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DESIGNING STATEWIDE CRIMINAL  
JUSTICE STATISTICS SYSTEMS—  
THE DEMONSTRATION OF A PROTOTYPE

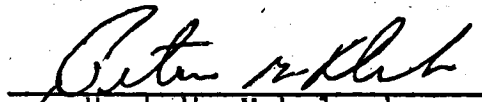
PROJECT SEARCH  
Statistical Advisory Committee

**PROJECT SEARCH**  **SYSTEM FOR ELECTRONIC  
ANALYSIS AND RETRIEVAL  
OF CRIMINAL HISTORIES**

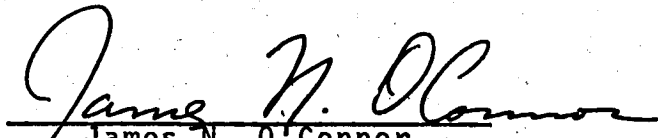
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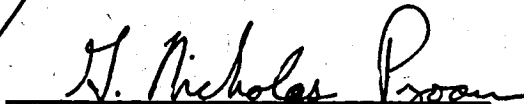
  
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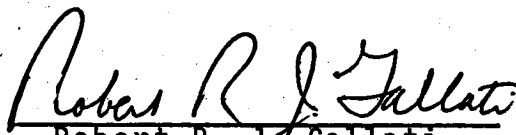
  
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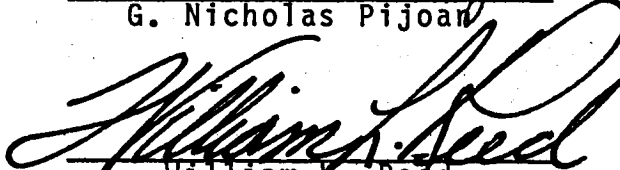
  
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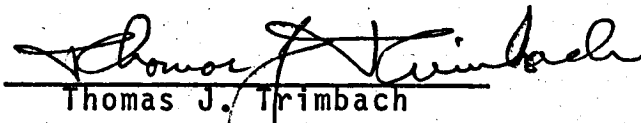
  
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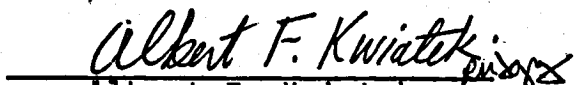
  
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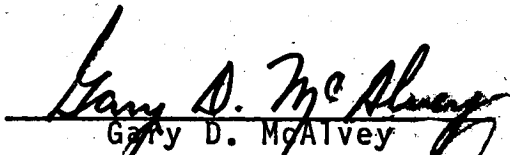
  
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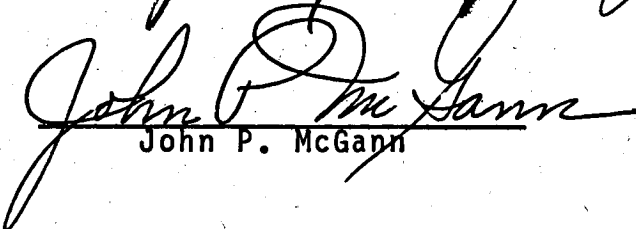
  
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DESIGNING STATEWIDE CRIMINAL  
JUSTICE STATISTICS SYSTEMS--  
THE  
DEMONSTRATION OF A PROTOTYPE

THE FINAL REPORT OF  
THE SEARCH STATISTICAL ADVISORY COMMITTEE

NOVEMBER 1970

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## PREFACE

This report describes the work performed in accomplishing the second objective of Project SEARCH.

Project SEARCH is an 18 month (June 30, 1969-December 31, 1970) multi-state effort designed to develop a prototype computerized criminal justice information system. Financed (\$2.5 million) by the Law Enforcement Assistance Administration and ten participating states. Coordinated by the California Crime Technological Research Foundation.

### Objectives

- Establish and demonstrate the feasibility of an on-line system allowing for the interstate exchange of offender history files based on a compatible criminal justice offender record, integrating basic information needs of police, prosecution, judicial and correctional agencies.
- Design and demonstrate a computerized statistics system based on an accounting of individual offenders proceeding through the criminal justice system.

The SEARCH Statistical Methods Task Force was constituted to perform the summary statistics task described in the grant application:

Computerize annual statistical reports in existing statistical series (e.g., offense and arrest statistics, jail statistics, juvenile court statistics, probation and parole statistics, etc.) to permit retrieval of data by LEAA and by selected police, court, and correctional agencies for uses to be specified by the Project Coordinating Group.

After several conferences, and consideration of subcommittee conclusions, the task force recommended to the project group that, in accordance with the systems concepts adopted by the entire project, the objectives be modified. It was agreed that:

...if the existing [summary] material were adopted, even for limited demonstration purposes, its acceptance would impart an accuracy and utility to it that the subcommittee knew didn't exist.

...statistics required to describe the administration of criminal justice should be based upon sets of offender-offense-victim and legal processes facts developed

systematically by examining individual criminal acts and individual offenders processed by criminal justice agencies.

...a group of individual offenders in separate states be examined and their progress, from entry into the justice system to departure, be traced out showing where and how criminal defendants once in the system leave it. Also, the subcommittee felt that this mortality approach would best provide an example of what could be done to describe the separate and varied systems of adult criminal justice in the participating states.

This approach amounted to the rejection of sets of annual, single-agency criminal process counts as an adequate description of criminal justice system activity.

It was proposed instead that much more useful descriptions of activity can be produced by reviewing the total experience of individual offenders who enter the criminal justice process, whether or not they pass through all concerned agencies, and identifying all events in relation to individuals. Such an approach permits entirely new dimensions to be added to the data base, such as time elapsed during processing, a fact with great budgetary implications, or the frequency of multiple actions towards the same offender, an information item with great implications regarding true arrest and conviction rates.

The Statistical Advisory Committee was formed to apply the new concept on a trial basis in the SEARCH states. This demonstration of possible methods and values of the tracking approach produced illustrations of basic problems in current systems. No central agencies possessed the necessary individual offender histories. Information had to be picked up in the field, at police departments, prosecutor's offices, lower and upper courts, and local and state correctional agencies. The frequent absence of any efficient personal identity linkage between different agency case records required that the number of demonstration cases be finally reduced to 250 per state, in order to finish the task on schedule.

The following report describes the needs to which the project responded, the logic of the new approach and the field



experiment, and offers examples of the new types of information that can be developed. The last chapter presents guidelines for establishing state level criminal justice statistics systems.

Two perspectives were special to this project:

1. The entire criminal justice system, or set of systems, and the entire serious offender and suspect population were regarded as the ultimate field of inquiry. As a result, the emphasis in statistical information elements was on interactions between components of the criminal justice system and specific component input and output measures.

2. The project was developmental, that is, the purpose of SEARCH and the statistical task was the design and testing of prototype systems which do not necessarily represent final solutions.

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## I. GOALS OF CRIMINAL JUSTICE STATISTICS SYSTEMS

### RECOGNITION OF NEED

National and state authorities have agreed on the goals of criminal justice statistics systems, with regard to the many uses of such statistics and also the necessary design features of systems for supplying criminal justice information.

A comprehensive statement of user needs is offered in the President's Crime Commission Report of 1967:\*

Adequate statistical programs are of enormous importance... If a serious effort to control crime is to be made, a serious effort must be made to obtain the facts about crime.

The following uses for improved information were cited:

1. Inform the public and responsible government officials as to the nature of the crime problem, its magnitude, and its trend over time.
2. Measure the effects of prevention and deterrence programs, ranging from community action to police patrol.
3. Find out who commits crimes, by age, sex, family status, income, ethnic and residential background, and other social attributes, in order to find the proper focus of crime prevention programs.
4. Measure the workload and effectiveness of the police, the courts, and other agencies of the criminal justice system, both individually and as an integrated system.
5. Analyze the factors contributing to success and failure of probation, parole, and other correctional alternatives for various kinds of offenders.
6. Provide criminal justice agencies with comparative norms of performance.
7. Furnish baseline data for research.
8. Compute the costs of crime in terms of economic injury inflicted upon communities and individuals, as well as

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\*Task Force Report: Crime and Its Impact - An Assessment; The President's Commission on Law Enforcement and Administration of Justice, p. 123

assess the direct public expenditures by criminal justice agencies.

9. Project expected crime rates and their consequences into the future for more enlightened government planning.
10. Assess the societal and other causes of crime and develop theories of criminal behavior.

Likewise, the Science and Technology Task Force saw better information about crime and the criminal justice system as essential for both research and immediate operational improvements:\*

Information about the consequences of actions by the criminal justice system is essential for improving those actions.

In addition, it was recognized that summary statistics from separate agencies cannot provide a basis for any detailed analysis. A framework for the collection of statistical information must account for the "potentially inconsistent sub-objectives" of criminal justice systems and consequent disparity of information elements. That is, the various agencies concerned with the reduction of crime must be modeled as a set of systems that are interacting and dependent upon one another, and the identities of subjects held stable as they move from one agency to the next.\*\*

Such models of the criminal justice system are desirable for several reasons:

They develop an explicit description of the entire criminal justice system and its operation modes so that the system's underlying assumptions are revealed.

They provide a vehicle for simulated experimentation in those instances where 'live' experimentation is impractical or undesirable.

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\*Task Force Report: Science and Technology; The President's Commission on Law Enforcement and Administration of Justice, p. 2

\*\*Task Force Report: Science and Technology; The President's Commission on Law Enforcement and Administration of Justice, p. 54

They identify what data must be obtained if essential calculations are to be made of the consequences of proposed changes.

The participants in a national conference held by the Bureau of the Census in 1968\* endorsed the same general goals, stating, for example, that:

A national data collection system on the courts is essential. If possible it should be based on state data collection systems and, at minimum, it should hasten the development of such systems. It should include both civil and criminal activities. Data should be of the fundamental sort that can be reasonably compared across jurisdictional and state lines, and definitions should be developed in advance to permit this comparison. The program should aim for national coverage and should build on currently operative systems wherever possible.

This conference also emphasized that existing criminal justice statistics systems need not only expansion but also changes in basic design. In commenting on priorities, the participants recommended specific revisions:

A. Tracing offenders through the criminal justice system as they are affected by the decisions made about them each step of the way should be an ultimate, if not an immediate, goal of data collection programs.

B. It is more important, secondly, to have information on the work done by criminal justice agencies, i.e., than on the details of their administration, personnel, and finance.

Testimony from a variety of prospective users and statisticians before Congress in the hearings on a proposed national criminal justice statistics center confirmed this.\*\*

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\*Report on National Needs for Criminal Justice Statistics, Bureau of the Census, U.S. Department of Commerce, August 1968

\*\*Hearings Before the Subcommittee on Census and Statistics, Committee on Post Office and Civil Service, House of Representatives, March and May 1969

The major purposes of improved statistics systems enumerated above can be summarized as follows:

- Better statistics are needed to determine the impact of crime; to determine the effects of criminal justice system policies and operations upon individual citizens and social groups, and to forecast the results of changes in penal policy or the re-definition of agency roles and responsibilities.
- Cost and effect data must be generated in order to allocate resources to the most efficient existing techniques, procedures and programs; to provide comparable agencies or personnel with standards of performance; to identify areas where increased expenditures will bring maximum benefits; and to ascertain that the use of the most basic criminal justice resources, both legal and fiscal, is generally adjusted to social priorities.
- The directors of operations must also use statistical methods to predict agency workloads in relation to both crime incidence and internal system factors such as changes in arrest policies, criminal procedures, or sentencing policies.
- Varying portions of this planning, evaluation, and daily decision-making information are needed by legislators and administrators at all levels of government.

#### RESPONSE

The creation of the Law Enforcement Assistance Administration (LEAA) has emphasized the immediacy of these needs. In pursuit of its objectives, as stated by the Omnibus Crime Control and Safe Streets Act, LEAA has sought to develop more detailed baseline data to enable program administrators to assess various criminal justice programs and to measure the effects of national activity as conducted by LEAA.

Part of the effort within LEAA and the National Institute of Law Enforcement and Criminal Justice led to the formation, last year, of the National Criminal Justice Information and Statistics Service (NCJISS). This action recognized that statistical



capability was required not only to assist LEAA in its decision-making process, but to provide guidelines and technical assistance for state and local governments to develop methods of assessing the administration of justice.

NCJISS has a broad and significant mission. It is the only agency at the national level that can provide the technical guidance necessary for reshaping the separate state criminal justice statistics systems. The development of reporting standards and new techniques for the collection and analysis of statistical data will bring new insights into the operation and improvement of criminal justice agencies. These can be used by the states in the identification and resolution of their unique problems. The creation of a national center that will offer services to states recognizes not only the political difficulties in insisting on mandatory reporting to a national level, but also supports the basic fact that criminal justice statistics should be used by decision-makers at the state and local levels and, therefore, statistics must serve their needs, as well as those of any national body.

## II. INCAPACITIES OF PRESENT CRIMINAL JUSTICE STATISTICS SYSTEMS

Project SEARCH experience has confirmed that existing agencies can produce only a part of the information needed to answer important criminal justice questions.

The major problems are described in the Task Force Report: Crime and Its Impact -- An Assessment:\*

### Police Statistics

The area of police statistics in this country is the area in which there is available the most highly developed reporting system -- the Uniform Crime Reports prepared by the FBI with the cooperation of the International Association of Chiefs of Police -- which has been in operation for 35 years and which is quite close to reporting the national universe of offenses known to the police and is steadily increasing its coverage also of arrest data. These statistics are based on the voluntary cooperation of some 8,000 police departments with the FBI in reporting offenses and arrests in terms of the uniform offense categories developed for this purpose and on the forms supplied by the FBI, with a considerable amount of verification and followup by the latter agency...

### Prosecution Statistics

There is an area of law-enforcement activities with reference to a suspect, or, if in the end result he is found to be guilty of the offense, with reference to the offender, which begins with his arrest by the police and ends with his appearance in the court for the definitive hearing of the case. In the course of this segment of criminal procedure, decisions are made and actions taken by the prosecuting attorney, by the judge of the inferior court, who may hold preliminary hearings for various purposes, by the grand jury, and by the sheriff or other official who operates the jail or other detention facility, in the result of which actions the suspect may be released on his own recognizance, released on bail, detained in jail, indicted or not indicted by the grand jury, or have his case simply dismissed by the prosecuting attorney who may reach the conclusion that no offense was committed or

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\*President's Commission on Law Enforcement and Administration Of Justice, Task Force Report: Crime and Its Impact -- An Assessment, pp. 190-199

that there is not enough evidence to prosecute. Although most of the decisions reached are legal decisions and a record of these is made, statistics pertaining to this area of law enforcement activities are not available not only on a national scale, but by and large, also not on a State or local level. At least these statistics are not available in tabulations that would provide a clear picture of the varying fate of this population made up of the persons arrested by the police which is so to say the input into this segment of law-enforcement procedure. If one remembers that there are also no national judicial criminal statistics and that on a State or local basis, too, such statistics are either nonexistent or contain too little information, one can well understand the frequent comment that after the police reports the arrests, a total statistical blackout sets in...

The number of arrests reported in the Uniform Crime Reports for 1965, covering 69 percent of the U. S. population is very close to 5 million. A rough estimate for the entire U. S. population is something like 6,500,000 arrests. If one asks what happens to these people, we find that the next national statistical figure that we have is approximately 200,000 prisoners in State and Federal institutions at any particular time, and less than 100,000 offenders currently received from the courts in any single year. Just what happens to the remainder of the arrested persons? Actually what is the outcome of roughly 98 percent or 99 percent of the arrests? It is true that we know the type of things that happen, but we do not know the numerical distribution at all and hence the relative frequency with which various measures are being used with regard to offenders: we do not know how many cases were nol-prossed, how many were indicted by the grand jury or, for that matter, how many went to the grand jury; we do not know how many were acquitted by the courts or were fined or placed on probation; we do not know how many went to the local jails to serve short-term sentences nor how many were in the process released on bail or kept in detention while awaiting trial...

### Jail Statistics

In the sense of either their total absence or their extremely low level of development, jail statistics are unquestionably next to the prosecution statistics...

...Outside of some individual progressive jails, the only statistical information about them on a national scale is of a census nature. The decennial U. S. censuses include the jails alongside of other penal and correctional institutions...

Another type of information about the jails and their populations can be found in the reports of the so-called jail inspection programs which are maintained by many States, but which are more descriptive of the jail facilities and their condition than of their populations in statistical terms...

#### Judicial Criminal Statistics

There are no national judicial criminal statistics in the United States...Their absence is responsible for a major portion of a most serious gap in the total picture of criminality which consists in the absence of any data on crime between arrest statistics and the statistics of offenders committed to State and Federal penal and correctional institutions...

...[felony] courts have authority to dispose of all serious felony offenses and of such minor or misdemeanor offenses as are not within the exclusive jurisdiction of inferior courts. Since the misdemeanor jurisdiction of these courts is thus essentially residual and varies not only from state to state but also from county to county within the state it is impossible to rely on the figures reported by such courts as a true picture of the disposition of minor offenses in a given state...statistics based upon reports from courts of general jurisdiction cannot account for the prosecution of all offenders charged with felonies...

#### Probation Statistics

There are no national probation statistics in this country...Probation...offers a special difficulty in developing national or even statewide compilations, because the probation departments are frequently attached to the individual courts and thus are not subject to statewide administration...

...many jurisdictions have concurrent adult and juvenile court jurisdictions within [the 16 to 21] brackets and the local policies differ beyond the text of the legal provisions...

#### Penal and Correctional Institution Statistics

This country has National Prisoners Statistics, presently published annually by the Bureau of Prisons of the U. S. Department of Justice and giving data on prisoners in State and Federal institutions...

There is, however, one serious weakness...That is the existence of local variations in the policies governing which institutions are classified as State institutions

and which are treated as county or city jails or workhouses, etc., and also the policies concerning the kinds of sentences and the offenders to be sent to the State or local institutions. If one State keeps all offenders sentenced to terms up to 1 year in its local institutions and another State begins to commit offenders with 3-month sentences and above to the State institutions, all comparisons of prisoner/population ratios between such States become meaningless. This applies to a large extent also to the analyses of the offender population by type of offender, because the differences in the length of sentences mean, of course, also differences in offenses and offenders.

### Parole Statistics

Presently there are no national parole statistics in this country. There is, however, a very promising effort to develop such a program...

It must be recognized...that there are great differences in legal provisions, rules, concepts, definitions and practices between the individual States and thus a very considerable amount of work toward developing uniform reporting categories must be done...

Although the Commission emphasized needs for national statistics, the accompanying details clearly indicated that the conclusions about data gaps and jurisdictional non-comparability applied to state and local agencies.

Because the field of crime incidence is the best covered, and because the Project SEARCH statistical focus upon administrative and policy needs requires offender orientation, problems in crime reporting were not investigated.

The present status of criminal justice statistics is best accounted for by reference to our traditional concepts of the administration of justice.

- The definition of crime, and the government response to it (penalties and procedures) is regarded as a matter of local choice. States, counties, and cities exhibit variety in proscribed behaviors and government reactions. The administrative structures of agencies vary, the informal policies that translate penal codes and criminal procedures into real

actions are diverse, and the allocation of funds reflects different regional views as to what is a serious crime or a serious offender.

- The criminal justice system is not a true system. It is by law a set of systems with different aims, sometimes sequential as in arrest-conviction-penalty, and sometimes inherently contradictory as in prosecution vs. defense. The different goals of administrators, therefore, produce different concepts of operational units. The police perceive the unit as the action they take when an offense can be linked to an offender. The court unit is the case, a possible offense and a possible offender within the context of criminal procedure. The prosecutor views the defendant as a potential danger to society. The defense attorney views him as a potential victim. The correctional unit is the offender, although the purposes of correction often require that he be simultaneously viewed neutrally as an ordinary person.

These local differences and separations of function are based on constitutional principles which are rarely disputed. They define, however, a network of purposes and agencies that is most antithetical to the development of comparable or consistent statistics on crime, processes, or persons. There is no general management of criminal justice systems, and therefore no general management information.

Differences in academic fashions have also contributed to the fragmentation of criminal justice statistics. The educational background of agency officials does not include statistical training, although the treatment orientation of some corrections programs has brought researchers into the field. Law schools have also, until recently, regarded quantitative material as of little relevance. Even now, when administrators are realizing the larger significance of their workload statistics, the ability to state further information requirements, design data systems, collect data, and interpret for diverse users is rare.

From the technical point of view, present system failings are of three types:

1. Data collection is irregular and incomplete, even within the limits of the single agency annual workload concept. Some jurisdictions and some kinds of agencies count their total actions or account for the dispositions of the persons or cases that pass through them. Others do not. Improvement in these areas, however, would not solve the next problems.

2. The meaning of basic criminal justice terms is unstable across all levels of jurisdictions. The definitions of offenses and processes are unique to states. Misdemeanant-felon distinctions vary, also the attached penalties. Decision-making structures are unique. Words for detention facilities and correctional programs have differing referents, especially in the case of juvenile processing and probation or parole systems.

3. Stable offender identification codes are lacking, except in the case of those conspicuous criminals whose fingerprints, personal characteristics, and histories have reached national police action files. Even in these cases, records of criminal justice contacts may be incomplete. Other information elements that would permit continuous offender tracking are also absent from almost all systems.

Consequently, present criminal statistics systems cannot provide the following kinds of information that are clearly needed for uses ranging from daily decision-making to long-range policy considerations:

1. The passage of time cannot be accounted for. Justice and economy require that prosecution and judicial processing be speedy. Special studies regularly show that it is not. However, lacking routine knowledge of this phenomenon, even the highest levels of official structure are unable to reorganize procedures in order to prevent the resource and human waste, for example, represented by unnecessary pretrial confinement. The

evaluation of penalty levels and correctional programs also cannot be performed. Since time values cannot be attached to individual offender incarceration or treatment episodes, the effects of more or less punishment or support cannot be determined, and resource allocation cannot be improved.

2. Multiple actions toward the same offender, "recirculation," cannot be accounted for. This lack produces a number of defects in even professional perceptions of criminal justice operations and problems. If the relation of arrests or other actions to persons were known, rates for different population and offense groups could be computed. Annual rates do not show the whole picture of crime. For example, if offender tracking were complete across all jurisdictions, the class of frequent recidivists known to national police agencies would grow larger, but the proportion of serious criminality perceived in the total population would diminish. The extent to which prison input-output is constituted of recirculation of the same people could be precisely determined, and post-prison recidivism rates may drop. The entire picture of criminal justice efficiency might improve, since its visible correctional inadequacies toward repeaters could be compared with its far less visible ability to deflect offenders away from violations of law after one contact, or one total processing.

3. The inputs of agencies cannot be related to the outputs of agencies preceding them in the sequence of criminal justice processes. Present data does not show the proportions of offenders or suspects that are released at various levels of processing or passed through succeeding legal statuses. The types and frequencies of charges and pleas cannot be determined. Dispositions at various levels cannot be calculated as percentages of arrestees; the efficiency of processing, therefore, cannot be accurately appraised.



### III. A NEW APPROACH TO CRIMINAL JUSTICE STATISTICS

Criminal justice statistics have traditionally been agency workload statistics. Whether the counted unit is the arrest, the case, or person, the final tallies represent only the number of actions taken by particular agencies during time periods that are usually identical with budgetary periods. Other agencies produce similar data: employment services count job referrals, schools count daily attendance, hospitals count cases, and so on.

The idea that the most basic unit is the individual person, the subject of a series of actions as he moves through time, is missing from these concepts. Many observers have not noticed that the extent to which the actions preceding any given process point determine subsequent events cannot be accurately expressed by present systems. Court data, for example, will show that there can be more or less input than output each year, that the fates of some cases are not known. The next year's tally will again show discrepant figures, and a prospective data user will eventually realize that all individual histories are unaccounted for. No complete class of offenders can be followed across agencies.

The alternative system makes possible the historical analysis of the behavior of groups of offenders and the actions of the criminal justice system toward them. The basic unit is the person, whether suspect or offender. There is no other unit that is common to all agencies.

This system can produce the three kinds of needed information described at the end of the preceding chapter: elapsed time, recirculations, and reconciled input-outputs or fallout.

The design has been variously called long-range offender tracking, continuous total offender enumeration, longitudinal statistics, or offender-based transaction statistics. The word "transaction" has been preferred to "action" because it clearly implies that there are always at least two parties in every

criminal justice event, no matter which is the initiator of the action, and thus accommodates retaining offender identities over time through all processes.

This approach is a step toward a criminal justice statistics system, not a police system, nor a judicial system, nor a correctional system.

None of the advantages of older systems are lost. The traditional summary data can be produced by analyzing cross-sections of the longitudinal files.

The basic concept has been employed in the Project SEARCH statistics demonstration. There are many ways of implementing it. No specific means are offered here because forms of implementation must depend upon the needs and limitations of particular states. The next chapter describes an application developed for only the purposes of one SEARCH task.

#### IV. A DEMONSTRATION OF OFFENDER-BASED TRANSACTIONAL CRIMINAL JUSTICE STATISTICS

In response to the needs for statistical information developed within the criminal justice system model, the Statistical Advisory Committee of Project SEARCH sponsored, in each of the ten SEARCH states, an experimental tracing of offenders step-by-step through the entire criminal justice process. The form of this task was specific to this project. Because of time limits, the tracing was an exercise in constructing longitudinal records of an arbitrary sample of 1968 arrestees, not a test of a standard recording method. Events subsequent to arrest were added to a master record for each defendant. The facts that were found scattered throughout the files of local police, county prosecutors, different levels of courts, and various state and local correctional agencies, were linked to show how each state's administration of criminal justice and adult criminal defendant processing could be analyzed. Reconstructions of this type are not feasible in an ongoing system. Tracking efforts should follow arrestee cohorts forward from the time of implementation of the new statistics system.

The small number of examples also prevented consideration of multiple arrests of the same person or similar repetitions, an accounting that should be provided in improved systems.

The objectives of the demonstration were to:

1. *Locate "problem areas" associated with tracking offenders through the state criminal justice system,*
2. *Acquaint state and local personnel with these "problem areas,"*
3. *Determine the feasibility of conducting the operation on a larger scale,*
4. *Gain knowledge and experience that will aid in developing a satisfactory mechanism for the collection of the desired data on a continuing basis, and*

5. *Demonstrate the production of summary statistics describing each level or stage in the criminal justice process.*

For purposes of tracking offenders, the previously developed concept of an offender-based transaction information system was adopted. For this study the criminal justice system was considered a series of transactions between agencies and persons. Information was collected to document individual transactions. Such a system provides the added capability to extract accounting and statistical reports to meet the needs of city, county, state, and federal agencies.

An individual who comes in contact with the criminal justice system is processed sequentially by different agencies. Information about the following four stages of offender-system interaction was collected:

Stage 1 - Police Action

Stage 2 - Lower Court (Pre-Trial Felony) Action

Stage 3 - Felony Trial

Stage 4 - Corrections Action

Data elements to describe the events that occurred at each stage of processing were developed. The arresting agency gave Stage 1 detail. The personal characteristics and criminal history of the individual were recorded, along with other information about the offense and the arrest disposition. Defendants who remained in the system entered Stage 2, where all data relating to lower court processing was secured. This included information on arraignments, hearings, and misdemeanor trials. Stage 3 described the processes and results of felony trials. Finally, for those who remained in the system, corrections action, Stage 4, was recorded.

The differences in the number of possible routes within stages were allowed for. Police and felony trial actions normally occur in only one sequence, although the offender may

exit at any point. In the lower court and corrections stages an offender can follow several different routes without exiting from the system stage.

In lower court, for example, an offender might plead not guilty at an arraignment, but later plead guilty to a reduced charge at a misdemeanor trial. Both actions were recorded.

To be sure that all data was collected for all proceedings and to facilitate processing and later analysis, the concept of the cycle was developed. For each proceeding that occurs that is marked by a change in status, a full cycle is recorded to indicate the type of action and its results. Subsequent proceedings are recorded similarly until the offender either exits from the system or is bound over to felony court.

Exactly the same procedure was followed to record the offender's movement while under corrections supervision. For instance, a defendant found guilty at a felony trial might have been sent to a state correctional institution, and then paroled, then returned to the state institution on a technical revocation. In order to trace the individual's movements, all data for each change of status was again recorded in cycles.

#### PROCEDURES FOR SEARCH STATISTICAL DEMONSTRATION

A set of data collection forms which shows the various stages of criminal justice processing and the data elements collected at each stage, are provided on the following pages. These forms were used during the experiment. The subject's name and criminal I.D. number were used by some states to facilitate tracking, but were removed before the forms were key-punched and the data analyzed.

Each participating state was asked to track through its criminal justice system a total of 250 adult felony offenders who reached the pre-trial (felony) action, Stage 2. No attempt was made to secure a probability sample of offenders or offenses within the state -- a state was permitted to select a single jurisdiction for which access to police records plus subsequent

Offender Characteristics and Police Action

For Items Typed in CAPITAL Letters, Refer to Manual Before Coding

STATE IDENTIFICATION

1	2	3	4	5	6	7	8	9	10

birthdate					
11	12	13	14	15	16
month		day		year	

Prior Record Information (Columns 17-26) is the NUMBER of prior arrests, convictions, jail terms, and prison sentences.

number  
arrests

17	18

number  
convictions

19	20

number jail  
less 90 days

21	22

number jail  
more 90 days

23	24

number  
prison

25	26

date of arrest

27	28	29	30	31	32

month      day      year

ARRESTING AGENCY

33	34	35	36	37

CHARGED  
OFFENSE

38	39

STATUS  
AT ARREST

40

--

codes

- 1-Custody
- 2-Parole
- 3-Probation
- 4-Bond/O.R.
- 5-Civil Commitment
- 6-Other
- 7-Not in System
- 8-Unkdown

type of  
arrest

41

--

codes

- 1-Non-Warrant
- 2-Warrant
- 3-Citizen
- 4-Other Agency
- 5-Unknown

police  
disposition

42

--

codes

- 1-Felony Charge
- 2-Misdemeanor Charge
- 3-Transfer Other Law Enforcement Agency
- 4-Transfer Other Agency
- 5-Released

sex

43

--

codes

- 1-Male
- 2-Female

race

44

codes

- 1-White
- 2-Negro
- 3-Am. Indian
- 4-Chinese
- 5-Japanese
- 6-Other

70

1
---

card  
number

71

--

SYSTEM  
STATUS

- 1-Continue Next Level
- 2-No More Information Available
- 3-New Arrest
- 4-Exit From System

Complete  
CJS-5

Suspect Name \_\_\_\_\_

Coder's Initials \_\_\_\_\_

FBI # \_\_\_\_\_

date \_\_\_\_\_

Pre-Trial (Felony) Action

For Items Typed in CAPITAL Letters, Refer to Manual Before Coding

STATE IDENTIFICATION

1	2	3	4	5	6	7	8	9	10

filing date

11	12	13	14	15	16
month			day		year

FILING  
CHARGE  
17 18

--	--

Columns 1-26 are constant for all cycles. Record only once.

END  
CHARGE  
25 26

--	--

date - end pre-trial action

19	20	21	22	23	24

CYCLE proceeding  
NUMBER type

27	28	29	30	31
1				
2				
3				
4				
5				

- codes
- 1-Arraignment
  - 2-Grand Jury\*
  - 3-Misd. Trial
  - 4-Civil Commit.\*
  - 5-Prelim. Exam.
  - 6-Bail/O.R. Revoc.\*
  - 7-Information\*

- codes
- 1-Not Guilty
  - 2-Guilty
  - 3-Nolo
  - 4-Other

- codes
- 1-Dismissed
  - 2-Bound Over-Superior Ct.
  - 3-Charge Reduced-Misd
  - 4-Acquitted-Misdemeanor
  - 5-Convicted-Misdemeanor
  - 6-Held-Misd.
  - 7-Civil Commit.
  - 8-Bail/O.R. Revoked

- codes
- 1-Bail
  - 2-O.R.
  - 3-Custody
  - 4-Bail Not Posted
  - 5-Other

LENGTH

PROBATION (yr)

35	36

\$ AMOUNT FINE

37	38	39	40	41

type of  
counsel

42	70	71
	2	

- codes
- 1-Private
  - 2-Public
  - 3-Self
  - 4-Other
- card number
- SYSTEM STATUS
- 1-Cont.Next Level
  - 2-No More Info. Available
  - 3-New Arrest
  - 4-Exit-System

Complete  
CJS-5

Felony Trial Action

For Items Typed in CAPITAL Letters, Refer to Manual Before Coding

STATE IDENTIFICATION

1	2	3	4	5	6	7	8	9	10

CHARGED  
OFFENSE  
17 18

--	--

initial  
plea  
19

--

final  
plea  
20

--

codes  
1-Guilty  
2-Not Guilty  
3-Nolo  
4-Other

date of filing

11	12	13	14	15	16

month

day

year

type of trial

21

release action

22

codes  
1-Court  
2-Jury  
3-Transcript

codes  
1-Bail  
2-O.R.  
3-Custody  
4-Bail Not  
Posted  
5-Other

date of disposition  
23 24 25 26 27 28

--	--	--	--	--	--

month

day

year

disposition

29

codes  
1-Dismissed  
2-Acquitted  
3-Convicted-  
Fel.  
4-Convicted-  
Misd.  
5-Off Calendar  
6-Other

reason for  
dismissal

30

codes  
1-Lack of Evidence  
2-Remanded Muni.Ct.  
3-Transfer Juv. Ct.  
4-Released-Other  
Jurisdiction  
5-Death of  
Defendant  
6-Civil Commit.

type of  
counsel

31

codes  
1-Private  
2-Public  
3-Self  
4-Other

pre-sentence  
report

32

codes  
1-Yes  
2-No

TOTAL LENGTH  
PRISON

33	34	35

TOTAL LENGTH  
PROBATION

36	37	38

TOTAL LENGTH  
JAIL

39	40	41

non-supervisory  
sentence

42

codes  
1-Yes  
2-No

TOTAL \$ AMOUNT  
FINE

43	44	45	46	47

70

3
---

card  
number

71

--

SYSTEM  
STATUS

1-Continue Next Level  
2-No More Information  
Available  
3-New Arrest  
4-Exit From System

Complete  
CJS-5



Corrections Action

For Items Typed in CAPITAL Letters, Refer to Manual Before Coding

STATE IDENTIFICATION

1	2	3	4	5	6	7	8	9	10

CYCLE NUMBER

11
1
2
3
4
5

receiving agency

12

date entered agency

13	14	15	16	17	18

month day year

70

4
---

card number

71

--

SYSTEM STATUS

- 1-Continue Next Level
- 2-No More Information Available
- 3-New Arrest
- 4-Exit from System

Complete  
CJS-5

CHANGE IN STATUS

25


date discharged agency

19	20	21	22	23	24

month day year

codes

- 1-Parole
- 2-Tech. Revocation
- 3-New Felony Revocation
- 4-Abscond/Escape
- 5-Court Discharge
- 6-Commutation
- 7-Deceased
- 8-Released
- 9-Suspension Revoked
- 0-Transfer-Other Jurisdiction

Status-End of Trace

For Items Typed in CAPITAL Letters, Refer to Manual Before Coding

STATE IDENTIFICATION

1	2	3	4	5	6	7	8	9	10

STATUS  
END OF TRACE

11	12

codes

- 1-Death of Defendant
- 2-Transfer-Law Enforcement Agency
- 3-Transfer-Other Agency
- 4-Released-Police
- 5-Dismissed-Pre-Trial
- 6-Acquitted-Misdemeanor
- 7-Convicted-Misdemeanor
- 8-Civil Commitment
- 9-Dismissed-Felony Trial
- 10-Acquitted-Felony
- 11-Jail
- 12-Probation
- 13-Prison
- 14-Parole
- 15-Other Supervision
- 16-No More Information Available
- 17-New Arrest
- 18-Other Exit From System

70

5
---

card  
number

information was readily available. The project was intended only as an example, not a sample, of how the actions taken toward defendants could be analyzed. The data gathering system used cannot be adapted for routine tracing of felony offenders.

To describe the project, explain the data collection forms, and define data elements, a data collection manual was compiled. The manual included sections about procedures, coding instructions, state codes, offense codes, and criminal justice terms, and outlined its function this way:

*The purpose of this manual is to provide instructions and methods for collecting data on 250 adult felons (per state) who reach the pre-trial court stage. The data to be collected relates to each major step of the criminal justice process, starting with the arrest and ending with the departure at the correction stage. The emphasis is on a small number of records well done, rather than a large number with incomplete data. The procedures given in this manual are, in many instances, quite general because of the differing criminal justice systems in the ten states. Some of the data elements requested on the forms may simply be inappropriate in a given state because of incompatible sequencing or formatting for that state. In this case, please record all difficulties on a separate sheet and submit it with the finished data.*

To make certain that comparable cases were tracked in each state, the example (sample) unit was carefully defined in the data collection manual.

*The sample unit is defined to be the person-arrest. In this regard, a case will simply be a given person at the given arrest. If multiple offenders are arrested for a single offense, each offender, if selected for the sample, would be regarded as a separate person-arrest and, hence, a separate case. For example, if 3 offenders robbed a grocery store and all 3 were arrested, this would constitute 3 person-arrests and each would be traced*

through the system separately (assuming each was chosen for the sample). On the other hand, the case of a single person who is arrested on a second or subsequent occasion would constitute a second person-arrest; for purposes of this demonstration, no attempt should be made to follow such subsequent arrest cases through the system. If the offender is charged with multiple offenses, only the action taken on the most serious offense charged at each stage (police, pre-trial, courts, corrections) will be followed.

The data collection manual is reproduced in its entirety in the Technical Supplement.

#### REDUCTION AND ANALYSIS OF EXAMPLE DATA

The data collected by each of the ten participating states was processed through a computer system. Tables were compiled separately for each state in the same analytical format.

Computer software was developed to reduce, process and analyze the information from offender-based records to demonstrate the production of summary statistics describing each level or stage in the criminal justice process.

The computer software had three primary design features:

- Editing the input records.
- Selecting desired subset of offenders.
- Generating descriptive statistics about individual offenders.

The following describes the functions of the various computer programs:

##### A. PRE-VALIDATE (1st run)

1. Checks for correct State ID. (CH-FL-NY, etc.)
2. Checks for correct card number.
3. Checks for correct sequence of cards.
4. Outputs error listing (with explanation).
5. Outputs magnetic tape of good data.

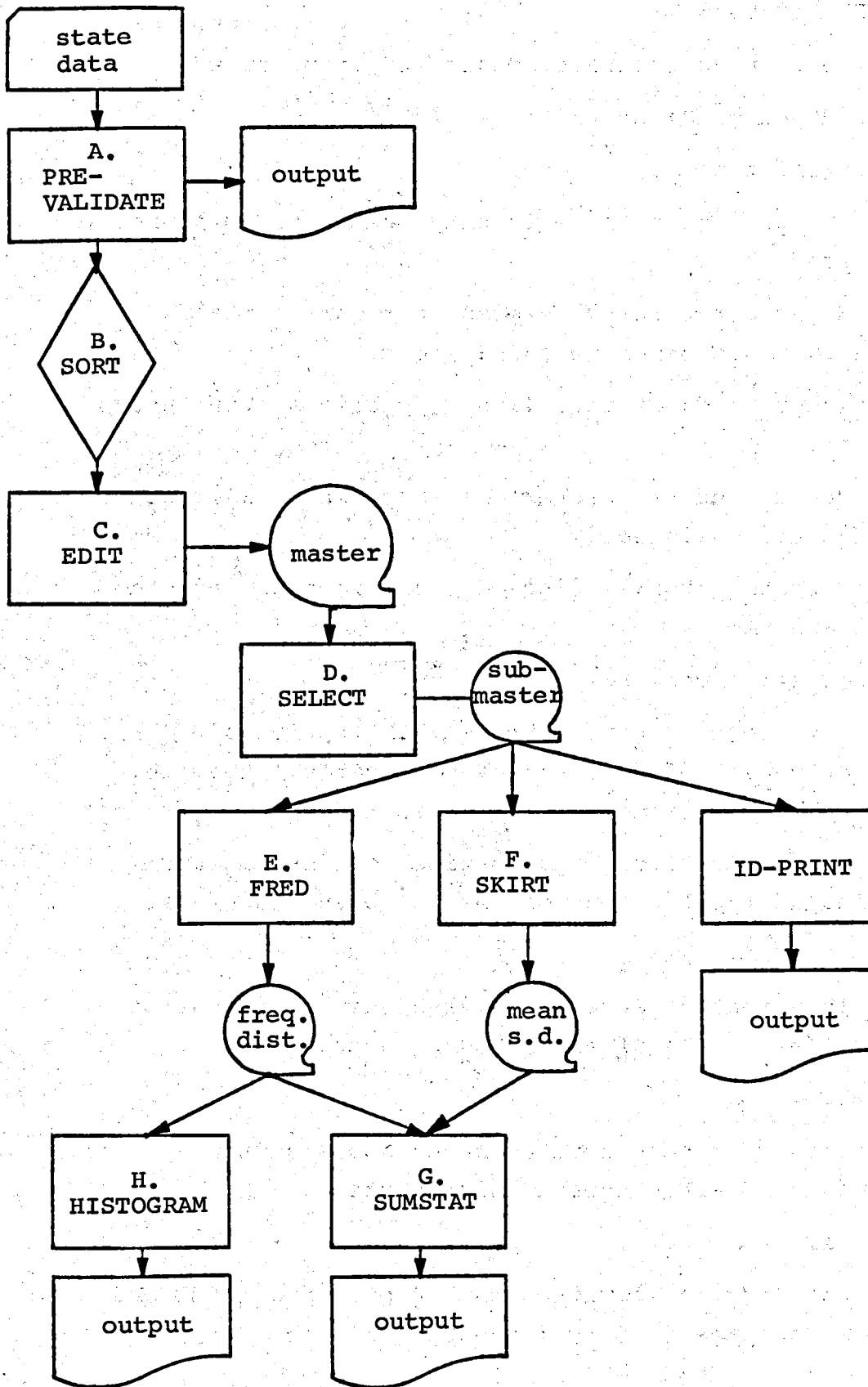


Exhibit 01. System Flow Diagram for Analysis of Offender-Based Records

B. SORT (2nd run)

1. Rearranges the card images for input to edit.
2. Outputs to magnetic tape.

C. EDIT (3rd run)

1. Verifies that there is only one State ID number for each offender.

2. Rejects records with missing required information such as month other than 1-12, etc.

3. Computes dates into linear functions (for future manipulation).

4. Outputs edited master file from which all future processing is accomplished.

5. Outputs error listing of those records rejected (with explanation).

D. SELECT (4th run)

1. This routine gives the user the option of selecting any subset of offender-based records. Example: Offenders who are released on bond against those who are not.

2. The output from this routine is a sub-master which is used as input to one of the following routines.

E. FRED

1. This routine develops a frequency distribution for 92 variables in the offender-based record.

F. SKIRT

1. This routine generates means and standard deviations and estimates unusual distribution.

G. SUMSTAT

1. This routine combines the outputs from FRED and SKIRT into a one-page summary for each variable.

## H. HISTOGRAM

1. This routine produces a bar graph for each of the variables.

A complete description of the computer software system is included in the Technical Supplement. The description includes listings of all computer programs.

### STATISTICS GENERATED BY AN OFFENDER-BASED STATISTICS SYSTEM

Exhibits 02 through 13 are examples of the data content of this prototype system. The states are not identified because the data represents a single jurisdiction within a state and cannot be construed as being representative of criminal justice processes in the state. Existing systems can produce only the type of data presented in Exhibit 02.

Exhibits 03 through 09 show elements of arrestee histories, felony trial plea changes, elapsed time, felony court outputs, correctional agency inputs, and arrestee fate at end of trace.

Exhibits 10 through 13 are system flow charts (each derived from the data from one state) depicting the fallout of offenders from the system at major departure points.

Exhibits 14 through 19 provide additional examples of the kinds of information that could be produced from an ongoing longitudinal statistics system. Because each participating state supplied only 250 cases, a sub-project, carried out by California, expanded the number of cases to permit a better based analysis. The feasibility of constructing a statistics system capable of producing the needed data was tested by a pilot project in which total records for one year were collected, using SEARCH concepts, from 13 counties of the state. The types of actions recorded were approximately the same. Information concerning individual offenses, defendants, and the criminal justice processes through which the offenders proceeded was linked together.

The computer program was written to display summarized information in tabular form that shows the relationship between two

specific data elements. The program is very general and allows the user to select two variables from a range of criminal/offender/disposition characteristics. The table generation program displays:

1. The distribution of cases within the criminal justice system,
2. The relationship between processes within the criminal justice system,
3. The relationship between offender/offense characteristics and processes within the criminal justice system.

In general, a table displaying any two data elements is produced in four forms. First, the number of cases within each cell of the table is produced. Second, the overall percentages--percentages computed by dividing the number of cases within each cell by the total number of cases for the table--are shown. Third, vertical marginal percentages are computed. These percentages sum up to 100 for each column of the table and are calculated by dividing cell cases by the total of the column in which the cell appears. Finally, horizontal marginal percentages are computed by dividing cell cases by row totals.

An example of these tables, showing the relationship between court dispositions and time elapsed from arrest to final disposition is given in Exhibits 14 through 17.

A list of the data elements that can be selected for the horizontal axis of a table is given in Exhibit 18. Similarly, a list of the data elements that can be produced on the vertical axis of a table, is presented in Exhibit 19. Any combination of horizontal and vertical data elements can be selected to produce a table.

In addition, limits can be placed on the data used to generate a table. Restrictions on offense codes can permit only specified ranges of booking offense, original charged offense,



or convicted offense to be included in the production of tables. Likewise, the following restrictions can also be specified.

- Exclude guilty pleas
- Use Superior Court cases only
- Use felony convictions only

Several multiple combinations of variables were evaluated using more sophisticated mathematical techniques to determine the relative significance of certain characteristics upon the administration of criminal justice. These include the extent to which such items as probability of conviction can be "explained" by the personal characteristics of the offender or the characteristics describing the severity of the convicted offense. Methods used in the analysis and the results obtained are presented in the Technical Supplement, along with a complete description and listing of the computer program and a large number of examples. The examples show the kinds of data which should be useful to criminal justice administrators and decision-makers.

#### FEEDBACK ABOUT TRACKING OF OFFENDERS THROUGH STATE SYSTEMS

After each state had finished tracing the "sample" of 250 adult felony offenders through its criminal justice system, the Statistical Advisory Committee established a set of questions designed to elicit feedback about the difficulties of procuring necessary data. The questions were asked of the Project Leader of the SEARCH state, the Leader of the Statistical Demonstration Project, and the clerks involved with the actual recording of data. The inquiries were designed to probe attitudes of those involved in the project (including representatives of agencies which were asked to provide data source documents) and to find out about difficulties related to design of the experimental system, the data elements, and the data collection and recording procedures.

Questions:

a) SEARCH Project Leader

1. How important do you think the statistical project is as part of SEARCH?
2. Did you take an active part in the Statistical Demonstration Project?
3. Did you have trouble getting funds and/or distributing funds?
4. What was the cost per case recorded? What was the budget?

b) State Statistical Demonstration Leader

1. Did you have problems with recruiting/assigning personnel?
2. What type of personnel was used? (e.g., college students, professional, clerical)
3. How much time (man hours) was spent on the project? Total? For each stage?
4. Did you have difficulty obtaining the cooperation of any agencies you contacted? (e.g., police departments, courts, corrections)
5. Were there any problems associated with the record-keeping practices at each stage?
6. Were the instructions clear? (Note problems at each stage, paying special attention to the cycles at the pre-trial and corrections stage)
7. How did you select a jurisdiction?
8. How were the cases selected?
9. Were the definitions in the glossary clear? Did you redefine any terms? Were there any other terms which should have been defined?

10. Were the codes adequate? Did you use any extra codes?

11. What procedure was used for validating the data?

c) Data Collection Clerk

1. Where were the records kept at each stage? Did you have difficulty locating the selected cases at each stage?

2. Did you eliminate "troublesome" cases?

3. Was technical assistance requested? Did you receive it?

4. Was each case followed through the system by the same person, or did a different person record each stage?

5. Were the data elements in logical sequence at each stage?

6. Was it difficult to record numbers in the space provided?

7. Was the size of the form awkward?

8. When codes are provided on the form, is it difficult to tell which data element they correspond to?

9. Is it confusing to have instruction for certain data elements in the manual? Should all of the instructions be printed on the form?

10. Was it difficult to keep the five forms for each case together?

11. Did you encounter any other problems with the forms in addition to the ones we've just discussed?

12. Was it possible to distinguish the most serious charged offense?

13. Did you have difficulty in locating any of the data elements in your records?

Answers:

Most of the SEARCH Project Leaders interviewed considered the Statistical Demonstration Project valuable and important. One Project Leader said that the experience of tracking an offender from point of arrest to final disposition made it immediately evident that the current status of record keeping procedures at various levels within the criminal justice system is inadequate for the purpose of tracking offenders. Although the records are sufficient for the purposes of the agencies that collect them and use them, they are too segmented to determine where an offender is at any point in time. There was also an increasing awareness that the Uniform Crime Reports cannot be used as a statistical base to describe the full range of problems in the administration of justice.

Another Project Leader described the demonstration as valuable in theory but questioned the meaningfulness of the data as it is presently being gathered. He thought that the effort was not an integral part of the SEARCH project, and would have had more success as a separately funded effort.

The states generally had little difficulty in securing and disbursing funds for the project. Although detailed cost per record accounting was seldom done, it appears that the collection and recording of the data averaged between \$3.50 and \$5.50 per record. Personnel used during the project varied among states. Some states hired clerks to do the actual collection and recording of data; other states used college students who were working during the summer or brought in consultants; one state turned over the entire effort to a private firm which did the work and made a report on their efforts.

To collect the required data each state was asked to use source material and therefore had to contact many of the operating agencies within the criminal justice system. In all cases, inter-agency cooperation was excellent. Agencies went out of their way to be helpful and were often interested in the project and its outcome.

A major difficulty encountered in tracking offenders through the stages of the criminal justice system was that record keeping practices among different agencies do not permit a transactional search. The most common problem encountered was the lack of unique identifiers to link individuals between criminal justice agencies. Example units were often lost because of the filing methods. Some of the difficulties encountered stemmed from the inexperience of the people involved in the data collection, and the fact that data elements were not consistently recorded by the agencies.

In general the Data Collection Manual did not meet the particular needs of individual states in its description and definition of data elements. Better definitions of transactions are needed, and more training in procedural description would be desirable. Codes to describe a particular data element or operation in the criminal justice system have to be tailored to reflect the particular system of laws and processing in a given state. All main categories of data were collectible although they were often not consistently recorded for all offenders.

Particular data items that were troublesome include status at time of arrest, identifying changes in the pleadings, determining if a pre-sentence investigation was performed, determining the type of counsel employed both at the pre-trial state and during the felony trial, and finding the required dates throughout criminal justice processing.

The data collection clerks, aside from the general problem areas already mentioned, had relatively little difficulty performing their task. The forms were adequate, both in size and layout; and it was no trouble to keep all information on a particular example offender together. In most states, an individual was traced through all stages of the criminal justice system by the same person; rarely, a different person recorded each stage.

As a further example of the data elements that were collected and to describe the relationship between them, the flow diagram, Exhibit 20, is presented. From this can be seen the status of individuals entering the criminal justice system and the actions taken by the police, courts and corrections through the end of the trace.

The consensus in the SEARCH states was that the demonstration project was very worthwhile and, in large measure, successful in meeting its objectives. Participation in the project provided valuable experience of the problems to be met as statistical and information systems continue to develop in the states.

(Available from existing statistical systems)

OFFENSE CHARGED BY POLICE

FREQUENCY DISTRIBUTION TABLE

<u>OFFENSE</u>	<u>NUMBER OF CASES</u>	<u>PERCENTAGE OF TOTAL ARRESTS</u>
HOMICIDE	3	1.26
KIDNAPPING	3	1.26
SEXUAL ASSAULT	16	6.75
ROBBERY	8	3.37
ASSAULT	35	14.76
EXTORTION	1	.42
BURGLARY	49	20.67
LARCENY	9	3.79
STOLEN VEHICLE	17	7.17
FORGERY	13	5.48
FRAUD	7	2.95
EMBEZZLEMENT	5	2.10
STOLEN PROPERTY	6	2.53
DANGEROUS DRUGS	58	24.47
FAMILY OFFENSE	1	.42
FLIGHT ESCAPE	2	.84
WEAPON OFFENSE	4	1.68
TOTALS	237	100.00

Exhibit 02. Sample Output of a Discrete Variable from the  
SUMSTAT Routine

(Not available from existing statistical systems)

NUMBER OF PRIOR ARRESTS

MEAN	= +00007.77906	STANDARD DEVIATION	= +00008.76820
SKEW	= +00005.08522	PROBABILITY OF NORMALITY	= +00000.00010
KURTOSIS	= +00006.20721	PROBABILITY OF NORMALITY	= +00000.00010

FREQUENCY DISTRIBUTION TABLE

<u>NUMBER OF PRIOR ARRESTS</u>	<u>NUMBER OF CASES</u>	<u>PERCENTAGE OF TOTAL ARRESTS</u>
00	65	27.42
01	32	13.50
02	19	8.01
03	23	9.70
04	15	6.32
05	9	3.79
06	9	3.79
07	7	2.95
08	9	3.79
09	3	1.26
10	4	1.68
11	3	1.26
12	5	2.10
13	3	1.26
14	1	.42
15	3	1.26
16	2	.84
17	5	2.10
18	2	.84
19	3	1.26
22	1	.42
23	3	1.26
24	2	.84
25	2	.84
27	1	.42
30	1	.42
31	1	.42
35	1	.42
39	1	.42
48	1	.42
52	1	.42
TOTALS	<u>237</u>	<u>100.00</u>

Exhibit 03. Sample Output of a Continuous Variable from the  
SUMSTAT Routine



(Not available from existing statistical systems)

FELONY TRIAL PLEA  
FREQUENCY DISTRIBUTION TABLE

	INITIAL PLEA		FINAL PLEA	
	<u>NUMBER CASES</u>	<u>PERCENT TOTAL ARRESTS</u>	<u>NUMBER CASES</u>	<u>PERCENT TOTAL ARRESTS</u>
GUILTY	28	10.0	101	35.9
NOT GUILTY	119	42.3	9	3.2
NOT APPLICABLE	18	6.4	55	19.6
EXIT FROM SYSTEM BEFORE FELONY TRIAL	116	41.3	116	41.3
	—	—	—	—
TOTAL	281	100.0	281	100.0

Exhibit 04. Sample Output of a Discrete Variable from the SUMSTAT Routine

(Not available from existing statistical systems)

TIME LAPSE BETWEEN FILING  
AND DISPOSITION - FELONY TRIAL

MEAN	=	00185.16049	STANDARD DEVIATION	=	129.91943
SKEW	=	.60615	PROBABILITY OF NORMALITY	=	.55246
KURTOSIS	=	1.08657	PROBABILITY OF NORMALITY	=	.27840

FREQUENCY DISTRIBUTION TABLE

<u>NUMBER DAYS</u>	<u>NUMBER CASES</u>	<u>PERCENT TOTAL ARRESTS</u>
LESS THAN 10	11	3.9
10-25	11	3.9
26-50	12	4.3
51-75	7	2.5
76-100	14	5.0
101-150	18	6.4
151-200	18	6.4
201-250	32	11.4
251-300	13	4.6
301-350	12	4.3
351-400	10	3.5
401-450	3	1.1
451-500	1	.4
MORE THAN 500	3	1.1
EXIT FROM SYSTEM BEFORE FELONY TRIAL	116	41.3
TOTAL	281	100.0

Exhibit 05. Sample Output of a Continuous Variable from the  
SUMSTAT Routine

(Not available from existing statistical systems)

COMPARISON OF FELONY TRIAL DISPOSITION  
(PERCENT OF ARRESTEES)

FELONY TRIAL DISPOSITION	STATE A (%)	STATE B (%)	STATE C (%)	STATE D (%)	STATE E (%)	STATE F (%)	STATE G (%)	STATE H (%)
DISMISSED		.4	19.2	15.1	4.9	1.7	9.2	
ACQUITTED	.5		.4	2.9	.8	12.7	1.3	1.0
CONVICTED-FELONY	13.7	2.7	26.7	42.8	52.5	37.6	27.3	22.1
CONVICTED-MISDEMEANOR	4.1	1.8	12.1	16.2	6.6		14.7	16.8
OTHER	9.1		.4	4.9				16.8

Exhibit 06. Comparison of Felony Trial Disposition (Percent of Arrestees)

(Not available from existing statistical systems)

COMPARISON OF OFFENDERS ENTERING  
CORRECTIONS RECEIVING AGENCY FROM FELONY TRIAL

(PERCENT OF ARRESTEES)

CORRECTIONS RECEIVING AGENCY	STATE A (%)	STATE B (%)	STATE C (%)	STATE D (%)	STATE E (%)	STATE F (%)	STATE G (%)	STATE H (%)
STATE INSTITUTION	4.1	1.8	6.0	16.7	37.7	19.9	13.4	10.5
PROBATION AGENCY	4.6		19.2	5.5	6.6	16.6	17.2	7.4
JAIL	6.6		1.8	36.8	13.9	1.1	4.2	12.1
OTHER							1.7	

Exhibit 07. Comparison of Offenders Entering Corrections Receiving Agency From Felony Trial  
(Percent of Arrestees)

(Not available from existing statistical systems)

# OFFENDER STATUS AT END OF TRACE

## (PERCENT OF ARRESTEES)

OFFENDER STATUS	STATE A (%)	STATE B (%)	STATE C (%)	STATE D (%)	STATE E (%)	STATE F (%)	STATE G (%)	STATE H (%)
TRANSFER OTHER AGENCY	3.6		2.5		1.6	.5	.8	
TRANS. LAW ENF. AGCY.	4.1		1.8		1.6			4.2
RELEASE POLICE			1.8	5.2	14.8	.5	1.7	
DISMISSED-PRETRIAL	5.6	19.2	10.3	8.0	16.4	23.2	18.9	22.1
ACQUITTED-MISD. (Lower Court)		.9	3.9		5.0			
CONVICTED-MISD. Court)	20.8	37.1	18.5	4.7	1.6		9.7	3.2
CIVIL COMMITMENT		.9	1.1	4.4	1.6	.6	.4	
DISMISSED-FELONY TRIAL	.5	.4	16.7	14.9	.8	6.6	12.2	
ACQUITTED-FELONY TRIAL	.5		.4	2.9	1.6	11.6	.4	1.1
JAIL	1.0	37.5	.4	.5		.5	1.3	
PROBATION	.5	.4	10.0	25.3	7.4	19.3	9.7	4.7
PRISON		.4	8.9	10.4	25.4	15.5	12.6	6.3
PAROLE	3.6		2.5	5.0	2.5	1.7	1.7	3.7
OTHER SUPERVISION				.8		1.7		.5
NO MORE INFO. AVAIL.	21.3		14.6		4.1	.5	3.4	39.5
NEW ARREST	4.1		1.8	3.9	.8	.5	.4	1.1
OTHER EXIT FROM SYSTEM	26.4	3.1	2.1	13.6	19.7	12.2	26.9	13.7
INVALID RESPONSES	7.6		1.4					

Exhibit 08. Offender Status at End of Trace (Percent of Arrestees)

(Not available from existing statistical systems)

OFFENDER STATUS AT END OF TRACE  
FOR SELECTED OFFENDER GROUPS

(PERCENT OF ARRESTEES)

OFFENDER STATUS	ALL OFFENDERS	SELECTED GROUP OF OFFENDERS				
		BURGLARY OFFENDERS	NOT IN SYSTEM WHEN ARRESTED	IN SYSTEM WHEN ARRESTED	NO PRIOR ARRESTS	PRIOR REC
TRANSFER OTHER AGENCY	.8			2.0	1.5	1.9
RELEASED-POLICE	1.7		1.3	2.0		1.9
DISMISSED-PRETRIAL	18.9	16.3	28.6	8.9	16.9	11.3
CONVICTED-MISD. (Lower Ct.)	9.7	12.2	15.6	5.9	7.7	11.3
CIVIL COMMITMENT	.4			1.0		1.9
DISMISSED-FELONY TRIAL	12.2	6.1	7.8	13.9	7.7	13.2
ACQUITTED-FELONY TRIAL	.4		1.3		1.5	
JAIL	1.3			2.0		
PROBATION	9.7	14.3	9.1	11.9	7.7	11.3
PRISON	12.6	16.3	9.1	12.9	10.8	30.2
PAROLE	1.7	2.0	2.6	1.0	1.5	1.9
NO MORE INFO. AVAIL.	3.4	4.0	6.5	3.0		3.8
NEW ARREST	.4	2.0				1.9
OTHER EXIT FROM SYSTEM	26.9	26.5	18.2	35.6	44.6	9.4

Exhibit 09. Offender Status at End of Trace for Selected Offender Groups (Percent of Arrestees)

(Not available from existing statistical systems)

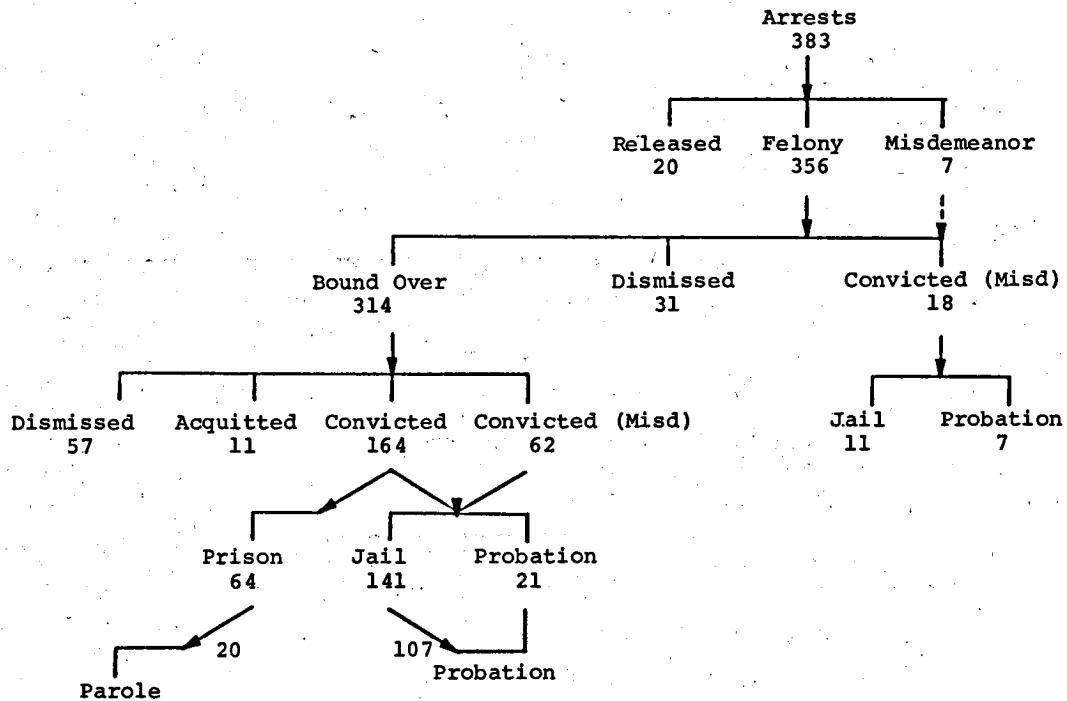


Exhibit 10. Flow of Arrestees Through Criminal Justice System (Number of Arrests)  
(Example for One State)

(Not available from existing statistical systems)

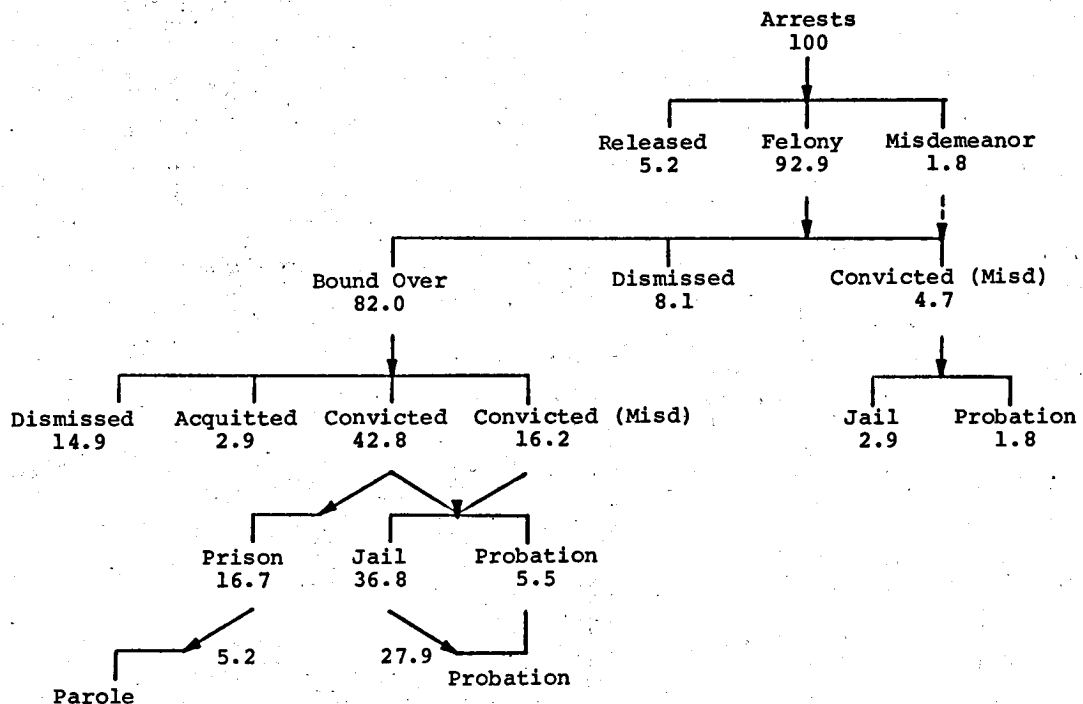


Exhibit 11. Flow of Arrestees Through Criminal Justice Systems (Percent of Total Arrests) (Example for One State)

(Not available from existing statistical systems)

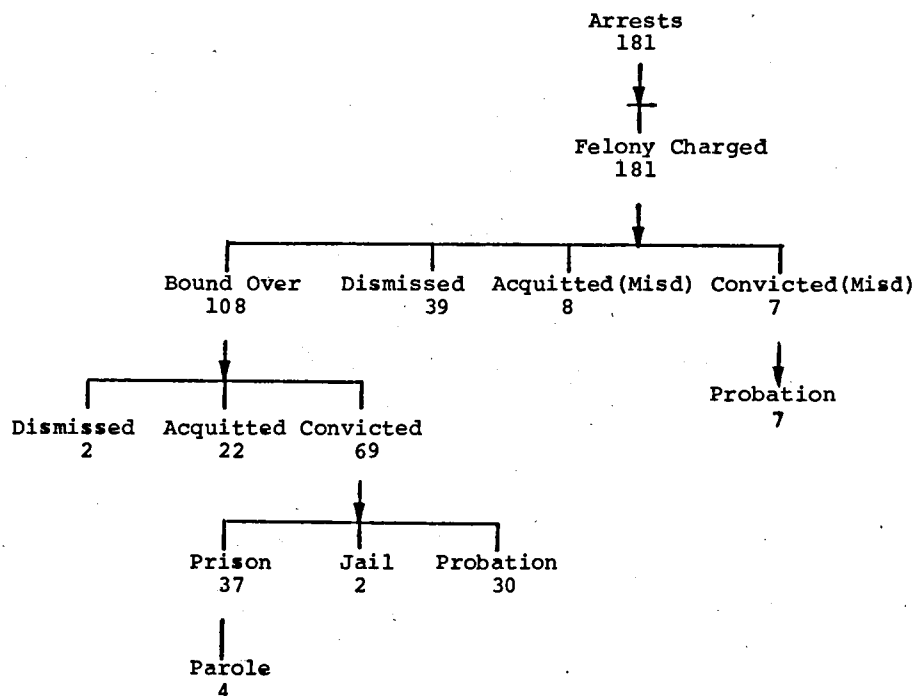


Exhibit 12. Flow of Arrestees Through Criminal Justice System (Number of Arrests) (Example for One State)

(Not available from existing statistical systems)

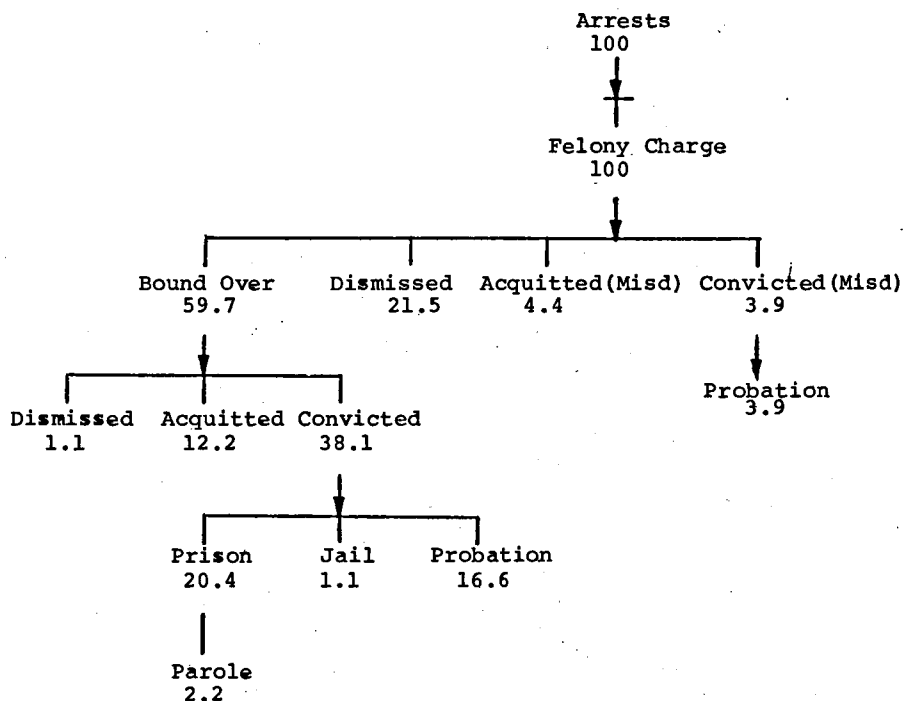


Exhibit 13. Flow of Arrestees Through Criminal Justice System (Percent of Total Arrests) (Example for One State)



(Not available from existing statistical systems)

COURT DISPOSITIONS TIME LAPSE, ARREST TO FINAL DISPOSITION

Number of Cases															
	Total defen- dants	Dismissed		Acquitted			Convicted					Summary			
		No sub- sequent prosecu- tion	Subse- quent prosecu- tion	By trans- cript	By jury	By court	Guilty plea	By jury	By court	Plea changed to guilty	By trans- cript	Total ac- quittals	Total con- victions	Total guilty pleas	Total con- victed by jury, court, trans- cript
0.0 to 1.0	2,463	36	30		3	3	2,363	1	3	22	2	6	2,391	2,385	6
1.1 to 2.0	2,283	89	82		7	4	1,951	16	5	121	8	11	2,101	2,072	29
2.1 to 3.0	1,453	87	134	2	20	9	845	41	11	299	5	31	1,201	1,144	57
3.1 to 4.0	1,085	67	111	1	25		389	111	10	367	4	26	881	756	125
4.1 to 5.0	617	38	59	2	12	2	164	60	12	260	8	16	504	424	80
5.1 to 6.0	363	26	27		10		96	44	8	151	1	10	300	247	53
6.1 to 7.0	220	23	15		5	1	41	19	5	110	1	6	176	151	25
7.1 to 8.0	134	14	16		5	1	21	14		62	1	6	98	83	15
8.1 to 9.0	86	5	9		1		24	9		37	1	1	71	61	10
9.1 to 10.0	50	3	2	1	1	1	11	11	1	19		3	42	30	12
10.1 to 11.0	18	2				1	2	5		8		1	15	10	5
11.1 to 12.0	14	1					2	1		10			13	12	1
More than 12.0	24	3	2				9	3	1	5	1		19	14	5
Total number	8,810	394	487	6	89	22	5,918	335	56	1,471	32	117	7,812	7,389	423
Average time lapse	2.4	3.4	3.4	4.7	3.9	3.5	1.7	4.7	4.2	4.3	5.1	3.8	2.3	2.2	4.6
Maximum time lapse	99.1	40.0	14.8	9.5	9.4	10.3	99.1	14.6	16.1	40.0	58.2	10.3	99.1	99.1	58.2

Exhibit 14. Superior Court Dispositions Vs. Arrest to Disposition Time Lapse, Number of Cases

(Not available from existing statistical systems)

COURT DISPOSITIONS TIME LAPSE, ARREST TO FINAL DISPOSITION

Overall Percentages

Arrest to disposition time lapse (months)	Total defen- dants	Dismissed		Acquitted			Convicted					Summary			
		No sub- sequent prosecu- tion	Subse- quent prosecu- tion	By trans- cript	By jury	By court	Guilt plea	By jury	By court	Plea changed to guilty	By trans- cript	Total ac- quittals	Total con- victions	Total guilty pleas	Total con- victed by jury, court, trans- cript
0.0 to 1.0	28.0	.4	.3		.0	.0	26.8	.0	.0	.2	.0	.1	27.1	27.1	.1
1.1 to 2.0	25.9	1.0	.9		.1	.0	22.1	.2	.1	1.4	.1	.1	23.8	23.5	.3
2.1 to 3.0	16.5	1.0	1.5	.0	.2	.1	9.6	.5	.1	3.4	.1	.4	13.6	13.0	.6
3.1 to 4.0	12.3	.8	1.3	.0	.3	.1	6.4	1.3	.1	4.2	.0	.3	10.0	8.6	1.4
4.1 to 5.0	7.0	.4	.7	.0	.1	.0	1.9	.7	.1	3.0	.1	.2	5.7	4.8	.9
5.1 to 6.0	4.1	.3	.3		.1	.1	1.1	.5	.1	1.7	.0	.1	3.4	2.8	.6
6.1 to 7.0	2.5	.3	.2		.1	.0	.5	.2	.1	1.2	.0	.1	2.0	1.7	.3
7.1 to 8.0	1.5	.2	.2		.1	.0	.2	.2	.1	.7	.0	.1	1.1	.9	.2
8.1 to 9.0	1.0	.1	.1		.0		.3	.1		.4	.0	.0	.8	.7	.1
9.1 to 10.0	.6	.0	.0	.0	.0	.0	.1	.1	.0	.2		.0	.5	.3	.1
10.1 to 11.0	.2	.0			.0	.0	.0	.1		.1		.0	.2	.1	.1
11.1 to 12.0	.2	.0			.0		.0	.0		.1			.1	.1	.0
More than 12.0	.3	.0	.0		.0	.2	.1	.0	.0	.1	.0		.2	.2	.1
Total number	100.0	4.5	5.5	.1	1.0	.2	67.2	3.8	.6	16.7	.4	1.3	88.7	83.9	4.8

Exhibit 15. Superior Court Dispositions Vs. Arrest to Disposition Time Lapse,  
Overall Percentages

(Not available from existing statistical systems)

COURT DISPOSITIONS TIME LAPSE, ARREST TO FINAL DISPOSITION

Vertical Percentages

Arrest to disposition time lapse (months)	Dismissed				Acquitted				Convicted				Summary			
	No subsequent prosecution		Subsequent prosecution		By jury		By court		Guilty plea		By jury		By court		Plea changed to guilty	
	Total defendants															
0.0 to 1.0	28.0	9.1	6.2		3.4	13.6	39.9	.3	5.4	1.5	6.3	5.1	30.6	32.3	1.4	
1.1 to 2.0	25.9	22.6	16.8		7.9	18.2	33.0	4.8	8.9	8.2	25.0	9.4	26.9	28.0	6.9	
2.1 to 3.0	16.5	22.1	27.5		22.5	40.9	14.3	12.2	19.6	20.3	15.6	26.5	15.4	15.5	13.5	
3.1 to 4.0	12.3	17.0	22.8		28.1		6.6	33.1	17.9	24.9	12.5	22.2	11.3	10.2	29.6	
4.1 to 5.0	7.0	9.6	12.1		13.5	9.1	2.8	17.9	21.4	17.7	25.0	13.7	6.5	5.7	18.9	
5.1 to 6.0	4.1	6.6	5.5		11.2		1.6	13.1	14.3	10.3	3.1	8.5	3.8	3.3	12.5	
6.1 to 7.0	2.5	5.8	3.1		5.6	4.5	.7	5.7	8.9	7.5	3.1	5.1	2.3	2.0	5.9	
7.1 to 8.0	1.5	3.6	3.3		5.6	4.5	.4	4.2		4.2	3.1	5.1	1.3	1.1	3.5	
8.1 to 9.0	1.0	1.3	1.8		1.1		.4	2.7		2.5	3.1	.9	.9	.8	2.4	
9.1 to 10.0	.6	.8	.4		1.1	4.5	.2	3.3	1.8	1.3		2.6	.5	.4	2.8	
10.1 to 11.0	.2	.5				4.5	.0	1.5		.5		.9	.2	.1	1.2	
11.1 to 12.0	.2	.3					.0	.3		.7			.2	.2	.2	
More than 12.0	.3	.8	.4				.2	.9	1.8	.3	3.1		.2	.2	1.2	
Total number	100.0	100.0	100.0		100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	

Exhibit 16. Superior Court Dispositions Vs. Arrest to Disposition Time Lapse, Vertical Percentages

(Not available from existing statistical systems)

COURT DISPOSITIONS TIME LAPSE, ARREST TO FINAL DISPOSITION

Horizontal Percentages

	Arrest to disposition time lapse (months)	Dismissed		Acquitted		Convicted						Summary			
		No sub- sequent prosecu- tion	Subse- quent prosecu- tion	By trans- cript	By jury	By court	GUILTY plea	By jury	By court	Plea changed to guilty	By trans- cript	Total ac- quittals	Total con- victions	Total guilty pleas	Total con- victed by jury, trans- cript
	0.0 to 1.0	1.5	1.2		.1	.1	95.9	.0	.1	.9	.1	.2	97.1	96.8	.2
	1.0 to 2.0	3.9	3.6		.3	.2	85.5	.7	.2	5.3	.4	.5	92.0	90.8	1.3
	2.1 to 3.0	6.0	9.2	.1	1.4	.6	58.2	2.8	.8	20.6	.3	2.1	82.7	78.7	3.9
	3.1 to 4.0	6.2	10.2	.1	2.3		35.9	10.2	.9	33.8	.4	2.4	81.2	69.7	11.5
	4.1 to 5.0	6.2	9.6	.3	1.9	.3	26.6	9.7	1.9	42.1	1.3	2.6	81.7	68.7	13.0
	5.1 to 6.0	7.2	7.4		2.8		26.4	12.1	2.2	41.6	.3	2.8	82.6	68.0	14.6
	6.1 to 7.0	10.5	6.8		2.3	.5	18.6	8.6	2.3	50.0	.5	2.7	80.0	68.6	11.4
	7.1 to 8.0	10.4	11.9		3.7	.7	15.7	10.4		46.3	.7	4.5	73.1	61.9	11.2
	8.1 to 9.0	5.8	10.5		1.2		27.9	10.5		43.0	1.2	1.2	82.6	70.9	11.6
	9.1 to 10.0	6.0	4.0	2.0	2.0	2.0	22.0	22.0	2.0	38.0		6.0	84.0	60.0	24.0
	10.1 to 11.0	11.1				5.6	11.1	27.8		44.4		5.6	83.3	55.6	27.8
	11.1 to 12.0	7.1					14.3	7.1		71.4			92.9	85.7	7.1
	More than 12.0	12.5	8.3				37.5	12.5	4.2	20.8	4.2		79.2	58.3	20.8
	Total number	4.5	5.5	.1	1.0	.2	67.2	3.8	.6	16.7	.4	1.3	88.7	83.9	4.8

Exhibit 17. Superior Court Dispositions Vs. Arrest to Disposition Time Lapse,  
Horizontal Percentages

(Not available from existing statistical systems)

<u>ID NO.</u>	<u>DESCRIPTION</u>
	Pertaining to Dispositions:
11	Police and Felony Complaint Dispositions
12	Superior Court Disposition
13	Dismissal
14	Sentence
15	Level of Conviction
	Pertaining to Offenses:
16	Booking Offense
17	Original Court Offense
18	Convicted Offense

Exhibit 18. Data Elements That Can Be Selected For the Horizontal Axis of a Table

(Not available from existing statistical systems)

<u>ID NO.</u>	<u>DESCRIPTION</u>
	Overall Figures and Time Lapses:
11	Number and Percent Only
12	Number and Percent with Report to Arrest Average Time
13	Number and Percent with Arrest to Disposition Average Time
14	Number and Percent with Report to Disposition Average Time
15	Time Lapse for Report to Arrest
16	Time Lapse for Arrest to Disposition
17	Time Lapse for Report to Disposition
	Pertaining to Offenses:
18	Booking Offense
19	Original Charged Offense
20	Convicted Offense
	Pertaining to Offender:
21	Age of Offender
22	Offender - Sex and Race
23	Existing Criminal Status
24	Prior Record Code

Exhibit 19. Data Elements That Can Be Selected For the  
Vertical Axis of a Table

(Not available from existing statistical systems)

STAGE 1. POLICE ACTION

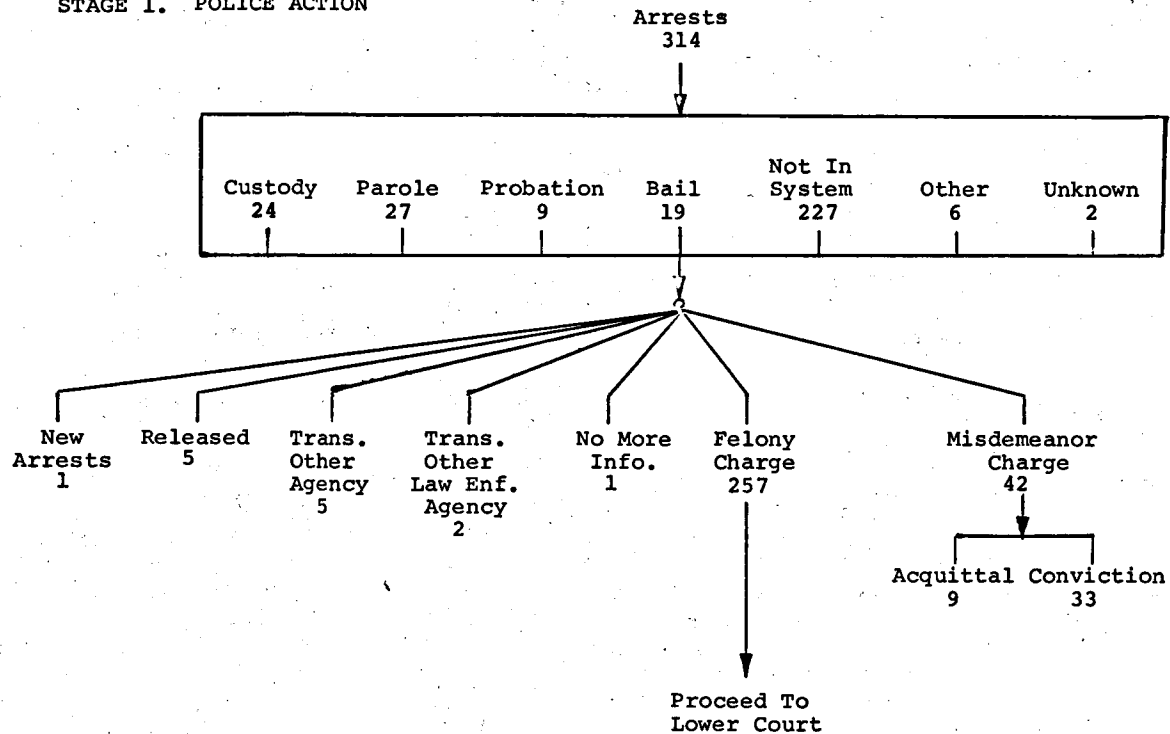


Exhibit 20a. Data Elements Describing Flow of Offenders Through Criminal Justice System (Example for One State)

(Not available from existing statistical systems)

STAGE 2. LOWER COURT  
(PRE-TRIAL FELONY)  
ACTION

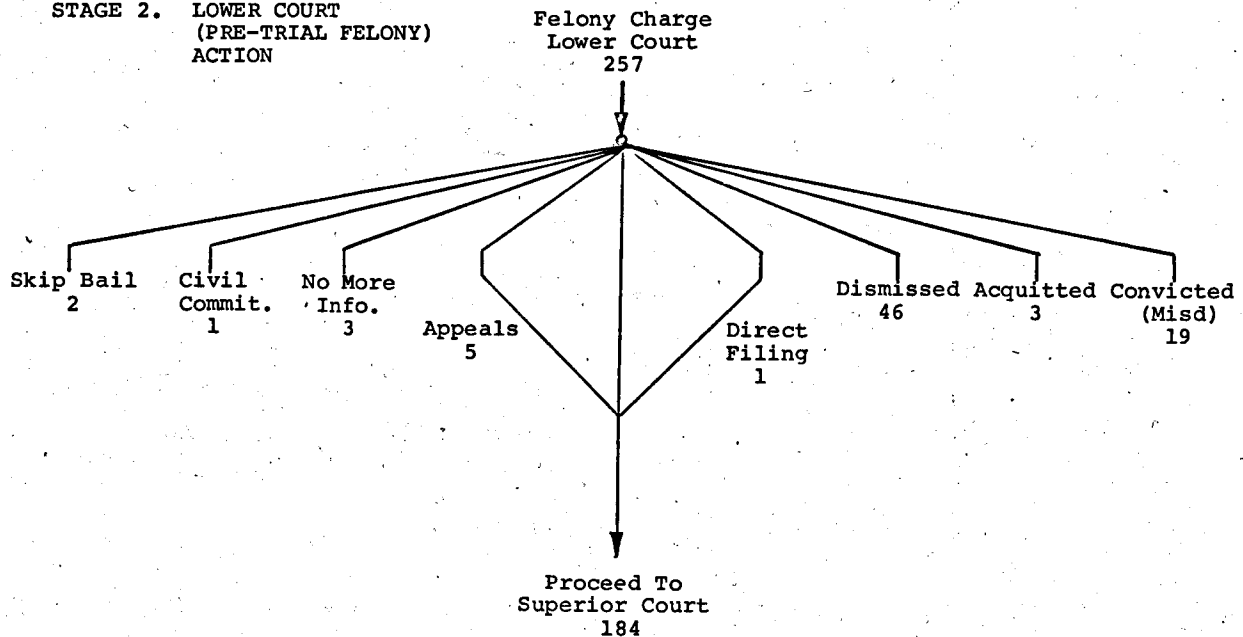


Exhibit 20b. Data Elements Describing Flow of Offenders Through Criminal Justice System (Example for One State)

(Not available from existing statistical systems)

STAGE 3. FELONY TRIAL

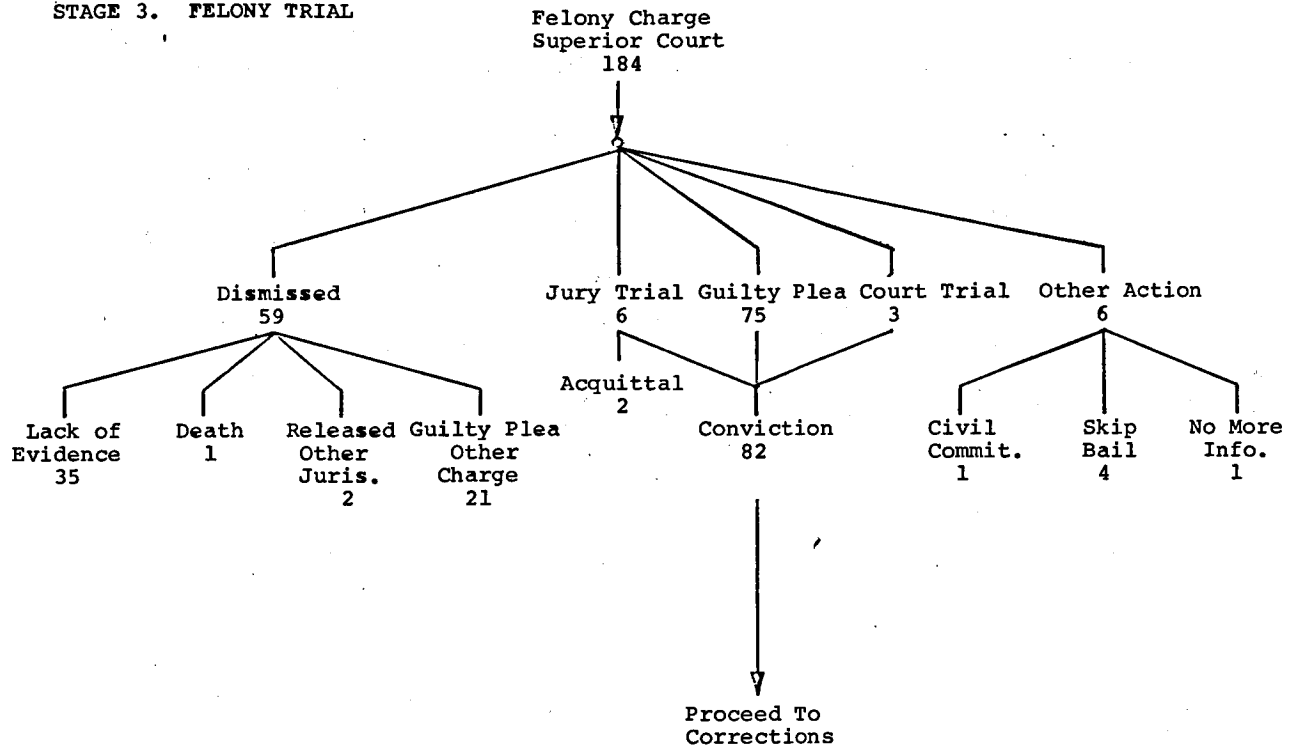
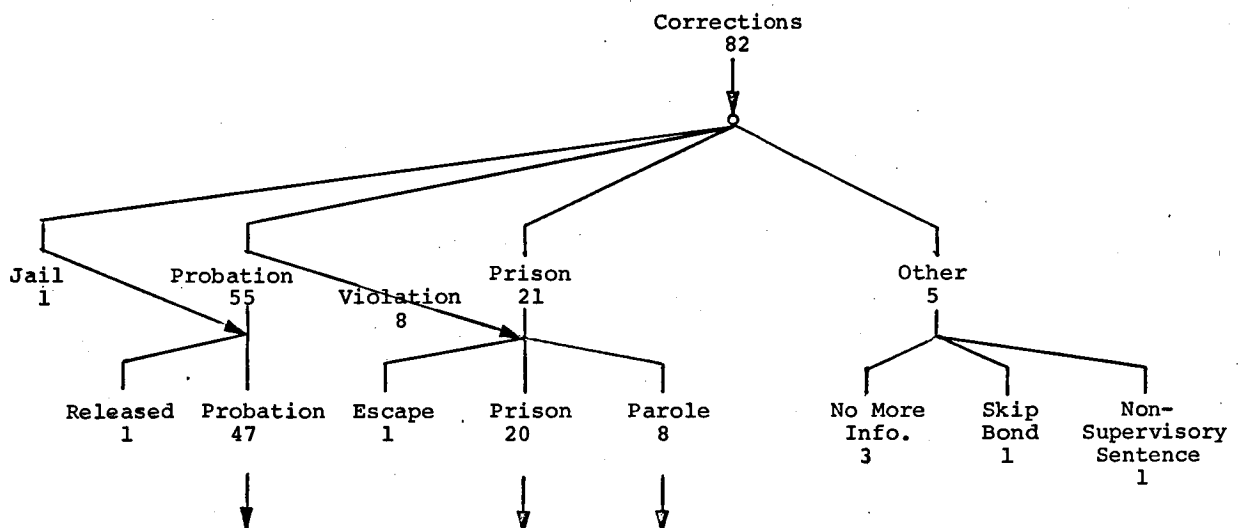


Exhibit 20c. Data Elements Describing Flow of Offenders Through Criminal Justice System  
(Example for One State)

(Not available from existing statistical systems)

STAGE 4. CORRECTIONS ACTIONS





V. GUIDELINES FOR ESTABLISHING STATE LEVEL CRIMINAL JUSTICE  
STATISTICS SYSTEMS

Specific requirements for state statistical centers are expressed in the Uniform Criminal Statistics Act included as Appendix A of this report. In this attached version each section of the model legislation is followed by a lengthy commentary explaining the needs for the statutory directives, needs which have not changed in the 24 years since the model was published, and which have been reiterated in the preceding chapters of this report.

The Act was drafted in 1946 by the National Conference of Commissioners on Uniform State Laws. It was approved by the American Bar Association. It is designed as a model state law governing the establishment of a Bureau of Criminal Statistics which will act as a central agency for collecting, analyzing, and publishing statistical information drawn from reports supplied by all local and state officials or agencies concerned in any way with crime or criminals. These Bureaus, in turn, will cooperate with and aid Federal agencies engaged in compiling similar statistics.

The SEARCH Statistical Advisory Committee is in agreement with the objectives and implementation devices specified in the model legislation, and with the approach to organizational alternatives.

In particular, it is recognized that the nature of the product of a useful criminal statistics system dictates certain organizational requirements. The ideal is a single agency responsible for collection, analysis, interpretation and dissemination of criminal justice data, in order:

- That the identities of individual offenders remain traceable through criminal justice processing.

- That data on the social and personal characteristics of offenders not be recorded repetitiously or erratically at different process levels.
- That agency actions towards offenders (transactions) be recorded consistently and completely.
- That information elements account for the passage of time and interactions between agencies, including the production of reconcilable input-output statistics.

There are several options for the location of such an agency, the chief alternatives involving the level of government, attachment or non-attachment to an operating department, and official recipient of reports.

Location at the state level has not been disputed. A state agency stands in proper close relation to the uniqueness of state penal codes and state options regarding problems in total system administration and funding, without being so far removed from any one agency that statistical content can become unbalanced or impractical regarding operational needs.

State agencies are also in the best position to efficiently use federal technical assistance in improving data quality.

The issue of location in operating agencies as opposed to organization independence is no longer considered to be crucial. The recent development of large centralized data processing units enables statistical programs to be combined to some extent with other activities. Location of the center should be determined by the needs of the particular state.

The character and authority of the statistics center, however, is extremely important. Wherever it is placed, a number of technical and budgetary requirements must be met:

- The statistical center must be described in the statute as a center with independent purposes. It must have the authority to implement the technical innovations necessary to produce the

comprehensive criminal justice policy and management information needed by general planners and evaluators. The important example of the new technical problems that existing structures are not equipped to solve is the establishment of data comparability across agencies. Few operators have any experience in reconciling their output data with that of agencies on other levels. The police count arrests, the courts count cases, and corrections officials count people. There are other differences in the basic information collected. Police concentrate upon criminal record identification and do not usually collect and interpret survey statistics relatable to more than their daily duties. Courts have rarely been interested in survey material at all. Corrections agencies investigate the social and personal characteristics of criminals in order to design custodial and rehabilitation programs. However, their experience in data base design tends to be limited by the inability of any existing official information system to produce total and sequential arrest, re-arrest, and conviction data. No agency can systematically relate its operations to demography.

- The statistical center must be staffed by professional personnel empowered to determine basic data needs and interpretations. General considerations of statistical quality must determine design of the data base, particularly the important feature of offender tracking across agencies. The diverse needs of federal, state and local agencies must be accommodated in the establishment of priorities. The importance of improving services to all operating agencies is naturally defined by the dependence of the central statistical body upon all operators' cooperation in maintaining quality.
- The statistical center must be budgeted separately from other criminal justice activities at a level sufficient for the performance of its special duties. In particular, the need for adequate computer facilities is now an important consideration in funding.

The official recipient of the reports of the statistical center can be the State Legislature, Attorney General, or Governor, whichever is most appropriate to the traditions and structures of a particular state government.

The nature of the data to be collected should be specified to some extent in the legislation establishing the statistics agency in order to provide the center with definite responsibilities and assure that some data will be published. However, the fact that neither precise statistical needs for operations users or survey data users can be specified at this time, dictates that the director of the statistics center be empowered to collect and analyze all additional data that managers and policy makers are found to require. This authority is especially important in view of the continuing changes and improvements in the utilization of all social data.

In order to collect comprehensive and comparable information items, the director of the statistics center must possess statutory authority to:

- Require all persons or agencies dealing with crime or criminals to report all requested data.
- Set record-keeping standards for reporting agencies, including the provision of instructions on record-keeping and report form completion.
- Inspect records.

Other aspects of reporting obligations are described in detail in the model act and commentary in Appendix A.

The director must be responsible for the analysis and interpretation of the significant collected data, in order to prevent misuse. The task of interpretation is not defined as the exhaustion of all possible meanings of reported statistics. It consists of comment on major meanings and the inclusion of clear statements of the limits of significance of published data, with warnings regarding known imperfections of scope or consistency.

In view of the authority and responsibility of the position, the director of the statistics agency should have statistical training and experience and wide knowledge of the administration of criminal justice.

The central statistics agency should report annually to the state government. The report should include the number and types of offenses known to the public authorities, the personal and social characteristics of offenders, and the administrative actions taken by police, court, and correctional agencies towards offenders. The details of presentation and analysis should be left to the director, in order to permit improvements in data base design and interpretation.

The Uniform Criminal Statistics Act covers all the preceding points and others, with the exception of responsiveness to operating agency needs.

The SEARCH Statistical Advisory Committee recommends that the Uniform Criminal Statistics Act drafted by the National Conference of Commissioners on Uniform State Laws be adopted in its entirety with the following addition: To Section 4, Duties of Director, should be added a provision that the Director be required to survey the statistical needs of the police, courts, prosecutors and corrections officials prior to implementing a statistical system.

Any deletions from the Act will weaken the capability of the statistical centers to collect, analyze, interpret, and publish data.

## APPENDIX

APPENDIX

UNIFORM CRIMINAL STATISTICS ACT

*Drafted by the*

NATIONAL CONFERENCE OF COMMISSIONERS ON  
UNIFORM STATE LAWS

*and by it*

APPROVED AND RECOMMENDED FOR ENACTMENT  
IN ALL THE STATES

AT ITS ANNUAL CONFERENCE  
MEETING IN ITS FIFTY-FIFTH YEAR  
AT PHILADELPHIA, PENNSYLVANIA  
OCTOBER 21-26, 1946

WITH  
PREFATORY NOTE

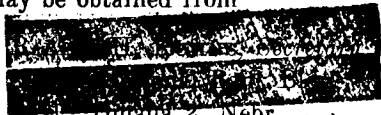


APPROVED BY THE AMERICAN BAR ASSOCIATION AT ITS MEETING AT  
ATLANTIC CITY, NEW JERSEY, OCTOBER 23-NOVEMBER 2, 1946

The committee which acted for the National Conference of Commissioners on Uniform State Laws in Preparing the Uniform Criminal Statistics Act was as follows:

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Copies of all Uniform Acts and other printed matter issued by the Conference may be obtained from

  
National Conference of Commissioners  
on Uniform State Laws  
1155 East 60th  
Chicago



## UNIFORM CRIMINAL STATISTICS ACT

### PREFATORY NOTE

A Uniform Act on this subject has been urgently needed for some years. As long ago as April 1, 1931, the National Commission on Law Observance and Enforcement (the Wickersham Commission) reported:

"A proper system of gathering, compiling and reporting statistics of crime, of criminals, of criminal justice and of penal treatment is one of the first steps in the direction of improvement. . . if the States would enact a uniform state law governing the gathering of such statistics and sending them to such a (Federal) bureau while retaining such local provisions for local use, as local needs may indicate, an adequate nationwide system could be brought about."

It is the hope of your Committee that the Act now submitted meets the required need.

## UNIFORM CRIMINAL STATISTICS ACT

### AN ACT CONCERNING CRIMINAL STATISTICS AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO

- 1 SECTION 1. *Bureau of Criminal Statistics Established.*
- 2 A bureau of criminal statistics (called the bureau) is estab-
- 3 lished in the office of the [attorney general].

#### *Comment to Section 1.*

The object of the Bureau of Criminal Statistics is to act as a central agency which collects, analyzes, and publishes statistical information drawn from reports supplied by all local or state officials or agencies concerned in any way with crime and criminals. Most of the states of the union lack such a central service. In a few states the only criminal statistics available are found in the reports of individual institutions or state departments, in which case they refer only to the functions of such institutions or departments. In other states, one or more state departments secure reports from some particular type of county or municipal official or agency. An illustration of this may be found in those states in which the attorney general is required to secure certain statistics from county attorneys and to publish them in his annual report. Or, as sometimes happens, a large number of state departments or boards may be charged with the duty of securing statistics from local sources, each confining itself to one type of source. The result is that a considerable amount of statistical information may be secured for the state as a whole and covering a variety of aspects of the problem, but under such conditions it is inevitable that the published data lack uniformity and comparability. Alabama, for instance, affords a good illustration of such extreme decentralization. In this state the Department of Public Welfare receives annually required reports from public or private state, county, municipal or other agencies or institutions engaged in placing or caring for delinquent minor children. It also receives monthly reports from juvenile court judges on the work of their courts and from probate judges on nonsupport or desertion cases. The Chief Justice of the Supreme Court receives semiannual reports from clerks of circuit

courts or courts of like jurisdiction on the business of the courts and the number of prisoners in jail. The attorney general receives quarterly reports from circuit and county solicitors on the criminal business of the courts. The Department of Correction and institutions receive monthly reports from sheriffs, police chiefs and town marshals on prisoners in county and city jails. Iowa presents another illustration of the same type. In that state the Board of Parole receives reports from clerks of district courts, the Board of Social Welfare, from juvenile courts and institutions receiving delinquent children; the attorney general or the governor from county attorneys, and the Bureau of Investigation from coroners.

*Central Bureau of Criminal Statistics.* A few states have created central bureaus of criminal statistics, empowered to secure information from a wide variety of state and local officials. Such bureaus have been provided for in California, Louisiana, Massachusetts, Michigan, Minnesota, New York, Pennsylvania, Rhode Island, South Dakota, Texas and the Territory of Hawaii. In addition, it may be argued that Illinois, Indiana, Maryland and North Carolina have legislation that might enable the state authorities to set up such bureaus. The various states mentioned exhibit no uniformity in the definition of the duties or powers of these services. Some of these agencies have extremely comprehensive programs, while others are greatly limited by law.

*The Administrative Location of the Bureau.* Strictly speaking, no state of the union possesses, at the present time, an independent Bureau of Criminal Statistics; that is, an agency which is solely devoted to this task and not attached to any specific state department. Most of the present statistical services are administered as divisions of some state department set up to serve some other main function.

In California, the statistician in charge of the work of collecting criminal statistics is a section chief in the Division of Criminal Identification and Investigation, which in turn is part of the Department of Penology. The Division of Criminal Identification and Investigation is operated, however, by a Board of Managers appointed by the governor for staggered terms of four years. This Board, consisting of the attorney general as president and one chief of police, one sheriff and one district attorney, selects the superintendent of the Division and the statistician in charge of the criminal statistics, as well as other investigators. Statutes of 1929, Chapter 788 and Statutes of 1939, Chapter 957.

Louisiana can be regarded as having, practically speaking,

two Bureaus of Criminal Statistics: one in the attorney general's office and another in the State Bureau of Criminal Identification located in the State Department of Police. A criminal docket clerk in the attorney general's office collects police and court statistics through the district attorneys or directly from police chiefs of communities over ten thousand in population. A Bureau of Criminal Identification also collects data from police court and penal authorities. Dart's Code of Criminal Law and Procedure 1943, Sections 24, 575-581 and 708.

In Massachusetts, the Commissioner of Correction is charged with the collection of criminal statistics from local police courts and penal institutions. Annotated Laws 1942, Chapter 124, Sections 6-9.

In Michigan, a general division of criminal statistics is under the supervision and control of the director of the State Department of Correction. Mason's 1940 Cumulative Supplement, Sections 17543-19.

In Minnesota, a division of criminal statistics exists in the State Bureau of Apprehension; the division is in charge of a statistician and an assistant statistician. The Bureau of Apprehension is an independent organization, the superintendent being appointed by the Governor by and with the consent of the Senate. Mason's Minn. Statutes of 1940. Supplement, Sections 9950-5-22.

In New York, the Division of Criminal Identification, Records and Statistics, within the State Department of Correction, performs the duties of a central Bureau of Criminal Statistics. Code of Criminal Procedure, Title X, Section 947.

In Pennsylvania, the Department of Welfare is entrusted with the task of gathering criminal statistics. Purdon's Pennsylvania Statutes, Title 71, Section 601.

In Rhode Island, a division of probation and criminal statistics in the State Department of Public Welfare gathers criminal statistics. General Laws of 1938, Chapter 619, Section 1.

In South Dakota, which in 1939 adopted the Uniform Criminal Statistics Act, the work is done by a Bureau of Criminal Statistics in the attorney general's office, which also performs the work of a Bureau of Identification. Laws of 1939, Chapter 138.

In Texas, the Bureau of Identification and Records in the Department of Public Safety acts as a Bureau of Criminal Statistics. Revised Civil Code, Article 44113 (14).

In the Territory of Hawaii, a Bureau of Crime Statistics

and Identification forms a division in the Department of Institutions. Revised Laws of 1935, Chapter 217, Section 6463.

If we include Illinois, Indiana, Maryland and North Carolina, we find the Department of Welfare assigned this task in Illinois, Laws of 1941, pages 1214 *et seq.*, the Bureau of Identification and Investigation in North Carolina, Laws of 1937, Chapter 349, Section 2, the attorney general through his Legislative Reference Bureau in Indiana, Baldwin's Indiana Statutes 1934, Section 10273; the state police, in Maryland, Laws of 1935, Chapter 303, Section 20, through its Bureau of Identification.

Upon examination, the present situation reveals, then, that two main solutions have been utilized. In most states, either the department in charge of state penal institutions or the state Bureau of Identification has been entrusted with the collection of criminal statistics. In only two states, Louisiana and South Dakota, has the attorney general's office been selected by the legislature as a proper location for a central statistical service, and in one of these, Louisiana, a duplicate service exists in the State Bureau of Identification, while in the other, South Dakota, the choice was adopted in conformity with the recommendations in the Uniform Criminal Statistics Act approved in 1937 by the National Conference of Commissioners on Uniform State Laws.

*What Solution Should a Model Uniform Criminal Statistics Act Propose?*

1. Should a Bureau of Criminal Statistics be an independent agency similar to the Minnesota Bureau but devoting its entire effort to criminal statistics? That is, from many points of view, the best solution. Such a bureau receiving an appropriation directly from the legislature would be most unhampered in its work.

2. If this is regarded as undesirable by the legislature, the Bureau should be attached either to the department in charge of the penal correctional institutions of the state or to the Bureau of Identification. This solution has both advantages and disadvantages. The advantages reside in the fact that these agencies already possess a certain quantity of information, or sources of information, which could be explored. In many states today, local police departments are already compelled to make certain reports to identification bureaus. In others, local jail officials and juvenile court judges are already compelled, by law, to make reports to state departments of correction. There is one advantage of having the Bureau in a department of

correction. Existing Bureaus of Criminal Statistics tend to place undue stress upon the administration of justice and give little attention to offenders and their personal and social characteristics. While administrative statistics have a certain utility, it seems obvious that what must be developed in the future is more adequate data concerning offenders. Departments in charge of penal and correctional treatment being, to a considerable extent, concerned with individual offenders are therefore likely to pay more attention to this neglected field of criminal statistics. The drawback in attaching a criminal statistical service to these statistical agencies is that the service is likely to be considered as a sort of stepchild which will suffer from a lack of funds. This is perhaps the chief reason for advocating an independent Bureau. If the Bureau is properly organized, however, and has adequate financial resources, it probably makes little difference in which department it is located. Obviously, it is desirable to avoid the placing of any undue stress upon any one aspect of criminal statistics. It is natural to assume that the Bureau located in the attorney general's department might be tempted to exploit judicial criminal statistics more than any other type, or that a Bureau located in the department of correction might stress penal statistics and pay little attention to police and court statistics. Similarly, a Bureau identified with a Bureau of Investigation and Identification might concentrate on police statistics. A completely independent Bureau would be in a better position to maintain an even balance. Every effort must be made to avoid statistical work from becoming a side issue lacking competent supervision.

The legislature, then, might well consider the administrative organization created in California or in Minnesota. If the California plan is adopted, a Bureau of Criminal Statistics might be set up as part of a state department or as an independent Bureau, but governed by a Board of Managers consisting of the Commissioner of correction as chairman, let us say, and three members: one a chief of police, representing police statistics; a district attorney, representing judicial statistics; and a prison administrator, representing penal statistics; or an interdepartmental Board consisting of representatives from the state police department, the attorney general's office, and the department of correction, designated by the executive heads of these departments.

If the Minnesota plan were followed, Section 1 above should be adopted without the bracketed material and provisions made in Section 2 for the appointment of the director by the governor by and with the consent of the senate.

*The Title of This Act.* It is, of course, of paramount importance that the Bureau be given the authority to collect all pertinent statistics concerning violations of law, permitting analysis of the condition of criminality and delinquency in the community. This means that the Bureau should be in a position also to gather data concerning juvenile delinquency, for instance. If the Bureau is granted such powers, there is no need to worry about the fact that the term "criminal" alone is used in the title of the Act and in the name of the Bureau.

1 SECTION 2. *Director, Method of Appointment, etc.*

2 The governor [by and with the consent of the senate] shall  
3 appoint the director of the bureau, for a term of [five] years.  
4 He shall have statistical training and experience and possess  
5 a knowledge of criminal law enforcement and administration  
6 and of penal and correctional institutions and methods. He  
7 shall devote all his time to the duties of his office, shall receive  
8 a salary of [ ] dollars a year payable in equal monthly  
9 installments. He shall be furnished with the necessary facilities  
10 and equipment and shall appoint clerical and other assistants  
11 necessary for the work of the bureau. All expenses of the  
12 bureau shall be paid out of the appropriation made for its work.  
13 [All bureau personnel, including the director, shall be selected  
14 and shall serve in accordance with the civil service law.]

*Comment on Section 2.*

Good criminal statistics result from a carefully selected set of original data, tabulated in a manner to illustrate or demonstrate significant conditions or trends and interpreted so as to make the importance of the findings clear to the intelligent layman. Every step in this procedure depends on knowledge and skill—knowledge of the crime problem as a whole and of the administrative organization and policies of the agencies which supply the raw data, skill in statistical planning and analysis. Most so-called criminal statistics published today, in various states, possess no conceivable utility, because neither this knowledge nor the skills mentioned entered into their preparation.

It is hardly worth while to establish a central Bureau of Criminal Statistics, unless provisions are made for placing at its head and on its staff persons who have the training and

knowledge needed for its proper operation. It may be impossible to write detailed specifications into a statute. California requires the appointment of a "qualified statistician." Louisiana instructs the Attorney General to appoint a criminal Docket Clerk in charge of judicial statistics who shall be "skilled in statistics and a competent administrator." Minnesota has a provision like that of California. The statutes of other states are silent on this point. The illustrations mentioned express the intent of the Legislature, the appointing authority exercising discretionary power which is fairly unlimited.

In the section proposed here, a somewhat more elaborate statement is suggested, in full recognition of the fact that it merely proposes to serve as a guide to the appointing authority.

The salary of the director will, of course, depend on the scale of compensation in a particular state. It should be large enough to ensure the appointment of persons with the required qualifications.

The work of the Bureau of Criminal Statistics is purely technical and professional and the development of a comprehensive system of such statistics requires many years of growing familiarity with local institutions and agencies, etc., on the part of the Bureau's staff. It is therefore of utmost importance that a director and his staff should be assured of reasonable tenure in office. Frequent personnel changes would stultify the program. If conditions permit, all positions should be covered by the civil service law of the state and thus remove them from the accidents of political change. If the state has no civil service law, the term of office of the director, at least, should be long enough to permit him to develop a sound program. Two years is too short a time for this purpose. The technical nature of the Bureau's work may help, of course, to assure his reappointment, so long as he proves adequate for his job.

1 SECTION 3. *Duties of Director.*

2 The director shall:

3 (1) Collect data, necessary for the work of the bureau, from  
4 all persons and agencies mentioned in section 4.

5 (2) Prepare and distribute, to all such persons and agencies,  
6 forms to be used in reporting data to the bureau. The forms  
7 shall provide for items of information needed by federal  
8 bureaus or departments engaged in the development of national  
9 criminal statistics.



10 (3) Prescribe the form and content of records to be kept  
11 by such persons and agencies to insure the correct reporting of  
12 data to the bureau.

13 (4) Instruct such persons and agencies in the installation,  
14 maintenance and use of such records and in the manner of  
15 reporting to the bureau.

16 (5) Tabulate, analyze and interpret the data collected.

17 (6) Supply data, at their request, to federal bureaus or de-  
18 partments engaged in collecting national criminal statistics.

19 (7) Annually present to the governor, on or before [July 1,]  
20 a printed report containing the criminal statistics of the pre-  
21 ceding calendar year; and present at such other times as the  
22 director may deem wise or the governor may request reports  
23 on special aspects of criminal statistics. A sufficient number of  
24 copies of all reports shall be printed for distribution to all  
25 public officials in the state dealing with crimes or criminals and  
26 for general distribution in the interest of public enlightenment.

*Comment to Section 3. Sub-Section (1).*

Should the nature of the data to be collected by the Bureau be left entirely to the discretion of the director or should the statute itemize such information? Existing statutes provide no uniform answer to this question. If we consider only the states which have centralized the collection of criminal statistics, we discover that in Rhode Island and in the Territory of Hawaii, the state agency involved is merely authorized to collect criminal statistics. Among the other states, some give extremely detailed lists of items of information, while others operate under more general directions requiring that data of certain general types be secured. In either instance, however, these classes of data or detailed itemized lists are not necessarily given in the section which defines the duties of the director. There are nearly as many formulas as there are states.

1. California directs the Bureau "to obtain statistics" and lists the items in the section of its statute, which defines the duties of persons and agencies that are compelled to report to the Bureau. This formula, with slight variations, will be found in the statutes of Louisiana, Massachusetts, and Minnesota.

2. Pennsylvania and Michigan require their Bureaus to obtain certain items of information and any additional data which they desire.
3. Texas requires that certain types of information be gathered.
4. South Dakota (Uniform Criminal Statistics Act) requires a collection of statistics which will tend to show certain things about crime, criminal justice, and the offender.
5. New York solves the problem by specifying that the annual report of the director shall contain certain detailed and itemized statistics.

There are some good arguments for and against giving explicit directions to the Bureau as to what items of data it should collect. In defense of such a policy one may say that (1) it gives to the Bureau a clear mandate and a definite responsibility, and that (2) it assures the publication of at least some specified data. Nevertheless, it is believed that such a policy is not desirable. First of all, it tends to place the Bureau in a strait jacket. Criminal statistics is a professional field of work. A good criminal statistician must be free to develop his program in the best manner possible. To begin with, he may be unable to meet a mandate which requires him to secure a large amount of itemized data, for local agencies and institutions may lack adequate records. Later on, he may be in a position to go far beyond itemized requirements. The statute should give him general directives without hampering him in his work. Therefore, it seems wise merely to order the Bureau to collect data considered by its director as necessary for the work of the Bureau.

*Comment on Sub-Section (2).*

The provision which has reference to the federal bureaus and departments is not included in order to limit the work of the Bureau, but merely to make certain that it does collect the items which are needed by the Federal Bureau of Investigation for police statistics, The Children's Bureau for juvenile court statistics, and the Bureau of the Census for judicial and penal statistics. It is assumed, of course, that state bureaus will go far beyond the demands of these federal bureaus, but it is desirable that we develop nationwide, uniform and comparable statistics. This can be assured only by impressing the need on each state bureau.

*Comment to Sub-Section (3).*

In the absence of standards for keeping records applying to local officials and even to state officials or agencies, it is difficult to secure comparable data. It seems necessary to give to the director power to prescribe such standards for records which reporting agencies need to keep, in order to enable them to make the required reports to the Bureau. The territory of Hawaii alone specifically gives the director the duty to "select and enforce systems . . . for the recording and compilation of statistics relating to crime."

*Comment to Sub-Section (4).*

Correlated with the power of prescribing record systems is the power to give instructions to record clerks, etc., in how to install, maintain and utilize such systems insofar as they relate to the duty of reporting information to the Bureau. This includes, in part, the preparation of instruction sheets to accompany the cards or forms provided for in sub-section (2). The argument has already been advanced that federal bureaus or departments collecting national statistics must, in the future, be able to rely upon state bureaus to supply the information. Today, all these departments are compelled, to some extent, to deal with individual officials scattered over the nation. State bureaus should be directed to render assistance to the federal agencies already mentioned or to any other such agency which might be created in the future. This duty has already been recognized by some states. Minnesota, for instance, provides that the information collected and preserved by its Bureau "shall include such data as may be requested by the United States Department of Justice at Washington under its national system of crime reporting." Texas requires its Bureau to cooperate with bureaus in other states and with the Department of Justice in Washington. In both these states the provision appears to have reference solely to the uniform police statistics collected by the Federal Bureau of Investigation. Louisiana and New York go a step further. The Louisiana law requires that the forms prescribed by the Bureau shall conform "where appropriate to the uniform system of criminal statistics of the United States Department of Justice and the United States Bureau of the Census," and New York prescribes that the data collected by its Bureau "shall be classified and compiled in such form as to enable the Commissioner of Correction to cooperate with agencies of the United States Government in maintaining uniform

and comparable criminal statistics on a nationwide basis and to present the full facts about crime."

The need discussed here was recognized in the formulation of Section 4 of the Uniform Criminal Statistics Act of 1937.

*Comment to Sub-Section (7).*

The choice of the calendar year is desirable, since it affords the most logical basis for uniformity and comparability. In many states today, fiscal years ending in different months are found. While the fiscal year can be defended in connection with the reports of institutions or agencies that expend large sums of money or have considerable income from other sources than appropriations, there is no good reason for using the fiscal year in reporting criminal statistics. Even if the accounting and the financial management of the Bureau would have to use a fiscal year for its budget report to the legislature, the criminal statistics should be reported on a calendar year basis.

1 SECTION 4. *Report to Bureau; Duties of Persons and Agencies.*

2 Every constable, city marshal, chief of police; railroad,  
3 steamship aqueduct, park and tunnel police; sheriff, [coroner,  
4 [county commissioner;] jail keeper, justice, magistrate; judge,  
5 district attorney, court clerk; probation officer, parole officer,  
6 warden or superintendent of a prison, reformatory, correctional  
7 school, mental hospital or institution for the feeble-minded;  
8 school attendance officer, attorney general, [judicial council;]  
9 department of motor vehicles, department of welfare, state  
10 sheriff, state police, department of highways, state fire marshal,  
11 bureau of criminal identification, bureau of vital statistics,  
12 board of liquor control, and every other person or agency,  
13 public or private, dealing with crimes or criminals or with de-  
14 linquency or delinquents, when requested by the director, shall:  
15 (1) Install and maintain records needed for reporting data  
16 required by the bureau.

17 (2) Report to the bureau as and when the director pre-  
18 scribes, all data demanded by him (except that such reports  
19 concerning a juvenile delinquent shall not reveal his or his  
20 parents' identity).

21 (3) Give the director or his accredited agent access to rec-  
22 ords for purpose of inspection.

- 23 (4) Cooperate with the director to the end that his duties  
24 may be properly performed.

*Comment to Section 4.*

Is it desirable to itemize in detail the persons and agencies who are duty bound to report to the Bureau? On this score there is considerable variation to be found in existing statutes. Some are silent on this point—for instance, Rhode Island and Texas. California and Minnesota enumerate in detail the persons and agencies that must furnish reports. New York does the same and adds to the list "every other officer or person whose duties make him the appropriate officer." Pennsylvania and Michigan enumerate a few officials and add "all others concerned in the control, apprehension, trial and management of criminals or delinquents in this commonwealth." Itemization of the type suggested in this section should be adapted to the conditions in a given state. Every effort should be made to include by title every public official who has anything to do with criminals or delinquents in that state. Such specification will be of help to the director of the Bureau and will make every public official mentioned aware of his responsibility. In practice, only the heads of the different offices, etc., will be requested to supply information. The formula suggested in this statute makes the duty operative *only when the Director of the Bureau makes a request.*

*Comment to Sub-Section (1).*

The wording of this subsection makes it clear, it is hoped, that not all the records of these persons and agencies are involved, but only those which should be kept for the reporting of information to the Bureau.

*Comment to Sub-Section (2).*

The bracketed material is suggested for the following reason: in a large number of states, juvenile court clerks, judges, or probation officers are now required to submit reports on the business of their courts to some state agency, usually the State Department of Welfare. It is common to find in the statutes providing for such reports, a proviso aiming to protect the juvenile delinquent from being identified in any way. This is fully in harmony with the philosophy and practice of juvenile courts. Its introduction in this Act might go far toward allaying any fear on the part of the officials and the supporters

of the juvenile courts, and to convince them of the desire of having a Bureau of Criminal Statistics which covers the entire field of crime and delinquency.

*Comment to Sub-Section (3).*

In order to make it possible for the director to enforce his demand for the installation of adequate record systems, it would seem necessary to give him the right to inspect at any time the methods of keeping records on the part of those persons or agencies who are duty bound to furnish him with reports on request.

1 SECTION 5. *Annual Report.*

2 (1) The annual report of the director shall contain statis-  
3 tics showing (a) the number and the types of offenses known  
4 to the public authorities; (b) the personal and social charac-  
5 teristics of criminals and delinquents; and (c) the adminis-  
6 trative action taken by law enforcement, judicial, penal and  
7 correctional agencies in dealing with criminals and delinquents.

8 (2) The director shall so interpret such statistics and so  
9 present the information that it may be of value in guiding  
10 the legislature and those in charge of the apprehension, prose-  
11 cution and treatment of criminals and delinquents, or those  
12 concerned with the prevention of crime and delinquency. The  
13 report shall include statistics that are comparable with national  
14 criminal statistics published by federal agencies heretofore  
15 mentioned.

*Comments to Section 5.*

Existing statutes frequently ignore any specific reference to an annual report. When they do mention it, the specifications run the gamut from a generalized reference merely requiring that such a report be presented to highly detailed enumerations of the data to be included. In New York, for instance, the division of criminal identification records and statistics is required to prepare an annual report which "shall set forth the number and nature of all crimes reported or known to the police, of persons arrested, of persons tried by the criminal courts, and the action taken with relation thereto. Of persons convicted, such reports shall show the sex, age, nativity, whether previously convicted of any crime and the number of

convictions. Of persons convicted, such reports shall also show for what crimes convicted, the number convicted by trial and on a plea of guilty, the number fined, the number in which sentence was suspended, the number in which an appeal was taken, and the result of such appeals. Such reports shall also show the number and nature of persons placed on probation, of persons whose probation is revoked, of persons committed to and released from state, county, and local prisons and other penal institutions, persons committed to and released from reformatory institutions, of persons released on parole or whose sentence is commuted, and the unexpired period of such sentence, of persons pardoned by the Governor, and such other information of statistical value as the Commissioner of Correction shall determine." Code of Criminal Procedure, Title X, Section 947.

A praiseworthy part of this statute is the stress placed upon the collection of certain data concerning the personal and social characteristics of those convicted. All too often, statutes appear to have been drafted primarily for the purpose of securing statistical information about administrative processes. In Ohio, for instance, prosecuting attorneys shall annually "transmit to the Attorney General a report of all crimes prosecuted by indictment or information . . . specifying, under the head of felonies, the number convicted, the number acquitted, the amount of costs incurred, the amount of costs collected from the defendants, and under the head of misdemeanors, the number convicted, the number acquitted, the amount of fines imposed, the amount collected, and such other information as the Attorney General requires." Throckmorton's Ohio Code Annotated 1940, Section 2925.

In a number of states, it has also been customary to introduce certain general statements requiring that the data collected by the Director, or presented in the annual report, shall be "useful in determining the course and amount of crime in this state and . . . form a basis for the study of crime, police methods, court procedure, and penal problems." (California and Minn.) California Statutes of 1929, Chapter 78 and Mason's Minnesota Statutes 1940, Supplement, Sections 9950-7

New York requires that the report "shall be a true and accurate picture, so far as is possible, of the crime situation in this state."

It has seemed wise to take a middle road in the above section. The first part of it requires the Director to present statistics on the basis of the offense committed, the personal and social characteristics of criminals and delinquents, and administrative actions. This leaves to the Director discretionary

power to develop such criminal statistics along the most convenient lines. In the second paragraph, he is required to present data comparable with those compiled also by federal bureaus or departments. It is assumed that such data will form only a small but necessary part of the report.

Nearly all criminal statistics published today in the various states suffer from a lack of interpretation. The enormous amount of tabulated material, in the annual report of the Commissioner of Correction of New York State on crime statistics, is presented without explanation, to the great consternation of all consumers of statistics. Existing statutes pay no attention to this problem. It has therefore seemed desirable to introduce, in the second part of the section, a directive which compels the Bureau to give an interpretation of all statistics included in the annual report.

1 SECTION 6. *Penalties.*

2 If any public official required to report to the bureau neglects  
3 or refuses to comply with the requests of the director for such  
4 report, or with his rules governing record systems and their  
5 maintenance, the director shall give written notice thereof to  
6 the officer charged with the issuance of a warrant for the pay-  
7 ment of the salary of such official. Upon the receipt of this  
8 notice, such officer shall not issue a warrant for the payment  
9 of the salary accruing to the official until notified by the direc-  
10 tor that the salary has been released by the performance of  
11 the required duty. Any official who makes, or causes to be  
12 made, a fraudulent return of information to the bureau is  
13 guilty of a misdemeanor.

*Comments to Section 6.*

Most of the states having any provision for the collection of statistics from local officials provide no penalties for neglect or failure to report, although it is possible that there may exist, in some of those states, a blanket statute which obviates the use of a penalty clause. In the specific acts dealing with criminal statistics, the states which include such penalty clauses show a great lack of uniformity as well as of internal consistency. In Alabama, for instance, the failure of juvenile court judges to make reports is a misdemeanor without specific penalty, while the failure of jailers to report is a misdemeanor punishable by a fine of not less than \$25.00 and not more than \$100.00 and/or thirty days in jail. Clerks of court who neglect



this duty are threatened with the forfeiture of \$100.00, while county solicitors forfeit \$200.00. Code of 1940, Chapter 13, Sections 202, 234, 355; Chapter 45, Section 182.

In Louisiana, failure to make reports to the Attorney General is punishable by fines of from \$50.00 to \$500.00 and forfeiture of office after the third punishment. Failure to report to the Statute Bureau of Identification, Investigation and Statistics, however, is punishable by a maximum fine of \$25.00 and/or thirty days in jail. Dart's Code of Criminal Law and Procedure, Title 31, Sections 581, 703.22.

In Massachusetts, certain officials forfeit \$200.00, Annotated Laws of 1942, Chapter 124, Section 8; in New York, those who failed to report are threatened with removal from office, Code of Criminal Procedure, Title X, Section 949; in Maine, County Attorneys forfeit half of the salary for the current quarter, Revised Statutes 1930, Chapter 93, Section 204; while in Ohio, neglectful officials forfeit from \$5.00 to \$50.00, Throckmorton's Ohio Code Annotated 1940, Section 174. Minnesota has solved the problem in the manner indicated in the section suggested above, which is borrowed from the statute of that state governing the Bureau of Criminal Apprehension. Mason's 1940 Supplement, Sections 9950-22. It would seem to be the best solution. An Act which will require the institution of civil actions or criminal prosecution of neglectful officials, especially when duties of the type covered by this Act, would probably be unenforceable. Giving to the Director of the Bureau the power merely to hold up the payment of the salary should be a much more effective means of securing compliance.

1 SECTION 7. *Uniformity of Interpretation.*

2 This act shall be so construed as to make uniform the law of  
3 those states which enact it.

1 SECTION 8. *Short Title.*

2 This act may be cited as the Uniform Criminal Statistics  
2 Act.

1 SECTION 9. *Repeal.*

2 [All acts and parts of acts inconsistent with this act are  
3 hereby repealed.]

1 SECTION 10. *Time of Taking Effect.*

2 This act shall take effect . . . .