

CRIMINAL JUSTICE IN THE 90s

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Good morning. I feel extremely privileged today to be speaking to the Committee on National Statistics of the National Academy of Sciences. I appreciate the opportunity to briefly cover some of the recent developments in Federal statistics related to crime and the criminal justice system. In May of this year, I was nominated by President Bush to serve as the Director of the Bureau of Justice Statistics (BJS) and in July of this year I was confirmed by the Senate and assumed my current position.

What I will discuss this morning are some of the highlights of our statistical findings and activities, providing a quick picture of where we are today, and where we are headed in the future, in terms of national data collection and analyses. It is imperative that we have the best available information and most thorough analyses possible if we are to chart accurately the trends and opportunities of tomorrow in the field of criminal justice.

Central to this process, of course, is an understanding of the role of the Bureau of Justice Statistics (BJS) which serves as the premier criminal justice statistical agency within the Department of Justice, the Federal Government, the nation, and (not surprisingly) the world.

Today I want to provide a quick history and overview of BJS and its activities, particularly some of the newer projects that are just getting underway or are in the planning stages. I will

reference some statistical findings of recent research, but not in great detail.

The Bureau of Justice Statistics is, in Washington terms, a young agency of about 10 years of age, having been established by the Justice Systems Improvement Act of 1979. Including the life of its predecessor agency in the Law Enforcement Assistance Administration, BJS is just over 20 years old. BJS was created in response to more than half a century of recommendations for a comprehensive national justice statistics program, most notably those of two Presidential Commissions, the Wickersham Commission of the early 1930s and the 1967 President's Commission on Law Enforcement and the Administration of Justice.

The 1967 Task Force identified the need to create a "complete body of statistics covering crime, criminals, criminal justice, and penal treatment" at the Federal, state and local levels of government and entrusting this responsibility to a single Federal agency. It was recognized that too often criminal justice policymakers and officials were forced to rely on often incomplete information or they discovered that data was nonexistent on many important policy questions confronting them. Hence, the Bureau of Justice Statistics was founded to fill this void.

As presently constituted, BJS has about 50 employees, of which about 35 are professional positions including a dozen or so PhD's. Most of the professionals are statisticians, trained in such fields as criminal justice, sociology, demography, political science, and psychology. BJS is a component of the Office of Justice Programs (OJP) within the Department of Justice. OJP also includes: the Office for Victims of Crime (OVC) and the Bureau of Justice Assistance (BJA)--both of which I served as a Deputy Director--as well as, the National Institute of Justice (NIJ), and the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

The current operating budget for Fiscal Year 1990 is slightly more than \$21 million, a relative modest budget for an agency with national responsibilities. BJS also administers certain grants funded by sister agencies, particularly the Bureau of Justice Assistance (BJA). But we are proud of the fact that, despite severe budgetary constraints, the Bureau has experienced recent modest enhancements and has requested modest enhancements again in our future budget should resources be available. Overall, approximately 80 percent of this operating budget goes for important core statistical programs and the national dissemination of crime data and analyses. The rest goes toward a variety of activities, including support of State Statistical Analysis Centers, support to the States for the implementing the FBI's National Incident-Based Reporting System (frequently referred to by the acronym "NIBRS"), and specific projects on

privacy and confidentiality of criminal justice records, international crime data and a number of other areas. Let me briefly describe some of our activities and how they relate to current and future concerns in the field.

First, let me mention the Bureau's largest project, which some of you probably know, the single largest data collection program which BJS sponsors is the National Crime Survey, also commonly referred to as the Victimization Survey. You may have seen the recent national press stories on the latest survey findings for 1989 data, another press release on victimization trends will be forthcoming within a week or two. In general, the NCS was developed in response to the recommendations of the 1967 Commission, which had concluded that:

There is a great deal of crime in America, some of it serious, that is not reported to police, or in some instances (at that time) by the police.

Beginning with the findings first published for the year 1973, the survey has continually collected information on victimizations from household members 12 years of age and older in a rotating sample of 49,000 households, representing more than 100,000 persons a year. Trend information from the survey is released twice a year, a preliminary report in the spring and the final figures in the fall. In addition, BJS produces six to nine

reports a year on selected topics, such as elderly victims, black and Hispanic victims, rape, the use of weapons in crime, and family violence. These reports provide the basis for much of what the public knows about how crime affects victims--for example, the frequency and seriousness of injuries to victims, time spent in the hospital or away from work, and economic loss.

The public knows, based on the NCS surveys, that in many instances only a third of experienced crimes are reported to the police, including many incidences of violent crime. The public is also aware that the victimization rate for teenagers (60.1 per thousand teenagers) is more than twice as high as the rate (26.9 per thousand) for adults. It is obvious that those of us in criminal justice must continue to be well-informed of such statistics if we are to develop programs to respond to these trends. I must relate to you that I know first hand how important these findings are in developing the programs within the Office for Victims of Crime in serving innocent victims across the nation.

Second, in the area of judicial and pretrial statistics, BJS has recently launched two new programs to address a serious gap in existing knowledge about the criminal justice system. The National Pretrial Reporting System was developed in BJS as a consequence. The results of the first survey, covering persons

arrested in February 1988 for a felony, were released in April of this year.

Some of the major findings are startling: 35 percent of felony arrests (more than one-third) were arrested for a drug offense, a third of the murder and robbery defendants were 21 years old or younger, the average number of prior arrest charges for all defendants was 3 felonies and 3 misdemeanors. For those defendants released on bail, the median bail was less than \$5,000, ranging from \$2,000 for driving related offenses to \$35,000 for murder. About one in 12 defendants failed to make an initial court appearance and were still fugitives at the end of the 12-month survey period. Again, the importance of knowing what type of offender you are dealing with in the criminal justice system, and how you are dealing with the offender is critical to understanding the workings of our criminal justice system.

The National Judicial Reporting Program is somewhat similar to the Pretrial Program, but focuses on convicted felons, their characteristics, and the sentencing patterns for this population. The 1986 survey showed that for the estimated 583,000 persons convicted of a felony in State courts, 8 percent were found guilty by a jury, 3 percent were found guilty by a judge, and 89 percent pled guilty. 84 percent of jury convictions resulted in a sentence to jail or prison, and, on the average, the sentence in a jury trial was twice as long, 159 months, as those where the

offender pled guilty, 72 months. The average elapsed time from date of arrest to date of felony conviction was 5-1/2 months, and the average time from conviction to sentencing was 1 month. Again, this provides a picture as to how the system is working and where improvements may be needed.

A third major BJS program, which relies heavily upon state agencies for data, is the National Corrections Reporting Program, or NCRP. NCRP gathers data on the characteristics of persons admitted to or released from state prisons. When it is integrated with the BJS Uniform Parole Reports, BJS is able to provide a complete overview of sanctioning across the states--from prison entry through termination from parole for each offender.

The facts about State prisoners are particularly illuminating. During the 1980s, the prison population doubled, reaching 674,000 inmates on June 30, 1989, and as we are about to announce, this figure has now reached a significantly higher level. This annual increase from midyear 1989 to midyear 1990 was the largest annual growth in 65 years of prison population statistics! More than 90 percent of those prisoners were in state institutions. Three-fourths of those confined in state prisons have been convicted of these offenses: robbery (21 percent), burglary (17 percent), murder and non-negligent manslaughter (11 percent), violent sex crimes (9 percent), drug offenses (9 percent), and assault (8 percent). Overall, about 55 percent of

those confined in State prison have a current conviction for a violent offense, 66 percent have a current or past conviction for a violent crime, and 95 percent are convicted violent offenders or convicted recidivists. One-fifth of state prison inmates have been placed on probation or incarcerated six or more times. Obviously, these are very sobering statistics, and may indicate that the offenders we have behind bars are not the "nice guys" that should be walking the streets, at least not without adequate supervision and safeguards.

Fourth, the BJS National Probation Reports provide annual data on the number of persons placed under probation supervision and the year-end total of persons under such supervision. Since the mid-1960s, probation populations have grown from 400,000 to more than 2.3 million. By 1988, 64 percent of all person under correctional supervision in the United States were probationers. Overall, approximately three-fourths of all convicted offenders are under some form of correctional supervision in the community-- not behind bars.

A new initiative that BJS plans to pursue should funds be available, is an expansion of the probation and parole program, for reasons that I just highlighted (i.e., to enhance public safety). The new program would focus on each probation and parole agency nationwide, and would collect a rich variety of information about offenses, criminal histories, and substance

abuse histories of the nearly 3 million offenders under conditional supervision in the community. The new program will use direct interviews with clients to gather data on their criminal careers, substance abuse history, characteristics of their victims, their use of firearms, and their participation in rehabilitation and intermediate sanction activities, such as electronic monitoring and boot camps. This, I think, is needed to enhance the priorities of President Bush and Attorney General Dick Thornburgh in holding offenders and drug abusers accountable for their crimes.

Finally, a fifth area of interest relates to law enforcement. Up until recently, BJS had not had a statistical series that examined in detail certain law enforcement and public safety functions. To begin to remedy this, in 1987 BJS conducted the initial Law Enforcement Management and Administrative Statistics (LEMAS) survey. Drawing on the responses of over 3,000 police departments, sheriffs offices, and state police agencies (reflecting a 95 percent response rate), BJS collected valuable national information on the operations of law enforcement agencies and departments, including the fact that approximately 15,000 State and local law enforcement agencies employed approximately 750,000 persons, including 555,000 sworn officers.

Moreover, the responses show that 13 local police agencies serve populations of 1 million or more, but the great majority,

nearly 90 percent, serve jurisdictions with populations under 25,000. The vast majority of local police departments (91 percent) have less than 50 officers. Also, 80 percent of the departments report that they now use personal minicomputers. In July, BJS began administering new questionnaires for the 1990 survey, the results of which should be published next spring.

Another area of interest to law enforcement is the Uniform Crime Reports (UCR) program administered by the Federal Bureau of Investigation (FBI). BJS has a record of strong support for the UCR for over 20 years. Among the earliest grants the agency awarded were those to improve the reporting of crime by law enforcement. During the 1970s there were awards totaling more than \$10 million for the development and implementation of State UCR programs. Most of the state programs now in existence got their start with these funds. Later, BJS played a key role in the UCR Assessment Study from 1982 to 1985. This was an important example where one Federal agency assisted another Federal agency to make dramatic improvements in its statistical program, in efforts to serve both the law enforcement community and the public-at-large.

During the last 4 years, BJS has awarded over \$11 million dollars to 36 States to begin working towards meeting the new NIBRS requirements to improve and expand crime report information. This innovation will unquestionably provide a more accurate

picture of crime reported to the police and collected by the FBI for purposes of analysis.

As you can see, the range of activities sponsored by BJS is indeed great, and the importance is certain. In the 1970s, BJS' predecessor agency first became very much involved with the development of operational criminal justice information systems. Today, the focus on operational significance is of primary importance. BJS now has more than two dozen major data collection series. An example of operational relevance of BJS research is illustrated by a recent project relating to the purchase of firearms. The Anti-Drug Abuse Act of 1988 required the Attorney General to develop a system for the immediate and accurate identification of felons who attempt to purchase firearms, particularly handguns. BJS was given the lead responsibility for developing a set of options for such a system. A Task Force on Felon Identification in Firearm Sales was established for this purpose, and in October 1989 forwarded its report to the Attorney General. A month later, The Attorney General recommended to Congress a four-part program to enhance efforts to stop firearm sales to convicted, ineligible felons. A major part of the program is to commit \$9 million in Anti-Drug Abuse Act Discretionary Funds in each of the next three fiscal years to fund state efforts to achieve compliance with the new reporting standards and to improve the data quality of state criminal history records.

BJS was assigned as the lead agency to develop programs to meet these objectives. In May 1990, BJS and the Bureau of Justice Assistance announced a program entitled "Improvement of Criminal History Record Information and Identification of Convicted Felons." This program will make available to the states \$27 million over the next 3 years. Our first awards to almost a third of the states were announced this week.

BJS is also very involved in collecting data, performing analysis and disseminating information on the nation's drug problem. We fund a national drug data center and clearinghouse. BJS will be issuing a major Drug Report next year. I think Ben Renshaw, Deputy Director for BJS, has sent information on this topic to the Academy. I have with me a state drug resource directory we have compiled on this topic.

The purpose of all of these programs is to develop the best information concerning the criminal justice system, which is essential to informed decisionmaking, especially at the state and local levels.

These initiatives, and many others, illustrate the comprehensive, yet targeted activities underway to respond to the problems of drugs and crime, and evidence the compelling need for

meaningful and accurate statistics and analyses on these topics.

Obviously our intellectual abilities must be fully developed and our knowledge-base enhanced. This is the mission of the Bureau of Justice Statistics and that is the course we are pursuing.

Thank you for inviting me to speak on our activities. I look forward to working with this distinguished group and invite you to call upon me or my staff if we can ever assist you. The National Academy of Sciences has certainly played an important role in our field.