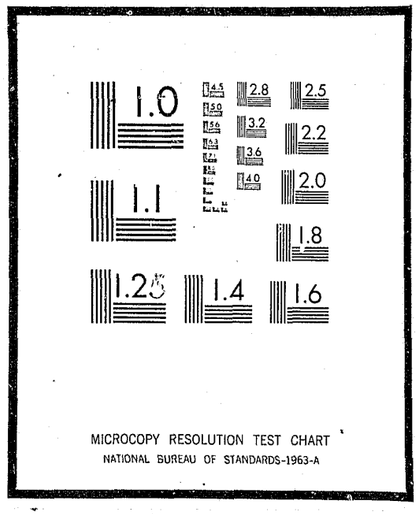

SYSTEM FLOW RATES: MEASURING ATTRITION IN THE CRIMINAL JUSTICE PROCESS

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November, 1975

Final Report

This project was supported by Grant No. 74-NI-99-0008-G awarded by the Law Enforcement Assistance Administration, U.S. Department of Justice, under the Omnibus Crime Control and Safe Streets Act of 1968, as amended. Points of view or opinions stated in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

This report is one of a series of descriptive statistics reports prepared at the end of the first year of the PROMIS Research Project. For a description of that Project, including its structure, data sources and data limitations, the reader is referred to "First Year Research Designs, PROMIS Research Project," Institute for Law and Social Research, Washington, D.C., April, 1975.

THE INSTITUTE FOR LAW AND SOCIAL RESEARCH
Washington, D. C.

Executive Summary

Attrition of cases at selected points in the criminal justice process can be examined from the standpoint of the offense or the offender. The system flow rates described in this paper are being developed to measure this process of attrition from both viewpoints. Using the criminal incident as the unit of analysis, crimes involving a victim can be followed from victimization through conviction, while victimless crimes can be followed from arrest through final disposition. Defendants can be tracked from arrest through incarceration or other disposition. The rates are computed as offenses or defendants reaching a particular step in the process divided by those reaching the previous step and multiplied by 100.

Using data available from the Prosecutor's Management Information System (PROMIS) installed in the U.S. Attorney's Office of the Superior Court in the District of Columbia, system flow rates of prosecution and conviction are presented for criminal incidents and defendants. The rates are based on 13,028 criminal incidents occurring in Washington, D.C. in which at least one arrest was made in 1973, and the resulting 15,460 arrests of individual defendants. Characteristics of the criminal incidents and defendants are used to further specify the rates. The emphasis of this study is descriptive, not explanatory. Differences between the attrition rates for various types of crimes and types of defendants are presented, rather than explanations for these differences. Explanations of the differences will be studied in depth in the second year of the research. The classification of offenses and cases is the same as that to be used

in future analysis under the PROMIS Research Project when comparing victimization survey data, police data, Uniform Crime Reports and PROMIS data.

A criminal incident is defined as a criminal event taking place at a particular time in a particular location, involving one or more offenders, and zero or more victims. For this analysis, criminal incidents were aggregated according to the criminal complaint number, assigned by the police and recorded in the PROMIS file. "Papering" or prosecution rates were computed as criminal incidents in which at least one defendant had charges filed by the prosecutor at the initial screening of a case, divided by criminal incidents in which at least one arrest was made. Conviction rates were computed as incidents in which at least one defendant's case resulted in conviction, divided by incidents in which at least one defendant was prosecuted or "papered." To summarize the effects of the court process, one can examine the product of these two rates. The product shows the probability that an incident was prosecuted and resulted in at least one conviction, given that an arrest was made.

The "papering" rate for criminal incidents was 78 prosecutions of at least one defendant per 100 incidents in which at least one arrest was made by the police. Crimes involving a victim had the same rate as those which did not. In terms of obtaining a conviction, given prosecution, crimes without an identifiable victim were significantly more likely to result in the conviction of at least one defendant compared to crimes which involved a victim. The rates were 46 and 39, respectively. Within the category of crimes involving a victim, crimes against businesses or institutions were the most likely to be prosecuted and the most likely to end in conviction. Personal victimizations

involving violence, which are generally considered the most serious crimes, were the least likely to be prosecuted or end in conviction. For every 100 criminal incidents of homicide, assault, forcible sex offenses and personal robbery, only 27 resulted in the conviction of at least one defendant. The rates of prosecution and conviction for homicide and robbery were significantly higher than those for assault and forcible sex offenses.

Although the "papering" and conviction rates for robbery were among the highest for any type of criminal incident, there was variation by the type of victim. Business robberies were significantly more likely to be prosecuted and to end in the conviction of at least one defendant than personal robberies. A business robbery in which at least one arrest was made resulted in conviction in approximately one out of two instances, whereas a personal robbery resulted in conviction in one out of three instances.

Since the prosecution and conviction rates for criminal incidents were computed based on at least one defendant being prosecuted and convicted, it would be expected that the greater the number of codefendants, the higher the prosecution and conviction rates. When prosecution rates were computed controlling for the number of codefendants, the results were as expected. However, for conviction rates, there were a few types of criminal incidents in which the conviction rate was higher if there was only one defendant. Male and female rape, business embezzlement and fraud, business arson, business property destruction, weapons offenses involving guns and drug offenses were

more likely to result in conviction with one defendant. The finding for the weapons offenses and drug offenses possibly can be explained by the fact that the codefendants can each claim the other was carrying the gun or the drugs in question, thus making it difficult to prove a case against anyone. The findings for the other crimes are harder to explain.

When cases against individual defendants are the unit of analysis, rather than criminal incidents, defendant characteristics can be reflected in the rates. Prosecution rates were computed as "papered" cases divided by arrests, and conviction rates were computed as convictions divided by "papered" cases which had a final disposition at the time of the analysis.

Some of the relationships discussed above for criminal incidents were different when cases became the unit of analysis. Unlike the situation with criminal incidents, a defendant was more likely to be prosecuted for a crime involving a victim than for a crime that did not have a victim. If he was prosecuted, however, he was more likely to be convicted for a crime without an identifiable victim.

Although defendants were more likely to be prosecuted for a crime against a business than against any other type of victim, the case was most likely to result in conviction if it was a crime against a residence or household. Most of these are charges of burglary.

Forcible sex offenses were much less likely to be "papered" or to result in conviction compared with consensual sex offenses. Only 22 out of every 100 forcible sex cases brought to the prosecutor in 1973 resulted in conviction, whereas 47 out of every 100 consensual sex

cases resulted in conviction. Of course, the consensual sex offenses, mostly prostitution, have the lowest maximum sentence of any crime brought to the Superior Court and collected in PROMIS, and generally are easy to prove. Forcible sex offenses are among the most serious felonies and have traditionally had low conviction rates.

The rates of prosecution and conviction for the victimless crimes of weapons offenses, gambling and consensual sex offenses were above the overall average. Whereas consensual sex offenses had the highest prosecution rate of victimless crimes, weapons offenses had the highest conviction rate. Looking at the conviction rate as convictions divided by arrests, over one out of two weapons offenders brought by the police is eventually convicted. Rates of prosecution and conviction for the other two victimless crimes--drug offenses and bail violations--were quite low. One reason for the low bail violation rate is that the charge is frequently used to bargain for a plea of guilty in another case.

Prosecution and conviction rates were examined descriptively for six other characteristics of the offense or defendant: the sex, race, arrest record, and employment status of the defendant, the relationship between the victim and the defendant, and the seriousness of the offense.

Males and blacks were more likely to be prosecuted and to have their cases result in conviction than females and whites. There were few patterns by type of crime, however. Females were more likely than males to be prosecuted and convicted for crimes without a victim and

less likely to be convicted of a crime involving a victim. For crimes without a victim, this pattern was almost consistent. Females were more likely to be prosecuted for every crime except a weapons offense involving a gun, and more likely to be convicted for gambling, consensual sex offenses and bail violations and less likely to be convicted of weapons offenses or drug offenses. For crimes involving a victim, males were more likely to be prosecuted and convicted, no matter what type of victim--an individual, household, or business. However, there was no discernable pattern within each of these subcategories. Personal victimizations involving violence and crimes against residences or households were exceptions, with defendants more likely to be convicted if the defendant was a male for each crime within these broader categories.

The rates of "papering" and conviction for different types of crime, did not show any consistent differences according to the race of the defendant within the broader categories of crime.

Whether the defendant was arrested in the past five years had a nearly consistent impact on prosecution and conviction. "Papering" rates were higher for those arrested in the past five years for all crime categories except manslaughter, personal fraud, residential arson, and forcible sex with a male victim. For conviction rates, the pattern was less consistent with 10 subcategories of crime having lower rates, if the defendant had been arrested in the past five years.

Employment status also had a nearly consistent pattern by type of crime for the "papering" decision, but not conviction. Defendants

who were unemployed were more likely to be prosecuted for every crime except aggravated assualt, personal auto theft, and weapons offenses not involving a gun. In terms of conviction, for approximately one-half of the crime categories, the defendant was likely to be convicted if he was employed; for the other half the opposite was true.

The seriousness of the offense committed by a defendant had a more consistent impact on prosecution than conviction. For crimes involving a victim, the likelihood of prosecution increased with the seriousness of the offense. This was true for the four major divisions of crimes involving a victim, as well as the specific crimes of homicide, assault, forcible sex offenses and robbery. Obtaining convictions in the more serious cases appeared to be more difficult. For personal victimizations, the crimes rated the most serious were the least likely to end in conviction.

The relationship between the victim and the defendant was another variable applicable only to crimes involving a victim. The possible relationships were grouped into family, friend or acquaintance, and stranger. For the broader crime classifications, the closer the relationship between the victim and the defendant, the less likely the case was to be prosecuted, or end in conviction. Forcible sex offenses were an interesting exception. The case was most likely to be prosecuted or end in conviction if the victim and defendant were strangers, and secondly, if they were in the same family. Only 16 forcible sex cases out of 100 brought by the police in 1973 resulted in the conviction of the defendant, if the victim and the defendant were friends or acquaintances.

SYSTEM FLOW RATES: MEASURING ATTRITION IN THE CRIMINAL JUSTICE PROCESS

Introduction

Not all persons who commit crimes are sent to prison. Some persons who have violated the law have never been arrested. Probably most people can think of some law, however minor, which they have broken, but no official action was ever taken. This is also true from the victim's point of view. The recent LEAA victimization surveys indicate that some persons never report their victimization to the police. Attrition of cases from the perspective of both the offender and the victim occurs at various points in the criminal justice process from victimization through incarceration. This paper represents an attempt to begin measuring where this attrition occurs. The emphasis is on a description of differences between the attrition rates for various crimes, rather than an explanation of the reasons for these differences.

The Systems Approach

In order to quantify the process of attrition, while identifying the points at which cases are dropping out of the system, system flow rates are being developed for two units of observation: criminal events and defendants. Using criminal events as the unit of observation focuses on the victim or the offense; using the defendant focuses on the offender. The rates will be computed as criminal incidents or defendants reaching a particular point in the criminal

justice process divided by all those reaching the previous point. For example, a prosecution rate would be computed as all cases prosecuted divided by all cases brought to the prosecutor by the police. The advantages of computing such rates were outlined in a recent article by Klein, et al.:

> (1) They will permit comprehensive assessment of the current efficiency and effectiveness of various system components or combinations thereof.
> (2) They will permit assessment of efficiency and effectiveness over time, showing trends which might otherwise go undetected and therefore uncontrolled.
> (3) They will suggest areas for investigation and/or action.
> (4) They will provide ready-made measures of the impact on the system of changes introduced anywhere within it.
> (5) They will, in the very process of being developed, encourage interagency activities and intra-agency procedures to be planned and carried out with their systemic impact carefully considered.
> (6) They will provide the basis for system simulation.[1]

This idea of measuring attrition has been attempted before, most notably by Ennis in 1967, but has never been completed successfully due to the problems of comparing statistics collected by one part of the criminal justice system to those collected by another.[2] In Washington, D.C., the Prosecutor's Management Information System

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[1] Malcolm W. Klein, "System Rates: An Approach to Comprehensive Criminal Justice Planning," Crime and Delinquency 17 4(Oct., 1971), p. 361.

[2] Philip H. Ennis, "Crime, Victims and the Police," reprinted in Wolfgang, Savitz and Johnson (eds.), The Sociology of Crime and Delinquency, (New York:Wiley, 1970), pp. 74-81.

(PROMIS), installed in the U.S. Attorney's Office of the Superior Court, can provide the nucleus for the systems approach. The data in PROMIS can be aggregated in many ways, in order to be compared to different data systems. Defendants and criminal incidents can be followed in the PROMIS data from arrest through conviction. By comparing the PROMIS data to those from other parts of the criminal justice system, i.e., LEAA victimization data, police data, court data and corrections data, additional rates can be computed.[3]

The number of system flow rates which can eventually be computed differs depending upon whether the unit of analysis is a criminal incident or a case against one defendant.

Criminal incidents are defined as criminal events taking place at a particular time in a particular location, involving one or more offenders, and zero or more victims. They are aggregated in PROMIS by using the criminal complaint number assigned to each criminal event by the police, and recorded in PROMIS. The following rates can be computed for criminal incidents:

(1) A victimization rate--computed as victimizations divided by the population.

(2) A reporting rate--computed as offenses reported to the police divided by victimizations.

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[3] "Criminal Justice Statistics: Data from a 'Nonsystem,'" report prepared by the Institute for Law and Social Research.

(3) An arrest rate--computed as incidents in which at least one arrest is made divided by reported offenses.

(4) A prosecution rate--computed as incidents in which at least one case is filed by the prosecutor at screening, divided by incidents in which at least one arrest was made.

(5) A conviction rate--computed as incidents in which at least one defendant's case results in conviction divided by cases in which at least one defendant's case was prosecuted.

All of these rates can be computed for crimes involving a victim. For victimless crimes, one can begin with a prosecution rate.

For defendants the starting point is more difficult. The first appropriate rate, theoretically, would be arrests divided by persons committing crimes. This latter figure is difficult to obtain since the number of persons involved in committing crimes, but not getting caught, is unknown. Thus, for defendants, the following rates can be computed:

(1) A prosecution rate--computed as cases in which the prosecutor filed charges at screening, divided by arrests.

(2) A conviction rate--computed as cases which result in conviction divided by cases prosecuted.

(3) An incarceration rate--computed as defendants incarcerated divided by defendants found guilty.

A recidivism rate can also be computed, but this topic will be handled separately.[4]

Analysis of 1973 Data

For the first year of the analysis, prosecution and conviction rates were computed for criminal incidents and defendants brought to the prosecutor by the police during 1973. The purpose of computing these rates was to describe the frequency with which different types of cases are prosecuted and convicted, using a classification system which can eventually be used in comparison with victimization data, police data, and corrections data.[5] Police charges are used to classify incidents and defendants, in an attempt to stay as close as possible to the criminal event which actually occurred. The rates are further specified by other characteristics, such as the relationship between the victim and the defendant. The purpose is to describe the types of incidents which result more frequently in prosecution and conviction and the types of defendants more likely to be prosecuted and convicted, rather than trying to explain such differences.[6]

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[4] See "Predicting Recidivism with PROMIS Data--Research Design" and "Predicting Recidivism with PROMIS Data--Preliminary Results from an Analysis at Defendants in 1973," reports prepared by the Institute for Law and Social Research.

[5] For a descriptive of the development of the classification scheme, see "Criminal Incidents and the Defendants Involved with Them--An Empirical Analysis Based on a New Crime Classification System," report prepared by the Institute for Law and Social Research.

[6] For a statistically controlled analysis of the determinants of prosecution and conviction, see "An Analysis of Prosecutor Operations," report prepared by the Institute for Law and Social Research.

More detail on other variables is shown for cases against one defendant than for criminal incidents, since cases are a more natural unit of analysis when looking at case processing in the court system. Criminal incidents are a more relevant unit of analysis when computing victimization and arrest rates.

System Flow Rates Computed for Criminal Incidents

When criminal incidents are the unit of observation, the offense and the victimization of persons or institutions are the central focus, rather than the offender. For the victim of an offense, a prosecution rate tells how likely it is that the victim's case will result in the prosecution of at least one of the defendants, given that the police arrested at least one person. For crimes without an identifiable victim, the prosecution rate would tell how likely it is that at least one person will be prosecuted when the police make an arrest for a victimless crime. Since only one defendant is arrested for most offenses, the pattern of prosecution and conviction rates for criminal incidents closely resembles that for cases against one defendant. Nevertheless, it is easier to interpret findings concerning the victim or victims when criminal incidents are used as the focus, rather than defendants. In the case of victimless crimes, using cases against one defendant makes more sense, since the defendant or defendants are the only participants in the crime.

In the section on criminal incidents discussed below, three rates are presented. Prosecution or "papering" rates are computed based on

criminal incidents in which at least one defendant was prosecuted. This rate is defined as criminal incidents in which at least one defendant is convicted, divided by cases in which at least one defendant was prosecuted. The second conviction rate is the probability that a criminal incident will be prosecuted and result in the conviction of at least one defendant. This rate is computed as the product of the prosecution rate and the first conviction rate described. Thus, it is a conviction rate computed by dividing convictions by arrests.

1. Prosecution Rates

Table 1 shows prosecution or "papering" rates for each type of criminal incident in the classification scheme.[7] If the figures in this table are compared to those in Table 7 for cases, one can see that generally the same relationships exist between the rates for different categories of crime. The rates for criminal incidents are slightly higher since they were computed as any person prosecuted in the criminal incident, regardless of the number of codefendants.

The prosecution rate for all of the 13,028 criminal incidents brought to the prosecutor in 1973 was 78, i.e., at least 78 prosecutions per 100 incidents for which an arrest was made. Crimes which involved a victim were slightly more likely to have at least one defendant prosecuted than crimes without a victim, but the difference

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7 The number of criminal incidents in which at least one arrest was made is shown in Table A of the Appendix for each crime category.

TABLE 1. PROSECUTION RATES BY TYPE OF CRIMINAL INCIDENT

(Rates computed as criminal incidents in which at least one codefendant was prosecuted per 100 criminal incidents in which at least one arrest was made.)

I. Crimes Involving A Victim----------78

A. Personal Victimizations Involving Violence----------75
1) Homicide----------99
a) Murder----------99
b) Manslaughter----------98
c) Negligent Homicide----------90*
2) Assault----------69
a) Aggravated----------71
b) Simple----------62
c) Assault on police officer-----71
3) Forcible Sex Offenses----------74
a) Female Victim 16 and over-----75
b) Victim under 16----------72
c) Male victim----------74*
4) Robbery----------87
a) Armed----------93
b) Other----------80

B. Personal Victimizations Without Violence----------79
1) Larceny----------81
2) Auto Theft----------67
3) Fraud----------86

C. Crimes Against Residences or Households----------76
1) Burglary----------78
2) Property Destruction----------59
3) Arson----------89

D. Crimes Against Businesses or Institutions----------86
1) Robbery----------97
2) Burglary----------82
3) Larceny----------86
4) Embezzlement and Fraud----------87
5) Auto Theft----------60
6) Arson----------100*
7) Property Destruction----------81

II. Crimes Without an Identifiable Victim----------77

A. Weapons Offenses----------83
1) Gun----------88
2) Other weapon----------64
B. Gambling----------91
C. Consensual Sex Offenses----------93
D. Drug Offenses----------72
E. Bail Violations and Prison Breach----------55

III. Crimes Which Could Not Be Classified----------85

All Criminal Incidents----------78

*Base N smaller than 25.
N = 13,028 criminal incidents in 1973.

was not statistically significant.[8] Of the four categories of criminal incidents involving a victim, crimes against businesses or institutions were clearly the most likely to result in the prosecution of at least one defendant. Personal victimizations involving violence, which are considered the most serious crimes, were the least likely to be prosecuted. The rates were 86 and 75, respectively.

The prosecution rates of six specific crimes can be compared according to whether the victim was an individual citizen or a household, or a business or institution.

TABLE 2

PROSECUTION RATES FOR SELECTED CRIMINAL INCIDENTS BY TYPE OF VICTIM

Type of Criminal Incident	Victim an Individual or Household	Victim a Business or Institution
Robbery	87	97
Burglary	78	82
Larceny	81	86
Auto Theft	67	60
Arson	89	100
Property Destruction	59	81

8 Throughout this paper, the five percent level was arbitarily chosen for use when testing for statistical significance. If a difference between two rates is said to be statistically significant, it will mean that the difference is significant at least at the five percent level. This can be interpreted to mean that at least 95 out of 100 times that a sample of the same size were taken, the difference between the two rates would be greater than zero.

Prosecution rates were higher when the victim was a business or institution, rather than an individual, for every crime except auto theft. The differences between the rates for businesses or institutions were statistically significant for robbery, larceny and property destruction.

Within the category, personal victimizations involving violence, there was considerable variation by type of crime. The rates ranged from 69 for assaults to 99 for homicides, with the rates for forcible sex offenses and robberies falling between them. Within each of the subcategories of homicide, assault, and forcible sex offenses, the rates were quite close. However, armed robbery resulted in the prosecution of at least one defendant in 93 out of every hundred criminal incidents, compared to 80 for unarmed robbery.

In general, prosecution rates for crimes involving a victim were highest for homicides, robberies and arson, and lowest for auto theft.

Due to the construction of the prosecution rates for criminal incidents as the prosecution of any defendant involved in the incident divided by the number of criminal incidents in which at least one arrest was made, the number of codefendants arrested for the criminal incident is likely to increase the rates for the types of incidents which have larger proportions of codefendants. To investigate this possibility, prosecution rates were computed for criminal incidents controlling

for the number of codefendants. As was expected, the prosecution rates were higher for incidents having codefendants, rising with each additional codefendant. The rates for criminal incidents in which there was only one defendant were slightly below the rates for all criminal incidents in every crime category.

2. Conviction Rates

The first type of conviction rates which will be discussed for criminal incidents is one in which the rates were computed as criminal incidents in which at least one defendant's case resulted in conviction, divided by the criminal incidents in which at least one defendant was prosecuted. The prosecution rates showed no significant difference between crimes which involved a victim and those which did not. For conviction rates, this difference was highly significant with crimes involving a victim having a conviction rate of 39, compared to a conviction rate of 46 for crimes which did not involve a victim (Table 4). It should be noted that these conviction rates are lower than those that would be obtained by only looking at cases going to trial.

Within the group of crimes involving a victim the rates were in the same order as for prosecution, with crimes against businesses or institutions the most likely to result in conviction, and personal victimizations involving violence the least likely.

The same comparisons of specific crimes by the type of victim can be made for conviction rates as were made for prosecution rates.

TABLE 4. CONVICTION RATES BY TYPE OF CRIMINAL INCIDENT

(Rates computed as criminal incidents in which at least one codefendant was convicted per 100 criminal incidents in which at least one codefendant was prosecuted.)

I. Crimes Involving a Victim----------39

A. Personal Victimizations Involving Violence----------36
1) Homicide----------47
a) Murder----------52
b) Manslaughter----------23
c) Negligent Homicide----------56*
2) Assault----------34
a) Aggravated----------36
b) Simple----------36
c) Assault on police officer----41
3) Forcible Sex Offenses----------27
a) Female victim 16 and over----26
b) Victim under 16----------31
c) Male victim----------29*
4) Robbery----------37
a) Armed----------35
b) Other----------39

B. Personal Victimizations Without Violence----------40
1) Larceny----------41
2) Auto Theft----------29
3) Fraud----------47

C. Crimes Against Residences or Households----------42
1) Burglary----------45
2) Property Destruction----------23
3) Arson----------30*

D. Crimes Against Businesses or Institutions----------42
1) Robbery----------49
2) Burglary----------47
3) Larceny----------41
4) Embezzlement and Fraud----------45
5) Auto Theft----------35
6) Arson----------25*
7) Property Destruction----------11

II. Crimes Without an Identifiable Victim----------46

A. Weapons Offenses----------61
1) Gun----------63
2) Other weapon----------50
B. Gambling----------55
C. Consensual Sex Offenses----------46
D. Drug Offenses----------34
E. Bail Violations and Prison Breach----------38

III. Crimes Which Could Not Be Classified----------32

All Criminal Incidents----------41

*Base N smaller than 25.
N = 10,162 criminal incidents in which at least one defendant prosecuted in 1973.

TABLE 5

CONVICTION RATES FOR SELECTED CRIMINAL INCIDENTS BY TYPE OF VICTIM

Type of Criminal Incident	Victim an Individual or Household	Victim a Business or Institution
Robbery	37	49
Burglary	45	47
Larceny	41	41
Auto Theft	29	35
Arson	30	25
Property Destruction	23	11

For three offenses (robbery, burglary and auto theft), conviction rates were higher for businesses or institutions than for individual or household victims. For the other three offenses which could be compared (larcency, arson and property destruction), conviction rates for individuals or households were either higher or the same as those for businesses or institutions. The only significant difference, however, was for robbery. This crime also had the most significant difference in prosecution rates depending upon the type of victim.

Forcible sex offenses had the lowest conviction rate among the personal victimizations involving violence and homicide had the highest. The conviction rate for incidents in which an adult female was raped was one of the lowest for any type of criminal incident. The conviction rates for property destruction, auto theft and arson, regardless of the type of victim, were also very low.

For most crimes, the influence of the number of codefendants on the conviction rates for at least one codefendant in the criminal incident followed the same pattern as found for the prosecution rates. The higher the number of codefendants, the greater the likelihood that at least one defendant's case resulted in conviction. For a few crimes, this relationship did not exist. For the following types of criminal incidents, a criminal incident was more likely to have at least one defendant's case result in conviction if there was only one defendant arrested, than if there was more than one: female adult rape, male adult rape, business embezzlement and fraud, business arson, business property destruction, weapons offenses involving a gun and drug offenses. Apparently, the presence of many codefendants makes a conviction less likely. This is consistent with findings in An Analysis of Prosecutor Operations, referenced earlier, but the reasons for it are yet unclear.

3. Arrests Resulting in Conviction

Of the 13,028 criminal incidents in which at least one arrest was made during 1973, more than two out of three did not result in the conviction of any defendant. Table 6 shows conviction rates computed as the conviction of at least one defendant arrested for the incident divided by criminal incidents in which at least one person was arrested. Thus, the figures in the table are a combination of the prosecution and conviction rates previously discussed. The figures can be seen as a summary of the treatment of different types of cases by the court process.

TABLE 6. CONVICTION RATES BY TYPE OF CRIMINAL INCIDENT

(Rates computed as criminal incidents in which at least one codefendant was convicted per 100 criminal incidents in which at least one arrest was made.)

I. Crimes Involving a Victim----------30

A. Personal Victimizations Involving Violence----------27
1) Homicide----------46
a) Murder----------52
b) Manslaughter----------23
c) Negligent Homicide----------50*
2) Assault----------25
a) Aggravated----------25
b) Simple----------23
c) Assault on police officer----29
3) Forcible Sex Offenses----------20
a) Female victim 16 and over-----19
b) Victim under 16----------23
c) Male victim----------21*
4) Robbery----------32
a) Armed----------33
b) Other----------31

B. Personal Victimizations Without Violence----------32
1) Larceny----------33
2) Auto Theft----------19
3) Fraud----------41

C. Crimes Against Residences or Households----------32
1) Burglary----------35
2) Property Destruction----------13
3) Arson----------27

D. Crimes Against Businesses or Institutions----------36
1) Robbery----------47
2) Burglary----------39
3) Larceny----------35
4) Embezzlement and Fraud----------39
5) Auto Theft----------21
6) Arson----------25*
7) Property Destruction---------- 9

II. Crimes Without an Identifiable Victim----------35

A. Weapons Offenses----------51
1) Gun----------56
2) Other weapon----------32
B. Gambling----------50
C. Consensual Sex Offenses----------43
D. Drug Offenses----------24
E. Bail Violations and Prison Breach----------21

III. Crimes Which Could Not Be Classified----------27

All Criminal Incidents----------32

*Base N smaller than 25.
N = 13,028 criminal incidents in 1973.

Crimes which did not involve a victim were significantly more likely to result in the conviction of at least one defendant than those that did involve a victim. As found in the two previous discussions, the most serious crimes--personal victimizations involving violence--were the least likely to result in the conviction of any codefendant in the incident, of any crime involving a victim. For every 100 incidents of homicide, assault, forcible sex, or robbery, only 27 resulted in the conviction of at least one offender. The rate for homicide was higher--almost one out of every two incidents resulted in the conviction of an offender. Assaults, robberies and forcible sex offenses had low rates, however. For forcible sex offenses, only one out of five incidents resulted in at least one conviction.

The conviction rates given arrest for personal victimizations without violence and crimes against residences or households were the same as the average for all criminal incidents.

As has already been emphasized, businesses or institutions were the type of victim most likely to have their victimization result in the conviction of at least one offender. The rate of 36 for crimes against businesses or institutions was even slightly higher than the rate for "victimless" crimes. Comparing the six specific crimes which could have a personal or institutional victim, the rates were higher for businesses or institutions for robbery, burglary, larceny, and auto theft, and lower for arson and property destruction. The only significant difference was for robbery. If at least one defendant was arrested for a business robbery, there was almost a one out of

two chance that the criminal incident would result in the conviction of at least one defendant. The rate for business robbery was even higher than that for homicide, but a personal robbery victim had less than one chance in three of having one of the defendants convicted.

In general, the conviction rates for criminal incidents of property destruction were extremely low--13 for property destruction of a residence and 9 for property destruction of a business.

System Flow Rates Computed for a Case Against One Defendant

The system flow rates computed for defendants emphasize the treatment of offenders who are charged with different types of crime, rather than the incident which occurred. Court cases are used in constructing the system flow rates for defendants. This facilitates analysis of the effects of certain characteristics of the case, or characteristics of the principals in the case, on the handling of the case by the criminal justice system. Even though a court case against one defendant is the unit of observation, the focus is on the treatment of defendants themselves. Defendants who were arrested more than once in 1973 were included in the analysis for each case in which new charges were brought.

As with the criminal incidents discussed in the previous section, prosecution rates will be discussed first, followed by conviction rates computed as convictions per 100 cases prosecuted. In the last section, conviction rates computed as convictions per 100 arrests will summarize the overall importance of the variables discussed in the first two sections.

1. Prosecution Rates

The first system flow rates that can be computed for defendants are prosecution rates. The prosecution rates shown in Table 7 are computed by dividing the number of cases in which at least one charge was prosecuted against a defendant in 1973, by the number of cases brought to the prosecutor by the police, and then multiplying by 100.[9] This prosecution rate--77 for all cases--varied considerably by type of case, from a low of 56 for bail violations to a high of 97 for homicide cases.

Beginning with the two largest subcategories of cases, cases of defendants charged with crimes involving a victim were slightly more likely to be accepted for prosecution than those charged with a victimless crime. This difference between rates was small, 78 compared to 75, but statistically significant. The difference is probably largely due to the low rate for bail violations of 56 and drug offenses of 68. For every other type of victimless crime, the prosecution rates were higher than that for all crimes.

Looking within the group of defendants involved in crimes with a victim, defendants charged with crimes against businesses or institutions were more likely to be prosecuted than defendants charged with any other type of crime. This was consistent with the analysis of criminal incidents discussed previously. The reasons for this pattern are as yet unclear. It may say something about the business

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9 The number of arrests in 1973 for each category of crime is shown in Table B of the Appendix.

TABLE 7. PROSECUTION RATES BY TYPE OF CASE

(Rates computed as cases prosecuted per 100 cases brought by the police.)

I. Crimes Involving A Victim	78
A. Personal Victimizations Involving Violence	75
1) Homicide	97
a) Murder	98
b) Manslaughter	96
c) Negligent homicide	90*
2) Assault	68
a) Aggravated	70
b) Simple	63
c) Assault on a police officer	67
3) Forcible Sex Offenses	74
a) Female victim 16 and over	74
b) Victim under 16	72
c) Male victim	81*
4) Robbery	86
a) Armed	93
b) Other	80
B. Personal Victimizations	77
1) Larceny	80
2) Auto Theft	60
3) Fraud	84
C. Crimes Against Residences or Households	76
1) Burglary	78
2) Property Destruction	58
3) Arson	91
D. Crimes Against Businesses or Institutions	84
1) Robbery	95
2) Burglary	82
3) Larceny	85
4) Embezzlement and Fraud	87
5) Auto Theft	58
6) Arson	88*
7) Property Destruction	77
II. Crimes Without An Identifiable Victim	75
A. Weapons Offenses	81
1) Gun	86
2) Other weapon	62
B. Gambling	87
C. Consensual Sex Offenses	92
D. Drug Offenses	68
E. Bail Violations and Prison Breach	56
III. Crimes Which Could Not Be Classified	86
All cases	77

*Base N smaller than 25.
N = 15,460 Cases in 1973.

cases, such as special police officers who are paid to follow the case, which makes them easier to prosecute. Insights on interpreting these results may be forthcoming when these preliminary findings are reviewed with operational personnel, and further statistical analyses are conducted.

Another interesting comparison can be made between the prosecution of forcible sex offenses compared with consensual sex offenses. Forcible sex offenses are rapes of female and male adults or children, whereas consensual sex offenses are mainly prostitution. The prosecution rate for forcible sex offenses of 74 was considerably lower than that for consensual sex offenses of 92. In addition to the fact that the papering rate for consensual sex offenses was higher than that for forcible sex offenses, there were almost twice as many consensual sex cases brought by the police in 1973 as forcible sex cases. Of course, forcible sex offenses are almost always felonies, whereas consensual sex offenses are almost always misdemeanors with one of the lowest maximum sentences.

TABLE 8

PROSECUTION RATES FOR CRIMES WITHOUT AN IDENTIFIABLE VICTIM

Type of Case	Prosecution Rate
Consensual Sex Offenses	92
Gambling	87
Weapons Offenses	81
Drug Offenses	68
Bail Violations and Prison Breach	56

Taking a closer look at victimless crimes, there was considerable variation by type of crime. Consensual sex offenses and gambling offenses have very high rates of prosecution. Weapons offenses, which are considered more serious than the other victimless crimes according to scores on the Sellin-Wolfgang Index, had a prosecution rate lower than those for gambling and consensual sex offenses, but considerably higher than the rate for all cases of 77. Weapons offenses involving a gun were much more likely to be prosecuted than other weapons offenses--86 percent and 62 percent, respectively.

2. Differences in Prosecution Rates By Characteristics of the Defendant and the Crime.

The prosecution rates for different types of cases may be described more precisely by analyzing the rates for different characteristics of the crime and the defendant. Six variables were tested to see how prosecution or "papering" rates differed, depending upon the values of the variable and the type of case. The six variables were: sex, race, whether the defendant was arrested in the past five years, the relationship between the victim and the defendant, the seriousness score of the case on the Sellin-Wolfgang Index, and whether the defendant was employed when arrested.[10]

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[10] These same variables are included as "controls" in the regression analysis of prosecution performance, contained in the paper, "An Analysis of Prosecutor Operations," report prepared by the Institute for Law and Social Research.

In this paper, the characteristics will be examined to see if their relationship to prosecution, and later conviction, varies by type of crime. As already stated, the purpose is descriptive, rather than explanatory.

The sex and race variables had differing effects on the prosecution rates depending upon the type of case.[11] Generally, females were prosecuted at higher rates for victimless crimes, and lower rates for violent crimes. This is consistent with the finding from a regression analysis, where females were more likely to be prosecuted for misdemeanors than males.[12]

Differences in rates by race did not form a consistent pattern. Although blacks had higher prosecution rates than whites for all cases, in over one-third of the subgroups of cases, whites had higher rates. Within the larger groups of crimes, victimless crimes, for example, the pattern was inconsistent. Whites had higher prosecution rates than blacks for weapons offenses other than guns, gambling, and bail violations. Blacks had higher prosecution rates for gun offenses, consensual sex offenses and drug offenses. The same type of inconsistencies existed for other large groups of offenses.

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11 The sex variable is discussed in detail in the paper, "The Female Offender in Washington, D.C.," report prepared by the Institute for Law and Social Research.

12 An Analysis of Prosecutor Operations, op. cit.

Race was not found to be a determinant of the decision to prosecute in the regression analysis referred to above.[13]

The seriousness of the defendant (measured by whether he had been arrested in the five years previous to the current case) and the seriousness of the case according to the Sellin-Wolfgang Index increased the probability of a case being prosecuted in a consistent pattern for all types of crime. Rates of prosecution were higher if the defendant had been arrested in the past five years for every type of case, except manslaughter, personal fraud, residential arson, forcible sex offenses with a male victim, and weapons offenses other than guns.

When discussing the effect of the Sellin-Wolfgang Index on prosecution rates, it only makes sense to refer to crimes involving a victim, since Sellin-Wolfgang scores are zero for victimless crimes, with the exception of weapons offenses. Table 9 shows prosecution rates for the four groups of crimes involving victims by the Sellin-Wolfgang score of the crime. The higher the score the more likely the case was to be prosecuted. Forcible sex offenses showed a particularly large effect, with a rate of 49 if the Sellin-Wolfgang Index was "0" and a rate of 89 if the score was "21 or more." For personal victimizations involving violence, the prosecution rates for crimes with scores of "21 or more" were 97, 85, 89, and 94, for homicides, assaults, forcible sex offenses, and robberies, respectively.

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13 Ibid.

TABLE 9. PROSECUTION RATES BY THE SERIOUSNESS SCORE OF THE CRIME ON THE SELLIN-WOLFGANG INDEX AND TYPE OF CASE

(Rates computed as cases prosecuted per 100 cases brought by the police.)

Type of Case	Sellin-Wolfgang Index		
	0	1 - 20	21 or more
I. Personal Victimizations Involving Violence	68	75	93
(1) Homicide	93	97	97
(2) Assault	58	69	85
(3) Forcible Sex Offenses	49	74	89
(4) Robbery	87	86	94
II. Personal Victimizations Without Violence	76	77	---
III. Crimes Against Residences or Households	65	80	---
IV. Crimes Against Businesses or Institutions	78	86	---

N = 10,407 Cases

"---" indicates too few cases for rates to be computed.

The finding that serious cases which involve more personal injury or property loss are more likely to be prosecuted appears consistent with the goal of expending more resources on serious crimes.

The relationship between the victim and the defendant is another variable which, obviously, can be examined only in regard to crimes involving a victim. For those cases in which the relationship was known, a consistent pattern emerged. The closer the relationship between the victim and the defendant, the less likely the case was to be prosecuted. This pattern existed for the four categories of crimes involving a victim (Table 10). For the four types of cases grouped as personal victimizations involving violence, assaults and robberies followed the consistent pattern with prosecution rates being lower for closer relationships, whereas homicides and forcible sex offenses did not. For homicides, the prosecution rate was slightly higher for "friends or acquaintances" than for "strangers," rather than vice versa. For forcible sex offenses, an interesting pattern emerged. If the victim and defendant were strangers, the case was prosecuted most frequently. However, forcible sex offenses within a family (which usually involve a young child) were prosecuted more frequently than forcible sex offenses where the victim and defendant were friends or acquaintances. It appears that the prosecutor is most reluctant to file charges of rape if the defendant and victim knew one another.

TABLE 10. PROSECUTION RATES BY THE RELATIONSHIP BETWEEN THE VICTIM AND THE DEFENDANT AND TYPE OF CASE

(Rates computed as cases prosecuted per 100 cases brought by the police. Cases where the relationship between the victim and the defendant was unknown were excluded.)

Type of Case	Relationship Between Victim and Defendant		
	Family	Friend or Acquaintance	Stranger
I. Personal Victimizations Involving Violence	60	71	83
(1) Homicide	91	97	96
(2) Assault	56	68	77
(3) Forcible Sex Offenses	73	69	78
(4) Robbery	75	78	89
II. Personal Victimizations Without Violence	59	64	79
III. Crimes Against Residences or Households	59	74	82
IV. Crimes Against Businesses or Institutions	---	82	87

N = 6921 Cases

"---" indicates too few cases for rate to be computed.

If the defendant was employed at the time of his arrest, the case was less likely to be prosecuted than if he was not. For employed defendants, the prosecution rate was 74, whereas for those not employed the rate was 80. This pattern was consistent for all types of crime except aggravated assault, personal auto theft and weapons offenses not involving a gun. A preliminary finding reported in the analysis of recidivism was that employment appears to have a negative effect on recidivism.[14] If this finding is confirmed by further analysis, it may be an effective policy to prosecute defendants who are unemployed at higher rates.

3. Conviction Rates

In order to indicate the effect of the prosecutor on the conviction rates, conviction rates were first computed based on guilty pleas, guilty verdicts and guilty findings for prosecuted cases that were closed. This method of looking at convictions only holds the prosecutor responsible for obtaining convictions for those cases in which a decision to prosecute was made. In a later section, the conviction rates computed as convictions divided by arrests will be discussed.

The relationship between conviction rates and type of case differs from the relationship found for prosecution rates. Crimes without an identifiable victim resulted in more convictions than crimes involving a victim, although more of the latter cases were prosecuted (Table 11). Of all the crimes involving a victim, the crimes against residences

14 "Predicting Recidivism with PROMIS Data: Preliminary Results from the Analysis of Defendants in 1973."

(burglary, property destruction and arson) resulted in the highest proportion of convictions, 47 per 100 cases prosecuted. Crimes against businesses or institutions had the second highest rate, and personal victimizations involving violence had the lowest rate--39. Since the latter category are the most serious crimes according to the Sellin-Wolfgang Index, it is noteworthy that the conviction rates were so low. The conviction rate for homicide was the only rate for personal violent victimizations above that for all cases. The pattern of conviction rates for cases against one defendant was the same as that found for criminal incidents, with one exception. Criminal incidents involving a victim were most likely to result in conviction if the victim was a business or institution, whereas a defendant involved in a crime with a victim was most likely to be convicted if he was charged with a crime against a residence or household.

Comparing the crimes against businesses which could also be committed against a person or residence, it does not appear that the businesses or institutions have the advantage in terms of conviction that they do in terms of prosecution (Table 12).

TABLE 12

CONVICTION RATES FOR SELECTED CASES BY TYPE OF VICTIM

Type of Case	Victim a Business or Institution	Victim an Individual
Robbery	56	40
Burglary	48	49
Larceny	42	44
Auto Theft	28	29
Arson	33	42
Property Destruction	14	26

TABLE 11. CONVICTION RATES BY TYPE OF CASE

(Rates computed as guilty pleas, verdicts, or findings per 100 closed "papered" cases.)

I. Crimes Involving A Victim----42

A. Personal Victimizations Involving Violence----39
1) Homicide----54
a) Murder---- 62
b) Manslaughter---- 22
c) Negligent homicide---- 71*
2) Assault----38
a) Aggravated---- 37
b) Simple---- 37
c) Assault on a police officer- 42
3) Forcible Sex Offenses----30
a) Female victim 16 and over--- 29
b) Victim under 16 ---- 37
c) Male victim ---- 24*
4) Robbery----40
a) Armed---- 38
b) Other---- 43

B. Personal Victimizations----42
1) Larceny----44
2) Auto Theft----29
3) Fraud----51

C. Crimes Against Residences or Households----47
1) Burglary----49
2) Property Destruction----26
3) Arson----42*

D. Crimes Against Businesses or Institutions----45
1) Robbery----56
2) Burglary----48
3) Larceny----42
4) Embezzlement and Fraud----52
5) Auto Theft----28
6) Arson----33*
7) Property Destruction----14

II. Crimes Without An Identifiable Victim----46

A. Weapons Offenses----64
1) Gun----64
2) Other weapon----59
B. Gambling----52
C. Consensual Sex Offenses----51
D. Drug Offenses----31
E. Bail Violations and Prison Breach----38

III. Crimes Which Could Not Be Classified----32

All cases----43

*Base N smaller than 25.
N = 11,008 Closed Papered Cases in 1973.

Persons charged with business robberies were much more likely to have their cases result in conviction than those charged with personal robberies. For all other crimes, individuals or household victims were more likely to have their case end in conviction than businesses. Differences were largest for arson and property destruction. The only significant difference was for robbery.

Looking at the victimless crimes, the highest conviction rates were for weapons offenses--64. As was pointed out in the section on prosecution rates, these offenses are generally considered the most serious victimless crimes. Gambling and consensual sex offenses also had high conviction rates, 52 and 51, respectively--almost as high as the murder cases. Drug offenses had a low conviction rate, as well as a low prosecution rate. This may indicate that office policy is to give these cases low priority.

4. Variables Influencing the Conviction Rates.

The same six variables which were examined in relationship to prosecution rates were examined in regard to conviction: sex, race, whether defendant arrested in past 5 years, the relationship between the victim and the defendant, the seriousness score of the crime on the Sellin-Wolfgang Index, and whether the defendant was employed at the time of the arrest.

Sex and race are two variables which are important to examine when describing differences in the likelihood of conviction by type of crime. There were eight subcategories of crime in which

females were more likely to be convicted than males: negligent homicide, simple assault, personal armed robbery, business fraud, business auto theft, consensual sex offenses, gambling, and bail violations. Males were convicted at higher rates than females for all other crimes in the classification scheme. For personal victimizations without violence and crimes against residences or households, males were consistently convicted at higher rates for each subcategory of crime. For the other broader crime classifications, there was variation. For instance, males were more often found guilty of robbery, burglary, larceny, arson, and property destruction of a business or institution, while females were more often found guilty of embezzlement and fraud, and auto theft of a business or institution.

Conviction rates by race were also computed for each of the crimes within the classification system. Within the smaller subcategories, blacks had higher conviction rates for about two-thirds of the 31 groups. There was not a consistent pattern within the broader classifications, except for crimes against residences, where blacks were more likely to be convicted of burglary, property destruction and arson, than whites. Since other factors were not controlled in this phase of the analysis, specifically the defendant's criminal history, it cannot be concluded from this analysis that there is bias against blacks, only that blacks have higher conviction rates than whites, in more crime categories.

The previous arrest record of the defendant and the seriousness score of the crime on the Sellin-Wolfgang Index are two variables that one would expect to be associated with conviction. As with prosecution,

if the defendant had been arrested in the five years previous to the current case, the likelihood of conviction was increased for approximately two-thirds of the crimes defined in the classification scheme. The effect of previous arrests was more consistent for prosecution than conviction, with only four crimes having lower prosecution rates if the defendant had an arrest in the past five years, than if he or she did not. For defendants charged with business robberies, there was a significant difference between the conviction rates for those defendants with a previous arrest in the past five years and those with no prior arrest, which was the opposite of the expected pattern. The conviction rate for defendants without a previous arrest in the past five years was 65, whereas for those with a previous arrest it was 51. There was not a consistent pattern for the broader classes of offenses, except for personal victimizations without violence, where conviction rates were higher for larceny, auto theft and fraud, when the defendant has a previous arrest in the past 5 years.

The relationship between the seriousness of a crime and conviction is shown in Table 13. Conviction rates were higher for crimes against residences or households and crimes against businesses or institutions when the seriousness score was greater than zero. Only the former difference was statistically significant, however. For personal victimizations, both with and without violence, conviction rates were higher for crimes with lower, rather than higher, scores of seriousness. The difference in the rates by seriousness for personal victimizations without violence was significant.

TABLE 13. CONVICTION RATES BY THE SERIOUSNESS SCORE OF THE CRIME ON THE SELLIN-WOLFGANG INDEX AND TYPE OF CASE

(Rates computed as guilty pleas, verdicts or findings per 100 closed papered cases.)

Type of Case	Sellin-Wolfgang Index		
	0	1 - 20	21 or more
I. Personal Victimizations Involving Violence	47	37	44
(1) Homicide	15	57	55
(2) Assault	42	37	39
(3) Forcible Sex Offenses	46	32	24
(4) Robbery	57	38	39
II. Personal Victimizations Without Violence	47	41	---
III. Crimes Against Residences or Households	37	49	---
IV. Crimes Against Businesses or Institutions	42	45	---

N = 8,262 closed papered cases.

"---" indicates too few cases for rates to be computed.

Looking more closely at personal victimizations involving violence, which have the highest seriousness scores of any type of offense, the cases most likely to end in conviction were those with a score of zero on the Sellin-Wolfgang Index. This pattern was also found for assaults, forcible sex offenses and robberies. For forcible sex offenses, the probability of conviction decreased consistently with the seriousness of the case. It is likely that the forms used to obtain the seriousness score are not consistently filled out properly, causing some crimes to have a score of "0" when they should be higher.[15] In any case, there does seem to be a negative association between the seriousness of the case and conviction, for these personal violent crimes.

Another variable examined in relation to conviction rates was the relationship between the victim and the defendant. Cases where the relationship was unknown were excluded from the analysis. For prosecution rates, the closer the relationship between the defendant and the victim, the less likely the case was to be accepted for prosecution. For conviction rates, this same relationship also existed for the four large groups of crimes involving a victim (Table 14). Within the group personal victimizations involving violence, this pattern was not always consistent. As with papering rates, when the victim and the defendant involved in an incident of forcible sex are friends or acquaintances, the conviction rates were lowest.

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15 For a description of how the forms are filled out for the Sellin-Wolfgang score, see PROMIS Briefing Series #3, "Case Evaluation and Rating," prepared by the Institute for Law and Social Research.

TABLE 14

CONVICTION RATES BY RELATIONSHIP

BETWEEN THE VICTIM AND THE DEFENDANT AND TYPE OF CASE

(Rates computed as guilty pleas, verdicts or findings per 100 closed papered cases. Cases where the relationship between the victim and the defendant was unknown were excluded.)

Type of Case Involving a Victim	Relationship Between the Victim and Defendant		
	Family	Friend or Acquaintance	Stranger
Personal Victimizations Involving Violence	28	35	42
Personal Victimization Without Violence	---	32	43
Crimes Against Residences or Households	---	45	48
Crimes Against Businesses or Institutions	---	35	46

N = 5,043 Cases

"---" indicates too few cases for rate to be computed.

The case was more likely to end in conviction if the incident took place between family members or strangers.

Whether the defendant was employed made less of a difference in terms of whether a case resulted in conviction, than it did in terms of prosecution. Out of the 30 crime categories with enough cases to be compared, 17 types of cases were more likely to end in conviction if the defendant was not employed at the time of arrest. There was no consistency within any of the larger groups of crime except for personal victimizations without violence, where the defendant was more likely to have his case end in a conviction if he was unemployed. For victimless crimes, this relationship also existed, except for gun offenses, where those employed were more likely to have their case result in conviction than those who were unemployed.

5. Arrests Resulting in Conviction.

When an arrest is made for different types of cases, how likely is the case to result in the conviction of the defendant? Table 15 shows conviction rates computed as guilty pleas, verdicts or findings divided by cases brought by the police and multiplied by 100. The rates are the product of the papering rates and conviction rates discussed above.

The conviction rate for all cases brought to the prosecutor in 1973 was 33. Approximately two-thirds of all cases brought to the prosecutor by the police dropped out without resulting in conviction.

TABLE 15. CONVICTION RATES BY TYPE OF CASE

(Rates computed as guilty pleas, verdicts, or findings per 100 cases brought by the police; rates are the products of the papering and conviction rates shown in Table 7 and 11.)

I. Crimes Involving A Victim	32
A. Personal Victimizations Involving Violence	29
1) Homicide	52
a) Murder	60
b) Manslaughter	21
c) Negligent homicide	64*
2) Assault	26
a) Aggravated	26
b) Simple	23
c) Assault on a police officer	28
3) Forcible Sex Offenses	22
a) Female victim 16 and over	22
b) Victim under 16	27
c) Male victim	19*
4) Robbery	35
a) Armed	35
b) Other	34
B. Personal Victimizations	32
1) Larceny	35
2) Auto Theft	17
3) Fraud	43
C. Crimes Against Residences or Households	36
1) Burglary	38
2) Property Destruction	15
3) Arson	38
D. Crimes Against Businesses or Institutions	38
1) Robbery	53
2) Burglary	39
3) Larceny	35
4) Embezzlement and Fraud	45
5) Auto Theft	16
6) Arson	29*
7) Property Destruction	11
II. Crimes Without An Identifiable Victim	34
A. Weapons Offenses	52
1) Gun	55
2) Other weapon	37
B. Gambling	46
C. Consensual Sex Offenses	47
D. Drug Offenses	21
E. Bail Violations and Prison Breach	21
III. Crimes Which Could Not Be Classified	27
All cases	33

*Base N smaller than 25.
N = 15,460 cases in 1973.

Crimes without an identifiable victim were slightly more likely to result in conviction than those which involved a victim. As mentioned in previous sections, the crimes involving a victim were papered more frequently, but then dropped out more frequently without resulting in conviction, compared with victimless crimes.

Of the crimes involving victims, crimes against businesses or institutions were the most likely to end in conviction and personal victimizations involving violence were the least. In previous sections it was mentioned that business victims seemed to have an advantage over individual victims in having their cases prosecuted. In terms of convictions after papering, however, the relationship seemed to reverse. Comparing convictions to arrests, rather than to prosecuted cases, the overall advantage of businesses or institutions can be seen more clearly.

TABLE 16

CONVICTION RATES FOR SELECTED CASES
BY TYPE OF VICTIM

(Rates computed as convictions per 100 arrests.)

Type of Case	Victim a Business or Institution	Victim an Individual
Robbery	53	35
Burglary	39	38
Larceny	35	35
Auto Theft	16	17
Arson	29	38
Property Destruction	11	15

Differences in conviction rates favor businesses for robbery and burglary, and favor the individual for auto theft, arson and property destruction. There was no difference for larceny. Robbery, burglary and larceny are much more common crimes. As with criminal incidents, the only significant difference is for robbery. Robbery would seem to be an appropriate candidate for more of the prosecutor's resources, in order to equalize the individual citizen's chance for justice. It should be noted that the conviction rates for robbery and burglary were higher than the average for all crimes no matter what type of victim.

The category personal victimization involving violence, which is composed of the most serious crimes of homicide, assault, forcible sex offenses and robbery, had a conviction rate of 29, which was below the average for all cases. Within this group homicides had one of the highest rates for any type of crime--52. The rates for assaults and forcible sex offenses were quite low, 26 and 22, respectively, even though these crimes are considered to be two of the most serious.

In the group of crimes without an identifiable victim, there were wide discrepancies in the conviction rates computed for different crimes. The weapons offenses, considered the most serious of the victimless crimes, had the highest conviction rate of 52. Gun cases were handled more successfully than other weapons offenses, with 55 cases out of every 100 resulting in conviction. Of the other four types of victimless crimes, gambling and consensual sex offenses were twice as likely to result in conviction as drug offenses or bail violations and prison breach.

The effect of characteristics of the defendant and the case on these conviction rates can also be tested. Conviction rates, computed as convictions divided by arrests, were tabulated by sex, race, relationship between the victim and the defendant, and case seriousness. Whether the defendant had been arrested in the past five years and whether the defendant was employed will not be discussed, since they showed a relatively consistent pattern for prosecution and conviction.

Neither the sex nor race of the defendant showed a consistent pattern for all crimes when conviction rates were computed as convictions per 100 arrests. Males were consistently more likely to be convicted for two categories of crimes involving a victim: personal victimizations without violence and crimes against residences or households. For all other crime categories, there was variation depending upon the individual offense. Blacks were also consistently more likely than whites to be convicted of crimes against residences or households, if arrested. For crimes against businesses or institutions, blacks were more likely to be convicted for every subcategory, except auto theft. (Arson could not be compared due to the small number of cases.) In the case of crimes without an identifiable victim, whites were more likely to be convicted of gambling, consensual sex offenses, drug offenses, and bail violations.

The relationship between the victim and the defendant had an effect on both the prosecution and conviction rates previously discussed. In general, the closer the relationship, the less likely

the case was to be prosecuted or to result in conviction. This was also the finding when conviction rates were computed as convictions divided by arrests (Table 17.) Within personal victimizations involving violence, the pattern was consistent for homicides and assaults, but not for forcible sex offenses or robberies. Robberies were most likely to result in conviction if the victim was a family member, next if the victim was a stranger, and last if he or she was a friend or acquaintance. For forcible sex offenses, the difficulty in prosecuting and convicting a case between friends or acquaintances is emphasized by a conviction rate per 100 arrests of only 16. In summary, the conviction rates for crimes involving a victim who is a stranger were higher than the overall rates for the particular crime category for each offense involving a victim shown in Table 17, except for robbery.

The seriousness of an offense seemed to have a consistently positive effect on prosecution, but not on conviction, for crimes which involved a victim. Table 18 shows conviction rates as convictions divided by arrests. According to this table, arrests of persons for crimes against residences or households and crimes against businesses or institutions were significantly more likely to result in conviction if the crimes was more serious. The opposite is true for victimizations without violence, but the difference is not significant.

Conviction rates for personal victimizations involving violence do not show a clear relationship to seriousness. Assault is the only crime which has higher conviction rates as the seriousness of the crime

TABLE 17. CONVICTION RATES BY THE RELATIONSHIP BETWEEN THE VICTIM AND THE DEFENDANT AND TYPE OF CASE

(Rates computed as guilty pleas, verdicts or findings per 100 arrests. Cases where the relationship between the victim and the defendant was unknown were excluded.)

Type of Case	Relationship Between Victim and Defendant		
	Family	Friend or Acquaintance	Stranger
I. Personal Victimizations Involving Violence	17	25	35
(1) Homicide	50	56	58
(2) Assault	14	23	35
(3) Forcible Sex Offenses	22	16	24
(4) Robbery	38	25	34
II. Personal Victimizations Without Violence	---	20	34
III. Crimes Against Residences or Households	---	33	40
IV. Crimes Against Businesses or Institutions	---	29	40

N = 6,921 cases.

"---" indicates too few cases for rates to be computed.

TABLE 18. CONVICTION RATES BY THE SERIOUSNESS SCORE OF THE CRIME ON THE SELLIN-WOLFGANG INDEX AND TYPE OF CASE

(Rates computed as guilty pleas, verdicts or findings per 100 arrests.)

Type of Case	Sellin-Wolfgang Index		
	0	1 - 20	21 or more
I. Personal Victimizations Involving Violence	32	28	41
(1) Homicide	14	55	53
(2) Assault	24	26	33
(3) Forcible Sex Offenses	22	24	21
(4) Robbery	50	33	37
II. Personal Victimizations Without Violence	35	32	---
III. Crimes Against Residences or Households	24	39	---
IV. Crimes Against Businesses or Institutions	33	38	---

N = 10,407 cases.

"---" indicates too few cases for rates to be computed.

increases. For homicide and forcible sex offenses, crimes with scores of 1 to 20 are the most likely to result in conviction. For robbery, crimes with scores of zero are most likely to result in conviction.

Conclusions

One of the purposes of this analysis done in the first year of the project, was to identify problem areas which warrant further in-depth analysis. In this paper, every type of crime brought to the Superior Court Division of the U.S. Attorney's Office is discussed, which makes it difficult to describe each in detail.

For the remainder of the project, several additional analyses will be completed using the results of this paper. First, the analysis of prosecutor performance and police performance from the court perspective will be stratified using the classification system, and an attempt will be made to identify the determinants of the rates. Second, certain problem areas will be analyzed in greater detail. Forcible sex offenses will be the subject of a special study because the prosecution and conviction rates for this type of violent crime are so low. Two other crimes which are of great public concern will also be analyzed: robbery and burglary. Moving to victimless crimes, weapons offenses will be analyzed in depth because the rates of conviction for this crime are so high. This group also has a lower proportion of defendants with previous arrests and a higher proportion of employed defendants than most other crime groups. Drug offenses, consensual sex offenses and gambling will be studied, in order to determine the amount of resources they are currently receiving, since these are three crimes for which decriminalization is frequently suggested.

In addition, an ecological study of D.C. will be attempted, looking at variations in the prosecution and conviction rates by type of crime.

APPENDIX

TABLE A
CRIMINAL INCIDENTS IN 1973 BY OFFENSE
TYPE OF MOST SERIOUS CHARGE AGAINST ANY DEFENDANT

	Number	Percent
I. Crimes Involving a Victim		
A. Personal Victimizations Involving Violence	4363	33.5%
1) Homicide	219	
a) Murder	169	
b) Manslaughter	40	
c) Negligent Homicide	10	
2) Assault	2681	
a) Aggravated	1877	
b) Simple	636	
c) Assault on a police officer	168	
3) Forcible Sex Offenses	385	
a) Female victim 16 and over	295	
b) Victim under 16	71	
c) Male victim	19	
4) Robbery	1078	
a) Armed	548	
b) Other	530	
B. Personal Victimizations Without Violence	1580	12.1%
1) Larceny	1142	
2) Auto Theft	270	
3) Fraud	168	
C. Crimes Against Residences or Households	1106	8.5%
1) Burglary	922	
2) Property Destruction	158	
3) Arson	26	
D. Crimes Against Businesses or Institutions	1826	14.0%
1) Robbery	175	
2) Burglary	292	
3) Larceny	954	
4) Embezzlement and Fraud	292	
5) Auto Theft	48	
6) Arson	8	
7) Property Destruction	57	
II. Crimes Without An Identifiable Victim	3956	30.4%
A. Weapons Offenses	916	
1) Gun	723	
2) Other weapon	193	
B. Gambling	272	
C. Consensual Sex Offenses	731	
D. Drug Offenses	1443	
E. Bail Violations and Prison Breach	594	
III. Crimes Which Could Not Be Classified	197	1.5%
All Criminal Incidents	13,028	100.0%

TABLE B
ARRESTS IN 1973 BY OFFENSE TYPE OF
MOST SERIOUS CHARGE AGAINST THE DEFENDANT

	Number	Percent
I. Crimes Involving a Victim		
A. Personal Victimizations Involving Violence	5040	32.6%
1) Homicide	259	
a) Murder	200	
b) Manslaughter	49	
c) Negligent Homicide	10	
2) Assault	2891	
a) Aggravated	2002	
b) Simple	684	
c) Assault on police officer	205	
3) Forcible Sex Offenses	450	
a) Female victim 16 and over	357	
b) Victim under 16	72	
c) Male victim	21	
4) Robbery	1440	
a) Armed	726	
b) Other	714	
B. Personal Victimizations Without Violence	1898	12.3%
1) Larceny	1337	
2) Auto Theft	372	
3) Fraud	189	
C. Crimes Against Residences or Households	1370	8.9%
1) Burglary	1174	
2) Property Destruction	164	
3) Arson	32	
D. Crimes Against Businesses or Institutions	2099	13.6%
1) Robbery	217	
2) Burglary	372	
3) Larceny	1059	
4) Embezzlement and Fraud	305	
5) Auto Theft	74	
6) Arson	8	
7) Property destruction	64	
II. Crimes Without an Identifiable Victim	4757	30.8%
A. Weapons Offenses	1042	
1) Gun	827	
2) Other weapon	215	
B. Gambling	372	
C. Consensual Sex Offenses	834	
D. Drug Offenses	1874	
E. Bail Violations and Prison Breach	635	
III. Crimes Which Could Not Be Classified	296	1.9%
All Cases	15,460	100.0%

END