
10. School policies regarding social control.
11. School conflict.
12. Teacher-student relationships.
13. Strengths and weaknesses of the school environment.
14. Composition and size of social network.
15. Substance abuse and delinquency by peers.
16. Deviant and prosocial attitudes of peers.
17. Location of peer networks (school or community).
18. Changes in peer relationships over time.
19. Family structure.
20. Parent-child relationships.
21. Parental disciplinary practices.
22. Parent characteristics.
23. Family mental health.
24. Family history of criminal behavior and substance abuse.
25. Physical and mental health status.
26. Impulse control and sensation-seeking traits.
27. Cognitive and language development.
28. Ethnic identity and acculturation.
29. Leisure-time activities.
30. Self-perception, attitudes, and values.

Source: Christy A. Visher, "Understanding the Roots of Crime," *National Institute of Justice Journal*, November 1994, p. 14.

We have no doubt that this research will add something of intellectual interest to the already voluminous academic literature on understanding and reducing violence.<sup>26</sup> Likewise, we agree wholeheartedly that uncovering "the subtle interaction between individual characteristics and social circumstances requires policy-related research of a sort and on a scale that has not been attempted before."<sup>27</sup> And, as we stated in the first part of this report, Americans should strive to prevent crime by reducing the chances that given at-risk children will become delinquent or criminal in the first place.

<sup>26</sup>For a sample of the recent literature, see *1993 Report of the Harry Frank Guggenheim Foundation: Research for Understanding and Reducing Violence, Aggression and Dominance* (The Harry Frank Guggenheim Foundation, 1993).

<sup>27</sup>James Q. Wilson, *On Character* (American Enterprise Institute, 1991), p. 179.

But we would be as surprised, as we suspect most Americans would be, if these studies uncovered something fundamental about the dynamics of predatory street crime that we did not already know, or that strongly contradicted the common sense of the subject. For example, as every study shows—and as every family court judge knows—large fractions of highly violent juvenile offenders have suffered serious abuse or neglect by a family member, or have witnessed extreme violence, or both. Likewise, it has long been known that over half of state prisoners come from single-parent households, over one-quarter have parents who abused drugs or alcohol, and nearly a third have a brother with a prison or jail record.

Moreover, the human drama behind the statistics has been captured in numerous ethnographic accounts. One of the most recent of these accounts is Mark S. Fleisher's book on the lives of 194 West Coast urban street criminals, including several dozen who were juveniles at the time he did his primary field research (1988 to 1990). Almost without exception, the boys' families "were a social fabric of fragile and undependable social ties that weakly bound children to their parents and other socializers." Nearly all parents abused alcohol or drugs or both. Most had no father in the home; many had fathers who were criminals. Parents "beat their sons and daughters—whipped them with belts, punched them with fists, slapped them, and kicked them."<sup>28</sup>

Likewise, in a recent book on race and class in America, Jennifer L. Hochschild acknowledges that "some lawbreakers hold different values than most other Americans," and are quite distant from "mainstream norms":

Asked for an alternative to killing another drug dealer, young murderers in Washington, D.C. speculate only that they could have shot their rival once rather than six times, or could have stabbed instead of shot him. Their sole regret is that incarceration "took a lot of my life"; one went to his victims' funerals to assure himself that they were indeed dead. Most chillingly, some seem incapable of seeing the future as potentially different from the past; when asked, "what are your thoughts about the future?" several youth asked for an explanation of the question.<sup>29</sup>

Does anyone actually doubt that poor, fatherless young males who are abused or neglected at home, vegetate or make trouble at school, hang out with deviant, delinquent, or criminal peers and live among people who abuse alcohol or drugs in neighborhoods dotted by malt-liquor outlets are substantially more likely to get into trouble with the law and commit violent crimes than otherwise comparable children who are less exposed to some or all of these criminogenic influences? Who among us still questions the increased criminal potential of children who are exposed to open-air drug markets; who lack attachment to religious, civic, or other communal associations; or who are simply never habituated by parents, guardians, relatives, friends, teachers, coaches, or clergy to control their aggressive impulses, defer immediate gratifications for the sake of future rewards, or respect the feelings, persons, and property of others?

Intellectually, it is worthwhile to strive for ever more analytically refined understandings of the conditions that spawn violent crime by spawning violent criminals.

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<sup>28</sup>Mark S. Fleisher, *Beggars and Thieves: Lives of Urban Street Criminals* (University of Wisconsin Press, 1995).

<sup>29</sup>Jennifer L. Hochschild, *Facing Up to the American Dream* (Princeton University Press, 1995), p. 205.

But we already know where violent crime is most heavily concentrated, and which children are most at risk: namely, poor minority children growing up in drug- and crime-infested inner-city neighborhoods. In our forthcoming hearings and in other ways, we hope to identify meaningful, real-world examples of community-based programs intended to prevent at-risk kids from becoming violent criminals. For beyond academic theory and expert-derived one-size-fits-all public policy approaches, Americans most desperately need civic rescue missions to save particular at-risk children when and where it really counts.

### **5. Violent Crime: Voters are Not Fools**

Most Americans already possess the common sense and the compassion necessary to meet the challenges of violent crime prevention, protection, and restraint. Moreover, most Americans are keenly aware of the relative violent crime risks which they face, and are by no means as prone to exaggerate those risks--as many critics of the public's understanding of crime and punishment have asserted.

Of course, we do not mean to suggest that most citizens have on the tips of their tongues the crime statistics cited in the foregoing sections of this report. Nor do we mean to deny that, under some conditions, public fear of violent crime (and of other types of crime as well) can be heightened beyond reason by news events, television viewing habits, or other factors. But we do mean to stress the often-overlooked fact that the relative intensity of citizens' personal concerns about violent crime is more a mirror than a mirage of their relative objective risks of being victimized by violent crime.

For example, in just about every major public opinion survey since January 1994, crime has been ranked ahead of unemployment, the deficit, pollution, and other issues as the main problem facing the country today. But while nearly all Americans now feel more threatened by crime than they did in the past, urban Americans feel more threatened than suburban or rural Americans, and urban blacks feel more threatened than other urban residents. For example, in 1991 about 7.4 percent of all households, 16.5 percent of black households, and 22.7 percent of central city black households identified crime as a major neighborhood problem. Between 1985 and 1991, the fraction of rural households that identified crime as a major neighborhood problem remained fairly stable, rising from 1.4 percent to 1.9 percent. But the fraction of black central city households that did so nearly doubled from 11.8 percent to 22.7 percent.<sup>30</sup>

Likewise, a number of recent surveys, including one conducted by the Black Community Crusade for Children, have found that black urban children, who are far more likely than black urban adults to be murdered or victimized by many types of violent crime, ranked their top five present life concerns as follows: kids carrying guns (70 percent); violence in school (68 percent); living in a dangerous neighborhood (64 percent); involvement with gangs (63 percent); and involvement with people who cause trouble (63 percent).<sup>31</sup> And as table 8 indicates, black teenagers, who are more likely than white teenagers to be murdered or victimized by many types of violent crime, feel more threatened.

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<sup>30</sup>*Crime and Neighborhoods* (Bureau of Justice Statistics, June 1994).

<sup>31</sup>Black Community Crusade for Children, *Overwhelming Majority of Black Adults Fear For Children's Safety and Future* (Children's Defense Fund, May 26, 1994).

More broadly, consider the implications of the fact that many anti-crime activities in this country are private, not governmental. They consist of the countless financial, locational, and organizational decisions made each day by families, businesses, and neighborhood groups in an effort to render the environments in which law-abiding people live, work, shop, attend school, and play relatively impervious to crime. We lock our doors and install burglar alarms. We counsel our teenagers to be careful and to avoid driving through "bad neighborhoods." We relocate our families and our businesses. We make crime-sensitive investment decisions. We watch the neighbors' homes when they are on vacation. We hire private security guards. We form neighborhood watch groups. Were it not for these private anti-crime efforts, America's violent crime problem would be far worse. Undoubtedly, part of the reason for such high rates of criminal victimization among inner-city blacks is that the law-abiding people of these communities experience a relative lack of the financial and political resources needed to protect their homes, stores, parks, and schools.

To our knowledge, no one has attempted to measure or monetize what Americans spend privately on crime protection. Loose estimates have been made that twice as much is now spent on private security services as on public police, but no rigorous work on the costs of "rent-a-cops," let alone of the entire range of private anti-crime activities, is presently available.

**Table 8. Teenagers and the threat of violent crime**

	White Teenagers	Black Teenagers
<i>How much of the time do you worry about being the victim of a crime?</i>		
A lot or some of the time	36%	54%
Hardly ever or never	64%	46%
<i>What kind of crime do you think is likely to happen to you?</i>		
Robbery/mugging	13%	10%
Shooting	5%	27%
Assault	6%	7%
Rape	7%	2%
Other	2%	3%
<i>Who do you think is more likely to commit that crime against you?</i>		
Teenager you know	7%	11%
Teenager you don't know	18%	37%
An adult	9%	4%
<i>Do you know someone who has been shot in the past five years?</i>		
Yes	31%	70%
<i>What is the biggest problem where you go to school?</i>		
Violence	19%	37%
Gangs	5%	8%
Drugs	14%	8%
Racism	8%	6%
All other	40%	23%
<i>Are organized gangs a problem in your school?</i>		
Yes	18%	33%

Source: *New York Times*, July 10, 1994, p. 16, based on New York Times/CBS News Poll.

But we would not be surprised to learn that Americans are investing more of their own money, time, and effort in crime protection today than they did five, ten, or fifteen years ago. If that is so, then the public's crime fears are more understandable. For what average Americans seem to sense is that, for all of the private, corporate, and community-based anti-crime initiatives, for all of the disposable income spent on security devices, for all of the costly behavioral changes, and for all of the neighborhood rallies, they have to date gained only marginal and temporary relief from murder and mayhem on the streets.

### III. The Reality of Revolving-Door Justice

A majority of Americans of every demographic description are convinced that existing government policies do not do nearly enough to complement private anti-crime efforts and protect law-abiding citizens from violent and repeat criminals. In stark contrast, many experts and criminals' rights advocates remain sanguine about how the system operates. In their view, the real problem is not revolving-door justice but its opposite--public policies that incarcerate too many convicted criminals for too long. The national media routinely side with the experts. A typical example is the 1994 *Time* magazine cover story which declared in bold letters that "outraged Americans" who favor "lock'em up" policies fail to see that "prisons have failed" and that "imposing longer sentences may only increase the crime rate."<sup>32</sup>

There is plenty of reliable data that can be used to referee this dispute between the people and the experts. Almost all of it supports the views held by average Americans.

As table 9 indicates, there is quite a gap between how much time average citizens think convicted criminals should serve in prison and how much time the criminals actually serve. For over a decade, the justice system has been overloading the streets at least as fast as it has been filling up the prisons. As table 10 indicates, more than seven out of 10 of the 5.1 million people under correctional supervision on any given day in 1994 were *not* incarcerated. Nationally, about three million persons were on probation, one million were in prison, 690,000 were on parole, and 484,000 were in jail. Between 1980 and 1994, the parole population and the prison population both grew by 213 percent.

Indeed, in 1992, over 10.3 million *violent* crimes were committed, but just 3.3 million were reported to the police. About 641,000 led to arrests, barely 165,000 to convictions, and only 100,000 or so to state prison sentences, which on average ended before the convict had served even half his time behind bars.<sup>33</sup>

How is it that the justice system imprisons barely one criminal for every 100 violent crimes? How is it that millions of convicted criminals with a history of violence end up on probation or parole rather than behind bars? Who really goes to prison, for how long, and under what conditions? What really happens on probation and parole? And how much violent crime is actually done by repeat violent criminals, including those who are legally "under supervision" at the very moment they find their latest victims?

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<sup>32</sup>Richard Lacavo, "Lock 'Em Up," *Time*, February 7, 1994, pp. 51, 55.

<sup>33</sup>*Criminal Victimization 1993* (Bureau of Justice Statistics, May 1995), p. 2; *Sourcebook of Criminal Justice Statistics 1993* (Bureau of Justice Statistics, 1994), tables 4.9 and 5.73; *Felony Sentences in State Courts, 1992* (Bureau of Justice Statistics, January 1995), tables 1, 2, and 4.

**Table 9. Actual vs. Recommended Sentences**

<i>Offense</i>	<i>Actual average time served, released in 1992</i>	<i>Average recommended time in prison, 1987</i>
Rape	4 years, 11 months	
with no other injury		15 years, 5 months
with forced oral sex, no other injury		16 years, 10 months
Robbery	3 years, 3 months	
no weapon, threat of force, no injury, \$10		3 years, 8 months
threat of force with weapon, no injury, \$10		5 years, 8 months
shot victim with gun, hospitalization, \$1,000		10 years, 3 months
Assault	2 years	
intentional injury, treatment by doctor, no hospitalization		5 years, 7 months
intentional injury, treatment by doctor and hospitalization		7 years, 9 months
Burglary	1 year, 10 months	
burglary of a home with loss of \$1,000		4 years, 5 months
Drug trafficking	1 year, 6 months	
cocaine sold to others for resale		10 years, 6 months

Note: This table compares the actual time served for selected serious offenses by those released from prison in 1992 with the prison sentences recommended by a representative sample of Americans in 1987.

Source: Joseph M. Bessette, "Crime Justice, and Punishment," *Jobs and Capital*, Winter 1995, p. 22.

**Table 10. Number of adults on probation, in jail or prison, or on parole, 1980-94**

Year	Total estimated correctional population	Probation	Jail*	Prison	Parole
1980 <sup>b</sup>	1,840,400	1,118,097	182,288	319,598	220,438
1985	3,011,500	1,968,712	254,986	487,583	300,203
1990	4,348,000	2,670,234	403,019	743,382	531,407
1991	4,536,200	2,729,322	424,129	792,535	590,198
1992	4,763,200	2,811,611	441,781	851,205	658,601
1993	4,943,900	2,903,160	455,500	909,186	678,100
1994	5,135,900	2,962,166	483,717	999,808	690,159
Percent change,					
1993-94	4%	2%	6%	10%	2%
1980-94	179%	165%	165%	213%	213%

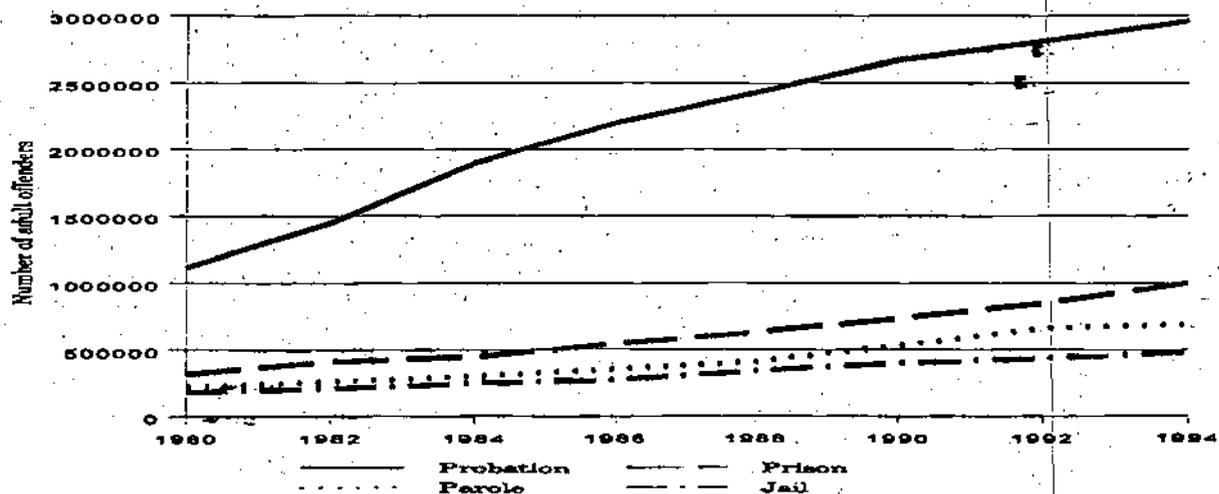
Note: Every year some states update their counts. Counts for probation, prisons, and parole population are for December 31 each year. Jail population counts are for June 30 each year. Prisoner counts are for those in custody only. Because some persons may have multiple statuses, the sum of the number of persons incarcerated or under community supervision overestimates the total correctional population.

\*Includes convicted and unconvicted adult inmates.

<sup>b</sup>Jail count is based on estimates.

Source: Bureau of Justice Statistics, 1995.

**Figure 2. Adults in jail, on probation, in prison, or on parole in the United States, 1980-93**



Source: *Correctional Populations in the United States, 1993* (Bureau of Justice Statistics, October 1995); *Sourcebook of Criminal Justice Statistics, 1994* (Bureau of Justice Statistics, 1995).

1. Who Really Goes to Prison?

The revolving door is greased when 65 percent of all felony defendants, and 63 percent of all violent felony defendants, are released prior to the disposition of their case. As table 11 indicates, in 1990 in the nation's seventy-five largest counties, 44 percent of all released defendants, and 11 percent of all released violent felony defendants, had a history of prior convictions, including 31 percent of the former who had 1 or more prior convictions, and 5 percent who had 10 or more prior convictions. About 19 percent of released violent felony defendants simply fail to appear in court. About 16 percent of released violent felony defendants are rearrested again within the year, a quarter of them for another violent crime.<sup>34</sup> And in 1992, 71 percent of the defendants charged with felony weapons offenses were released prior to trial.<sup>35</sup>

Table 11. Number of prior convictions of felony defendants, by whether released or detained and the most serious current arrest charge, 1990

Detention/release outcome and the most serious current arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties						
		Total with		Number of prior convictions				
		Total	No prior convictions	Prior convictions	10 or more	5-9	2-4	1
<b>Released defendants</b>								
All offenses	33,085	100%	56%	44%	5%	9%	17%	13%
Violent offenses	8,452	26	15	11	1	2	4	4
Property offenses	11,481	35	20	15	2	3	5	4
Drug offenses	10,474	32	17	15	1	3	6	5
Public-order offenses	2,678	8	4	4	-	1	2	1
<b>Detained defendants</b>								
All offenses	18,348	100%	29%	71%	11%	20%	27%	13%
Violent offenses	4,933	27	9	18	2	5	7	4
Property offenses	6,143	33	10	24	4	7	8	4
Drug offenses	6,027	33	9	24	4	6	10	4
Public-order offenses	1,245	7	1	6	1	2	2	1

Source: *Pretrial Release of Felony Defendants, 1990* (Bureau of Justice Statistics, November 1992).

But it is at the point of sentencing that the revolving door for violent felons really begins to swing. As table 12 shows, in 1992 fully 47 percent of state felons convicted of one violent crime were not sentenced to prison, and nearly a quarter of those convicted of

<sup>34</sup> *Pretrial Release of Felony Defendants, 1990* (Bureau of Justice Statistics, November 1992), tables 12 and 13.

<sup>35</sup> *Weapons Offenses and Offenders* (Bureau of Justice Statistics, November 1995), p. 4.

three or more felony crimes, one or more of which was a violent crime, were not sentenced to prison.

**Table 12. Convicted violent felons not sentenced to prison, by number of conviction offenses, 1992**

Most serious conviction offense	Percent of convicted felons <i>not</i> sentenced to prison for 1, 2, or 3 or more felony conviction offenses		
	One	Two	Three or more
All violent offenses	47%	31%	23%
Murder	9%	5%	3%
Rape	39%	23%	20%
Robbery	30%	21%	14%
Aggravated assault	61%	45%	38%
Other violent <sup>a</sup>	65%	51%	36%

Note: This chart reflects prison non-sentencing rates for felons based on their most serious offenses. For example, if a felon is convicted for murder, larceny and drug possession, and not sentenced to prison, he would be represented in this chart under murder (the most serious offense) with three or more offenses.

<sup>a</sup>Includes offenses such as negligent manslaughter, sexual assault and kidnapping.

Source: Bureau of Justice Statistics, *Felony Sentences in State Courts*, January 1995, p. 6.

Given these facts, it is not surprising that virtually all convicted criminals who do go to prison are violent offenders, repeat offenders, or violent repeat offenders. Table 13 summarizes the number of prisoners in state prisons in 1991 by the most serious offenses (not the only offenses) for which they were convicted. Some 46.5 percent of the prisoners were in prison for violent offenses.

**Table 13. Number of state prisoners in 1991, by most serious offense**

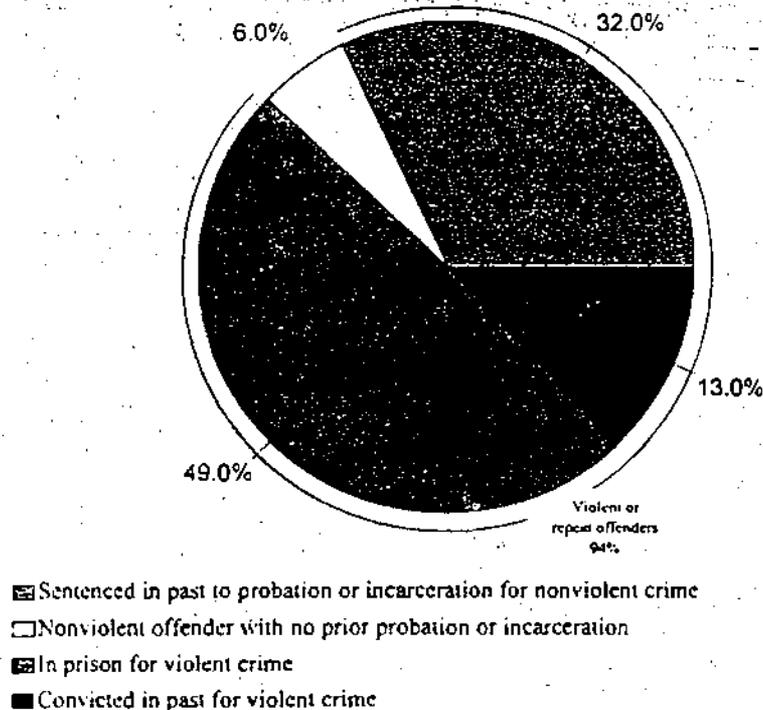
<i>All offenses</i>	728,605
<i>Violent offenses</i>	339,500
Murder	77,200
Manslaughter	13,100
Rape	25,500
Other sexual assault	43,000
Robbery	107,800
Assault	59,000
Other violent	13,100
<i>Property offenses</i>	180,700
Burglary	90,300
Larceny/theft	35,700
Motor vehicle theft	16,000
Fraud	20,400
Other property	18,200
<i>Drug offenses</i>	155,200
<i>Public-order offenses</i>	49,500
<i>Other/unspecified offenses</i>	2,900

Source: *Prisoners in 1994* (Bureau of Justice Statistics, August 1995).

It is a gross but common error to conclude from such data that half of all prisoners are "non-violent." In fact, as depicted in figure 3, based on a scientific survey representing 711,000 state prisoners in 1991, former BJS Acting Director Lawrence A. Greenfeld found that fully 62 percent of the prison population had a history of violence, and that 94 percent of state prisoners had committed one or more violent crimes or served a previous sentence to incarceration or probation.<sup>36</sup> In effect, this 94 percent statistic is a measure of the prison population's criminal "grade point average," accounting for the totality of prisoners' known adult and juvenile criminal acts against life, liberty, and property. Performing the same analysis on other large state prisoner data sets yields virtually the same results: since 1974 over 90 percent of all state prisoners have been violent offenders or recidivists.

<sup>36</sup>*Survey of State Prison Inmates, 1991* (Bureau of Justice Statistics, March 1993), p. 11.

Figure 3. Profile of Prison Inmates, 1991



Source: *Survey of State Prison Inmates, 1991* (Bureau of Justice Statistics, 1992). Statistics based on a sample representing 711,000 adults in state prisons.

Indeed, between 1980 and 1993 the growth in state inmates was greatest among offenders whose most recent and serious conviction offense was violent. During that period, the number of violent offenders behind bars grew by 221,000, representing 1.3 times the growth in the number of offenders whose most recent and serious conviction offense was for a drug law violation, and 42 percent of the total growth in state prison populations.<sup>37</sup>

In short, the closer one looks into the criminal and conviction histories of prisoners, the clearer it becomes that there are precious few petty, non-violent, or first-time felons behind bars who pose no real threat to public safety and who simply do not deserve to be incarcerated.

For example, in 1994 California's prison population rose to over 125,000 inmates. Since the mid-1980's, numerous experts and journalists have insisted that the state's prisons were overflowing with first-time offenders and harmless parole violators. And as California voters marched to the polls and overwhelmingly approved a three-strikes law, many analysts and commentators confidently warned that, within a year, the state's prisons would be bulging with petty criminals sentenced automatically to life without parole for any third felony conviction.

<sup>37</sup> *Prisoners in 1994* (Bureau of Justice Statistics, August 1995), p. 11.

Table 14 summarizes the results of a California Department of Corrections analysis of the criminal histories of 16,520 randomly selected felony offenders admitted to the state's prisons in 1992 and classified as "nonviolent." The analysis reveals that 88.5 percent of these offenders had one or more prior adult convictions. The average number of prior convictions was 4.7. A fifth of these "nonviolent" felons had been committed to prison once or twice before.

**Table 14. Felony offenders admitted to California prisons in 1992 and classified as nonviolent, by criminal histories**

<i>Prior convictions</i>	
Juvenile (one or more)	18.2%
Adult (one or more)	88.5%
Adult - Average number	4.7
Adult - Violent (PC 667.5(c)) (one or more)	1.4%
<i>Prior probations</i>	
Prior Probation (one or more)	82.0%
Current Probation resulting in:	
Probation revocation with additional conviction(s)	24.2%
Probation revocation without additional conviction(s)	21.7%
<i>Prior juvenile hall incarcerations (one or more)</i>	5.8%
<i>Prior jail - adult incarcerations</i>	
One or more	65.9%
Three or more	32.8%
<i>Prior California youth authority commitments</i>	10.5%
<i>Prior prison commitments</i>	
One or more	20.6%
Three or more	1.8%

Source: Department of Corrections, State of California, March 1, 1994. Based on an analysis of 16,520 admissions.

Table 15 offers a detailed portrait of the 84,197 adults who were admitted to California prisons in 1991. It is based on a recent analysis by a former president of the American Society of Criminology, Joan R. Petersilia. It shows that only 3,116 of the prisoners (under 4 percent of total admissions) were, in fact, mere technical parole violators (the category "Administrative, non-criminal"). As Petersilia has concluded, these data disprove the notion that hordes of "parole violators are being returned for strictly technical violations. . . . The bottom line is that true technical violators do not currently represent a large portion of incoming inmates, nor do they serve very long prison terms."

More precisely, table 15 shows that about 45 percent of the prisoners were "Felons, New Court Admissions," meaning that they were sentenced by the courts for new crimes ranging from murders to drug deals. The rest were "Parole Violators," meaning that they were sentenced by the courts to additional terms ("Parole Violators With a New Term," 19 percent), or returned to prison by the Board of Prison Terms (the parole board) for having violated one or more conditions of their parole ("Parole Violators Returned to Prison," 36 percent). As the table's compilation of their offense records makes quite plain, the vast majority of both all new court admissions and all parole violators—in short, the vast majority of all persons admitted to California's prisons—were violent or repeat criminals, together responsible for literally tens of thousands of serious crimes, including over 2,000 murder convictions.

**Table 15. Persons admitted to California prisons, 1991  
By commitment offense and average prison term served**

	Number of Persons	% of Total Admissions	Median Months Served
<b>Felons, New Court Admissions</b>	38,240	45.41%	
Violent Offenses	10,616	12.61%	19.0
Homicide	1,840	2.19%	33.2
Robbery	3,701	4.40%	17.7
Assault	2,881	3.42%	16.2
Sex Crimes	1,936	2.30%	33.2
Kidnapping	258	0.31%	34.6
Property Offenses	10,537	12.51%	11.0
Burglary 1st	2,547	3.02%	20.5
Burglary 2nd	2,154	2.56%	9.9
Grand Theft	1,174	1.39%	10.0
Petty Theft with Pri.	1,520	1.81%	8.8
Rec. Stolen Property	1,003	1.19%	8.9
Auto Theft	1,384	1.64%	11.5
Forgery/Fraud	755	0.90%	9.9
Drug Offenses	12,459	14.80%	11.8
Possession	3,943	4.68%	7.7
Possession for Sale	4,173	4.96%	12.9
Drug Sale	3,052	3.62%	17.4
Drug Manufacture	376	0.45%	21.5
Marijuana	915	1.09%	10.4
Other Offenses	4,628	5.50%	8.9
Driving Under the Influence	2,911	3.46%	8.3
Weapons Possession	604	0.72%	10.6
Escape	68	0.08%	8.4
Arson	138	0.16%	13.6
Miscellaneous	907	1.08%	9.1
<b>Parole Violators with New Term (PV-WNT)</b>	16,010	19.01%	
Violent Offenses	2,705	3.21%	
Homicide	136	0.16%	33.2
Robbery	1,553	1.84%	17.7
Assault	751	0.89%	16.2
Sex Crimes	233	0.28%	33.2
Kidnapping	32	0.04%	34.6

Property Offenses	7,156	8.50%	11.0
Burglary 1st	1,106	1.31%	20.5
Burglary 2nd	1,776	2.11%	9.9
Grand Theft	516	0.61%	10.0
Petty Theft with Pri.	1,905	2.26%	8.8
Rec. Stolen Property	701	0.83%	8.9
Auto Theft	853	1.01%	11.5
Forgery, Fraud	299	0.36%	9.9
Drug Offenses	4,627	5.49%	11.8
Possession	2,205	2.62%	7.7
Possession for Sale	1,036	1.23%	12.9
Sale	890	1.06%	17.4
Manufacture	172	0.20%	21.5
Marijuana	324	0.38%	10.4
Other Offenses	1,522	1.81%	8.9
Driving Under the Influence	479	0.57%	8.3
Weapons	672	0.80%	10.6
Escape	34	0.04%	8.4
Arson	19	0.02%	13.6
Other	318	0.38%	9.1

<b>Parole Violators Returned to Prison (PV-RTP)</b>	29,944	35.56%	
Administrative, non-criminal (technical violations)	3,116	3.70%	4.0
Administrative, criminal	26,828	31.86%	7.0
Type 1	8,382	9.95%	4.0
Drug Use	3,035	3.60%	4.0
Drug Possession	2,427	2.88%	5.0
Misc., Minor	2,920	3.47%	5.0
Type 2	12,010	14.26%	8.0
Sex Offenses	535	0.64%	6.0
Assault	1,431	1.70%	8.0
Burglary	880	1.05%	9.0
Theft	3,714	4.41%	8.0
Drug Sales	1,449	1.72%	10.0
Weapons	380	0.45%	8.0
Driving Violation	1,334	1.58%	8.0
Misc, nonviolent	2,287	2.72%	6.0
Type 3	6,436	7.65%	12.0
Homicide	119	0.14%	12.0
Robbery	1,168	1.39%	12.0
Rape/Assault	353	0.42%	12.0
Battery	2,394	2.84%	12.0
Burglary	704	0.84%	10.0
Drug - Major	253	0.30%	10.0
Weapons	1,093	1.30%	12.0
Driving Violation	171	0.21%	10.0
Miscellaneous	181	0.21%	12.0
<b>Total Admissions</b>	<b>84,197</b>	<b>100%</b>	<b>11.83</b>

Note: Persons who were revoked by the Parole Board in 1991 but "continued on parole" (8700 persons) were not included in this table nor were those with missing offense data (2690 persons).

Source: Joan R. Petersilia, "Diverting Non-Violent Prisoners to Intermediate Sanctions," paper prepared for the California Policy Seminar, Berkeley, California, 1995, pp. 9-11.

From the day it took effect through November of 1995, some 1,020 repeat felons were sentenced under California's three strikes law. About 969 of them were sentenced during the law's first year; the remaining 61 were sentenced over the ensuing eight months.<sup>38</sup> Clearly, the state's prosecutors are exercising their discretion to use the law against repeat offenders who for the sake of either public safety, just deserts, or both,

<sup>38</sup>Data provided by the California Department of Corrections, November 28, 1995.

need to be incarcerated. And, contrary to popular perceptions, not everyone sentenced under the law must serve life without the possibility of parole.

Consider the much-publicized case of the "pizza thief," the 29-year-old California man who was sentenced under the law for stealing a slice of pizza from children in a shopping mall.<sup>39</sup> Although much of the national press spun this story as a self-evident example of the folly of three-strikes (and other "get-tough" legislation), the facts paint a different picture. The offender's adult criminal history dated back to 1985. He was convicted of five serious felonies inside of a decade. He was granted probation five times in five years for convictions on two misdemeanor charges and three felony charges. Between 1985 and 1990, he had five suspended sentences. At one point he moved to Washington State—and was arrested there on additional charges. During his criminal career, he used eight aliases, three different dates of birth, four different Social Security numbers, and marijuana, cocaine, alcohol, and PCP. Standing 6 foot four inches, his "third strike" occurred when he and another man frightened and intimidated four children (ages 7, 10, 12, and 14), stole their pizza, and then walked away laughing. He was not sentenced to life; he could be eligible for parole in the year 2014. As one California official quipped, this repeat felon was already "doing life on the installment plan. Three strikes simply reduced the number of future installments and the number of future victims."

## **2. How Much Hard Time Do Violent Prisoners Really Serve?**

The unvarnished truth, therefore, is that America's prisons hold few petty, first-time, non-violent criminals. Moreover, even violent prisoners spend relatively little time behind bars before being released, and do so under conditions of confinement that are far more generous than cruel.

As table 16 indicates, violent offenders released from prison in 1992 served an average of 48 percent of their time behind bars (both jail credit and prison time)—43 months on sentences of 89 months. Between 1988 and 1992 the percent of time served in prisons by released violent offenders rose from 43 percent to 48 percent. But over the same period the average sentence dropped from 95 months to 89 months, meaning that the actual average time served increased only from 41 months to 43 months. Overall, therefore, between 1988 and 1992, there was little change in the amount of time or in the percentage of sentence served for different types of violent crimes.<sup>40</sup> Among those violent offenders released in 1992, even murderers served only 5.9 years of 12.4 year terms.

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<sup>39</sup>Facts of the case supplied by the California Department of Corrections, May 26, 1995.

<sup>40</sup>*Prison Sentences and Time Served for Violence* (Bureau of Justice Statistics, April 1995), p. 2.

Table 16. Time served on confinement by violent offenders released in 1992

Type of offense	Average sentence (months)	Average time served* (months)	Percent of sentence served
All violent	89	43	48%
Homicide	149	71	48%
Rape	117	65	56%
Kidnapping	104	52	50%
Robbery	95	44	46%
Sexual assault	72	35	49%
Assault	61	29	48%
Other	60	28	47%

\*Includes jail credit and prison time.

Source: Bureau of Justice Statistics, *Prison Sentences and Time Served for Violence* (Bureau of Justice Statistics, April 1995), p. 1.

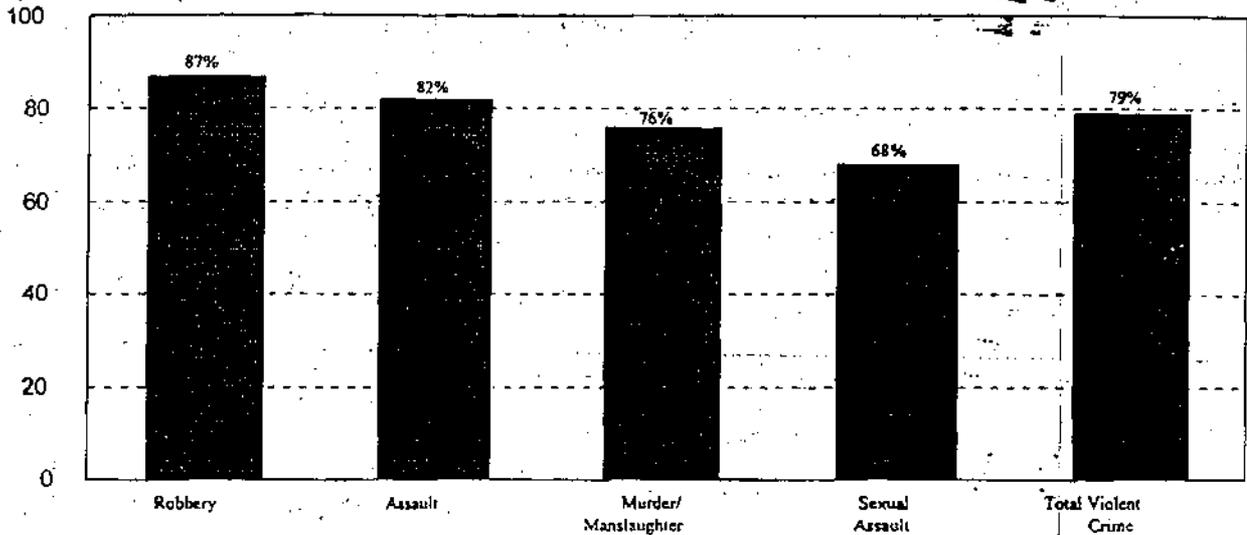
Much the same picture holds when the data on how much time violent felons actually serve in prison is broken down on a state-by-state basis. For example, figure 4 displays the percent of various categories of convicted violent felons in Virginia in 1992 who had at least one prior conviction. More than three-quarters of all violent criminals in Virginia prisons in 1992-93 had prior convictions. Figure 5 displays the average time served by Virginia felons released in 1993. Together, these two sets of data confirm that even most violent recidivists imprisoned for murder, rape, and robbery serve less than half of their sentenced time in confinement.<sup>41</sup>

It is possible, however, that truth-in-sentencing and related laws will succeed in increasing the amount of prison time actually served by violent offenders in Virginia and the rest of the nation. For example, the BJS estimates that state prisoners admitted in 1992 could serve an average of 62 months (versus 43 months for violent offenders released in 1992) and 60 percent of their sentences (versus 48 percent).<sup>42</sup>

<sup>41</sup>George Allen, "The Courage of Our Convictions," *Policy Review*, Spring 1995, pp 4-5. Also see *Governor's Commission on Parole Abolition and Sentencing Reform. Final Report* (State of Virginia, August 1994).

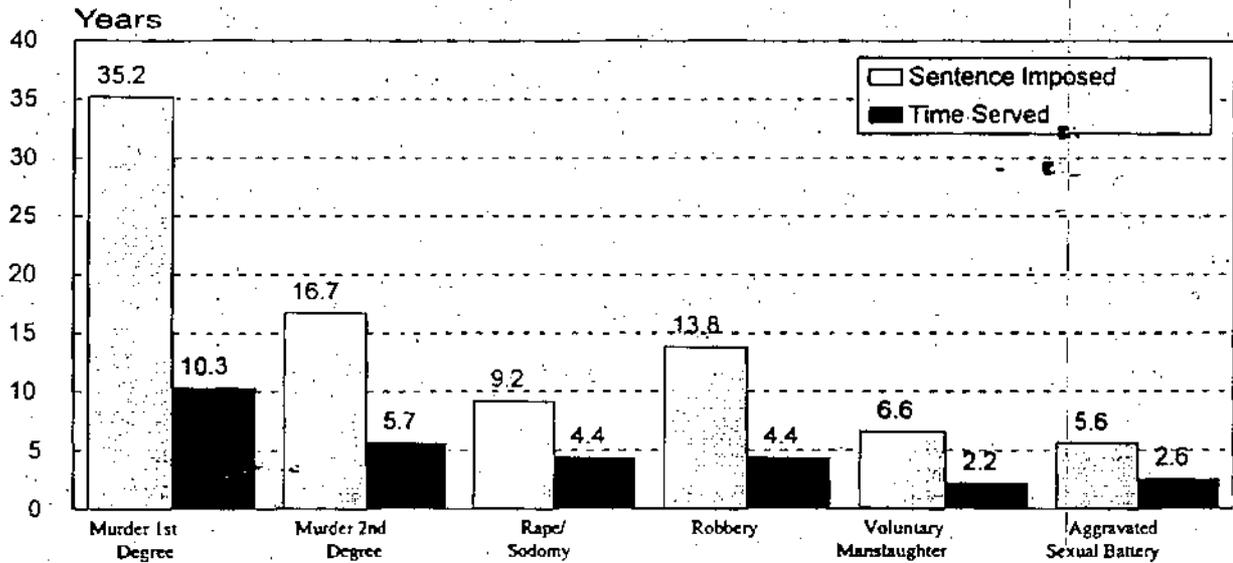
<sup>42</sup>*Prison Sentences and Time Served for Violence* (Bureau of Justice Statistics, April 1995), p. 2.

**Figure 4. Percent of convicted violent felons in Virginia with prior convictions, 1992**



Source: George Allen, "The Courage of Our Convictions," *Policy Review*, Spring 1995, p. 5.

**Figure 5. Average sentences vs. actual time served by violent felons in Virginia, 1993, by offense at conviction**



Source: George Allen, "The Courage of Our Convictions," *Policy Review*, Spring 1995, p. 6.

While such increases in the amount of time actually served by violent felons would constitute welcome steps in the right sentencing policy direction, there is reason to be

cautious. For one thing, sentencing laws can change, and many states have yet to tighten their grip on convicted violent felons. Despite the universal use of mandatory sentencing laws for murder and many other crimes, state sentencing regimes vary widely. Relatively few states have enacted and implemented strict truth-in-sentencing laws or related measures that keep violent felons behind bars for all or most of their terms.

Also, even with tougher laws on the books, not much may change. Public policies are enunciated in rhetoric, but they are realized (or not) in action. What gets done in "get-tough" crime legislation can be undone or watered down in the administrative process (for example, an escalation in the use of generous automatic "good time" credits), or as the result of judicial intervention (for example, the imposition of prison or jail caps by court orders or via consent decrees).

This is one bitter lesson of the experience with mandatory sentencing laws enacted in the 1970's and 1980's. Sentence lengths did not expand between 1973 and 1986 even though mandatory sentencing laws authorized or required longer sentences. For example, in 1986 the median sentence for a felony conviction was 48 months, compared with 60 months for most of the period between 1960 and 1980. In 1986 the median time served in confinement was 15 months, the same as it was in 1976. And between 1985 and 1992, the mean maximum sentence of prisoners actually declined about 15 percent from 78 months to 67 months.<sup>43</sup>

One reason for this failure to increase the amount of time actually served in prison by violent and other serious offenders was judicial intervention into prisons and jails. In 1990, scores of prisons and jails were operating under judicially-imposed caps on their populations, not to mention orders governing staffing, food services, recreation, counseling programs, and other matters.<sup>44</sup> Federal district court judges have often done whatever they felt was necessary to protect and expand prisoners' rights, including "ordering inmates released or facilities closed."<sup>45</sup>

To cite just one recent example, in the space of a single year a federal judge forced the City of Philadelphia to release defendants in 15,000 cases rather than violate the population limit she had established for the city's jails. "Thanks to the court order, the city now has 50,000 fugitives from justice--defendants who have been charged with a crime but do not even bother to show up for trial."<sup>46</sup> As in most such cases, the court's orders have led to skyrocketing fiscal costs and a worse human toll exacted in murders, rapes, and other crimes committed by those released in order to ease "overcrowding" or to remedy other ostensible violations of constitutional rights.

<sup>43</sup>Patrick A. Langan. "America's Soaring Prison Population," *Science*, March 29, 1991, pp. 1568-1573; *Time Served in Prison and on Parole, 1984* (Bureau of Justice Statistics, December 1987); *Sentencing and Time Served* (Bureau of Justice Statistics, 1987); *Tracking Offenders, 1987* (Bureau of Justice Statistics, October 1990); *Prisoners in 1994* (Bureau of Justice Statistics, August 1995), p. 12.

<sup>44</sup>*Census of State and Federal Correctional Facilities* (Bureau of Justice Statistics, 1992), p. 7.

<sup>45</sup>William C. Collins, "A History of Recent Corrections is a History of Court Involvement," *Corrections Today*, August 1995, p. 150.

<sup>46</sup>Sarah B. Vandenbraak. "Bail, Humbug!: Why Criminals Would Really Rather Be in Philadelphia," *Policy Review*, Summer 1995, p. 73.

To be clear, we understand that since 1960 judges have done much to end horrible or abusive conditions behind bars. Too often, however, the courts have expanded prisoners' rights without due regard for such competing values as budgetary limits, institutional order, and public safety.<sup>47</sup> As the National District Attorneys Association has declared, "federal court orders in prison litigation often have severe adverse effects on public safety, law enforcement and local criminal justice systems."<sup>48</sup> And as ought never to be forgotten, government by consent decree is not the same as government by the consent of the governed.

Many of the most harmful court orders have married faulty constitutional interpretations to false empirical assumptions. For while some prisons are crowded, most prisons are not terribly "overcrowded." At the end of 1994, states reported that they were operating between 17 and 29 percent over their capacity (the maximum number of prisoners their facilities were designed or reconfigured to hold). Thirteen states and the District of Columbia were operating at or below 99 percent of their capacity. Because of new prison construction, the ratio of the inmate population to the capacity of state prisons has remained stable since 1990.<sup>49</sup>

Moreover, despite the conventional wisdom about the harmful effects of "overcrowding," the statistical data simply do not support the belief that inmates suffer greater levels of violence, illness, or other problems when prisons operate over capacity or increase population densities. And there is no shortage of case studies which suggest that dedicated prison managers have run truly crowded prisons without any increases in critical incidents or other serious problems.<sup>50</sup> It is clear that the quality of prison management and other intervening variables determine the negative consequences, if any, that flow from having prisoners, few of whom are confined to their cells all day, share limited cell space or sleep in make-shift dormitories.

By the same token, while it is easy to exaggerate the extent of resort-like conditions behind bars, the fact is that most prisons do offer prisoners a wide array of basic amenities and services, and that some prisons do indeed resemble resorts. As table 17 shows, in 1991 over 97 percent of federal prisoners, and 91 percent of state prisoners, were involved in some type of training, program activity, or work assignment. For a large number of prisoners, health care services and the like are both better and more readily available on the inside than they were on the outside.

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<sup>47</sup>William D. Hagedorn and John J. Dilulio, Jr., "The People's Court?: Crime, Federal Judges, and Federalism," in Martha Derthick, ed., forthcoming; John J. Dilulio, Jr., ed., *Courts, Corrections, and the Constitution* (Oxford University Press, 1990).

<sup>48</sup>National District Attorneys Association, Resolution, December 1994.

<sup>49</sup>*Prisoners in 1994* (Bureau of Justice Statistics, August 1995), p. 8.

<sup>50</sup>For a good recent summary of the statistical evidence, see Gerald G. Gaes, "Prison Crowding Research Examined," *The Prison Journal*, September 1994, pp. 329-363. For case studies, see John J. Dilulio, Jr., *Governing Prisons: A Comparative Study of Correctional Management* (Free Press, 1987); "Well-Governed Prisons Are Possible," in George Cole, ed., *Criminal Justice* (Wadsworth, 1993), chapter 23; "Prisons That Work: Management is the Key," *Federal Prisons Journal*, Summer 1990, pp. 7-15; and "Principled Agents: The Cultural Bases of Behavior in a Federal Government Bureaucracy," *Journal of Public Administration Research and Theory*, July 1994, pp. 277-318.

Indeed, in many states half or more of every prison dollar is now spent not on custody or security basics but on prisoner medical services, education, "treatment programs," and other functions.<sup>51</sup> In 1990 only 234 of the nation's 1,037 prisons were maximum-security prisons, and even in those facilities most prisoners enjoyed access to all manner of amenities and services, and were hardly confined to their living quarters all day. While there remains no evidence that most prison-based programs rehabilitate offenders, there is some evidence that certain types of prison-based substance abuse programs do some good, and that most prisoners who need drug treatment get it while incarcerated.<sup>52</sup>

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<sup>51</sup> *Sourcebook of Criminal Justice Statistics* (Bureau of Justice Statistics, 1994), p. 14.

<sup>52</sup> Charles H. Logan and Gerald G. Gaes, "Meta-Analysis and the Rehabilitation of Punishment," *Justice Quarterly*, June 1993, pp. 245-263; Marcia R. Chaiken, *Prison Programs for Drug-Involved Offenders* (National Institute of Justice, October 1989); Susan Wallace, "Drug Treatment: Perspectives and Current Initiatives," *Federal Prisons Journal*, Summer 1991; M. Douglas Anglin, "Ensuring Success in Corrections-Based Interventions with Drug Abusing Offenders," paper presented at the Conference on Growth and its Influence on Corrections Policy, University of California at Berkeley, May 10-11, 1990; *Sourcebook of Criminal Justice Statistics 1993* (Bureau of Justice Statistics, 1994), p. 637. It is worth noting here that in 1991 all state and federal government substance abuse treatment programs (prison- and community-based, both for offenders and others) had a utilization rate of 81.1 percent; see *Sourcebook*, p. 542.

**Table 17. Training, programs, activities, and work assignment of sentenced federal and state prison inmates, by sex, 1991**

	Percent of sentenced inmates					
	All		Male		Female	
	Federal	State	Federal	State	Federal	State
Any training, programs, activities, or work assignment	97.7	91.1	97.7	91.0	98.7	93.0
<i>Training</i>						
Academic	58.1	45.8	58.0	45.9	59.1	44.9
Basic < 9th grade	10.4	5.3	10.7	5.3	7.0	5.1
High school	27.3	27.4	26.6	27.5	35.3	25.6
College	18.9	14.0	19.0	14.0	17.2	13.7
Other	8.4	2.6	8.6	2.5	6.0	4.0
Vocational	29.4	31.4	29.5	31.4	28.8	31.5
<i>Programs/activities</i>						
Religious	38.5	32.0	37.2	31.2	53.9	44.5
Self-improvement	19.8	20.2	17.9	19.5	41.7	32.4
Alcohol/drug support group	9.2	17.1	8.6	17.1	15.5	22.7
Counseling	11.6	17.1	10.8	16.7	20.2	23.4
Pre-release	7.0	8.1	6.4	8.0	13.2	8.9
Arts and crafts	13.1	7.4	11.8	7.1	28.9	12.6
Outside community	2.7	2.7	2.4	2.7	5.8	2.8
Ethnic or racial	6.1	2.5	5.9	2.5	7.8	2.1
<i>Work assignment</i>						
Any	91.2	70.0	91.0	69.7	93.4	74.8
General janitorial	11.7	13.4	11.6	13.3	13.7	16.3
Food preparation	13.1	12.6	13.0	12.5	13.8	16.0
Maintenance, repair or construction	14.6	8.9	14.7	9.1	12.4	4.9
Grounds and road maintenance	6.4	8.2	6.3	8.2	7.2	8.4
Library, barbershop, office or other services	14.9	8.0	14.9	7.8	14.3	11.7
Goods production	2.9	4.3	2.8	4.3	3.7	5.2
Farming, forestry, or ranching	.4	3.9	.4	4.0	.4	2.6
Laundry	2.3	3.0	2.4	3.0	1.8	4.0
Hospital or medical	1.7	.5	1.7	.5	1.8	.9
Other	24.8	12.0	24.7	11.9	26.5	13.8
Number of inmates	53,764	701,775	49,548	663,619	4,216	38,156

Source: Bureau of Justice Statistics, 1994.

### **3. Crime By Community-Based Violent Convicts**

It is clear that violent convicted offenders do not do much hard time behind bars. And it is equally clear that they do tremendous numbers of serious crimes when loose on the streets, including a frightening fraction of all murders. For starters, a recent BJS analysis reveals the following:<sup>53</sup>

- \* In 1991, 45 percent of state prisoners were persons who, at the very time they committed their latest conviction offenses, were on probation or parole.
- \* Based only on the latest conviction offenses that brought them to prison, the 162,000 probation violators committed at least 6,400 murders, 7,400 rapes, 10,400 assaults, and 17,000 robberies while "under supervision" in the community an average of 17 months.
- \* Based only on the latest conviction offenses that brought them back to prison, the 156,000 parole violators committed at least 6,800 murders, 5,500 rapes, 8,800 assaults, and 22,500 robberies while "under supervision" in the community an average of 13 months.
- \* The prior conviction offense was violent for half of parole violators returned to prison for a violent offense. The prior conviction offense was violent for 43 percent of probation violators sent to prison for a violent offense.
- \* Together, probation and parole violators committed 90,639 violent crimes while "under supervision" in the community.
- \* Over half of the 13,200 murder victims were strangers.
- \* Over a quarter of the 11,600 rape victims were under the age of 12, and over 55 percent of them were under 18.
- \* Of all arrested murderers adjudicated in 1992 in urban courts, 38 percent were on probation, parole, pretrial release, or in some other criminal justice status at the time of the murder.
- \* A fifth of all persons who were arrested for the murder of a law enforcement officer from 1988 to 1992 were on probation or parole at the time of the killing.

These numbers represent only the crimes done by probation and parole violators who were actually convicted of new crimes and sent to prison. They do not even begin to measure the total amount of murder and mayhem wrought by community-based violent criminals whom the system has had in custody one or more times but failed to restrain.

The number of persons who are on probation or parole in a given year exceeds the number who are on probation or parole on any given day. As table 18 indicates, while 690,000 convicted criminals were on parole at the end of 1994, over 1 million cases were handled on parole in the course of the year. Likewise, while 2.96 million convicted offenders were on probation at the end of 1994, over 4.2 million cases were handled on probation in the course of the year.

<sup>53</sup> *Probation and Parole Violators in State Prison, 1991* (Bureau of Justice Statistics, August 1995).

**Table 18. Adults on parole and probation, 1994**

	1/1/94	Entries	Exits	1/31/94	Year
Parole	676,000	411,000	396,000	690,000	1,101,000
Probation	2,900,000	1,360,000	1,300,000	2,960,000	4,260,000

Note: Because of nonresponse or incomplete data, the population on 1/1/94 minus exits is not exactly equal to the 12/31/94 population. Also, both the yearly figures and the entry and exit counts may involve a small fraction of double-counting because an undetermined number of adults on probation and parole enter and exit the system more than once a year.

Source: Calculated from *Probation and Parole 1994* (Bureau of Justice Statistics, 1994), pp. 5, 6.

Large numbers of convicted violent criminals are on probation and parole—more, in fact, than are in prison. For example, as Joan R. Petersilia has found, "on any given day in the U.S. in 1991, there were an estimated 435,000 probationers and 155,000 parolees residing in local communities who have been convicted of violent crime—or over a half million offenders. If we compare that to the number of violent offenders residing in prison during the same year, we see that there were approximately 372,500 offenders convicted of violent crime in prison, an approximately 590,000 *outside* in the community on probation and parole!"<sup>54</sup>

As table 19 indicates, in the nation's 75 largest counties in 1990, convicted offenders on probation and parole were 25 percent of all felony defendants, 23 percent of all those arrested for violent offenses, and 21 percent of all murder arrestees. Adding pretrial release and others with a criminal justice status to those totals raises them to 38 percent, 36 percent, and 39 percent, respectively. Hence, about a third of all violent crime is traceable to persons who were on probation, parole, or pretrial release at the time of the offense.

<sup>54</sup>Joan R. Petersilia, "A Crime Control Rationale for Reinvesting in Community Corrections," *Spectrum*, Summer 1995, p. 19.

**Table 19. Criminal justice status of felony defendants at time of arrest, by most serious arrest charge, 1990**

Percent of felony defendants in the 75 largest counties

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With criminal justice status at time of arrest

Most serious arrest charge	Number of defendants	With criminal justice status at time of arrest						
		Total	Without criminal justice status	Total	Probation	Pretrial release for earlier case	Parole	Other
All offenses	42,895	100%	62%	38%	18%	11%	7%	1%
Violent offenses	10,914	100%	64%	36%	16%	12%	7%	2%
Murder	440	100	61	39	14	11	7	6
Rape	595	100	76	24	12	6	5	1
Robbery	3,192	100	50	50	20	17	13	2
Assault	5,415	100	68	32	15	11	5	1
Other violent	1,272	100	74	26	13	7	3	3
Property offenses	15,248	100%	62%	38%	18%	12%	7%	1%
Burglary	4,588	100	57	43	21	12	9	1
Theft	6,239	100	61	39	19	11	7	1
Other property	4,420	100	67	33	14	12	6	1
Drug offenses	13,210	100%	62%	38%	18%	11%	8%	1%
Sales/trafficking	8,687	100	63	37	16	12	7	1
Other drug	4,523	100	58	42	20	10	10	1
Public-order offenses	3,523	100%	58%	42%	25%	7%	6%	4%
Driving related	1,143	100	56	44	35	4	3	1
Other public-order	2,379	100	58	42	20	8	7	6

Note: Data on criminal justice status at time of arrest were available for 76% of all cases. Detail may not add to total because of rounding.

Source: *Pretrial Release of Felony Defendants, 1990* (Bureau of Justice Statistics, November 1992).

The revolving door numbers do not become any less disturbing when broken down by violent offense categories. If anything, the reverse is true. For example, 42 percent of felony weapons defendants in 1992 had a criminal status at the time of the offense—17 percent on probation, 10 percent on parole, and 14 percent on pretrial release. And of those felony

weapons defendants with a history of felony convictions, more than half had two or more convictions.<sup>55</sup>

Nor do the numbers look any more comforting when examined on a state-by-state basis. For example, table 20 tallies the crimes known to have been committed by prisoners released early from Florida prisons between January 1987 and October 1991—crimes committed during the period that the offenders would have been incarcerated had their sentences not been reduced. It shows that prisoners released early were responsible for 25,819 crimes, including 4,654 violent crimes. Among the violent crimes that would have been averted had these offenders remained behind bars rather than being released early were 30 murders and 185 sexual assaults.

**Table 20. Crimes known to have been committed by convicted offenders released early from Florida prisons, 1/87 to 10/91**

Category	Number	%	Offense	Number
Violent crimes	4,654	18.0	Murder, Manslaughter	346
			Sex Offenses	185
			Robbery	2,369
			Misc. Violent Offenses	1,754
Property crimes	11,834	45.9	Burglary	5,711
			Theft, Fraud, Forgery	4,777
			Weapons, Escape	969
			Misc. Property Offenses	377
Drugs	9,331	36.1	Drug offenses	9,331
Total	25,819	100		25,819

Source: SAC Notes (Florida Statistical Analysis Center, July 1993), p. 3.

Likewise, table 21 summarizes the data on how many persons convicted of murder in Virginia from 1990 through 1993 were on parole, probation, pretrial release, or had some other form of community-based legal status at the very moment they murdered. It shows that fully a third of the 1,411 convicted murders were "in custody" at the time they killed—91 on parole, 156 on probation, 81 on pretrial release, and 146 on electronic monitoring, with suspended sentences, or other forms of supervision.

<sup>55</sup> *Weapons Offenses and Offenders* (Bureau of Justice Statistics, November 1995), p. 5.

**Convicted murderers in Virginia, legal status at time they murdered,  
1990-1993**

Year	Probation	Parole	Pretrial Release	Other	None
1990	39	19	18	21	263
1991	36	21	17	40	231
1992	38	26	26	46	235
1993	43	25	20	39	208
1990-93	156	91	81	146	937

Note: Other includes unsupervised probation, community diversion, electronic monitoring and suspended sentences.

Source: Virginia Department of Corrections, Virginia Department of Criminal Justice Services, 1995.

The closer one examines the facts and figures about how much violent crime is done because of revolving-door justice, the plainer it becomes that the failure to restrain known criminals accounts for much of the predatory street crime that plagues our cities. For example, in 1994 a series of investigative reports by a local newspaper turned up plenty of facts about revolving-door justice in Dade County, Florida, which encompasses Miami. For example, only 671 of 4,615 identified local career criminals (average of 20 prior felony arrests and 6 convictions) were behind bars. From January 1992 to March 1994, 5,284 people were arrested twice or more and charged with violent or other serious felony crimes, including murders. Some 2,298 of them (43 percent) were rearrested for crimes worse than their first arrests. Only 9 percent (about 500) were convicted and sentenced to prison.<sup>56</sup>

Similarly, a 1994 local newspaper investigation into crime and punishment in New Jersey revealed that in 1993, 217,347 cases entered the state's criminal justice pipeline. Four out of ten cases were reduced or screened out of the system. Only 24 percent of those arrested and indicted wound up behind bars. About 40 percent got probation. Of those convicted, under 30 percent saw the inside of a prison for six months or more.<sup>57</sup>

In fact, many local newspapers around the country have done such investigative reports on the reality of revolving-door justice. But such reports are virtually unheard of in the national press, which spills incomparably more ink about how many convicted criminals are in prison rather than how many are not, and focuses little on how many released felons commit more crimes.

<sup>56</sup>Jeff Lean et al., "Crime and Punishment," *The Miami Herald*, August 28-September 5, 1994 and December 18, 1994. Also see *Final Report of the Dade County Grand Jury* (Circuit Court of the Eleventh Judicial Circuit of Florida, May 11, 1994).

<sup>57</sup>Dave Neese, "Plenty of Punishment, Little Crime in Jersey," *The Trentonian*, August 15, 1994, p. 3.

By the same token, it speaks legions that while one can easily find detailed information on such things as the number and kind of treatment programs afforded to convicted rapists,<sup>58</sup> most states compile no data on such things as the ages of rapists' victims<sup>59</sup> or on how many convicted murderers were on probation, parole, or pretrial release at the time that they killed.<sup>60</sup> Some state probation and parole agencies do not even keep data on how many of their charges are returned to prison during the term of their supervision.<sup>61</sup> Undoubtedly, most Americans would be more interested in knowing whether sex offenders are being punished and incapacitated, whether children are being raped, and whether convicted felons are being set free to murder, than in knowing whether notoriously hard-to-rehabilitate felons are enjoying a certain treatment regimen.

#### **4. Reinventing Probation and Parole**

Likewise, most citizens would be interested to know just why it is that probation and parole are failing to restrain so many violent criminals, and what, if anything, can be done to restrain them. It is all too obvious that hundreds of thousands of convicted criminals now on probation and parole need to be incarcerated; in the next section we will further document the costs and benefits of imprisonment.

But let us be absolutely clear: moving toward either blanket no-parole or no-probation policies would be completely unwise, totally unworkable, and impossibly expensive. Remember: even though millions of crimes are committed by community-based felons who recidivate, not everyone on probation or parole commits new crimes. For example, we know that within 3 years of sentencing, nearly half of all probationers and parolees commit a new crime or abscond.<sup>62</sup> But we also thereby know something else of equal importance, namely, that half of these community-based convicts do *not* enter (or flee) through the revolving door.

But how, if at all, can the justice system do a much better job of determining "which half is which" *before* it is too late—that is, before released community-based felons commit more murder and mayhem on the streets? How can it sort offenders more intelligently so that those who need to be restrained in prison remain behind bars, those who need to be restrained by hands-on supervision on the streets are effectively supervised, and those who are highly unlikely to violate the terms of their community-based sentences are monitored accordingly?

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<sup>58</sup>For example, see *Sourcebook of Criminal Justice Statistics 1993* (Bureau of Justice Statistics, 1994), table 6.77.

<sup>59</sup>*Child Rape Victims, 1992* (Bureau of Justice Statistics, June 1994), p. 1: "Thirty-six states responded that they did not keep such statistics. . . ." Also see Andre' Henderson, "The Scariest Criminal," *Governing*, August 1995, pp. 35-38.

<sup>60</sup>Twenty-nine states do not retain such data on murderers; most other states retain only some such data for selected years. Brookings Institution, Homicide Information Project, phone survey and correspondence, Summer 1995.

<sup>61</sup>For example, Anne Morrison Piehl, *Probation in Wisconsin* (Wisconsin Policy Research Institute, August 1992), p. 11: "The Wisconsin Division of Probation and Parole is uncomfortable thinking in terms of summary statistics and, therefore, does not record how many probationers go to prison during the term of their supervision."

<sup>62</sup>*Recidivism of Felons on Probation, 1986-1989* (Bureau of Justice Statistics, 1992), pp. 1, 6; *Prisons and Prisoners in the United States* (Bureau of Justice Statistics, 1992), p. xvi.

Those who in the 1960s made the initial push for the widespread use of "alternatives to incarceration" stressed that caseloads must be kept within manageable limits. A 1967 presidential commission on crime recommended "an average ratio of 35 offenders per officer."<sup>63</sup> But in many jurisdictions today, officers "supervise" hundreds of "cases" at once. Those who in recent years have attempted to salvage the wreck of probation and parole have claimed that, by returning to intensive supervision, convicted criminals can be handled on the streets in ways that protect the public and its purse better than either routine probation and parole.

Unfortunately, however, more intensive programs have done little to remedy the problems of probationer and parolee noncompliance and recidivism. For example, a recent study found that over 90 percent of all probationers were already part of the very graduated punishment system called for by advocates of "intermediate sanctions"—substance abuse counseling, house arrest, community service, victim restitution programs, and so on. But about half of all probationers still did not comply with the terms of their probation, and only one-fifth of the violators ever went to jail for their noncompliance. As the study concluded, "intermediate sanctions are not rigorously enforced."<sup>64</sup>

Even the most intensive forms of intermediate sanctions have not proven highly effective. For example, the most comprehensive experimental study of intensive supervision programs for high-risk probationers concluded that these programs "are not effective for high-risk offenders" and are "more expensive than routine probation and apparently provide no greater guarantees for public safety." Similarly, the best experimental study of intensive supervision programs for high-risk parolees found that the "results were the opposite of what was intended," as the programs were not associated with fewer crimes or lower costs than routine parole.<sup>65</sup>

But it is important to note that even the "intensive" programs that failed were not all that intensive. For example, Joan R. Petersilia has recently found that most probationers get almost zero supervision, while even probationers who are categorized as high-risk offenders and slated for intensive monitoring receive little direct, face-to-face oversight. As she writes, if "probationers are growing in numbers and are increasingly more serious offenders, then they are in need of more supervision, not less. But less is exactly what they have been getting over the past decade."<sup>66</sup>

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<sup>63</sup>Presidents' Commission on Law Enforcement and Administration of Justice, *The Challenge of Crime in a Free Society* (Washington, D.C.:Government Printing Office, 1967), p. 167.

<sup>64</sup>Patrick A. Langan, "Between Prison and Probation: Intermediate Sanctions," *Science*, May 6, 1994, p. 791.

<sup>65</sup>Joan Petersilia and Susan Turner, *Intensive Supervision for High-Risk Probationers: Findings from Three California Experiments* (Santa Monica: RAND Corporation, 1990), pp. ix, 98, and Susan Turner and Joan Petersilia, "Focusing on High-Risk Parolees: An Experiment to Reduce Commitments to the Texas Department of Corrections," *Journal of Research in Crime and Delinquency*, vol. 29, February 1992, p.34. Also see Joan Petersilia and Susan Turner, "Intensive Probation and Parole," in *Crime and Justice: A Review of Research*, Volume 17, (University of Chicago, 1993), pp. 281-335.

<sup>66</sup>Joan R. Petersilia, "A Crime Control Rationale for Reinvesting in Community Corrections," *Spectrum*, Summer 1995, p. 19.

And note: this is not the fault of America's probation and parole officers, most of whom do the virtually impossible job of "caseload management" as well as it can be done given the legal, budgetary, and other constraints under which they presently operate.

Rather, if Americans want to slow or stop revolving-door justice, then we must be ready and willing to invest not only in keeping more violent and repeat criminals behind bars longer, but in keeping more community-based offenders under strict supervision. We can afford neither to leave probation and parole to business as usual nor to abandon them. Community-based corrections departments must be reinvented administratively as law enforcement agencies dedicated first and foremost to restraining violent and repeat criminals. Reinventing probation and parole will inevitably mean reinvesting in them. As Petersilia has estimated, we "currently spend about \$200 per year per probationer for supervision. It is no wonder that recidivism rates are so high."<sup>67</sup> In short, there can be no denying the reality of revolving-door justice, and hence no escape from the need to restrain and punish more violent and repeat criminals more effectively both behind bars and on the streets.<sup>68</sup>

### **5. The First Revolving Door: Juvenile Justice**

When it comes to the "first revolving door"—the juvenile justice system—the need to incarcerate certain types of violent and repeat offenders, and to structure no-nonsense but treatment-oriented community-based sanctions for less serious youth offenders, seems even more acute and pressing.

As discussed in part one of this report, the demographics and dynamics of juvenile crime make it certain that more and more serious youth offenders are just over the horizon. As countless studies have shown, adult repeat offenders often begin as juvenile repeat offenders. For example, a study of juvenile courts in Maricopa County, Arizona and the state of Utah revealed that significant fractions of youth returned to juvenile court after a first referral for the following offenses: burglary (58 percent), motor vehicle theft (51 percent), robbery (51 percent), forcible rape (45 percent), and aggravated assault (44 percent).<sup>69</sup>

Despite many legislative efforts aimed at trying more juvenile criminals as adults, not much has happened. In 1991 only about 51,000 male juveniles were held in public juvenile facilities, 32.5 percent of them for violent offenses ranging from murder to robbery.<sup>70</sup> But in 1992 alone there were over 110,000 juvenile arrests for violent crimes, and 16.64 times that number for property and other crimes.<sup>71</sup>

A good unobtrusive measure of just how bad revolving-door justice for juvenile offenders has become is the fact that in a survey of judges conducted by a trade paper for legal professionals, 93 percent said juveniles should be fingerprinted, 85 percent said that juvenile records should be available to adult authorities, and 40 percent said the minimum age for

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<sup>67</sup>Ibid., p. 1.

<sup>68</sup>John J. DiIulio, Jr., *No Escape: The Future of American Corrections* (Basic Books, 1991), pp. 5, 102.

<sup>69</sup>Penelope Lemov, "The Assault on Juvenile Justice," *Governing*, December 1994, p. 30.

<sup>70</sup>*Sourcebook of Criminal Justice Statistics* (Bureau of Justice Statistics, 1994), p. 584.

<sup>71</sup>Ibid., pp. 423-426.

facing murder charges should be 14 or 15.<sup>72</sup> (Most Americans, no doubt, would be surprised to learn that in most jurisdictions juveniles who commit crimes are not fingerprinted, and that their records of violent crimes are not weighed at all in adult criminal proceedings.) Likewise, much to the chagrin of advocates of leaving the juvenile justice system the way it is, both the Clinton administration and members of the 104th Congress have endorsed policies that would greatly facilitate the criminal prosecution of violent and repeat juvenile offenders in adult courts.<sup>73</sup>

There is budding evidence that concerted efforts to close the first revolving door can work. To cite just one example, in July 1991, Harry L. Shorstein became state attorney for the Fourth Judicial Circuit in Jacksonville, Florida. At that time, Jacksonville was besieged by violent crime, much of it committed by juvenile offenders. In the year before Shorstein arrived, juvenile arrests had risen by 27 percent, but most young habitual criminals were released quickly. Jacksonville's finest were doing their best to remove serious young criminals from the streets, but the rest of the system was not following suit.

Then, in March 1992, Shorstein instituted an unprecedented program to prosecute and incarcerate dangerous juvenile offenders as adults. In most parts of the country, juvenile criminals for whom the law mandates adult treatment are not actually eligible for state prison sentences and are routinely placed on probation without serving any jail time. But Shorstein's program was for real. He assigned 10 veteran attorneys to a new juvenile-prosecution unit. Another attorney, funded by the Jacksonville Sheriff's office, was assigned to prosecute repeat juvenile auto thieves.

By the end of 1994, the program had sent hundreds of juvenile offenders to Jacksonville's jails and scores more to serve a year or more in Florida's prisons. Jacksonville's would-be juvenile street predators got the message, and the effect of deterrence soon appeared in the arrest statistics. From 1992 to 1994, total arrests of juveniles dropped from 7,184 to 5,475. From 1993 to 1994, juvenile arrests increased nationwide and by over 20 percent in Florida. But Jacksonville had a 30 percent decrease in all juvenile arrests, including a 41 percent decrease in juveniles arrested for weapons offenses, a 45 percent decrease for auto theft, and a 50 percent decrease for residential burglary. Although Jacksonville still has a serious violent crime program, the number of people murdered there during the first half of this year declined by 25 percent compared with the same period a year ago.

While everyone would benefit from following this example and restraining violent juvenile criminals, perhaps the biggest potential beneficiaries of such policies are none other than violent juvenile offenders themselves. For example, a recent study by Harvard University economist Anne Morrison Piehl reveals that between 1990 and 1994 some 155 persons age 21 or younger were murdered by guns or knives in Boston: 22 (14 percent) were on probation

<sup>72</sup>"Tougher Treatment Urged for Juveniles," *New York Times*, August 2, 1994, p. A16, citing data from a survey of 250 judges conducted by Penn and Schoen Associates for National Law Journal.

<sup>73</sup>Ken Cummins, "Clinton: Try More Youths as Adults," *Youth Today*, November/December 1995, pp. 28-29; Text of S. 1245, "Violent and Hard-Core Juvenile Offender Reform Act of 1995," 104th Congress, 1st Session, September 15 (legislative day, September 5), 1995. Also see Peter Reinhartz, "Juvenile Injustice in New York," *Wall Street Journal*, July 20, 1994, p. A13.

<sup>74</sup>Data provided by Office of the State Attorney, Fourth Circuit, Jacksonville, Florida, 1995. Also see Mark Silva, "How 1 City Got Tough on Juvenile Crime," *The Miami Herald*, January 20, 1995, pp. A1, A10, and Paul Pinham, "Trial-As-Adult Policy Helped Lower Arrests," *The Florida Times-Union*, January 24, 1995, p. A6.

when they were killed, and 95 others (61 percent) had been arraigned in Massachusetts courts prior to their deaths. Likewise, 117 of the 155 young murder victims (76 percent) had criminal histories. And among the 64 known murders age 21 or younger, 15 (23 percent) were on probation when they killed, and 46 others (72 percent) had been arraigned in Massachusetts courts prior to the murders. Thus, 95 percent of the young killers and three-quarters of the young victims had criminal histories.<sup>75</sup>

It could not be any clearer: unless we close the revolving door on juvenile crime, we will close the coffin on more juveniles.

### **6. Why Prison Pays**

Of course, incarcerating more juvenile and adult violent criminals will not rid America of its violent crime problem. As we stated at the outset of this report, Americans must actively pursue all three key crime goals—prevention, protection, and restraint.

But we continue to be amazed that many crime analysts and others refuse to acknowledge the data on how socially beneficial and cost-effective a crime-restraint tool imprisonment can be.

For example, many experts and commentators who must truly know better continue to assert that increased levels of incarceration have been a failure because increased imprisonment rates have not always been followed immediately by decreased crime rates. But as these same students of the subject are normally the first ones to emphasize, crime rates are largely a complex function of demographic and other variables over which the justice system, do whatever it will, can exercise relatively little direct control. As National Bureau of Economic Research economist Steven D. Levitt has observed, "To the extent that the underlying determinants of crime . . . have worsened over time, the increased use of prisons may simply be masking what would have been an even greater rise in criminal activity."<sup>76</sup>

To state the point a bit more bluntly, it apparently takes a Ph.D. in criminology to doubt that if we released half of all prisoners tonight, we would experience more crime tomorrow. This common sense of the subject—the obvious reality that prisons restrain convicted criminals from committing large numbers of crimes that they would be committing if free—is supported not only by the empirical data reported above on crime committed by community-based convicted criminals, but by a number of recent studies which estimate how much undetected and unpunished crime prisoners did before being taken off the streets.

To begin, we need to recognize that imprisonment offers at least four types of social benefits. The first is retribution: imprisoning Peter punishes him and expresses society's desire to do justice. Second is deterrence: imprisoning Peter may deter him or Paul or both from committing crimes in the future. Third is rehabilitation: while behind bars, Peter may participate in drug treatment or other programs that reduce the chances that he will return to crime when free. Fourth is incapacitation: from his cell, Peter can't commit crimes against anyone save other prisoners, staff, or visitors.

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<sup>75</sup>Data provided by Professor Anne Morrison Piehl, Project on Youth Crime in Boston, Harvard University, John F. Kennedy School of Government, 1995.

<sup>76</sup>Steven D. Levitt, "The Effect of Prison Population Size on Crime Rates: Evidence from Prison Overcrowding Legislation," National Bureau of Economic Research, February 1995, p. 1.

At present, it is harder to measure the retribution, deterrence, or rehabilitation value of imprisonment to society than it is to measure its incapacitation value. The types of opinion surveys and data sets that would enable one to arrive at meaningful estimates of the first three social benefits of imprisonment simply do not yet exist. But it is possible to estimate how much serious crime is averted each year by keeping those convicted criminals who are sentenced to prison behind bars, as opposed to letting them out on the streets.

Based on large prisoner self-report surveys in two states (Wisconsin in 1990, New Jersey in 1993), two Brookings Institution studies found that state prisoners commit a median of 12 felonies in the year prior to their imprisonment excluding all drug crimes.<sup>77</sup> Other recent studies offer higher estimates. For example, Steven D. Levitt has estimated that "(I)ncarcerating one additional prisoner reduces the number of crimes by approximately 13 per year, a number in close accordance with the level of criminal activity reported by the median prisoner in surveys."<sup>78</sup> Likewise, William and Mary economists Thomas Marvell and Carlisle Moody have estimated that "in the 1970s and 1980s each additional state prisoner averted at least 17 index crimes. . . . For several reasons, the real impact may be somewhat greater, and for recent years a better estimate may be 21 crimes averted per additional prisoner."<sup>79</sup>

Of course, it costs society as much as \$25,000 to keep a convicted felon or repeat criminal locked up for a year. Every social expenditure imposes opportunity costs (a tax dollar spent on a prison is a tax dollar not spent on a pre-school, and vice versa). But what does it cost crime victims, their families, friends, employers, and the rest of society to let a convicted criminal roam the streets in search of victims?

A recent study of the costs of crimes to victims found that in 1992 economic loss of some kind occurred in 71 percent of all personal crimes (rape, robbery, assault, personal theft) and 23 percent of all violent crimes (rape, robbery, assault). The study estimated that in 1992 crime victims lost \$17.2 billion in direct costs (losses from property theft or damage, cash losses, medical expenses, lost pay from lost work). This estimate, however, did not include direct costs to victims that occurred six months or more after the crime (e.g., medical costs). Nor did it include decreased work productivity, less tangible costs of pain and suffering, increases to insurance premiums as a result of filing claims, costs incurred from moving as a result of victimization, and other indirect costs.<sup>80</sup>

Another recent study took a somewhat more comprehensive view of the direct costs of crime and included some indirect costs of crime as well. The study estimated the costs and monetary value of lost quality of life in 1987 due to death and nonfatal physical and psychological injury resulting from violent crime. Using various measures, the study estimated that each murder costs \$2.4 million, each rape \$60,000, each arson \$50,000, each

<sup>77</sup>John J. Dilulio, Jr. and Anne Morrison Piehl, "Does Prison Pay?," *The Brookings Review*, Fall 1991, pp. 28-35 (Wisconsin data), and Anne Morrison Piehl and John J. Dilulio, Jr., "Does Prison Pay? Revisited," *The Brookings Review*, Winter-1995, pp. 21-25 (New Jersey data).

<sup>78</sup>Steven D. Levitt, "The Effects of Prison Population Size on Crime Rates: Evidence from Prison Crowding Litigation," National Bureau of Economic Research, February 1995, p. 25.

<sup>79</sup>Thomas Marvell and Carlisle Moody, "Prison Population Growth and Crime Reduction," *Journal of Quantitative Criminology*, 1994, p. 136.

<sup>80</sup>*The Costs of Crime to Victims* (Bureau of Justice Statistics, February 1994), pp. 1,2.

assault \$25,000, and each robbery \$19,000. It estimated that lifetime costs for all violent crimes totaled \$178 billion during 1987 to 1990.<sup>81</sup>

Even these numbers, however, omit the sort of detailed cost accounting that is reflected in site-specific, crime-specific studies. For example, a survey of admissions to Wisconsin hospitals over a 41-month period found that 1,035 patients were admitted for gunshot wounds caused by assaults. Gunshot wound victims admitted during this period accumulated over \$16 million in hospital bills, about \$6.8 million of which was paid by taxes. Long-term costs rise far higher. For example, just one shotgun assault victim in this survey was likely to cost more than \$5 million in lost income and medical expenses over the next 35 years.<sup>82</sup>

How much of the human and financial toll of crime could be avoided by incarcerating violent and repeat criminals for all or most of their terms?

One study, commissioned by the National Institute of Justice, found that the "lowest estimate of the benefit of operating an additional prison cell for a year (\$172,000) is over twice as high as the most extreme estimate of the cost of operating such a cell (\$70,000).<sup>83</sup> Likewise, the first Brookings study found that imprisoning 100 typical felons "costs \$2.5 million, but leaving these criminals on the street costs \$4.6 million."<sup>84</sup> The second Brookings study found that for every dollar it costs to keep the typical prisoner behind bars "society saves \$2.80 in the social costs of crimes averted."<sup>85</sup>

And remember: these studies measure the social benefits of prisons solely in terms of imprisonment's incapacitation value. Because there is every reason to suppose that the retribution, deterrence, and rehabilitative values of imprisonment are each greater than zero—that is, because it is virtually certain that in addition to incapacitating criminals who would commit crimes when free, prison also succeeds in punishing, deterring, and rehabilitating at least some prisoners under some conditions—these estimates of the net social benefits of imprisonment are bound to be underestimates. And if, therefore, estimates made only in terms of prison's incapacitation value are positive, it means that the actual social benefits of imprisonment are even higher and that prison most definitely pays for the vast majority of all prisoners.

As if any further evidence were needed, we note that in 1989 there were an estimated 66,000 fewer rapes, 323,000 fewer robberies, 380,000 fewer assaults, and 3.3 million fewer burglaries attributable to the difference between the crime rates of 1973 versus those of 1989

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<sup>81</sup>Ted R. Miller et al., "Victim Costs of Violent Crime and Resulting Injuries," *Health Affairs*, vol. 12, Winter 1993.

<sup>82</sup>Neil D. Rosenberg, "Gunshots Shatter Lives, Cost Millions," *Milwaukee Journal*, March 14, 1993.

<sup>83</sup>David P. Cavanaugh and Mark A.R. Kleiman, *Cost Benefit Analysis of Prison Cell Construction and Alternative Sanctions* (BOTEC Analysis Corporation, 1990), p. 26.

<sup>84</sup>John J. DiIulio, Jr. and Anne Morrison Piehl, "Does Prison Pay?," *The Brookings Review*, Fall 1991, p. 34.

<sup>85</sup>Anne Morrison Piehl and John J. DiIulio, Jr., "Does Prison Pay? Revisited," *The Brookings Review*, Winter 1995.

(i.e., applying 1973 crime rates to the 1989 population). If only one-half or one-quarter of the reductions were the result of rising incarceration rates, "that would still leave prisons responsible for sizable reductions in crime."<sup>86</sup> Tripling the prison population from 1975 to 1989 "potentially reduced reported and unreported violent crime by 10 to 15 percent below what it would have been, thereby potentially preventing a conservatively estimated 390,000 murders, rapes, robberies, and aggravated assaults in 1989 alone."<sup>87</sup>

Still, it is important to caution that prison does not necessarily pay for each and every imprisoned felon. Moreover, the hidden costs of incarceration include losses in worker productivity and employability. Likewise, long-term imprisonment spells harmless geriatric inmates and associated health care costs. On the other hand, many incarcerated persons enter prison with anemic work records, a history of welfare dependence, and a fair probability of having to rely on government to pay for their health care whether or not they are incarcerated. And there are some geriatric prisoners whom we would want to remain in confinement purely for the sake of just desserts.

Also, while we know that prison pays, we do not know why per capita corrections spending varies so much from one jurisdiction to the next, why spending has risen so sharply in some places but not in others, or where the greatest opportunities for efficiency gains may lie. For example, prison operating costs in Texas grew from \$91 million in 1980 to \$1.84 billion in 1994, about a tenfold increase in real terms, while the state's prison population barely doubled. In Pennsylvania and other big states, corrections spending has grown much more slowly. Overall, Americans spend barely a penny of every tax dollar on prisons and jails. Thus, before Americans and their leaders can get a real policy-relevant handle on the social costs and benefits of incarceration versus other sentencing options, scholars will need to dig much deeper than criminologists have dug into the basic public finance questions related to crime and punishment.

For now, however, it is enough to acknowledge the overwhelming empirical evidence that, as the columnist Ben Wattenberg has quipped, "a thug in prison can't shoot your sister."<sup>88</sup>

### **7. For Restraining Violent Criminals**

In sum, the simple truth is that, relative to the millions of crimes, including violent crimes, that are committed each year in America, the justice system imprisons only a small fraction of all offenders including only a small fraction of all violent offenders. Not surprisingly, therefore, those who really do go to prison in this country today are almost without exception the worst of the worst predatory career criminals. Not only are their official criminal records punctuated by many different types of serious crimes; they commit tremendous numbers of violent and other crimes that go wholly undetected, unprosecuted, and unpunished.

Scratch the criminal-records surface of most imprisoned "non-violent" prisoners, most "mere parole violators," and many "low-level drug offenders," and you will almost invariably find evidence of a life of crime that stretches back many years. These records, moreover, most

<sup>86</sup>Patrick A. Langan, "America's Soaring Prison Population," *Science*, March 1994, p. 537.

<sup>87</sup>Patrick A. Langan, "Between Prison and Probation," *Science*, May 6, 1994.

<sup>88</sup>Ben Wattenberg, *Values Matter Most* (Free Press, 1995), p. 151.

likely include categories of offenses other than the ones for which the felon was most recently convicted, sentenced, and imprisoned. In addition, most imprisoned offenders, including the most violent ones, spend relatively little time behind bars before being released. For almost all of them, their conditions of confinement are quite humane. Problems of prison "overcrowding" are real but much exaggerated, and most prisoners enjoy access to a wide range of amenities and services behind bars.

Americans are paying a heavy human and financial toll for government's failure to restrain violent criminals, adult and juvenile. Given the country's crime demographics, and unless the system changes, over the next decade that toll is bound to become even heavier. Already the self-inflicted wound of serious crime done by persons on probation, parole, or pretrial release has begun to fester. Known offenders who are not restrained do as much as a third of all violent crime. Probationers and parolees are responsible for literally millions of crimes each year, including thousands of murders.

In our view, however, the answer is not to incarcerate every convicted felon, or even every convicted violent felon, for decades or for life. Nor is the answer to make conditions of confinement for those offenders who do end up behind bars harsh or inhumane; running "no-frills" prisons is not synonymous with curtailing revolving-door justice (although humane but spartan prisons certainly may have some deterrent effect). Going harder on the relatively small number of violent offenders in prison will do little to restrain the much larger (and younger, more impulsive, and harder to deter) violent offenders who roam free.

Rather, our view is that America needs to put more violent and repeat criminals, adult and juvenile, behind bars longer, to see to it that truth-in-sentencing and such kindred laws are presently on the books are fully and faithfully executed, and to begin reinventing probation and parole agencies in ways that will enable them to supervise their charges, enforce the law, and enhance public safety. If the justice system were operating effectively in the public interest, then the challenge of restraining violent criminals, adult and juvenile, would be met more aggressively by *all* levels of government.

Americans are entitled to an honest, realistic civic discourse about restraining violent criminals, adult and juvenile. Before such a discourse can proceed, however, it must become unacceptable in elite circles to deny, discount, or disparage the public's legitimate desire to slow or stop revolving-door justice. In the 1960's and 70's, prisoners' rights activists and anti-incarceration analysts called for moratoria on prison construction ("Tear down the walls!"). Today many of these same people, flanked by various national media commentators, are battling--sometimes openly, but as often behind the scenes--to eliminate mandatory minimum laws, abolish or subvert truth-in-sentencing laws, and block any species of three strikes laws. They freely publicize and propagandize about the social costs of incarceration while choking off public discussion of its considerable social benefits. They lobby to expand the capacity of activist judges to impose prison caps which trigger the release of dangerous felons. In short, they achieve through junk science, administrative discretion, or judicial fiat what could not be achieved through democratic debate and legislative action.

In our view, and at a minimum, those who continue to ignore or to trivialize the facts about crime and punishment in America should be required by the press, policymakers, and the people to be more specific. For example, those who continue to assert that America should not imprison low-level drug offenders should tell us who, precisely, is to count as a "low-level drug offender." Of the 241,709 new court commitments to thirty-five state prisons in 1991, 74,423 (30 percent) were convicted of drug law violations, 16,632 of them for possession, the remaining 55,791 for drug trafficking and related crimes. Of the 36,648 new court commitments to federal prisons in 1991, 14,564 (42 percent) were drug law violators, 703 (2

percent) were convicted of possession, the remaining 13,861 for drug trafficking and related crimes. Most imprisoned drug traffickers are hardly first-time felons or strictly small-time dealers; many have quite diversified criminal portfolios involving violent and property crimes as well as drug crimes. The average quantity of drugs involved in federal cocaine trafficking cases is 183 pounds, while the average for marijuana traffickers is 3.5 tons.<sup>89</sup>

The truth about revolving-door justice and who really goes to prison is not pleasant. Acknowledging and acting on this truth will not set many violent or repeat prisoners free, but it will help to restore public trust and confidence in the justice system--and, over time, in representative government itself.

#### **IV. The Good News About Fighting Violent Crime**

Despite the depth and breadth of legitimate public concern about revolving-door justice and the failure to restrain violent criminals, the American people retain their confidence in the capacity of police to catch the bad guys and take them off the streets. The foregoing sections of this report are teeming with data that tell us what is not working, and beckon all concerned to take stock of the facts and figures behind the American public's valid crime fears.

But lest this Council be mistaken for a counsel of despair, we conclude this report by highlighting the evidence on what is working, namely, some police departments that have worked with citizens to take a huge bite out of violent crime. In our forthcoming hearings and in other activities, we hope to document and publicize real-life examples of such successful anti-crime efforts in action, and to gather, synthesize, and disseminate such research evidence as might prove useful to crime prevention, protection, and restraint.

##### **1. Law Enforcement Matters**

Just as there is a great deal of expert opinion which holds that incarceration has no effect on crime, so there is widespread doubt among criminologists that cops can work to cut rates of crime and disorder. In both cases, the people are empirically and morally right, and the experts dead wrong.

More than a dozen major empirical studies over the last two decades have failed to demonstrate either that police manpower and crime rates vary inversely or that particular types of community-oriented policing practices prevent crime. The most famous of these studies is the Kansas City, Missouri, "preventive patrol" experiment.

For a year in the early 1970s, Kansas City was divided into three areas, each of which received a different level of auto patrol. The 1974 report on the experiment found that criminal activity, reported crime, rates of victimization (as measured in a follow-up survey), citizen fear, and satisfaction with the police were about the same in all three areas. Active auto patrol--beats where cars were visible patrolling the streets two or three times more frequently than in the control areas--made no difference at all.

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<sup>89</sup>*National Corrections Reporting Program, 1991* (Bureau of Justice Statistics, 1993); and *Comparing State and Federal Prison Inmates 1991* (Bureau of Justice Statistics, September 1994), p. 13.

But academic experts who treat such negative findings as the final words on the subject are badly mistaken. George L. Kelling of Northeastern University, the father of the Kansas City research and many other major studies, recently cautioned his colleagues that generalizing from a study about a specific tactic to other tactics or uses of police is inappropriate. As Kelling observed, random preventive patrol by automobile for the purpose of creating a feeling of police omnipresence is a relic of mid-century policing tactics. He keenly characterizes as defeatist dogma the view that crime stems from basic structural features of society and until problems like homelessness, social injustice and economic inequality are solved, nothing can be achieved.<sup>90</sup>

Indeed, there are a number of recent and ongoing statistical studies which demonstrate that policing can and does make a positive difference in cutting violent crimes. For example, in several recent studies, economist Dale O. Cloninger has found evidence that the number of police per violent crime is negatively and significantly related to certain crime rates: "police presence deters the commission of violent crimes by increasing the risk of being punished for committing those crimes."<sup>91</sup>

## **2. Behind Drops in Violent Crime: Cops at Work**

Such statistical evidence, however, needs to be fleshed out by real-life examples. Two of the most interesting and most recent are Houston and New York City.

New York City and Houston have enjoyed truly phenomenal drops in serious crimes, including murder. In 1992 and again in 1993, more than 1,900 homicides were committed in the Big Apple. But in 1994 New York City's murder count fell to 1,581. Through July 1995, it suffered fewer than 700 murders, and it continued to show declines of 10 percent or more in robberies, burglaries, and most other serious crimes. Likewise, the number of people murdered in Houston declined by 32 percent during the first half of 1995 compared with the same period a year ago. Rapes in Houston decreased by 21 percent, robberies by 15 percent, and the overall violent crime rate by 7 percent. Demographics do not even begin to explain these drops. In both cities, the population of at-risk youth has been growing.

It is clear, however, that changes in policing have helped to drive down crime in both cities. Almost a thousand officers have been added to Houston's police force since 1991. Led by Police Chief Sam Nuchia, Houston has a cost-effective police overtime program which puts officers on the streets when and where they are most needed. Residents of Washington, D.C., which fields the highest number of police officers per capita of any major city, know that more police manpower does not necessarily produce less crime or better police performance. But in Houston, Nuchia has used the additional manpower to jump-start community anti-crime activities.

To cite just one example, Houston's Citizen Patrol Program has operated in more than a hundred of the city's neighborhoods. Among other things, thousands of citizen patrollers have observed and reported suspicious or criminal behavior from assaults to narcotics dealing.

<sup>90</sup>George L. Kelling, "Of Uniform Crime Reports and Police Accountability," draft manuscript, March 2, 1995; "How to Run a Police Department," *City Journal*, Autumn 1995, 34-45; with Catherine M. Coles, *Fixing Broken Windows: Restoring Order in American Cities* (Free Press, 1995).

<sup>91</sup>Dale O. Cloninger and Harold Braumm, "Violent Crime and Punishment," *Applied Economics*, 1995, p. 719. Also see Cloninger, "Enforcement Risk and Deterrence: A Re-Examination," *The Journal of Socio-Economics*, 1994, pp. 273-285.

to vandalism. Many once-troubled neighborhoods have gone as long as three consecutive months without needing to call for police service. Indeed, recent studies found that Nuchia's enforcement efforts not only contributed to Houston's falling crime rates, but also improved police emergency response times, and reduced citizens' fear of crime.

Like Houston, New York City has greatly expanded its police force. Since 1990 the NYPD has grown by 7,000 officers. Under Commissioner William J. Bratton, police have been directed to crack down on public drinking, graffiti, vandalism, and other public disorders. The NYPD has followed a six-prong strategy:

1. Getting guns off the streets
2. Curbing school violence
3. Driving out drug dealers
4. Breaking the cycle of domestic violence
5. Reclaiming public spaces
6. Reducing auto-related crime

In the process, Bratton has promoted a new breed of precinct commanders and made them responsible for finding innovative, cost-effective ways of serving citizens and cutting crime in their neighborhoods. Despite recent corruption scandals, the precinct-based management system is working, NYPD morale is high, and New Yorkers are getting results that range from fewer aggressive panhandlers to fewer shootings and murders.

### **3. Meeting America's Crime Challenges**

To be sure, Houston and New York City are not the only places where police and citizens are meeting America's crime challenges. And even in these cities, more remains to be done. By combining smarter and tougher law enforcement with more vigorous efforts to restrain violent criminals, Americans can protect themselves from crime today while preparing for what lies ahead. Over time, safer streets and fewer public disorders become an invitation to more active citizen-initiated anti-crime activities, more traffic in public spaces, and more communal life and civic enjoyment. Over time, putting repeat predatory felons behind bars and keeping them there not only cuts crime by incapacitating criminals, but sends a firm moral message to all, including the criminally deviant youth who are tempted to victimize their truly disadvantaged neighbors. Over time, greater crime protection and restraint minimizes the criminogenic influences that shape innocent children into violent super-predators.

Over time all these things can be accomplished. But the time to begin accomplishing them is now, starting with the challenge of restraining violent criminals, adult and juvenile.

# Survey Finds That Crimes Cost \$450 Billion a Year

## Report Is Called Justification for Spending

By FOX BUTTERFIELD

Crime costs Americans at least \$450 billion a year, according to the most comprehensive survey ever done on the price of violence.

The report, done for the Justice Department, is the first to try to measure the cost of child abuse and domestic violence along with crimes like murder, rape and robbery. It is also the first to estimate the mental health care costs and the reduced quality of life for victims of crime.

The report calculates out-of-pocket costs covering items like legal fees, lost work time and the cost of police work as well as intangibles, like the affection lost for a murder victim's family. The authors devised a formula for the intangibles.

The study excludes the cost of running the nation's prisons, jails and parole and probation systems, which would add \$40 billion, bringing the total annual cost of crime to almost \$500 billion, according to other Justice Department statistics. By comparison, the Defense Department's budget for 1995 is \$252.6 billion.

"The estimate of \$450 billion for crime is an amazing number which tells us just how heavy a burden that crime and the fear of crime place on our society," said Representative Charles E. Schumer of Brooklyn, the ranking Democratic member of the House Subcommittee on Crime.

"This report could change the debate" on crime, Mr. Schumer said, "because it shows that while most people think a \$1 billion anti-crime program is a large number, it's really just a drop in the bucket."

The most important thing about the study, Mr. Schumer said, "is that it shows the cost of not doing anything" is much higher than any proposed anti-crime programs, like putting more police on the street, building more prisons or spending for violence prevention.

The report, "Victim Costs and Consequences: A New Look," was sponsored by the National Institute of Justice, the research arm of the Justice Department.

While the report has been praised by a number of academic specialists and law-enforcement authorities, others have raised questions about the methodology used in calculating the intangible costs like the value of a murder victim's life.

Representative Bill McCollum, Republican of Florida, the chairman of the House Subcommittee on Crime, agreed with Mr. Schumer, saying the report "demonstrates that the cost of building prisons and adding police are justified, in terms of the cost to our society." He said this was true even though many state governments were running out of money to build new prisons.

Mr. McCollum said the figures were worrisome "because they don't even take into account the new crime wave we expect over the next 10 years" as the number of teen-agers increases by 20 percent. While homicide rates among adults have been falling over the past decade, they have more than doubled among youths under 18 years old.

The authors of the new report make no recommendations on the best mix of measures to control crime. But they point out that ignoring the intangible benefits of crime reduction "can lead to a misalloc-

tion of resources."

The average rape, for example, incurs "out-of-pocket costs" to the victim of \$5,100, far less than the \$20,000 annual cost of a prison cell, the authors said. But when the rape's effect on the victim's quality of life is calculated, the cost soars to \$87,000, many times greater than the price of a prison cell, the study concludes.

Mark A. Cohen, one of the three authors and an associate professor at Vanderbilt University's Owen Graduate School of Management, said another study he had done found that longer prison sentences would be a cost-effective way to reduce rape, assault and automobile theft, but not burglary and robbery. Building more prisons for burglars and robbers would cost more than the savings society would achieve from a reduction in the crimes, he said.

"We would like to do away with crime, but society cannot afford a zero crime rate," said Professor Cohen, an economist. It would require so many prisons, he said, "We would bankrupt ourselves and we'd also have a society we wouldn't like."

The other authors of the report are Ted R. Miller, associate director of the National Public Services Research Institute in Landover, Md., and Brian Wiersema, research coordinator for the Violence Research Group at the University of Maryland.

Some experts expressed skepticism about the \$450 billion figure put forward in the report and had doubts about its methodology.

Alfred Blumstein, a professor at Carnegie Mellon University, said the report was "one more piece of shooting at a very-tough-to-get-at number." But he said the \$450 billion-a-year estimate "is unreasonably high," giving too much weight to intangible factors like pain, suffering and reduction in the quality of life.

Professor Blumstein, a leading criminologist, and some other specialists expressed concern that the very high estimate made it easier to justify building expensive prisons and handing out longer sentences.

### **An ambitious, and disputed, effort to estimate the damage done by criminals.**

He also said it was very difficult to calculate the benefits of violence prevention programs. While the costs of crime are incurred now, he said, "we cannot see the benefits of prevention programs for 5 to 10 years" or know how many crimes will be averted.

"The public and politicians demand immediate gratification, so there is considerable push for being tough with more mandatory sentences," Professor Blumstein said. "As a result, we have largely abandoned prevention and rehabilitation efforts for juveniles," he said, which has contributed to the rapid growth of violent crime among teen-agers.

Among other findings in the report were these:

THE NEW YORK TIMES

MONDAY, APRIL 22, 1996

Crime Statistics

Child abuse and domestic violence account for about one-third of the total annual costs of crime, a far higher figure than previous estimates. This does not include future costs that are likely to mount as children who have been physically or sexually abused perpetuate a cycle of violence by molesting their own offspring.

Violent crime causes 3 percent of medical spending and 14 percent of injury-related medical spending. Crime also accounts for as much as 10 to 20 percent of mental health care expenditures.

Intangible costs, like lost quality of life, are by far the largest cost component for crimes of violence, the authors claim, though they are also the most difficult to measure and therefore subject to the most debate. The study places the "lost quality of life" for a murder victim and his family at \$1.9 million, while the average cost of police investigation into a murder is only \$1,400.

The report calculated the out-of-pocket costs of crime at \$105 billion annually, including medical bills, property losses, lost earnings and programs for victim assistance.

To measure the intangible costs of crime, including pain, suffering and lost quality of life, the authors adopted figures from jury awards to crime victims and other statistical studies of the value of life, in addition to including the cost of mental care.

In a separate study by Professor Cohen, now under preparation for the Justice Department, he found that preventing a "high risk" young person in a poor neighborhood from a troubled family from turning into a juvenile delinquent and adult criminal would save the country \$1.5 million to \$2 million.

JOYCE PURNICK

Metro Matters

## Local Politics "Of 'Terror': New Curbs

**W**HAT does the new counterterrorism bill have to do with New York politics?

Nothing, says Representative Charles E. Schumer of Brooklyn, the bill's strongest Democratic champion in the House.

Everything, say the critics of the measure — and of Mr. Schumer, who is considering a run for governor in 1998 against George E. Pataki, the Republican who dethroned Mario M. Cuomo with two issues: tax cuts and the death penalty.

Ascribing political ambition to his stance is "unfair," Mr. Schumer said yesterday. "I've thought about these issues long and hard. My views on criminal justice have always been moderate."

But there are many detractors who say the bill goes well beyond moderate, with its provisions that could speed up executions; of death-row inmates and sharply restrict immigrants' asylum appeals. And they say the influential Mr. Schumer bears substantial responsibility for its passage. He is the ranking Democrat on the Judiciary Committee's subcommittee on crime. And he is amiable Chuck Schumer, articulate, outspoken and trusted by the President.

"He gave a lot of other people cover to be tough," said Scott Wallace, special counsel to the National Legal Aid Defender Association. "They said: 'Here's Schumer, Harvard liberal. If he's over here on the right, I'll be damned if I'm going to get to the left of him.'"

**C**RITICS like Mr. Wallace argue that the bill betrays fundamental American legal principles of fairness and compassion. It is not the "anti-terrorism" part of the measure that bothers them, it's the rest. Despite its name, much of the bill has nothing to do with terrorism. With the final vote scheduled melodramatically on the anniversary of the Oklahoma City bombing, legislation addressed at terrorism was a sure win, so many other provisions hitched a free ride.

For example, the bill would put strict new curbs on immigrants seeking asylum. It would limit the use of habeas corpus, the constitutional shield against unfair trials.

It would further restrict Federal court reviews of state trial procedures, reducing the chances of overturning convictions and death penalties reached by unfair methods. Under current law, 40 percent of the death penalties reviewed by Federal courts have won some kind of relief. How many of those would never even be reviewed in the future?

Furthermore, tighter time restrictions on inmates and judges will make Federal appeals more difficult. "Poor death-row inmates have overloaded public defenders," said Ira Glasser, executive director of the American Civil Liberties Union. "To say you have to appeal within a time period is to deny the availability of a remedy."

The bill's restrictions on immigrants are

**W**HY is Mr. Schumer, a self-styled "centrist" from New York, cracking down on immigrants and prisoners and free association?

"I am convinced it is politics, politics and politics," said Ronald J. Tabak, chairman of an American Bar Association committee on the death penalty. "Chuck Schumer is bound and determined that the Democratic Party never be attacked again as soft on crime." The same could be said of Mr. Schumer's collaborator in the White House.

The Congressman said he had some reservations about the restrictions on the right of habeas corpus, but he noted that Congress had already passed them separately. Moreover, he said, "I do not see it as the end of the great writ."

He supports limitations on terrorist groups and does not think they should be raising money in America, "whether Irish, Jewish or Arab." He contends that the immigration changes provide safeguards, denying, for example, that women seeking asylum because they fear genital mutilation at home would be summarily deported. Rules could be written requiring border officials to grant them a hearing.

Mr. Schumer added that he was not an absolutist about immigration. "I admit, there are some who believe that if a single deserving person is turned back, the bill must be avoided at all costs. That is not where I am coming from."

The counterterrorism bill passed the Senate and House overwhelmingly last week. Of the 14 House members whose districts are wholly or partly in New York City, only 6 opposed the bill, all of them members of the black or Hispanic caucuses. Daniel Patrick Moynihan was one of only 8 senators out of 99 who voted no.

President Clinton plans to sign the bill this week. Mr. Schumer says he has no regrets: "I am proud of what I've done," he said. "This is who I am and what I am."

THE NEW YORK TIMES

MONDAY, APRIL 22, 1996

Crime-Statistic



U.S. Department of Justice

Office of Community Oriented Policing Services (COPS)

Communications Division  
1100 Vermont Avenue, NW  
Washington, DC 20530

**FAX COVER SHEET**

TO: *Rahm*

FAX NUMBER: *456-6423*

FROM: *Jesse*

Tel: (202) 616-1728 *616 9429*  
Fax: (202) 616-5899

DATE: *11-15-95*

Number of Pages (including cover): *10*

Message: ledes: *Violent crime lowest since 1989.*

*> Crime Index total shows 3rd consecutive year of decline.*

*> #murders lowest since 1989.*

*Embargoed FBI releas attached. Joe is on for Mon. We are working on Cops.*

*Call me. Jesse*



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535

FBI NATIONAL PRESS OFFICE  
(202) 324-3691FOR RELEASE  
SUNDAY  
NOVEMBER 19, 1995

Final 1994 crime statistics released today by FBI Director Louis J. Freeh showed that 14 million Crime Index offenses were reported to law enforcement across the Nation. The 1994 total represents a rate of 5,374 offenses for every 100,000 United States inhabitants. The number of crimes was down 1 percent from 1993, while the crime rate declined 2 percent. The number of violent crimes dropped 3 percent, while the rate of violent crimes dropped 4 percent. In the nine U.S. cities with more than one million population, the decrease in the number of violent crimes was 8 percent. In the 66 largest cities, with populations over 250,000, Crime Index totals dropped 4 percent.

"The modest decreases in crime are, in large part, a tribute to the men and women in law enforcement who daily risk their lives for the public's safety," said FBI Director Freeh. "The ominous increase in juvenile crime coupled with population trends portend future crime and violence at nearly unprecedented levels. Indeed, all Americans, especially those of us in law enforcement, must remain vigilant, or else the scourge of illegal drugs and violence directly attributable to drugs will dramatically worsen," Freeh said.

The statistics are based on a Crime Index of selected violent and property offenses reported to the FBI's Uniform Crime Reporting Program by over 16,000 law enforcement agencies, covering 96 percent of the Nation's population. Estimates are included for nonreporting areas. The 1994 data appear in the FBI's annual publication, Crime in the United States, released today.

Some highlights from the 1994 edition are:

#### Crime Volume

--In 1994, the Crime Index total of 14 million offenses was 1 percent lower than in 1993 and 3 percent below the 1990 total. A comparison with 1985 figures, however, showed a 13-percent increase over the last 10-year period.

--By region, the Southern States recorded 35 percent of all Crime Index offenses reported to law enforcement. The lowest volume was reported in the Northeastern States, accounting for 20 percent of the total. Among the regions, only the Midwest recorded an increase from 1993 to 1994, 1 percent.

--Property valued at \$15.6 billion was stolen in connection with all Crime Index offenses.

#### Crime Rate

--The 1994 Crime Index rate, 5,374 per 100,000 population, was 2 percent lower than in 1993. For 5- and 10-year trend increments, the 1994 rate was 8 percent lower than the 1990 rate, but 3 percent above that of 1985.

--Geographically, the total Crime Index rates ranged from 6,152 in the West to 4,344 in the Northeast. The rates declined in all regions except the Midwest where virtually no change was reported from 1993 to 1994.

--The Crime Index rate was 5,894 per 100,000 inhabitants in the Nation's Metropolitan Statistical Areas (MSAs) and 5,318 per 100,000 for cities outside MSAs. The lowest rate was registered by the collective rural counties at 2,034 per 100,000 inhabitants.

#### Violent Crime

--Violent crimes (murder, forcible rape, robbery, and aggravated assault) reported to the country's law enforcement agencies during 1994 dropped below 1.9 million offenses for the first annual period since 1990. The rate of 716 violent crimes for every 100,000 inhabitants was the lowest since 1989.

--From 1993 to 1994, the violent crimes collectively decreased by 3 percent. The 1994 total was, however, 2 percent higher than the 1990 figure and 40 percent above the 1985 level.

--Data collected on weapons used in connection with murder, robbery, and aggravated assault showed that firearms were used in 31 percent of the offenses and personal weapons (hands, fists, feet, etc.) in another 31 percent. The proportion of violent crimes committed with firearms has remained relatively constant in recent years.

--Aggravated assaults accounted for 60 percent and robberies comprised 33 percent of all violent crimes reported to law enforcement in 1994.

### Property Crime

--The estimated property crime total in 1994 decreased 1 percent to 12.1 million offenses in 1994, the lowest total since 1987. The 1994 property crime rate was 4,658 offenses per 100,000 population, the lowest since 1984.

--Larceny-theft, which comprised 65 percent of property crimes reported, increased 1 percent from 1993 to 1994. All other property crimes declined, burglary by 4 percent, and motor vehicle theft by 2 percent.

--The value of property stolen in connection with property crimes was estimated at \$15.1 billion for 1994, or \$1,248 per offense reported.

### Crime Clearances

--Law enforcement agencies nationwide recorded a 21-percent Crime Index clearance rate in 1994. The clearance rate for violent crimes was 45 percent; and for property crimes, 18 percent.

--Among the Crime Index offenses, the clearance rate was highest for murder, at 64 percent, and lowest for burglary, at 13 percent.

--Offenses involving only offenders under 18 years of age accounted for 22 percent of the overall Crime Index clearances, 14 percent of the violent crime clearances, and 25 percent of the property crime clearances.

### Arrests

--During the year, law enforcement agencies made an estimated 14.6 million arrests for all criminal infractions other than traffic violations. The highest arrest counts were for larceny-theft, 1.5 million; drug abuse violations and driving under the influence, each 1.4 million; and simple assaults, 1.2 million.

--Relating the number of arrests to the total U.S. population, the rate was 5,715 arrests per 100,000 population.

--The total number of arrests for all offenses except traffic violations increased 6 percent from 1993 to 1994. Adult arrests increased 5 percent, and those of juveniles were up 11 percent.

--Of all persons arrested in 1994, 45 percent were under the age of 25, 80 percent were male, and 67 percent were white.

--Larceny-theft was the offense resulting in the most arrests of persons under the age of 18, while adults were most often arrested for driving under the influence.

--A special study focusing on the decline in persons arrested for prostitution and commercialized vice from 1970 through 1993 is included in this year's publication.

### Murder

--The murder count for 1994 totaled 23,305, the lowest since 1989. The murder rate was 9 per 100,000 inhabitants.

--Based on supplemental data received, 79 percent of the murder victims in 1994 were males, and 88 percent were

persons 18 years of age or older. By race, 51 percent were black, and 47 percent were white.

--Data based on a total of 25,052 murder offenders showed 91 percent of the assailants were males, and 84 percent were 18 years of age or older. Fifty-six percent of the offenders were black, and 42 percent were white.

--Forty-seven percent of murder victims were related to (12 percent) or acquainted with (35 percent) their assailants. Among all female murder victims in 1994, 28 percent were slain by husbands or boyfriends.

--By circumstance, 28 percent of the murders resulted from arguments and 18 percent from felonious activities such as robbery, arson, etc.

--Firearms were the weapons used in approximately 7 of every 10 murders reported during 1994.

--A special study entitled "Child Homicide Victims, 1980-1994," included in the publication addresses the increasing numbers of children (12 and under) as victims of murder.

#### **Forcible Rape**

--The total of 102,096 forcible rapes reported to law enforcement during 1994 was the lowest total since 1989. The 1994 count was 4 percent lower than in 1993.

--In the Uniform Crime Reporting Program, the victims of forcible rape are always female, and in 1994, an estimated 77 of every 100,000 females in the country were reported rape victims.

### Robbery

--In 1994, law enforcement recorded nearly 619,000 robberies, for a crime rate of 238 robberies per 100,000 population nationwide.

--Monetary loss attributed to property stolen in connection with this offense was estimated at \$496 million. Bank robberies resulted in the highest average losses, \$3,551 per offense; convenience store robberies the lowest, \$387.

--Robberies on streets or highways accounted for more than half (55 percent) of the offenses in this category. All robbery types declined in 1994 as compared to 1993 totals.

--In 1994, 42 percent of all robberies were committed with firearms and 39 percent through the use of strong-arm tactics.

### Aggravated Assault

--After increasing steadily since 1983, aggravated assaults dropped 1 percent in 1994 to an estimated total of 1,119,950. Aggravated assaults comprised 60 percent of the violent crimes in 1994.

--There were 430 victims of aggravated assault for every 100,000 people nationwide in 1994.

--In 1994, 32 percent of the aggravated assaults were committed with blunt objects or other dangerous weapons. Personal weapons such as hands, fists, and feet were used in 26 percent, firearms in 24 percent; and knives or cutting instruments in the remainder.

### **Burglary**

--Over 2.7 million burglaries were reported to law enforcement agencies in 1994, with 2 of every 3 being residential in nature.

--Sixty-seven percent of all burglaries involved forcible entry. Over half (52 percent) of burglaries occurred during the daylight hours.

--The value of property stolen during burglaries was estimated at \$3.6 billion in 1994.

### **Larceny-theft**

--Larceny-theft, with an estimated total of nearly 7.9 million offenses, comprised 56 percent of the Crime Index total.

--The total dollar loss to victims nationwide was estimated at \$4 billion during 1994. The average value of property stolen was \$505 per incident.

--Thefts of motor vehicle parts, accessories, and contents made up the largest portion of reported larcenies, 37 percent.

### **Motor Vehicle Theft**

--In 1994, over 1.5 million thefts of motor vehicles, or an average of 1 theft for every 130 registered motor vehicles, were reported.

--The estimated monetary loss due to these crimes was nearly \$7.6 billion, for an average of \$4,940 per vehicle.

--Seventy-nine percent of all motor vehicles reported stolen in 1994 were automobiles.

### Arson

--A total of 102,139 arson offenses was reported in 1994.

--As in previous years, structures were the most frequent targets of arsonists in 1994, comprising 52 percent of the reported incidents. Residential property was involved in 60 percent of the structural arsons during the year.

--The average dollar loss was \$9,761 per reported arson in 1994.

--Of the arsons cleared during the year, 48 percent involved only young people under the age of 18, a higher percentage of juvenile involvement than for any other Index offense.

### Law Enforcement Employees

--A total of 13,124 city, county, and state police agencies submitting Uniform Crime Reporting data reported employing 561,543 officers and 220,567 civilians in 1994.

--The average rate of 2.3 full-time officers for every 1,000 inhabitants across the country in 1994 remained unchanged from the 1993 figure.

--Geographically, the highest rate of officers to population was recorded in the Southern States where there were 2.6 officers per 1,000 inhabitants.

Select 1994 Uniform Crime Reporting data will be available on the FBI's Internet World Wide Web site at <http://www.fbi.gov>



# Department of Justice

CRIME STATS

ADVANCE FOR RELEASE AT 5 P.M. EST  
SUNDAY, NOVEMBER 14, 1993

BJS  
202-307-0784

## CRIME FELL MORE THAN 5 PERCENT LAST YEAR, REACHING 20-YEAR LOW

WASHINGTON, D.C. -- Crimes against U.S. residents and households fell by more than 5 percent last year, reaching a 20-year low, the Bureau of Justice Statistics (BJS) announced today.

"There were almost two million fewer crimes than in 1991," noted Lawrence A. Greenfeld, acting director of BJS, the Department's statistical agency. "In fact, the total number--approximately 34 million--was several million lower than in 1973, the first year of the survey."

Greenfeld pointed out, however, that the rate of violent crime (that is, the number of violent offenses per 1,000 inhabitants 12 years old and older) has fluctuated during the past two decades. Last year it was lower than in the peak years during the late 1970s and early 1980s. However, it is currently 32.1 per 1,000 U.S. residents, which is higher than at any time between 1985 and 1991. In 1973 it was 32.6 per 1,000 U.S. residents 12 years old and older.

(MORE)

For black residents the 1992 violent crime rate was the highest ever recorded.

The violent crime rate against young people from 12 through 15 years old was 36 percent higher last year than it was among the same age group during 1973, and among those from 16 through 19 years old it was 27 percent higher in 1992 than two decades ago. On the other hand, among those 35 years of age and older the rates of victimization for crimes of violence declined during the 20-year period.

During 1992 both the theft rate and the rate of household crimes reached all-time survey lows. BJS attributed this to significant declines in personal thefts without contact as well as household larcenies and burglaries.

Last year there were 12,211,000 personal thefts--674,000 fewer than in 1991 and 2,759,000 fewer than in 1973. There were 14,817,000 crimes against households last year--1,208,000 fewer than the year before and 523,000 fewer than during 1973.

However, the number of violent crimes has increased. There were 6,621,000 violent offenses last year--34,000 more than the year before and 1,271,000 more than in 1973.

(MORE)

The National Crime Victimization Survey, the federal government's second largest survey, has been measuring the total amount of crime in the U.S., both reported and that which is not reported to police, for two decades, during which time it has conducted more than 4.4 million interviews.

Thirty-nine percent of all crimes in the survey were reported to police last year, up from the 32 percent reported in 1973. Fifty-three percent of all rapes and attempted rapes were reported last year, compared to 49 percent in 1973.

Selected rates of crimes against men and women 12 years old or older or against households during 1973, 1991 and 1992 were as follows:

Rate per 1,000 U.S. residents or households

<u>Crime</u>	<u>1973</u>	<u>1991</u>	<u>1992</u>
All violent crimes . . . . .	32.6	32.2	32.1
Rape . . . . .	1.0	0.9	0.7
Robbery . . . . .	6.7	5.9	5.9
Assault . . . . .	24.9	25.5	25.5
Personal theft . . . . .	91.1	63.1	59.2
Household burglary . . . . .	91.7	53.9	48.9
Household larceny . . . . .	107.0	90.4	83.2
Motor vehicle theft. . . . .	19.1	22.2	20.1

Except for theft and simple assault, blacks were

significantly more likely than were whites or people of other races, such as Asians or Native Americans, to be crime victims. In 1992, for instance, there were 15.6 robberies against black victims for every 1,000 black residents, compared to 4.7 for every 1,000 whites and 5.1 for every 1,000 people of other races.

People younger than 25 years old also had significantly higher victimization rates than did older people, and males sustained significantly higher rates than females.

Hispanics and non-Hispanics had generally similar victimization rates except for robbery. Hispanics were robbed at twice the rate of non-Hispanics (10.6 vs. 5.4 per 1,000 inhabitants.)

Single copies of the BJS bulletin, "Criminal Victimization 1992" (NCJ-144776), as well as other BJS statistical bulletins and reports may be obtained from the National Criminal Justice Reference Service, Box 6000, Rockville, Maryland 20850. The telephone number is 1-800-732-3277.

Data from the tables and graphs used in many BJS reports can be made available to news organizations in spreadsheet files on 5¼" and 3½" diskettes by calling 202-307-0784.

# # #

93-97

After hours contact: Stu Smith 301-983-9354

TO: Bruce  
FR: Jose'

---

Here's the compendium of facts compiled by speechwriting. The particularly good stats are highlighted in the document, and I have summarized the major argument for you here. Good luck.

- **US the World's most violent country.** With some 25,000 Americans murdered every year, and homicide being the tenth leading cause of death in our nation, the US has the highest murder rate -- by far -- of any Western Industrialized country. For example: several years ago, there were 10,099 handgun-related murders in the US; that same year there were 22 such murders in Britain, 68 in Canada and 87 in Japan.
- **Youth violence has skyrocketed...** Over the past 10 years, the number of minors arrested for murder has soared more than 128% and arrests for violent crimes overall has gone up 57%. A Northeastern University study indicates that almost all of the increase in criminal homicides is attributable to the increased number of homicides committed by youth.
- **...as has the number of young victims.** Youths are also 2 1/2 times more likely than adults to be victims of violent crimes, and firearms kill more people between the ages 15 and 24 than all natural causes combined -- 14 children every day. As a result, the Center for Disease Control recently labeled youth violence as the nation's #1 health problem.
- **Gun violence has reached epidemic proportions.** Over the past five years, handgun related murders have jumped 59%, while non-handgun murders actually have declined 10%. Nearly every 30 minutes someone is murdered with a handgun. In fact, over the last 25 years, more Americans have died in gun-related murders than were killed in the Vietnam War, the Korean War and World War I combined.
- **Minorities have been especially hard-hit.** More young black men are killed with guns today than the total who died from lynchings from the Klan.
- **Crime and violence -- we all pay.** Businessweek recently estimated that the total direct and indirect cost of crime to Americans is a stunning \$425 billion per year -- much more than the entire defense budget. Losses  
HC emergency res  
Private security
- **Government's response?** Government's response at all levels has been insufficient. Washington -- caught in the old debate between punishment and prevention -- has been in gridlock, and state and local governments have been to strapped for cash to do all the things they need to do. According to Businessweek, the government spends less to fight crime than the country spends on toiletries.

frustrated admin. justice system  
life is getting cheaper

# **Crime Facts**

By

Abe Newman

(Speechwriting x2777)

12/13/93

Note: These quotes have not been fact checked against other sources.

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### Section 4: Regional Examples

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## **Executive Summary:**

This document provides clear and persuasive statistics and examples of the severity of crime and violence in our society. The hope is that the document can highlight the crisis areas in the crime debate and provide a persuasive and quick reference to those who wish to be further informed about the topic.

This document considers: the expansion of violence, the proliferation of firearms and crime, the failure of the criminal justice system, regional examples of the problem, the public response, problems with current solutions and possible policy options. These seven sections have been isolated as critical areas with which individuals should be familiar in order to deal with the crime issue.

## **Executive Summary:**

A series of events in the last two years has brought crime and violence to the attention of the American Public. Concern and fear have spread across the country demanding answers from their government.

Unfortunately, concern is not enough, action has to be taken. At the same time, we must resist the temptation to act simply for the sake of acting. Policy makers must focus their attention and develop a coherent program to combat crime.

In order for proper decision making to occur both policy makers and the public must both be informed and be able to persuade others about the need for action on crime.

This document considers the expansion of violence, the proliferation of firearms and crime, the failure of the criminal justice system, regional examples of the problem, the public response, problems with current solutions and possible policy options as critical areas with which individuals should be familiar.

The document provides clear and persuasive examples of the severity of the problem with regard to the examples respective area. The hope is that the document can highlight the crisis areas in the crime debate and provide a quick reference to people who wish to be informed about this topic.

## 1A. Violent Crime

### General

\* Dr. C. Everett Koop, said violence was as pressing a public health issue as smallpox had been generations ago. (NY Times 11/16/93)

\* [T]he number of deaths caused by violence, which kills over 50,000 persons yearly, is greater than the number caused by AIDS -- which is over 30,000 per year -- and greater than the number of deaths caused by drunk driving -- which kills nearly 18,000 per year. (Joycelyn Elders Federal News Service 11/1/93)

\* By many measures, the United States ranks first among nations in its rates of interpersonal violence. The United States has the highest homicide of any Western industrialized country -- a rate that is, in fact, many times higher than that of the country with the next highest rate. At current rates, more than 25,000 Americans are murdered each year, and homicide is the tenth leading cause of death in our nation. (Violence and Youth, The American Psychological Association Vol. 1 1993)

\* ...the FBI says violent crime has risen nearly 19% since 1988. (USA Today 10/28/93)

\* Violent crime in 1992 was 41% above the 1983 figure. (USA Today 10/4/93)

\* The national murder rate last year was 9.3 per 100,000. (U.S. News and World Report 10/11/93)

\* All told, some 14 million serious crimes were reported to the police last year, a number that surely understates the actual magnitude of America's No. 1 problem. (Business Week 12/13/93)

\* And in the first half of 1990, big-city murder rates surpassed the record year of 1970. Murders in New York City totaled 1,077 for the first six months of 1990, up from 837 for the first of 1989. (U.S. News and World Report 12/3/90)

\* Newly released FBI statistics show two different trends in crime rates: occurrences of violence in cities and towns with populations under 1 million are nudging upward, while such incidents are declining in the densest urban enclaves. (Time 8/23/93)

### Violence Against Youth

\* The federal center for Disease Control recently labeled youth violence as the nation's No. 1 health problem. (San Diego Union 10/11/93 p.b6)

\* One striking change in the last three years is that people from 15 to 24 years old now have the nation's highest homicide-victim rate. (NY Times 12/8/93)

\* And the homicide rate for young males ages 15-34 in the U.S. is the highest of any industrialized nation, roughly 20 times higher than rates in most other nations. (Joycelyn Elders Federal News Service 11/1/93)

\* Teenagers are 2 1/2 times more likely to be victims of violent crimes than those over the age of 20. (Violence and Youth, The American Psychological Association Vol.1 1993)

\* A UNICEF report released last week found that 90 percent of youth homicides in the industrial world are committed in the United States. (Dallas Morning News 9/27/93) / ✓

#### **Economic Cost of Crime**

\* ...crime cost Americans a stunning \$425 billion each year. That figure comes from a detailed analysis of all of the direct and indirect costs of both property and violent crimes. (Business Week 12/13/93)

\* ...the real cost of violent and property crime -- when properly totaled up -- far exceeds the \$300 billion defense budget. (Business Week 12/13/93)

\* ...annual damage to large urban economies from high crime rates is about \$50 billion. (Business Week 12/13/93)

## 1B. Race and Violent Crime

### Race on Race Violence

\* A 1990 Bureau of Justice Statistics victimization study found that 72% of violent crimes against whites were committed by other whites; 84% of violent crimes committed against blacks were by other blacks. (USA Today 10/28/93)

\* In 1990, in 93% of the cases, African American offenders murdered other African Americans. (Joycelyn Elders Federal News Service 11/1/93)

\* We lose more lives annually to the crime of blacks killing blacks than the sum total of lynching in the entire history of the country. (Rev. Jesse Jackson in USA Today 10/28/93)

\* An estimated 8,000 black males are homicide victims each year in the United States, and more than 90% are killed by other blacks, according to FBI figures. (Newsday 11/18/93)

\* Benjamin F. Chavis, Louis Farrakhan, and Jesse L. Jackson, who this weekend characterized the urban peace movement as a natural extension of the civil rights movement. "This is the new frontier of the civil rights struggle. It's the first time internal threats and self-destructive behavior...eclipses the external threats," Jackson said, referring to killing and violence in the black communities. (Washington Post 10/25/93)

### Minority Criminals

\* Blacks are winding up in jail at a rate six times that of whites, according to figures from the Justice Department document on prison overcrowding. (Jet 9/10/93)

\* I am worried that 1/4 of all young African American males ages 20-29 are incarcerated, on probation or on parole, while only 1/5 are enrolled in higher education. (Joycelyn Elders Federal News Service 11/1/93)

\* 23% of all young black men are caught up in the criminal justice system: in prison, on probation, or on parole. (Washington Post 11/23/93)

\* There are more young black men in prison today than in college. (Washington Post 11/23/93)

\* For every Latino male with a BA, there are 24 behind bars. (Washington Post 11/23/93)

\* Blacks make up almost half the country's prison admissions. (Business Week 12/13/93)

\* 60% of inmates in the prison system are black and Latino. (Washington Post 11/23/93)

\* The arrest rate for violent crime is about six times greater for blacks than whites. (Wall Street Journal 11/5/93)

\* Since 1984...incarceration for blacks rose from 339 per 100,000 residents to 619 per 100,000. That compared to the ratio of whites jailed, which increased from 68 per 100,000 to 109 per 100,000, national figures show. (Jet 9/10/93)

\* In Washington D.C., 70 percent of all black males have been involved in the criminal justice system by the age of 35. (U.S. News W.R. 11/8/93)

\* A university of Washington study...found...that children of color were four times more likely to be sentenced to confinement, and African-American children were 11 times more likely to be confined. (Seattle Times 10/18/93)

#### Minority Victims

\* Nearly half the 21,500 murder victims in the United States in 1991 were black; although blacks constitute 12.1% of the national population. (Newsday 11/18/93)

\* Homicide is the leading cause of death among young black men. (Washington Post 11/23/93)

\* Black men between the ages of 15 and 24 are murdered at 10 times the national average. (NY Times 11/5/93)

\* To put this into perspective, one should consider that if the rest of the population was being murdered by firearms at a rate equal to that of young black males, over 260,000 Americans would be shot to death each year. (Kids and Guns, The Educational Fund to End Handgun Violence 1993)

\* The homicide rate for black males 15-19 nearly doubled between 1984 and 1988. (CQ Researcher 9/11/92)

\* [APA] study found that black females are four times more likely to be killed than non-blacks; and black males are 11 times more likely than non-blacks. (Jet 9/20/93)

\* The homicide rate among black youths has nearly tripled since 1978. Over the past five years, the violent crime rate for black male teen-agers has risen sharply, to 113 per 1,000. (NY Times 11/13/93)

\* For blacks, the 1992 violent crime rate was the highest recorded -- nearly 15 robberies for every 1,000 blacks, compared with fewer than five for every 1,000 whites. (USA Today 11/15/93)

#### Minority Gun Victims

\* 57% of all African American teenage males who died in 1990 were killed with guns. (Joycelyn Elders Federal News Service 11/1/93)

\* [M]ore young black men die each year from guns than the total who died from lynching by the Klan. (LA Times 10/10/93)

## 1C. Violence by Youth

### General

- \* In the next decade, the nation's most violent population -- teens between 15-19 -- will balloon by 23%. (USA Today 10/28/93)
- \* In 1992, the state's (Colorado) youth finally surpassed their elders, committing crimes with guns at a higher rate than people over age 18. (Dallas Morning News 9/27/93 p.1a)

### Youth Murderers

- \* From 1985 to 1990, the number of 15-year-old males charged with murder has increased by 217%. (Kids and Guns, The Education Fund to End Handgun Violence 1993)
- \* According to the FBI, juvenile arrests for murder, robbery and assault all increased by 50 percent between 1988 and 1992. (U.S. News and W.R. 11/8/93)
- \* In 1992, 2,829 juveniles were arrested for murder in the United States, roughly 2 1/2 times more than were arrested for the same crime in 1984, according to the ATF. (Washington Post 12/13/93)
- \* A Northeastern University study indicates that the increased rate of criminal homicide in every city or town with a population of over 25,000 people is due to the increased number of homicides committed by youth. (Kids and Guns, The Education Fund to End Handgun Violence 1993)
- \* More than 11,000 persons died between 1980 and 1989 as a result of homicides committed by high school-age youth using firearms, cutting instruments or blunt objects. (CQ Researcher 9/11/92)
- \* In 1984, a total of 1134 juveniles were arrested for murder. But by last year, that number had gone up 2 1/2 times to 2829. According to the Justice Department, the vast majority of these murders were committed with firearms, and most were committed with handguns. (Cong Rec 10/28/93 Sen Kohl)

### Ten Year Comparison

- \* An FBI report this month said the number of youngsters under 18 arrested for homicide soared more than 128% since 1983. Arrests for violent crime overall shot up 57%. (USA Today 10/29/93)
- \* Between 1979 and 1989, there was a 61% increase in homicides by shootings committed by 15 to 19 year old White and African American youth. During the same period, the rate of homicides by objects other than guns declined 29%. (Violence and Youth, The American Psychological Association Vol.1 1993)

\* While 49 out of every 100,000 Colorado juveniles committed weapons offenses in 1980, the rate had more than doubled by 1991, to 111 out of every 100,000. (Dallas Morning News 9/27/93 p.1a)

\* ...the number of murders committed by youth, aged 10 to 17, with guns, rose 79 percent between 1980 and 1990. (Cong Rec 9/21/93 Mr. Glickman)

\* [APA study] Homicides committed by teens ages 15-19 with guns went up 61 percent between 1979 and 1989. (Jet 9/20/93)

\* In 1982, 21,122 juveniles were arrested on weapons charges nationally. But by last year, that number has spiraled to more than 46,000. Again, guns were involved in the vast majority of these arrests, and handguns in most of them. (Cong Rec 10/28/93 Sen Kohl)

## 1D. School Violence

### Schools Need Protection

- \* 160,000 schoolkids stay home each day for fear of their lives. (USA Today 9/16/93)
- \* The Joyce Foundation poll ...found that only 21% of students feel they are safe from violence in the schools and only 30% feel they are safe travelling to and from school. (Kids and Guns, The Educational Fund to End Handgun Violence 1993)
- \* In 1989, an estimated 430,000 students took a weapon to school to protect themselves from attack or harm at least once in a six-month period. (Joycelyn Elders Federal News Service 11/1/93)
- \* In suburban Jefferson Parish, La., where 21 percent of high schoolers say they carried a gun in the past year., 73 percent said they did so for protection. (U.S. News and W.R. 11/8/93)
- \* Sixteen percent of eighth graders, 14 percent of 10th graders and 12 percent of 12th graders told University of Michigan researchers that they feared for their safety. (U.S. News and W.R. 11/8/93)
- \* At least 45 urban systems now screen students with metal detectors. Even elementary schools are using them. (U.S. News and W.R. 11/8/93)

### Crimes at School

- \* Today more than 3 million crimes a year are committed in or near the 85,000 U.S. public schools... (U.S. News and W.R. 11/8/93)
- \* From September 1986 to September 1990 at least 71 people -- 65 students and 6 school employees -- had been killed with guns at school; another 201 were severely wounded; and 242 individuals were held hostage at gunpoint. (CQ Researcher 9/11/92)
- \* Shootings or hostage situations in school had occurred in at least 35 states and the District of Columbia from September 1986 to September 1990. (CQ Researcher 9/11/92)
- \* 45% of the students in the Justice Department survey said they had been threatened with a gun or had been shot at on the way to or from school during the previous few years. (Washington Times 12/13/93)
- \* Approximately 100 teachers have been assaulted annually by students in the past four school years. (CQ Researcher 9/11/92)

\* Last year there were 2,643 assaults, 403 robberies and 2,444 incidents of weapons possession reported in the city (New York) schools, an increase from the previous year in each category. (NY Times 11/23/93)

\* There were 5,761 violent incidents in New York City schools last year, up 16 percent from a year earlier.

\* Researchers at Cincinnati's Xavier University interviewed principals in 1,216 school systems last year. Sixty-four percent of urban principals said violence has increased on their schools in the past five years; so did 54 percent of suburban principals and 43 percent of those in rural areas.

#### **Guns at School**

\* One in five high school students now carries a firearm, knife, or club to school. (Cong Rec 9/15/93 Mr. Dodd)

\* ...rural students are twice as likely to carry a gun to school than the national average. (Kids and Guns, The Educational Fund to End Handgun Violence 1993)

\* In heavily suburban Los Angeles, 405 guns were confiscated in schools in 1992, 28 of them in elementary schools. (CQ Researcher 9/3/93)

\* [APA study] students carry about 270,000 guns to school daily. (Jet 9/20/93)

\* ...an estimated 270,000 guns go to school every day. (U.S. News and W.R. 11/8/93)

\* According to one survey, 135,000 students in this nation of ours bring a weapon, a gun, a handgun to school every single day. (Cong Rec 10/21/93 Sen from RI)

\* ...100,000 students bring handguns to school every day in the United States. (Cong Rec 9/21/93 Mr. Glickman)

\* A University of Michigan study reports that 9 percent of eighth graders carry a gun, knife or club to school at least once a month. (U.S. News and W.R. 11/8/93)

\* Twenty percent of the suburban high schoolers surveyed by Tulane researchers Joseph Sheley and M. Dwayne Smith endorsed shooting someone "who has stolen something from you." (U.S. News and W.R. 11/8/93)

## 1E. Gangs

### Number of Members

- \* The Crips and the Bloods, originally Los Angeles street gangs have now spread to more than 100 cities and total more than 40,000 members. (U.S. News and World Report 12/3/90)
- \* The Justice Department reported that 4,881 gangs were operating in the country in 1991 with 249,324 members who committed 1,051 homicides. (NY Times 11/10/93)
- \* Delinquent gangs no longer are confined to certain states and to the inner city, and their membership encompasses a wider age range, with members as young as 9 and as old as 30. (Violence and Youth, The American Psychological Association Vol.1 1993)

### Gang Violence

- \* [b]etween 1987 and 1990 the annual number of gang-related murders almost doubled, from 51 to 101, at a time when other violent but nonlethal incidents motivated by gang membership declined slightly. (Washington Post 11/29/93)
- \* Gang violence appears to have increased in levels and in lethality during the 1980s. Studies in the early 1970s revealed few or no homicides in the United States attributable to gang violence. By 1980, however, there were 351 gang-related homicides in Los Angeles alone, and more than 1,500 gang-related homicides in Los Angeles between 1985 and 1989. (Violence and Youth, The American Psychological Association Vol.1 1993)
- \* Homicides and aggravated assault are three times more likely to be committed by gang members than by nongang delinquents. (Violence and Youth, The American Psychological Association Vol.1 1993)

### Gangs and Guns

- \* Gang killings involving automatic, semiautomatic and heavy caliber (.38 caliber or greater) weapons almost tripled, from 24 in 1987 to 70 three years later. (Washington Post 11/29/93)
- \* Virtually the entire increase in the number of street gang-motivated homicides seems attributable to an increase in the use of high-caliber, automatic or semiautomatic weapons -- concluded Chicago researchers Carolyn and Richard Block. (Washington Post 11/29/93)

## LA Gang Violence

	1992	1987	1983
Killed	803	387	216
Known Gangs	1,078		
Members	150,000		
Violent Felons (Robbery, Rape...)	20,000		
Serious Injury	25,000		
Drive-By Shootings	3,500		
Arrests involving:			
firearms	12,170		
handguns	10,562		
assault weapons	105		
Guns Recovered by Police	2,369		

\* Due to the fact that gang violence has only become a major concern in recent years LA County-wide statistics are unavailable before 1990.

\* The LA office did say that gang membership in the early 80's was about 70,000 and there were about 480 reported gangs.

\* They also said it is fine to say that gang membership has more than doubled in the last ten years as has the number of reported gangs.

(G.R.E.A.T. -- a LA gang reporting group (310) 603-3100)

## 1F. Crime and the Health Care Crisis

\* The total medical cost of all violence in the U.S. was 13.5 billion in 1992. (Joyclyn Elders Federal News Service 11/1/93)

\* When someone is shot in new York City, the average cost that person incurs in medical treatment is \$9,646...It also escalates if intensive care is required, reaching as much as 150,000 per patient. (Time 10/11/93 p.59)

\* A study at a San Francisco hospital noted that 86% of expenses incurred by firearm injuries are paid out of taxes. (Time 10/11/93 p.59)

\* The cost of firearm injuries in the U.S. exceeds \$4 billion a year. (Time 10/11/93 p.59)

\* In 1985, the total medical costs of gun violence were more than \$900 million. Three years later, the cost had risen to \$1.2 billion. Low ball figures for 1990 place the number at \$1.4 billion. (USA Today 10/1/93)

\* Between 1986 and 1991, nearly 20% of the nation's trauma centers were forced to close, largely due to rising gun-related costs. (USA Today 10/1/93)

\* We also pay a huge tangible price -- billions of dollars a year -- to care for those who are maimed by gunfire. Billions are spent each year on prisons, with seemingly no effect on crime rates. (Chicago Tribune 8/15/93)

\* The vast majority -- 85 percent -- of the hospital costs for treatment of firearm injuries is unreimbursed care. (Joycelyn Elders Federal News Service 11/1/93)

\* Incidents of violence against health-care workers has increased 400% since 1982. (Time 8/23/93)

## 2A. Firearm Death

### General

- \* Gun death, including suicides, now total more than 37,000 a year, and handgun homicides have reached 13,000 a year. (Newsweek 10/11/93 p.33)
- \* There were more than 15,300 gun homicides nationwide last year, up from more than 14,200 in 1991. (LA Times 10/15/93)
- \* Over the last 25 years, more Americans have died in gun-related murders than were killed in the Vietnam War, the Korean War and World War I combined. (LA Times 10/15/93)
- \* [M]ore young black men die each year from guns than the total who died from lynching by the Klan. (LA Times 10/10/93)
- \* Homicides involving guns have risen sharply, from 45% of all murders in 1988 to 55% last year. (USA Today 12/9/93)
- \* California had 2,690 firearm homicides out of 3,876 in 1991. Texas had 1,840 out of 2,659 and New York had 1,564 out of 2,337. (USA Today 9/29/93)
- \* Walton, a former prosecutor who is known for his tough sentences, said, "it seems easier than ever for young men to get high-powered guns in the District, and they seem to have no hesitation about using them. Police report that 83% of last year's homicides involved a gun. (Washington Post ?)

### Every \_\_\_ Amount of Time, \_\_\_ People are Killed by Firearms

- \* Nearly every 30 minutes someone is murdered with a firearm. (LA Times 10/22/93)
- \* Every 20 minutes someone is cut down by gunfire. (USA Today 11/29/93)

### Handgun Death

- \* Over the past five years, handgun related murders in the U.S. have soared 59%, while non-handgun-related murders actually have declined by almost 10% in the same period. (Wall Street Journal 11/18/93)
- \* The FBI reports that handguns are used in more than 80% of all gun murders. (Kids and Guns, The Educational Fund to End Youth and Violence 1993)
- \* More than 50% of homicide victims in 1992 were killed by handguns -- 12,489 deaths. (USA Today 10/19/93)

\* 70% of cops killed in the line of duty are shot with handguns. (Wall Street Journal 11/18/93)

#### **Firearms Kill More Than They Save**

\* The risk of being killed is 2.7 times higher in homes with guns than in homes without them. (LA Times 10/17/93)

\* ...a multi-state study of hundred of homicides has found that keeping a gun at home nearly triples the likelihood that someone in the household will be killed there. (Washington Post 10/7/93)

\* A handgun in the home is 43 times more likely to be used to kill a family member or friend than it is to be used in a justifiable homicide and over 86% of those deaths were suicides. (Kids and Guns, The Educational Fund to End Handgun Violence 1993)

\* ...guns are much more likely to cause the death of a member of the household than they are to be used to kill in self defense, the study reported. (Washington Post 10/7/93)

\* The same research team found in a previous study that the risk of suicide increases fivefold in homes where guns are kept. (Washington Post 10/7/93)

## 2B. Firearm Access

### General

- \* Weapons...production and sale totaling 2 million to 4 million new ones yearly. (LA Times 10/22/93)
- \* 70 million people own guns, half the households have firearms and 20 million people buy hunting licenses. (Washington Post 10/18/93)
- \* Estimates are that between 40% and 50% of American households have guns, and half of these are handguns. (Violence and Youth, The American Psychological Association Vol. 1 1993)
- \* ...200 million weapons in circulation. (LA Times 10/22/93)
- \* ...if all gun manufacturing and sales ceased now, about 200 million guns would remain in circulation -- nearly one gun for every man, woman, and child in this country. (LA Times 10/15/93)
- \* In 1980, the U.S. gun industry produced 1.6 million revolvers and just 764,000 pistols. By 1989, the industry was turning out 1.4 million pistols, but only 629,000 revolvers. (U.S. News and World Report 12/3/90)

### Handguns

- \* Seventy million handguns are in circulation in our country, and 2 million are being added every year. (Cong Rec 10/21/93 Sen from RI)
- \* There are an estimated 65 million to 70 million handguns in America today, or more handguns than there are children under the age of 21. (Wall Street Journal 11/18/93)

### Assault Weapons

- \* 200 million firearms are in the hands of American private citizens... One to three million of these are large-clip, high-rate-of-fire automatic and semiautomatic assault weapons.
- \* [T]he existing stock of assault weapons in private hands is 1 million. (LA Times 11/?/93) and (NY Times 11/18/93)

## 2C. Firearm Homicide--International Comparison

### General

\* In 1991, 74 people were killed in firearm-related homicides in Japan, a nation of 124 million; handguns were used in 69 of those deaths. Over the last 5 years, Japan has averaged about 80 gun murders a year -- a far cry from the 14,200 gun murders in 1991 alone in the United States, which has a population of 250 million. (LA Times 11/8/93)

\* Although crime has risen in Germany since 1990, the criminal misuse of guns accounts for only .3% of all criminal acts. (LA Times 11/8/93)

\* Firearms are used in 75% of U.S. killings and only 25% of killings in comparable industrialized countries. The overall U.S. homicide rate is 15 times as high as Japan's (LA Times 11/8/93)

### Handguns

\* In 1990, handguns killed 291 people in all of these countries (Britain, Sweden, Switzerland, Canada, Japan, and Australia); in the same year 10,567 in the United States died from handguns. (LA Times 10/15/93)

\* The number of handgun murders in Britain during 1990 was 22. (Newsweek 10/11/93 p.33)

\* A few years ago there were 10,099 handgun-related murders in the U.S.; that same year there were 22 handgun-related murders in Britain, 68 in Canada and 87 in Japan. (Wall Street Journal 11/18/93)

## 2D. Youth Firearm Death

### General

\* While juvenile homicides that do not involve firearms have declined since 1983, juvenile gun homicides have more than doubled. For young black men, the rate nearly tripled just from 1985 to 1990. In fact, gunshot wounds to children ages 16 and under nearly doubled in major urban areas between 1987 and 1990. (Kids and Guns, The Educational Fund to End Handgun Violence 1993)

\* From 1985 to 1990, gun deaths among 15 to 19 year-olds jumped 70%. (USA Today 9/16/93)

\* Mireille Kanda, MD, at Children's National Medical Center in Washington, DC, noted that the rate of penetrating trauma caused by violence seen in her emergency department increased 1,740% between 1986 and 1989. (Youth and Violence, American Psychological Association vol 1 1993)

\* Gunshot wounds, including homicides, suicides, and unintentional shootings, are the leading cause of death for both African American and white teenage males, and they kill more teenage boys than all natural diseases combined. (Joycelyn Elders Federal News Service 11/1/93)

\* The availability of firearms has made firearm injuries the second leading cause of death behind motor vehicle accidents for youth ages 10-19. For black males ages 10-19, the rate of death from firearms now exceeds that from motor vehicle accidents. (Kids and Guns, the Educational Fund to End Handgun Violence 1993)

\* Firearm homicide is the second leading cause of death for all youth, aged 15 to 24. (Cong Rec 9/15/93 Mr. Dodd)

\* Guns constitute the third leading cause of death for children. (LA Times 10/22/93)

\* The criminology community was startled to see that 36% of suburban teenagers personally knew someone who had been killed or injured from gunfire. (CQ Researcher 9/3/93)

### Suicide

\* Every six hours a youth uses a gun to commit suicide. (LA Times 10/22/93)

\* Data indicates that 55% of suicides among youth ages 10-14 are committed with a firearm, while 67.3% of suicides completed by

youth ages 15-19 are committed with a firearm. (Kids and Guns, The Educational Fund to End Handgun Violence 1993)

**Firearms Kill More Youth Than \_\_\_**

\* In America firearms kill more people between the ages of 15 and 24 than do all natural causes combined. (Newsweek 10/11/93 p.33)

\* In Texas and Louisiana, guns kill more 15 to 19 than highway accidents. (USA Today 9/16/93)

**Every \_\_\_ Amount of Time, \_\_\_ Youth Die from Firearms**

\* Every day 14 American children are killed by guns. (LA Times 10/22/93)

\* Every day 13 children under the age of 19 are killed by gunfire and scores more are injured. (Kids and Guns, The Educational Fund to End Handgun Violence 1993)

\* Firearm violence kills an American child every 3 hours -- 25 children every three days. (Cong Rec 9/15/93 Mr. Dodd)

\* 11 children and adolescents die daily from firearms injuries. (USA Today 9/16/93)

## 2E. Youth Firearm Access

### General

- \* 1.2 million elementary-school-age, latchkey-children have access to guns in the home. (LA Times 10/22/93)
- \* More than one of five male high school students surveyed in crime ridden neighborhoods reported owning a gun, according to the Justice Department. (Washington Post 12/13/93)
- \* 83% of the juveniles surveyed, who had been incarcerated, admitted that they had a range of firepower readily available to them. (Washington Post 12/13/93)
- \* Guns bought by law-abiding adults for "protection" increasingly end up in the backpacks of schoolchildren and the pockets of small time drug dealers and robbers, gang members, and professional thugs. (LA Times 10/15/93)
- \* At one school, a juvenile, when asked a question about the caliber of his gun, pulled it from his jacket to examine it before responding, according to the Justice Department report. (Washington Post 12/13/93)
- \* The situation is similar in the suburbs: 18 percent of Jefferson Parish's students owned handguns and 66 percent told Shelley they would have only "a little trouble" obtaining one. (U.S. News and W.R. 11/8/93)

### State Laws

- \* Eighteen states and the District of Columbia have laws prohibiting the possession of handguns by teen-agers. (Dallas Morning News 9/27/93 p.1a)
- \* There are currently 22 states that continue to allow unlimited possession of handguns by juveniles under 18. (NPR 9/13/93)

### 3A. Prison Overcrowding

#### General

- \* The nation's prison population has tripled in the last 20 years. (Washington Post ? not direct quote)
- \* The number of criminals in prison has climbed by almost 400 percent since 1960. (Washington Times 11/28/93)
- \* The nation's prisons are fast approaching the 1 million mark -- 925,247 inmates in June and growing by 1,600 a week. (USA Today 10/4/93)
- \* ...\$25 billion has been spent on prison construction in the past four years in the United States. (San Francisco Chronicle 7/5/93)
- \* By the year 2001, the United States will house 125,000 prisoners over the age of 55, at a cost of \$ 4 billion. (Washington Monthly 4/93)

#### State Prison Overcrowding

- \* Because 42 states are currently under court orders to relieve prison overcrowding, very few people actually serve the time required under new sentencing laws. (Washington Monthly 4/93)
- \* California built nine prisons in the eighties to relieve overcrowding and has plans to build another eight. Planners are already warning that the system will be just as crowded when construction is finished in 1996, with 163,100 inmates crammed into space designed for 74,700. (Washington Monthly 4/93)
- \* With more than 113,000 people incarcerated in California prisons, the state is 88 percent over capacity -- and has more people behind bars than the entire federal system. (San Francisco Chronicle 7/5/93)

#### Federal Prison Overcrowding

- \* During the 1980's, the federal prison population more than doubled to almost 57,000. By this year, it had shot up to more than 85,000 -- 44 percent above capacity. (San Francisco Chronicle 7/5/93)
- \* ...the federal prisons are bulging at 143% of capacity. (LA Times 10/25/93)

### International Comparison

\* The United States has the highest incarceration rate of the world's industrialized nations, with 426 people per 100,000 behind bars. South Africa is second with 333 per 100,000. (LA Times 2/7/93)

\* The United States now incarcerates the largest percentage of its population of any country in the world -- nearly a million people. (Washington Monthly 4/93)

\* The United States currently locks up more people per capita than any other nation on Earth. (Washington Post 11/23/93)

### Mandatory Sentences Cause Overcrowding

\* [F]ixed sentences have caused the federal prison population to more than double since 1986 from 44,000 to the current 89,000, with drug offenders occupying 62% of the prison beds. (USA Today 11/15/93)

\* 60% of inmates in federal prisons and 20% of inmates in state prisons are there on drug charges. That helped drive up spending on prisons without doing much to deter violent crime. (Business Week 12/13/93)

\* In 1990, 54.2 percent of the prisoners in federal prisons were serving sentences for drug related crimes, up from 22.7 percent in 1980...If the trend continues half of all prison inmates will be drug offenders. (Washington Monthly 4/93)

\* The number of adults in state and federal prison on drug charges more than tripled between 1986 and 1991; nearly one in every three new state prisoners is a drug offender, up from one in 25 in 1960. (Newsweek 6/14/93)

### Prison Populations

	<u>States</u>	<u>Federal</u>	<u>National Total</u>
1963	194,155	23,138	217,283
1983	381,665	23,836	405,501
1992	750,122	60,741	817,863

\* This data under represents the total number of people behind bars because it only tracks prisoners who have been sentenced for over one year. Total numbers are not available for 1963.

\* It is fine to say that there are currently over 1.3 million people behind bars in the U.S.

\* Another good comparison is that in 1963, 116 people were sentenced to prison per 100,000 as a national average. In 1992, 344 people were sentenced to prison per 100,000.

(Bureau of Justice Statistics--Corrections Specialist)

### 3B. Early Release

\* About 75 percent of convicted criminals now under correctional control are not behind bars. (Washington Times 11/28/93)

\* Because of overcrowding, most everyone but drug dealers and murderers in Florida's prisons serves no more than 20 to 30 percent of the original sentence. (U.S. News and World Report 10/11/93)

\* Because 42 states are currently under court orders to relieve prison overcrowding, very few people actually serve the time required under new sentencing laws. (Washington Monthly 4/93)

\* Every year, more than 60,000 violent criminals receive probation, largely because of overcrowding, according to Michael Block, a University of Arizona economist. (Business Week 12/13/93)

## 3C. Probation/Parole Failure

### Probation Fails

\* Nationally, 43% of offenders violate the terms of their probation. (LA Times 2/7/93)

\* ...nearly two-thirds of probationers in California and in the rest of the country end up back in prison. (Washington Monthly 4/93)

### Overload of System

\* About three out of every four people under correctional supervision -- some three million convicted criminals -- are not incarcerated. (NY Times 11/13/93)

\* Approximately 111,000 people are on probation in Los Angeles, where a single officer can at times have 1,000 cases. (LA Times 2/7/93)

\* In New York 77% of probationers are felons, and fully a third of active cases are people who have been found guilty of violent crimes. (LA Times 2/7/93)

\* In Los Angeles, where 3,300 probation deputies struggle to supervise 90,000 convicted adults and 21,000 juveniles, it's easy for young criminals to fall back into old patterns in their neighborhoods. (LA Times 2/7/93)

\* ...we already have a massive community-based penal program. In fact, more than 60 percent of the people under the corrections tent are in it. (Washington Monthly 4/93)

\* About 2.7 million people are on probation and another 500,000 are on parole in the United States right now. (Washington Monthly 4/93)

\* According to the National Association of Criminal Justice Planners, between 1981 and 1987 the number of people paroled jumped 81 percent -- a figure that makes the 51 percent increase in the prison population seem almost manageable. (Washington Monthly 4/93)

\* ...California probation officers frequently have more than 200 cases apiece, giving them about 10 minutes a week to work with each person under supervision. (Washington Monthly 4/93)

## 3E. Recidivism

### General

\* The fact is that the vast majority of violent crimes in the United States are committed by a relatively small group of predators. University of Pennsylvania Criminologist, Marvin Wolfgang studied the Philadelphia arrest records of males born there in 1945 and 1958. He found that 7% of each group committed two-thirds of all violent crime. (Phil Gramm Washington Post 10/29/93)

\* Fully 62% of criminals are back behind bars three years after release. Some 108,000 studied by the U.S. had an incredible 1.9 million arrests. (USA Today 12/8/93)

\* Only one percent of inmates released after the age of 55 return to the system within a year, as compared to 20 percent of offenders under the age of 25. (Washington Monthly 4/93)

\* ...nearly two-thirds of probationers in California and in the rest of the country end up back in prison. (Washington Monthly 4/93)

### Juveniles

\* Nationally, about 60% of juvenile offenders end up breaking the law again. (Time 10/11/93 p.58)

\* Habitual criminals have generally been arrested five or more times by the age of 18, and between arrests they get away with a dozen crimes. (U.S. News and W.R. 11/8/93)

\* A study by the National Institute of Justice found that 7 percent of violent teen-age criminals were responsible for 79 percent of violent criminal activity by youth. In California, the juvenile recidivism rate is 70 percent and rising, and 50 percent of its juvenile inmates have been arrested more than six times. (Washington Times 10/26/93)

\* One report found that 80 percent of youths released in 1982 from juvenile were convicted of new offenses in a 6 1/2 year follow up period, and 40 percent were returned to confinement during the period... (Seattle Times 10/18/93)

\* A 1990 survey of kids in confinement did a sample of offenders and found the youths had committed an average of 10.2 offenses prior to commitment. (Seattle Times 10/18/93)

\* Two thirds of the teen-agers who break the law and appear in juvenile court will be back in front of a judge. (Dallas Morning News 9/20/93)

\* ...the state's attorney in Miami remarked that 80 percent of the crimes in Dade county are committed by repeat offenders and the typical offender sentenced to 10 years in prison for armed robbery in fact serves 18 months or less. (Washington Times 9/24/93)

### 3F. Court Clog

\* From 1982 to 1992 criminal drug cases in the federal courts increased 197% from 4,218 in 1982 to 12,512 in 1992. (LA Times 10/25/93)

\* According to The Post's study, it took 17 months on average to complete a homicide case if it went to trial; plea-bargained cases took about a year to reach conclusion. (Washington Post ?)

## 4A. California Crime

### Firearm Death

\* Los Angeles County, where 1,530 were gun shot homicides victims in 1992. (LA Times 10/15/93)

\* Last year, one in 10 U.S. gun homicides occurred in Los Angeles County. (LA Times 10/15/93)

### LA County Firearm Death

	<u>Handgun Death</u>	<u>Total Firearm Death</u>
1992	1310	1530
1988	725	919
1983	620	784

(Uniform Crime Report--California branch (916) 227-3554)

### Firearm Control

\* California, which has a 15-day waiting period for the purchase of any gun..., last year halted sales involving 3,000 buyers with assault records and 34 with homicide records. (Phoenix Gazette 8/13/93)

\* In California 11,622 handgun purchases have been stopped in the past two years, well over half of those by convicted criminals. (Wall Street Journal 11/18/93)

\* Comdr. David Gascon of the Los Angeles Police Dept., pointed out that the state turned down more than 5,000 applications for gun permits each year because the buyers are felons or mental patients or have been convicted of certain violent misdemeanors. (NY Times 11/24/93)

### Probation

\* In Los Angeles, where 3,300 probation deputies struggle to supervise 90,000 convicted adults and 21,000 juveniles, it's easy for young criminals to fall back into old patterns in their neighborhoods. (LA Times 2/7/93)

\* Approximately 111,000 people are on probation in Los Angeles, where a single officer can at times have 1,000 cases. (LA Times 2/7/93)

\* ...California probation officers frequently have more than 200 cases apiece, giving them about 10 minutes a week to work with each person under supervision. (Washington Monthly 4/93)

#### LA Probation Statistics

	<u>Probation Officers</u>	<u>Adults on Probation</u>
1983	1,425	45,535
1988	1,798	67,771
1992	2,370	76,851

\* Note that this does not include juvenile offenders.

(Uniform Crime Report--California branch (916) 227-3554)

#### Prison System

\* With more than 113,000 people incarcerated in California prisons, the state is 88 percent over capacity -- and has more people behind bars than the entire federal system. (San Francisco Chronicle 7/5/93)

\* California built nine prisons in the eighties to relieve overcrowding and has plans to build another eight. Planners are already warning that the system will be just as crowded when construction is finished in 1996, with 163,100 inmates crammed into space designed for 74,700. (Washington Monthly 4/93)

#### Prison Population

	<u>California</u>
1963	26,133
1983	38,025
1992	105,467

\* This data under represents the total number of people behind bars because it only tracks prisoners who have been sentenced for over one year. Total numbers are not available for 1963.

(Bureau of Justice Statistics--Corrections Specialist)

## LA Gang Violence

	1992	1987	1983
Killed	803	387	216
Known Gangs	1,078		
Members	150,000		
Violent Felons (Robbery, Rape...)	20,000		
Serious Injury	25,000		
Drive-By Shootings	3,500		
Arrests involving:			
firearms	12,170		
handguns	10,562		
assault weapons	105		
Guns Recovered by Police	2,369		

\* Due to the fact that gang violence has only become a major concern in recent years LA County-wide statistics are unavailable before 1990.

\* The LA office did say that gang membership in the early 80's was about 70,000 and there were about 480 reported gangs.

\* They also said it is fine to say that gang membership has more than doubled in the last ten years as has the number of reported gangs.

(G.R.E.A.T. -- a LA gang reporting group (310) 603-3100)

## 4B. Florida Crime

### Crime Rate

\* For years, Florida has suffered the highest overall crime rate of any state and the highest rate of violent crime. (U.S. News and World Report 10/11/93)

\* Dade County's crime rate is the worst of all the nation's large Metropolitan areas, according to 1992 statistics released Saturday by the FBI...For every 100 residents, there were more than 12 serious crimes, more offenses per capita than anywhere else. (Orlando Sentinel 10/3/93)

### Recidivism

\* ...the state's attorney in Miami remarked that 80 percent of the crimes in Dade county are committed by repeat offenders and the typical offender sentenced to 10 years in prison for armed robbery in fact serves 18 months or less. (Washington Times 9/24/93)

### Prison System

\* Because of overcrowding, most everyone but drug dealers and murderers in Florida's prisons serves no more than 20 to 30 percent of the original sentence. (U.S. News and World Report 10/11/93)

## 5. Public Response

### General

\* According to a USA Today/CNN/ Gallup Poll

- 80% favor putting more police on the streets -- and paying higher taxes to do it.

- 82% want to make it harder to parole violent inmates

- 79% want tougher sentences for all crimes

- 90% believe the USA's crime problem is growing

- 64% want tougher gun laws

- 86% say courts don't deal harshly enough with criminals

(USA Today 10/28/93)

\* 45% believe police protection is worse in black neighborhoods. Among blacks it's 74%. (USA Today 10/29/93)

\* When asked what measures should be used for first-time juvenile offenders who commit major crime excluding murder, only 12% of those polled chose prison. Nearly 85% said military boot camps or job training were more appropriate. (USA Today 10/29/93)

### Fear of Crime

\* In a Time/CNN poll conducted last week, 30% of those surveyed think suburban crime is at least as serious as urban crime -- double the numbers who said that true five years ago. (Time 8/23/93)

\* In a Time/CNN poll conducted last week, 61% of those surveyed say crime is increasing in their community and 57% think the Federal Government can do something significant about the problem. (Time 8/23/93)

\* ...only 29% of parents believe that most children are safe from violence while in school. (Kids and Guns, The Educational Fund to End Handgun Violence 1993)

\* The share of Americans who feel that most children in America live in safe neighborhoods dropped in the past seven years from 36% to 25%, according to a national poll released this May by LH Research. (CQ Researcher 9/3/93)

### Gun Reform

\* A Los Angeles Times poll released yesterday found that, since the Brady gun control bill was passed last month, 64% of Americans still think gun control laws are not strong enough, while only 7% say they are too strong and 24% find them adequate. (Minneapolis Star Tribune 12/9/93)

\* In a recent national poll, 52% favored a federal ban on handgun ownership and 63% supported a ban on the sale of automatic and semiautomatic weapons. (LA Times 10/15/93)

\* A recent poll shows that 75% of those surveyed would support a tax on guns to pay for health care reform. (San Diego Union 10/11/93 pb6)

## 6. Social Cohesion

### General

- \* ...the most effective deterrent to crime is confidence in the future...the problem of crime and other improvident behavior is the problem of young people who think they have nothing to lose. (William Raspberry Washington Post 9/11/93)
- \* Benjamin F. Chavis, Louis Farrakhan, and Jesse L. Jackson, who this weekend characterized the urban peace movement as a natural extension of the civil rights movement. "This is the new frontier of the civil rights struggle. It's the first time internal threats and self-destructive behavior...eclipses the external threats," Jackson said, referring to killing and violence in the black communities. (Washington Post 10/25/93)
- \* Murder and gunfire are at record levels across the nation. It's not just the numbers, though, but the circumstances that are becoming so scary: more random, more insane, more petty more unmitigatedly vicious. (Chicago Tribune 8/15/93)
- \* ...we can't punish our way out of our crime problem and that effort to do so amount to trying to dig our way out of a hole. (Washington Post 10/27/93)
- \* One person gets beaten and then another person. We've lowered ourselves to something that is not human. (NY Times 10/22/93)
- \* "People used to know one crime victim. Now they know five -- or they have been one themselves." -- Pam Lychner founder Justice for All (Time 8/23/93)

### Child Abuse

- \* Eighty-four percent of prison inmates were abused as children. (Cong Rec 9/15/93 Mr. Dodd)
- \* Psychologist Charles Ewing predicts that the annual number of juvenile homicides will continue to skyrocket, rising from 2,555 in 1990 to 8,000 by the year 2000. What seems to be driving this increase, he says, is an increase in child abuse, a characteristic he invariably finds in the backgrounds of young killers. (CQ Researcher 9/11/93)
- \* ..child abuse in the home has increased 50 percent since 1985. (Cong Rec 9/15/93 Mr. Dodd)
- \* Child abuse fatalities increased 50 percent between 1986 and 1992. (Cong Rec 9/15/93 Mr. Dodd)

## Single Parents

\* El Paso County District Attorney John Suthers, who notes that 70 percent of youthful offenders have no fathers at home. (Dallas Morning News 9/27/93)

\* About a third of all American babies -- and a fully 68 percent of African-American infants -- are born to unwed mothers. (U.S. News and W. R. 11/8/93)

\* Fully 70 percent of juvenile court cases involve children from single-parent families. (U.S. News and W.R. 11/8/93)

\* Today 16.6 million children -- one in four -- live with one parent, double the proportion of two decades ago. Among black children, only about one third live in two parent households, while two-thirds lived in such households in 1960. (NY Times 11/14/93)

## 7A. Community Policing

### Current Force Inadequate

\* The U.S. spends some \$90 billion a year on the entire criminal-justice system. That includes \$35 billion for police protection, less than the country is spending on toiletries each year. (Business Week 12/13/93)

\* Spending on prisons and the judicial system soared in the 1980s, but the number of police per 10,000 people barely rose. Indeed, in the second half of the decade, the total number of state and local police increased by only 16% while the number of violent crimes jumped by 37%. (Business Week 12/13/93)

\* Inner-city America has a severe cop shortage. In the 1980's, as the inner-city crime problem grew, many big city police forces contracted. Today no major police force has enough officers to greatly increase the number of officers on foot patrol in its worst neighborhoods. (NY Times 11/13/93)

\* 45% believe police protection is worse in black neighborhoods. Among blacks it's 74%. (USA Today 10/29/93)

### Reduces Crime

\* ...in Kansas City, Mo., Police Chief Stephen Bishop says homicides in housing projects were cut 50% by taking police out of cars and putting them on foot patrols. (USA Today 11/15/93)

\* Vallejo, Ca., which has used community policing for six years and seen violent crime drop by 33%. (Business Week 12/13/93)

\* New Haven's new law-enforcement policy, known as community policing, has yielded measurable results. Reported crime for the first six months of 1992 fell by 10.3% from the first half of 1991 -- a far bigger decline than the nationwide drop of about 2% over the same period. Preliminary crime figures through November 1992, the latest available, indicate that the downward trend is continuing. (CQ Researcher 2/5/93)

\* Drug policy chief Brown cites the program he introduced when named New York police commissioner in 1990. After a year, he said, crime decreased in every category for the first time in 16 years. (Gannett News Service 9/25/93)

\* Evidence from economic studies shows that putting more police on the front lines has more of a deterrent effect than longer prison sentences. Judge Richard Fitzgerald of Louisville explains: "Most cops I know think that what really deters is the certainty of apprehension, not the sanction that would be imposed." (Business Week 12/13/93)

### **Community Policing Increasing**

\* 400 cities use community policing. (CQ Researcher 2/5/93)

\* A survey by the FBI and the National Center for Community Policing at Michigan State found half the cities with 50,000 or more residents have applied some form of community policing. Another 20% plan to in the next year. (Gannett News Service 9/25/93)

## 7B. Boot Camps

### Prevalence

\* 41 boot-camp programs for young adults exist in 25 states, with a total of 6,000 beds. (City and State 4/26/93)

\* Prison boot camps were first established in 1983 in Georgia and Oklahoma, and today exist in 29 states in the US. (AP 10/27/93)

### Recidivism

\* Enax said the results square with statistics compiled by the Harris County Community Supervision and Corrections Department, which found that 85% of the over 2,300 men and women completing the program have not committed new crimes. (Houston Chronicle 11/5/93)

\* A Sam Houston State University study found graduates emerge from the demanding probation regimen with better attitudes -- the key to staying out of trouble, officials said Thursday. (The Houston Chronicle 11/5/93)

### Cost Savings

\* In Louisiana, officials estimate they save \$750,000 for every 100 inmates who attend boot camp instead of being incarcerated. (City and State 4/26/93)

\* The 23 boot-camp programs operating in the United States are also considered economical. In Massachusetts, each prison bed costs the state \$17,500 a year, but because the boot camp lasts four months, it handles three inmates in a year for the price of one. (Boston Globe 12/7/92)

\* By giving inmates early release the state coincidentally has saved more than \$220 million over five years. New York is the largest program with a 3,000 per year inmate capacity... Illinois' Dixon Springs facility in the Shawnee National Forest is saving the state almost \$2 million a year by graduating inmates after a four-month program. (AP 4/11/93)

\* The Boot-camp program in New York, the largest and perhaps the most successful, is believed to be saving the state millions of dollars a year. (Star Tribune 11/1/93)

\* Georgia spends \$26-\$50 a day on a boot camp inmate, while the cost for each inmate in regular prison is \$48 a day. (Atlanta Constitution 11/28/93)

### Other Benefits

\* Officials told Townsend that youths in the program are able to go from an average 4.6 grade level to a sixth-grade level in three months, thanks to an educational program connected to the camp (near Cleveland). (The Plain Dealer 11/24/93)

\* Besides being cheaper, these new prisons save nearby communities and the state thousands of dollars by the work they do on roads, irrigation ditches, municipal projects like school repair and dozens of other community service projects. (AP 4/11/93)

## 7C. Federal Firearm Licensing Reform

\* More than a quarter-million Americans hold federal firearms licenses -- or FFLs -- allowing them to ship and receive large quantities of guns and ammunition. (LA Times 11/?/93)

\* Too many dealers -- including some with criminal records -- peddle guns out of their homes and private offices often in direct violation of federal, state, and local firearm law. The feds estimate that these so-called "kitchen table" dealers make up fully four-fifths of those holding FFLs. (LA Times 11/?/93)

\* Nationally, the AFT (Bureau of Alcohol, Tobacco, and Firearms) has only 1,947 agents and even fewer compliance inspectors. (LA Times 11/?/93)

\* 270,000 people now hold federal firearms licenses, which permit them to sell guns. Of those, about 20,000 are "stocking" gun dealers -- people who actually run gun stores. (Washington Post 11/19/93)

\* The federal Bureau of Alcohol, Tobacco and Firearms requires every dealer to submit an application plus \$30 to get a license. (Washington Times 12/6/93)

\* Michael K. Beard, president of the Coalition to Stop Gun Violence, said a tough national gun licensing system was reasonable. As an example of what he describes as a lax system where routine checks are not made, Mr. Beard said AFT has issued gun dealer permits to people in the District of Columbia, where gun sales are illegal. (Washington Times 12/6/93)

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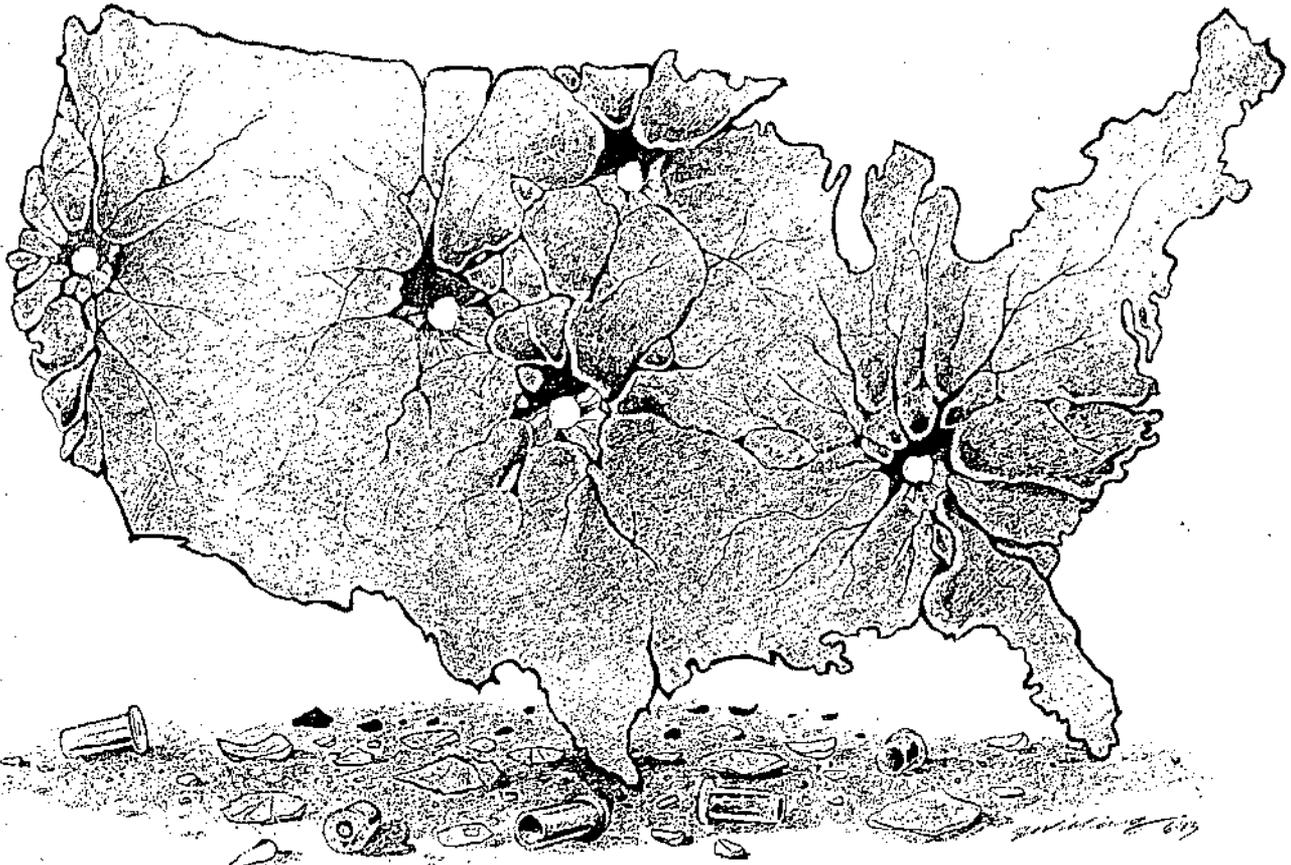
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# KIDS CARRYING GUNS



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1225 Eye Street, NW, Suite 1100

Washington, D.C. 20005

(202)289-7319

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