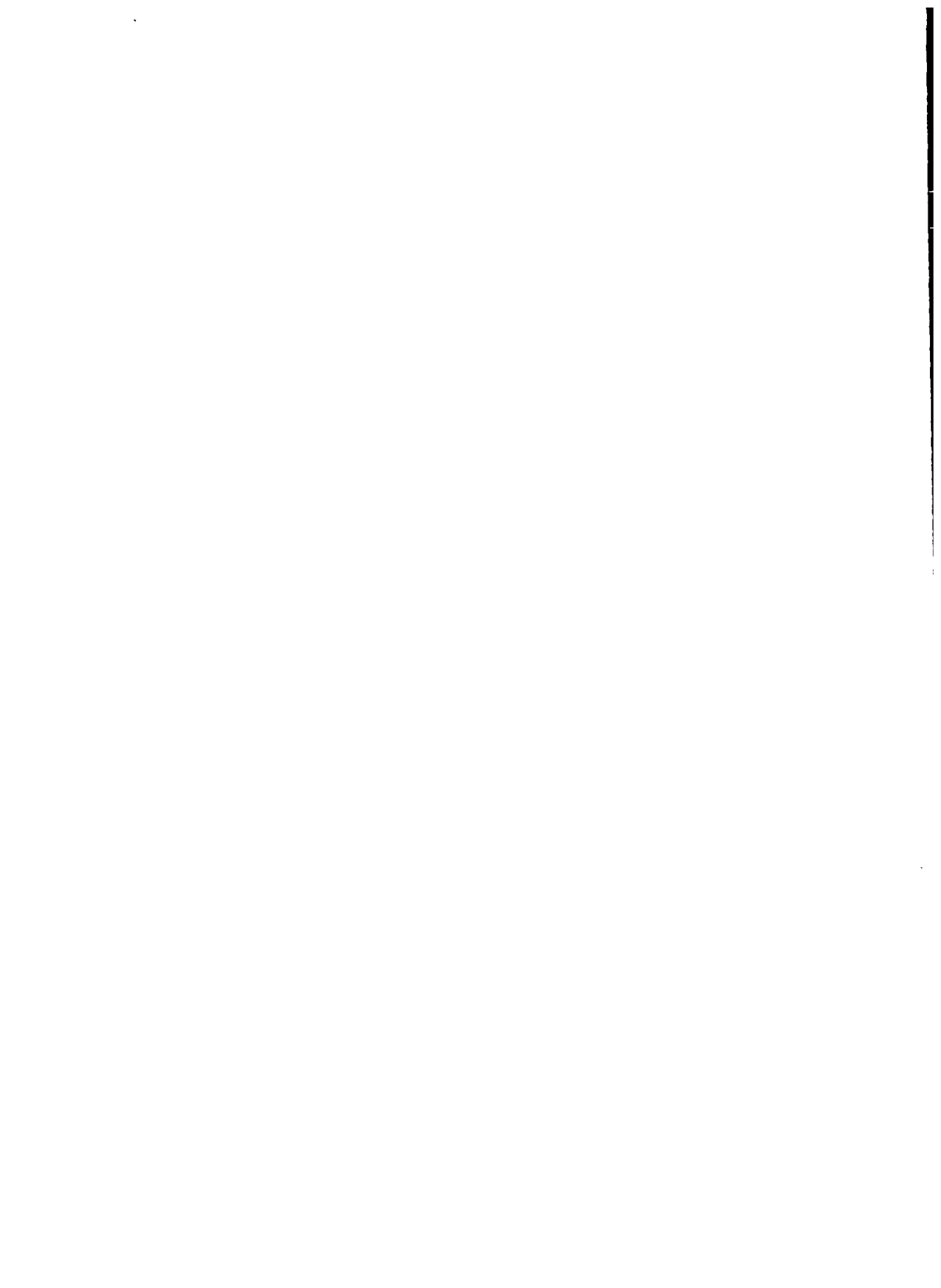


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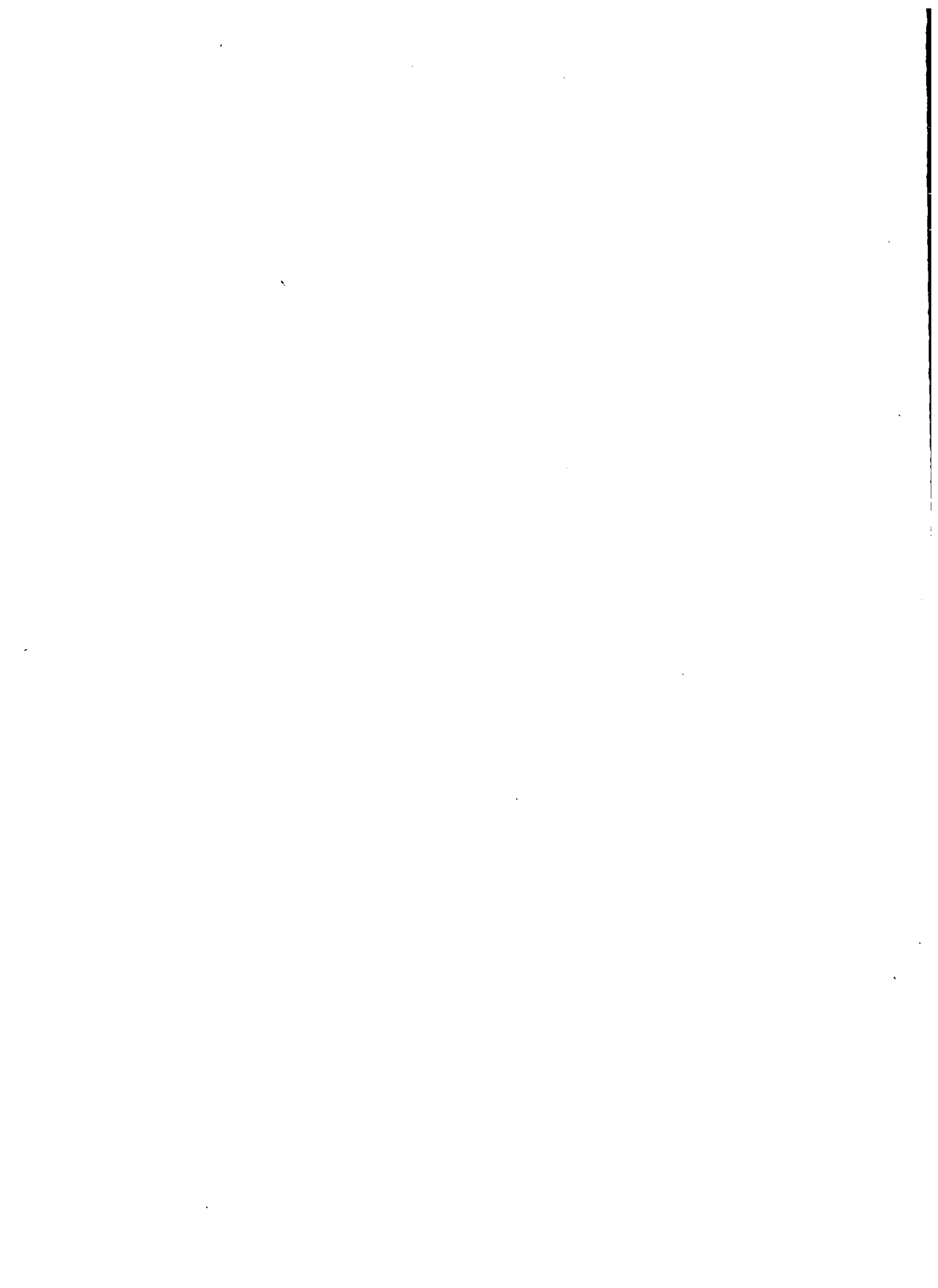
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VARIATIONS IN CRIMINAL CAREERS: AN ANALYSIS OF THE
CRIMINAL BEHAVIOR PATTERNS OF PERSONS DESIGNATED CAREER
CRIMINALS

State University of New York at Albany

PH.D. 1982

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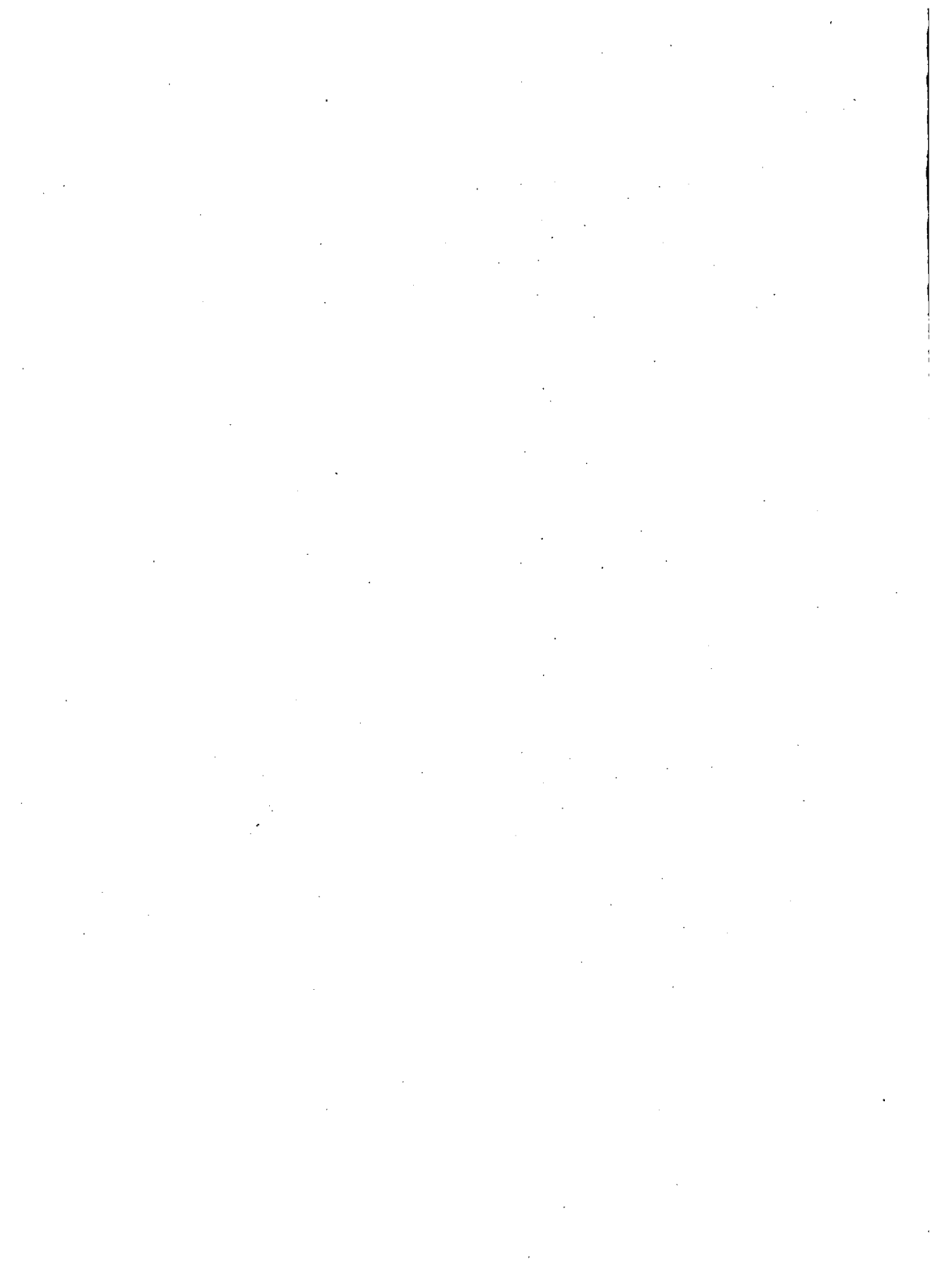
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VARIATIONS IN CRIMINAL CAREERS: AN ANALYSIS OF THE CRIMINAL
BEHAVIOR PATTERNS OF PERSONS DESIGNATED CAREER CRIMINALS

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A Dissertation

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1982

VARIATIONS IN CRIMINAL CAREERS: AN ANALYSIS OF THE CRIMINAL
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Gerald Francis Stowell, Ph.D.

State University of New York at Albany, 1982

The major objectives of this research were to determine the characteristics of persons prosecuted as career criminals, particularly their criminal behavior patterns, and the importance of those characteristics in the decision to classify individuals as career criminals. A comparison was also made of the nature of the prosecution process for career and noncareer criminals. Finally, an attempt was made to assess the possible effects of career-criminal prosecution on the prosecution process, incapacitation, and crime reduction.

Two samples of offenders from the Wayne County Prosecutor's Office in Detroit, Michigan, were used in the research. One sample consisted of 647 career-criminal cases disposed of in 1975, 1976, and 1977, while the other sample consisted of 408 noncareer-criminal felony cases processed in the same jurisdiction during the same period. Demographic, current offense, and detailed prior-record information were collected for all cases.

Results of crosstabular and regression analyses showed persons prosecuted as career criminals were as a group more violent and had more serious and longer criminal records than felony offenders not prosecuted as career criminals, but these differences in criminal behavior patterns accounted for only about 20 percent of the variation

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in the decision to prosecute or not prosecute an individual as a
career criminal. The predictive power of the variables improved
somewhat when only extreme cases were considered ($r^2=30$), but it was
apparent that factors other than criminal behavior played an important
role in the decision whether to prosecute individuals as career
criminals.

More specific analyses of criminal behavior patterns indicated
that individuals prosecuted as career or noncareer criminals alike
showed a slightly greater degree of specialization in the latter stages
of their offending behavior, but persons prosecuted as career
criminals moved toward specialization in more serious forms of
criminal behavior than did persons who were not prosecuted as career
criminals. Persons prosecuted as career criminals also differed from
noncareer-criminal prosecution cases in that they showed a pattern of
committing more serious crimes for a longer period of time.

Evidence was found to support contentions that persons
prosecuted as career criminals are more likely to have less opportunity
to plea bargain, be convicted, and receive harsher sentences but there
was no strong indication that this was a result of career-criminal
prosecution.

A final portion of the analyses attempted to estimate the
possible crime-reduction effects of earlier identification of career
criminals and the imposition of mandatory sentences. The results
indicated a possible 4.2 percent reduction in crime after one year
when persons were identified as career criminals at age 22.

It was concluded that persons prosecuted as career criminals
could best be described as semiprofessional or conventional career

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criminals, that is, technical skill was not characteristic of the offenders, but it was not possible to establish a detailed typology of the career criminal because the decision to prosecute individuals as career criminals is a function to a great extent of prosecutor discretion regarding the strength of a case or of other unmeasured variables.

It was also noted that in spite of the apparent limited potential of career-criminal prosecution for reducing crime, there were other possible beneficial effects resulting from this method of prosecution.

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CHAPTER I
INTRODUCTION

Official crime statistics and research in criminology have provided considerable evidence to indicate that the activity of the repeat offender represents a serious problem.¹ A recent analysis of data from New York State led to the conclusion that 80 percent of solved crimes are committed by recidivists. Furthermore, in the case of unsolved crimes, the most likely possibility is that most of them are the work of recidivists.² Data from the Prosecutors' Management Information System (PROMIS) in Washington, D.C., show that those arrested three or more times account for 21 percent of all persons arrested but represent 60 percent of all arrests for the same period.³ Thus, a relatively small number of offenders represents a notable proportion of the work load of police, prosecutors, the courts, and corrections--and consumes a large part of the resources of the criminal justice system in addition to imposing direct costs upon the victims of the illegal acts.

The history of habitual-offender laws in the United States and England reflects the major effort of our society to cope with the problem of the chronic wrongdoer. While a great deal of effort and research has gone into the development of innovations to rehabilitate the criminal into society, most has been aimed at the youthful, the

first-time, or the occasional offender and not the experienced felon. For the adult repeat offender, the trend has been increased punishment to insure if not deterrence at least incapacitation. American habitual-offender statutes have seen little use for many years, however, due in part to their mandatory nature and their harshness. Yet, it seems reasonable to assume that the major reason for the infrequent resort to such statutes has been the habit of prosecutors to employ them as bargaining chips to assure conviction rather than to enhance the sentence of persistent felons. In some cases this procedure was seen as an excellent method of assuring a good "track record" of convictions and of demonstrating the competence of the prosecutor. In many cases, though, the prosecutor's office declined to use habitual-offender statutes simply because there were no funds available to handle the probable increase in cases going to trial.

The Law Enforcement Assistance Administration (LEAA) has recognized the contribution of the repeat offender to the crime problem and has monetarily supported career-criminal programs throughout the country that provide prosecutors with the resources necessary to expedite the cases of serious repeat offenders without bargaining away the chance to convict for major felonies or on habitual-offender statutes that would insure lengthy sentences. The first of such career-criminal programs has been in operation since 1975, and it has become evident from program statistics that persons designated as career criminals are processed more quickly, are less likely to be given the opportunity to plea bargain, are more likely to be convicted, are more likely to be sentenced under available habitual-offender statutes than are persons not so designated.⁴

The LEAA Career Criminal Program is the purest attempt to date in the United States at incapacitation as a response to criminal behavior. It is a natural correlate of the trend in the 1970s toward the revival of what Isidore Silver refers to as the "new classicism theory of criminal responsibility," which argues that criminal justice agencies are not successfully removing arrested offenders from society.⁵ This absence of incapacitory penalties precludes any deterrent effect, a situation that contributes to a higher crime rate. The increased use of incapacitation is seen as a social defense measure, which, even if it does not deter, at least prevents criminals from doing harm while they are confined or closely supervised.⁶ The greater use of incapacitation for all offenders would probably receive little support among criminologists, other professionals, and the citizenry, but there does seem to be an emerging consensus to "do something" about the small group of repeat offenders associated with so much of the crime that occurs. For LEAA, "something" has taken the form of the Career Criminal Program.

The new classicism theory of criminal responsibility stresses the importance of policy analysis as opposed to causal analysis. James Q. Wilson explains policy analysis as it relates to crime:

Policy analysis as opposed to causal analysis begins with a very different perspective. It asks not what is the cause of a problem, but what is the condition one wants to bring into being, what measure do we have that will tell us when the condition exists, and what policy tools does a government possess that might when applied, produce at reasonable cost a desired alteration in the present condition or progress toward the desired condition? In this case the desired condition is a reduction in specified forms of crime.⁷

This research is an attempt to bring more information to bear on a current operational policy regarding the processing and sentencing

of repeat offenders in order to assess the desirability or even the utility of a criminal justice system based on a legal philosophy of incapacitation and/or deterrence. The data in this study are not amenable to revealing the presence or absence of any deterrent factor in the career-criminal program policy of accelerated prosecution and enhanced punishment for a selected group of offenders, but it is possible to look at patterns of criminal behavior and to make some statements regarding the efficacy of long periods of incarceration as a means of reducing the number of crimes committed by repeat offenders. This information is important beyond the boundaries of career-criminal programs, given the current legal trend toward long, fixed, and sometimes mandatory prison sentences for many offenders.

The development of career-criminal programs, among other developments, is reflective of a legal tendency in the United States toward more social control. LaMar T. Empey recently noted that

as in the past, the practice now is to take political action first --to increase rights, to circumscribe official discretion and to eliminate prior controls--without the slightest notion as to what new institutional forms will serve to secure them. What often happens therefore,--indeed is happening--is for older, more coercive forms of control to reassert themselves. Almost inevitably, revolution generates counter revolution.⁸

Perhaps because of some lingering liberal tendencies, the counterrevolution has not been all encompassing but rather has focused on what has been called "the dangerous offender." This has resulted in a double system of crime control whereby a separate set of policies and procedures has been developed for dealing with dangerous criminal behavior as opposed to ordinary nonviolent crimes.⁹ Persons identified as career criminals are not officially referred to as dangerous offenders, perhaps because of legal difficulties inherent in the

definition of "dangerous." It is safe to say, however, that an offender's dangerousness can be inferred, as Donald J. Newman suggests, from the repetitive nature of his criminality.¹⁰ An important question here is the nature of the group of individuals being processed as career criminals. Are they truly hardened professionals who must be incarcerated quickly and for long periods in order to assure public safety? Or, are they simply habitual nuisances and losers who have never succeeded at anything, including crime? If those individuals labeled career criminals are simply nuisances or losers, we must then ask if the added monetary and social control costs are too high a price to pay for career-criminal programs.

Regardless of whether persons identified as career criminals are dangerous or not, to be so identified is in effect to be labeled dangerous. This undoubtedly has an effect on sentencing and subsequent decisions by correctional authorities regarding release from custody. In fact, it is standard procedure in some jurisdictions where career-criminal programs exist to attempt to persuade judges to mete out the most severe sentences available under the law to persons identified as career criminals. In addition, prosecutors appear before parole boards and correctional authorities in order to discourage early release. As of this writing, the courts have been inclined to view career-criminal program procedures as permissible under the Constitution. If it were to be shown, however, that a majority, or even a significant minority, of so-called career criminals or habitual offenders were unlikely to commit serious crimes in the future with or without incarceration, a legal review of program decisionmaking procedures would seem to be in order, given the probable consequences

for the individual at issue.

It is also important to look at the selection process for habitual-offender status and who receives the additional distinction of being prosecuted for that status. Ostensibly the designation process is objective, but little is known about the further step, i.e., who in the pool is chosen for prosecution under habitual-offender statutes. Because only a small minority of those eligible for enhanced sentences are actually prosecuted, it seems clear that the selection process is a matter of prosecutor discretion. We might then ask: Whom are the prosecutors selecting, and why? Is selection based on some perception of relative dangerousness, or on the prosecution estimate of convictability? If selection is based at least in part on perception of dangerousness, is the perception likely to be different from the perception of the general public?

Advocates of the career-criminal program concept saw accelerated prosecution and severe sentences as a possible means of significantly reducing crime by incapacitating the repeat offender. At this time, however, no research has been conducted that adequately demonstrates the utility of this type of program for reducing crime. There are also questions regarding the desirability and even the legality of such programs, given their emphasis on quick justice and increased social control. One must ask: Social control based on what evidence, for whom, by whom, and with what effect?

Career-criminal programs have been in existence only since 1975, but they have already become extremely popular within the court system and in legislatures as well. LEAA has sponsored more than twenty-two such programs nationwide. In addition, and perhaps more

significantly, many local jurisdictions and several states have instituted similar programs using their own resources. There have also been proposals in the Congress to establish a special office within LEAA to deal exclusively with career-criminal problems and to provide even more support for local career-criminal programs.

It is clear that in spite of the popularity of the career-criminal programs, a great deal of information is lacking concerning just who is being processed, the pattern and seriousness of their criminal behavior over time, and the effect of these special prosecutorial programs on noncareer criminals and on the court systems within which the programs operate. This research proposes to address these unknowns.

A large national sample (over seven thousand defendants) and a local sample (of approximately eleven hundred defendants) is used to achieve four general research objectives:

1. To describe as fully as possible the individuals designated career criminals, and to compare their characteristics to those of offenders considered but not selected for career-criminal status.
2. To examine the nature of the legal process applied to persons designated career criminals, and to compare procedures to the prosecutorial attention given to persons who are not prosecuted as career criminals.
3. To provide as comprehensive a picture as possible of the criminal behavior patterns of career criminals over an extended period, using criminal history, and demographic and personal data.
4. To assess insofar as possible the effects of career-criminal programs on the performance of the courts in regard to the processing

of noncareer criminals, in addition to any impact the programs may have on court staffing and costs.

Overall, this study is an effort to provide, at minimum, an objective analysis of empirical data that can be used to assist legislators and criminal justice administrators to make rational decisions regarding the future use of this and other programs that attempt to deal with the serious problem of the habitual offender.

Overview of Chapters

In order to understand better how we have arrived at current perceptions of the habitual and/or dangerous offender and the alternative methods of dealing with such a person, this research begins with a review of the earliest efforts of societies to define and cope with the dangerous offender, supplemented with a tracing of various legal means used to deal with the habitual offender since the nineteenth century and their impact on the offender and the criminal justice system. This is followed by a review of previous research on the habitual and/or dangerous criminal from the time of Quetelet to the research of the 1970s that led to the LEAA Career Criminal Program.

Subsequent chapters include the specific nature of the problem investigated, a detailed description of the career criminal and comparison sample used in this study, a description of the methodology employed, the actual analyses of data and findings, and, finally, a general summary and implications of research results.

Notes

1. See, for example: Maynard L. Erickson and LaMar T. Empey, "Court Records, Undetected Delinquency and Decision Making," Journal of Criminal Law, Criminology, and Police Science 54 (1963); Federal Bureau of Investigation, Uniform Crime Reports, 1964-1974; Edwin Sutherland and Donald Cressey, Criminology (9th ed.; Philadelphia: J. B. Lippincott, 1974); Marvin E. Wolfgang, Robert M. Figlio, and Thorsten Sellin, Delinquency in a Birth Cohort (Chicago: University of Chicago Press, 1972).
2. Revel and Shlomo Shinnar, "The Effects of the Criminal Justice System on the Control of Crime: A Quantitative Approach," Law and Society Review 9 (1975):597.
3. National Institute of Law Enforcement and Criminal Justice, Curbing the Repeat Offender: A Strategy for Prosecutors (Washington: Government Printing Office, 1977), p. 9.
4. Phil Cohen, "Profile of a Career Criminal," The Verdict 2 (January-March 1977):4-5.
5. Isidore Silver, "Crime and Conventional Wisdom," Society 14 (March/April 1977):9.
6. James Q. Wilson, Thinking About Crime (New York: Basic Books, 1975), cited in Silver, "Crime and Conventional Wisdom," p. 15.
7. Wilson, Thinking About Crime, p. 53.
8. LaMar T. Empey, "Detention, Discretion and History," Journal of Research in Crime and Delinquency 14 (July 1977):176.
9. Donald J. Newman, Introduction to Criminal Justice (Philadelphia: J. B. Lippincott, 1975), p. 376.
10. Ibid.

CHAPTER II

THE CONCEPT OF DANGEROUSNESS AND THE HABITUAL OFFENDER

Early Perceptions of Dangerousness

Throughout recorded history, the poor have always been dangerous in the eyes of the rich. Ysabel Rennie observes:

The criminals in the Roman mines and galleys or nailed to crosses at the Esquiline Gate were not patricians; they were revolted slaves, or the humiliores, the pauper rabble who swarmed to the great cities from an impoverished countryside. If a Roman gentleman committed any crime but treason, the worst punishment he would likely suffer would be banishment or loss of property and civil rights. For what might be called their white toga criminals, the Romans, like us, had a system of differential justice. . . . In modern times as in ancient, the poor and dangerous are seen as dangerous, while the rich and dangerous are simply rich.¹

Early English law varied little from the laws of ancient Rome in recognizing the poor and destitute as a dangerous class. The laws in fourteenth-century England were particularly concerned with strangers, i.e., poor strangers, who were attempting to escape feudal service, especially after the great plague of 1348. Similar laws dealt with beggars, escaped servants, laborers, and craftsmen. The "Statute of Labourers" is typical of legislation of this period. It begins:

Because a great part of the people, and especially workmen and servants, late died of the pestilence, many seeing the necessity of masters and great scarcity of servants, will not serve unless they may receive excessive wages, and some rather willing to beg in idleness than by labour to get their living . . . every man and woman of whatsoever condition, free or bond, able in body, and within the age of three score years, not living in merchandise, nor exercising any craft, nor having of his own whereof he may live,

nor proper land about whose tillage he may himself occupy, and not serving any other, shall be bound to serve him which him shall require, and take only the wages, livery, meed, or salary which were accustomed to be given in the places where he oweth to serve. And if any such man or woman, being so required to serve, will not the same do, and that be proved by two men before the sheriff or the bailiffs or the constables of the town, he shall anon be taken and committed to gaol, there to remain under strait keeping till he find surety to serve in the form aforesaid. If any reaper, mower or other workman or servant, retained in any mans service, do depart from the said service without reasonable cause or licence before the time agreed, he shall have pain of imprisonment; and none under the same pain are to receive or retain any such in his service.²

During the same period, those individuals most likely to be considered dangerous by contemporary standards, that is, persons committing robberies, murders, rapes, and other heinous crimes were in many instances shielded by great and powerful barons and were seldom brought to justice. David Hume says of such protectors that "by their confederacies with those of their own order, and by supporting and defending their retainers in every iniquity, [they] were the chief abettors of robbers, murderers and ruffians of all kinds, and no law could be executed against those criminals."³ The violence and disorder under the barons was reduced somewhat in those periods when England was ruled by strong monarchs, but legislation such as the "Statute of Labourers" proved to be singularly ineffective in controlling vagabondism, which was seen as the main cause of the troublesome conditions that prevailed throughout the country.⁴

It was perhaps inevitable that dangerousness would be attributed to the poorest classes of the Middle Ages because they were powerless, and because so little was known about the perpetrators of serious crimes. The sheriff rarely caught even killers, much less those who committed other serious crimes where there was not even a

body for evidence. In spite of the problems of apprehension and conviction, however, there was at least one attempt in fourteenth-century England to deal with the repeat offender. Because it was so difficult to apprehend and convict anyone for an actual offense, a list of notorious thieves was drawn up, thus making possible punishment on the basis of reputation. The guilt of a person whose name was on the list was assessed in terms of the perceived length of criminality, and there was no attempt to deal with individual criminal acts.⁵ The procedure was different, but the principle behind the practice was essentially the same as that of habitual offender statutes passed in the United States in the twentieth century. This early response to the chronic offender, however, was but a sidelight to the major concern of the times, that of the poor vagabond who was considered the person mainly responsible for all sorts of real and imagined crimes. Thus, the earliest concerns with dangerousness had to do with a class of people rather than a class of criminals.

With the demise of feudalism and the rise of the wool trade in England vagabondism became even more widespread. Those serfs who had not left their home areas to escape service were now evicted to make room for sheep. With no shelter and no means of support, they became mendicants and thieves. As begging and stealing became common, countermeasures grew more draconian. Criminals were hanged, disemboweled, and quartered publicly, but with little effect on the crime rate. For a time, transportation to the colonies was the fate of transgressors. But as the crime rate went still higher, there was a concomitant multiplication of capital offenses: from fifty in 1688 to over two hundred in 1820. But nothing seemed to stem the tide.

Through all of this and on into the nineteenth century, the "dangerous classes" continued to be the major focus of concern for the dominant ruling classes. To be sure, as Rennie points out, "a robber armed with a stiletto was as frightening to the pedestrian in fifteenth century London or Paris as one with a gun is to twentieth century Detroit. But society thought of him less as an individual threat to his fellow man than as the representative of a class of dangerous people."⁵

The Anglo-American laws of today take a more subtle approach to the poorest classes in that they address the problem of the habitual or dangerous criminal without reference to dangerous classes. It is only coincidental that the vast majority of persons labeled habitual, dangerous, or career criminals are the poor and disenfranchised.

The Rise of the Habitual Offender

The habitual offender from a legalistic standpoint is the designation given a distinct group of persons, who because of their past involvement in crime (almost universally measured by convictions) can be incarcerated for terms which exceed the normal punishment for a specific offense. Such "habitual offenders," once adjudged in a court of law as such, are subsequently sentenced for their "habitual offender" status, rather than for any specific offense committed.⁶

Penal law and philosophy has reflected a concern for the problem of the repeat offender, going back to England's lists of notorious thieves. This process came into being because of the difficulty then in apprehending criminals but it did not seem to affect the level of crime, in part because the lists did not enhance the probability of apprehension and conviction. Moreover, the sanctions levied were hardly more onerous than those given to first

offenders. Thus, if one believes that deterrence is positively related to severity of punishment, this early attempt at dealing with the chronic offender held little hope of success. Subsequently, until the late nineteenth century, there was increased apprehension of offenders, a more inclusive categorization of capital crimes, and a spiraling crime rate. During these centuries recidivism was not seen as a social problem because, as Katkin points out, "even the most trifling offenses were punishable by hanging or by imprisonment which was considered only a slightly more protracted death. Thus, while there were unquestionably habitual criminals, there were few whose careers were not ended by a first conviction."⁷

The history of penal law and philosophy in the United States has reflected a concern with the repeat offender, going back to colonial times. An early Virginia Colony statute regarding the stealing of hogs provided that a first offender would pay a thousand pounds of tobacco to the owner and the same amount to the person who had informed against him, or serve one year's work for each person.

Further:

Any person haveing beene once convicted of hogg stealing, shall a second tyme be convict thereof then for such his default he shall stand in the pillory two howres and have both his eares nailed thereto, and at the expiration of said two howres, have his eares cut loose from the nails, which penalty shall be adjudged and inflicted against and upon the offender by any county court in Virginia, any law to the contrary notwithstanding. And whoever shall be taken a third tyme stealing hoggs, that then he be tried by the laws of England as in felony.⁸

Conviction as a felon resulted in a death penalty.⁹ By 1797 a more general recidivism law was established in New York State that provided for life imprisonment in the case of a second felony.¹⁰

By 1863, the House of Lords described habitual thieves as inveterately addicted to dishonesty and so averse to labour that there is no chance of their ceasing to seek their existence by depredations on the public unless they are compulsorily withdrawn for a very considerable time from their accustomed haunts. Such persons may sometimes be guilty of only minor offenses, yet by the continual repetition of such offenses inflict more loss upon the public than men who, under great temptation commit a grave but single crime.¹¹

The majority of statutes aimed at habitual offenders, however, both in England and the United States, came into being in the early 1900s, particularly after World War I. This was due to an apparent increase in crime and a heightened awareness of the extent of the repeat offender's activity.¹² A few years before the Gladstone Committee Report of 1895 had noted the futility of punishing repeat offenders for a particular offense when "the real offense is the wilful persistence in the deliberately acquired habit of crime."¹³ The report proposed a new form of sentence: long period of detention, the offender thus to be "removed from the opportunity of doing wrong."¹⁴

Enthusiasm for general recidivist statutes in the United States was nourished by the spreading of organized crime activities during the Volstead era, which reached a peak in the late 1920s.¹⁵ By 1975, Alabama, Mississippi, and Ohio were the only states that did not have a general habitual, dangerous offender, or enhancement law.¹⁶ Such statutes provide for a variety of additional punishments up to life imprisonment.¹⁷ The thinking of the legislatures was apparently not shared by the courts. In Indiana from 1907 to 1945, the habitual offender statute was applied on the average of only once a year. The life imprisonment clause of the 1921 habitual criminal act of Pennsylvania was not used at all until 1933, and between 1933 and 1945 in fewer than a half-dozen cases.¹⁸ An investigation conducted in

Kansas concerning its recidivist law showed that only 23 percent of eligible offenders were sentenced under it, and extreme irregularity in sentencing was found; some judges made extensive use of the law, while others did not use it at all.¹⁹

At least part of the apparent hesitation by the courts to make use of habitual offender statutes has been attributed to the fact that their mandatory sentencing provisions invade the discretionary power of the courts.²⁰ The sporadic use of recidivism laws has also been attributed to the costs of prosecution. Extensive application might lead to lengthened trials, which would entail greater expense for the state in gathering evidence. This would lead, in turn, to more offenders being sentenced and thus to expenditure of more public funds on penitentiary services.²¹

Another important factor affecting the use of recidivism laws is the role of the prosecutor. It matters little that the application of the terms of habitual offender statutes is mandatory when their operation depends upon the prosecutor.²² The orientation of prosecutors has been that habitual offender laws are useful in bargaining for convictions rather than in accomplishing the intended objective of long sentences. While the bargaining process may result in a record of successful prosecution, it clearly does not insure the prolonged detention intended by recidivist laws to protect the public.²³

In addition to problems of practical application, habitual offender laws have been criticized on theoretical grounds. Brown points out that since the advent of the personality-situational analysis of the offender from the sociological point of view, the

number of arrests or convictions is no longer a suitable criterion for distinguishing the first offender from the habitual offender.²⁴ It is by no means a certainty that a first conviction represents the defendant's first crime. "It may mark only his first experience of bad luck in a career dedicated to crime."²⁵ Thus, it may be, as Rubin suggests, that such laws are ineffective even when applied, because they serve only to isolate from society a group of unfortunate inadequates.²⁶

The federal government and some states have responded to this criticism by enacting "special dangerous offender statutes" that normally require a psychiatric finding that an individual is "dangerous" or mentally disturbed, or that rely on evidence that the defendant is a "professional criminal." There is in these statutes no specific reliance upon prior convictions.²⁷ There have been problems, however, in determining exactly what is meant by "dangerous offender," "mentally disturbed offender," or "professional criminal."²⁸

Although habitual offender statutes in the United States have been described as unsuccessful,²⁹ and ineffective in dealing with organized crime and the "dangerous recidivist,"³⁰ they have withstood a number of attacks on constitutional grounds. The courts have found them not to be ex post facto in the additional penalties imposed; they do not constitute double jeopardy; they do not deny equal protection of the laws; and they do not violate due process requirements.³¹ With few exceptions, the overwhelming weight of authority, including Supreme Court decisions, has been to uphold the constitutionality of habitual offender laws.³² This is an important factor for many current career-criminal programs that make extensive use of these laws.

Notes

1. Ysabel Rennie, The Search for Criminal Man (Lexington, MA: D. C. Heath & Company, 1978), p. 4.
2. George Nicholls, A History of the English Poor Law, vol. 3 (New York: Augustus M. Kelley, 1967), pp. 37-38.
3. David Hume, The History of England from the Invasion of Julius Caesar to the Revolution in 1688 . . ., vol. 2 (London: T. Cadell, 1782), pp. 227, 321, 369, 493, cited in Nicholls, A History of the English Poor Law, vol. 3, p. 46.
4. Nicholls, A History of the English Poor Law, vol. 3, p. 47.
5. Rennie, The Search for Criminal Man, p. 53.
6. Ronald W. Sabo, State Habitual or Dangerous Offender Statutes and Selected Firearms Use Enhancement Laws (Thousand Oaks, CA: National Legal Data Center, 1975), p. 1.
7. Daniel Katkin, "Habitual Offender Laws: A Reconsideration," Buffalo Law Review 21 (1971):99.
8. W. W. Hening, Statutes at Large, vol. 5 (Richmond, 1809), p. 440, cited in George K. Brown, "The Treatment of the Recidivist in the United States," Canadian Bar Review 23 (1945):640-41.
9. Hening, Statutes at Large, p. 276, cited in Brown, "The Treatment of the Recidivist in the United States," p. 641.
10. State of New York, Report of the Crime Commission for 1929 (Albany, 1930), pp. 11-12.
11. House of Lords, Report of the Commissioner Inquiring Into the Operation of Prisons, 108 British Sessional Papers 1895, 86.
12. Sabo, State Habitual or Dangerous Offender Statutes and Selected Firearms Use Enhancement Laws, pp. 2-3.
13. House of Commons, Report from the Departmental Committee on Prisons, 56 British Sessional Papers 1895, 31.
14. Ibid.
15. George K. Brown, "The Treatment of the Recidivist in the United States," Canadian Bar Review 23 (1945):642.
16. Sabo, State Habitual or Dangerous Offender Statutes and Selected Firearms Use Enhancement Laws, p. 4.

17. For a complete outline of habitual or dangerous offender statutes, see Linda Sleffel, The Law and the Dangerous Criminal: Statutory Attempts at Definition and Control (Lexington, MA: Lexington Books, 1977).

18. Brown, "The Treatment of the Recidivist in the United States," p. 658.

19. Kansas Legislative Council, Research Department, The Operation of the Kansas Habitual Criminal Law, cited in George K. Brown, "The treatment of the Recidivist in the United States," Canadian Bar Review 23 (1945):658-59.

20. Brown, "The Treatment of the Recidivist in the United States," p. 661.

21. *Ibid.*, p. 663.

22. Paul W. Tappan, "Habitual Offender Laws and Sentencing Practices in Relation to Organized Crime," in Organized Crime and Law Enforcement, vol. 1, ed. Morris Ploscowe (New York: Grosby Press, 1952), p. 123.

23. *Ibid.*, p. 124.

24. Brown, "The Treatment of the Recidivist in the United States," pp. 644-45.

25. Sol Rubin, The Law of Criminal Correction (St. Paul: West Publishing Company, 1973), p. 466.

26. *Ibid.*, p. 463.

27. Sabo, State Habitual or Dangerous Offender Statutes and Selected Firearms Use Enhancement Laws.

28. *Ibid.*, p. 5.

29. Brown, "The Treatment of the Recidivist in the United States," p. 671.

30. Tappan, "Habitual Offender Laws and Sentencing Practices in Relation to Organized Crime," p. 121.

31. Rubin, The Law of Criminal Correction, p. 454.

32. Sabo, State Habitual or Dangerous Offender Statutes and Selected Firearms Use Enhancement Laws, p. 6.

CHAPTER III
HABITUAL OFFENDER RESEARCH

The concept of attempting to identify and describe specific types of criminals has been with us much longer than career-criminal programs themselves. There has also been a great deal of research in the past that has tried to predict which individuals would become recidivists, based on such variables as work record, kind of previous offense, previous institutional behavior, family relationships, I.Q., various attitudinal measures, socioeconomic status, and so on.

Quetelet carried out some of the earliest statistical studies bearing upon patterns of criminality. He found, after computing crime rates for different age groups in France, a relationship between age and crime that led him to conclude that criminals "burn out" at about age twenty-five.¹

Not long after the time of Quetelet, Lombroso wrote about establishing the probabilities of recidivism based upon a number of additional variables. He noted that precocity in crime (i.e., committing crimes at an early age) is a characteristic of "born criminals," and that lack of intelligence, peculiarities of speech, and poor memory were all predictive of future criminal behavior. Lombroso also looked upon handwriting and even mode of dress as being very important in distinguishing different types of criminals.² All of

these factors were considered by him in addition to his most well-known concept, that of using the physical characteristics of an individual to assess propensity for future crime.

The work of Charles Goring served to refute the existence of a physical criminal type, along with the predictive utility of many other variables considered to be important by Lombroso. Goring did, however, reiterate the importance of age at first conviction as a means of predicting future criminal behavior. Table 3.1 is taken from his work The English Convict, published in 1913.³ It compares the age at first conviction for first offenders and habitual offenders.

The early studies of Quetelet, Lombroso, and Goring were later enriched by the view of criminal careers from the offender's perspective, such as the work of Clifford R. Shaw, The Natural History of a Delinquent Career,⁴ and, more recently, The Felon, by John Irwin.⁵ These and similar works attempted to show that inner strivings, motivations, barriers, and other attributes and events would influence an individual to display certain patterns of criminal behavior.⁶ In particular, these studies gave some clues about how the criminal justice system works, whether or not it deters criminal behavior, and why certain persons elect to persist in crime as a career.

Edwin H. Sutherland used the biography of one professional thief to analyze the pursuit of crime as a livelihood.⁷ His conclusions: (1) The professional thief makes a regular business of stealing, devoting his entire working time and energy to larceny. He carefully plans every act and may steal every day of the year. (2) The professional thief has developed skills and methods different from those of other professional criminals and is contemptuous of the

Table 3.1

Age at First Conviction for First Offenders and Habitual Offenders

Number	Age at First Conviction													
	5-	10-	15-	20-	25-	30-	35-	40-	45-	50-	55-	60-	65-	70-
First offenders (N=682)	-	-	32	143	96	82	85	88	47	35	25	33	11	5
Habitual offenders (N=2,204)	18	298	849	435	236	153	71	58	33	20	12	7	3	1

Source: Charles Goring, *The English Convict: A Statistical Study* (London: His Majesty's Stationery Office, 1913), p. 201.

amateur thief. (3) Professional thieves have acquaintances, rules, codes of behavior, and language in common.⁸ (4) The professional thief knows how to apply pressure to counteract the efforts of the criminal justice system to convict him, and is able to steal for long periods of time without going to prison.⁹ Sutherland's work was followed by myriad first-person accounts of "professional-criminal" exploits, but it remains one of the most comprehensive studies of the nature and complexity of the development of the professional criminal.

The picture of the professional criminal developed in more recent times does not differ substantially from that drawn by Sutherland in 1937. Clinard and Quinney note that

professional criminals are accorded great prestige by other criminals. They engage in a variety of highly specialized crimes, all of which are directed toward economic gain. By means of skill and elaborate techniques, professional criminals through various forms of professional thievery or fraud are often able to acquire considerable sums of money without being detected. In the unusual cases when they are apprehended, professional criminals are able generally to find ways to have the charge dropped. . . . Professional criminals recognize their own talents and status in crime. Regarding themselves as professionals, they avoid other types of criminals and associate primarily with one another. Professional criminals, in being committed to a life of crime, avoid contact with much of the larger society.¹⁰

Similarly, Inciardi describes the stock in trade of those engaged in the "business of stealing" as being a full complement of mastered skills and techniques. Much like Sutherland, he sees the professional as having little to do with the legitimate world of work, and living primarily off the proceeds of criminal deeds. The professional uses those same proceeds to avoid incarceration on the occasions when he is caught by "fixing" arrests and bribing victims, police, witnesses, bailiffs, court personnel, juries, prosecutors, and judges.¹¹

While the views of contemporary criminologists such as Clinard

and Quinney, Gibbons, Inciardi, and Irwin are much the same as those of Sutherland regarding the professional criminal, they have expanded the notion of the persistent offender beyond the skilled professional to include the group of persons who, according to Irwin, "make up the bulk of convicted felons."¹² Members of this group of offenders have been variously described as "conventional career criminals,"¹³ the "semiprofessional property criminal,"¹⁴ the "disorganized criminal,"¹⁵ and the "mixed pattern offender."¹⁶ The characteristics of persons in this group are quite different from those of the skilled professional criminal. Clinard and Quinney feel that the conventional career criminal is involved primarily with crimes relating to property, but within the boundary of property offenses he is likely to have a diversified offense record. He is further described as commonly being involved in a series of offenses that may include theft, larceny, robbery, and burglary, but the amount of money involved in each offense is relatively small. Because the conventional career criminal lacks the skills and organizational contacts of the professional criminal, he is more likely to be eventually arrested and imprisoned. Consequently, he and his brothers swell the prison ranks, perhaps to the point of constituting as many as half of all inmates.¹⁷ Gibbons notes that conventional treatment efforts do not seem to be successful in preventing many conventional career criminals from continuing in crime, although some may ultimately withdraw from crime vocations upon reaching middle age.¹⁸

Much of the work cited thus far relies to a considerable extent on personal offender accounts of career-criminal behavior. These accounts have been accompanied, however, by a number of studies that

look at criminal behavior by examining large samples of offenders to determine if the repeat offender might be identified on the basis of certain attributes or behavior patterns. Some studies have also looked at groups of individuals already identified as habitual offenders by the criminal justice system, in an attempt to learn more about their personality characteristics and patterns of criminal behavior over time.

At about the same time that Sutherland was studying the career of a professional thief, the Gluecks were statistically analyzing the criminal careers of five hundred reformatory inmates and a thousand juvenile delinquents over a period of ten years. They concluded that aging was the only significant factor in the reformatory process,¹⁹ but later developed a "social prediction scale" wherein five factors dealing exclusively with the home environment predicted future criminality.²⁰ Much of their work has been criticized by those who point out that the Gluecks consistently failed to distinguish between factors that preceded delinquency and factors that may have resulted from delinquent acts or institutionalization.²¹

The best-known longitudinal study since that of the Gluecks is probably that of Wolfgang, Figlio, and Sellin, who traced the criminal behavior of 9,945 juveniles born in the same year.²² Their data portrayed the typical habitual offender as a member of a racial minority having low socioeconomic status and low educational attainment.²³ The study also showed that the repeat offender was not likely to commit the same type of crime over time, supporting the previous work of Blumstein and Larson, which showed a strong tendency for repeat offenders to commit--or at least to be arrested for--

different types of crime.²⁴ These findings seem to be somewhat at variance, however, with the work of Frum, and the somewhat later work of Gottfredson. Frum studied a sample of 319 offenders and found that young persons beginning their criminal careers with property crimes tended to stay with that type of crime as adults.²⁵ Gottfredson, using a sample of adult male parolees, found that the category of prior offense is a moderately efficient predictor of the category of subsequent offenses.²⁶

The hypothesis of relative randomness in offense behavior supported by the work of Wolfgang et al. and the more crime-specific model of behavior supported by Frum and Gottfredson are reconciled to some extent by a recent study of Blumstein and Greene,²⁷ who found that the degree of crime specialization increases linearly with the age of the offender. Older offenders are most likely to recidivate in the same crime type, while younger offenders are more likely to recidivate to less closely related crimes. That is, the random model seems to hold well for juveniles, but as they become older, the trend is toward a crime-specific model.²⁸

There have also been statistical studies since that of the Gluecks' that have dealt with the behavior patterns of offenders heavily involved in specific types of crime. Roebuck, for example, conducted a series of studies based on a sample of 1,155 inmates in the District of Columbia Reformatory. The inmates were sorted into classes on the basis of their overall criminal behavior as revealed by official records.²⁹ After constructing a typology of the black armed robber, Roebuck compared this type with the remainder of the offenders in the sample to determine if there were significant differences between

robbers and other types of offenders. In general, it was found that robbers were from more disorganized homes and more deteriorated areas of the urban community than were other criminals.³⁰

In a more recent study, Conklin developed typologies of robbers based on interviews with sixty-seven inmates serving time for robbery.³¹ He describes the "professional robber" as an individual who commits robbery almost exclusively, although in the past he may have committed other kinds of crime. The professional robber uses sophisticated planning; he neutralizes security measures near the target and investigates escape routes carefully. He often takes over \$500, and occasionally over \$10,000, in the commission of a single offense. He usually operates with accomplices, and concentrates on those commercial establishments where large sums of money are held.³² The opportunist robber, on the other hand, does not have a long-term commitment to robbery, in most instances gains less than \$20 a robbery, and is usually young and relatively inexperienced in crime.³³

Recent research by the Rand Corporation and several assessments of persons processed through career criminal programs seem to indicate that the vast majority of offenders designated career criminals under present programs fall into the category that Clinard and Quinney call the conventional career criminal,³⁴ that is, those individuals who are most persistent in their criminal behavior and nearly as persistent in their inability to avoid detection, arrest, and imprisonment for their transgressions. "Professional criminal" would indeed be a misnomer for the person whose behavior is so unprofessional.

Petersilia et al. demonstrated (albeit with a small sample) the persistence of persistent offenders in their unprofessional approach to

crime. The forty-nine respondents to the survey admitted the commission of 1,492 auto thefts, 25 purse snatchings, 993 grand thefts, 2,331 burglaries, 855 robberies, 188 aggravated assaults, 995 forgeries, 3,620 drug sales, and 6 rapes over an average career of twenty years.³⁵ Yet, most of the crimes committed could not be considered to be sophisticated. In fact, as the authors of the study point out, "Only a small minority seemed to use care--much less sophistication in planning and carrying out their crimes."³⁶

Further research completed by the Rand Corporation in 1980 using large samples seems to confirm the nature of most career criminals today: "generally persistent and prolific in the commission of crime, rather diversified in their selection of crime types, and rather unsophisticated in their attempts to avoid detection and apprehension through planning and professional execution."³⁷

Notes

1. A. Quetelet, Recherches sur le Penchant au Crime Aux Differentes Ages, 2d ed. (Brussels: Havez, 1833), p. 75, cited in Joan Petersilia et al., Criminal Careers of Habitual Felons (Santa Monica: Rand Corporation, 1977), p. 149.
2. Gino Lombroso Ferrero, Criminal Man According to the Classification of Cesare Lombroso (New York: G. P. Putnam's Sons, 1911), pp. 222-57.
3. Charles Goring, The English Convict: A Statistical Study (London: His Majesty's Stationery Office, 1913), p. 201.
4. Clifford R. Shaw, The Natural History of a Delinquent Career (Philadelphia: Albert Saifer, 1951).
5. John Irwin, The Felon (Englewood Cliffs, NJ: Prentice-Hall, 1970).
6. Joan Petersilia et al., Criminal Careers of Habitual Felons (Santa Monica: Rand Corporation, 1977), p. 146.
7. Edwin H. Sutherland, The Professional Thief (Chicago: University of Chicago Press, 1937).
8. Ibid., pp. 3-4.
9. Ibid., p. 119.
10. Marshall B. Clinard and Richard Quinney, Criminal Behavior Systems: A Typology (New York: Holt, Rinehart and Winston, 1967), p. 429.
11. James A. Inciardi, Careers in Crime (Chicago: Rand McNally College Publishing Company, 1975), pp. 62-67.
12. Irwin, The Felon, p. 24.
13. Clinard and Quinney, Criminal Behavior Systems, p. 131.
14. Don C. Gibbons, Changing the Lawbreaker (Englewood Cliffs, NJ: Prentice-Hall, 1965), p. 104.
15. Irwin, The Felon, p. 24.
16. Julian B. Roebuck, Criminal Typology (Springfield, IL: Charles C Thomas, 1967), pp. 172-81.
17. Gibbons, Changing the Lawbreaker, p. 135.

18. Ibid., p. 105.
19. Sheldon and Eleanor T. Glueck, Later Criminal Careers (New York: The Commonwealth Fund, 1937; New York: Kraus Reprint Corporation, 1966), p. 105.
20. Sheldon and Eleanor T. Glueck, Unraveling Juvenile Delinquency (New York: The Commonwealth Fund, 1950).
21. See Travis Hirschi and Hanan C. Selvin, Delinquency Research (New York: Free Press, 1967).
22. Marvin E. Wolfgang, Robert M. Figlio, and Thorsten Sellin, Delinquency in a Birth Cohort (Chicago: University of Chicago Press, 1972).
23. Ibid., pp. 244-55.
24. Alfred Blumstein and Richard Larson, "Models of a Total Criminal Justice System," Operations Research 17 (1969):224.
25. Harold F. Frum, "Adult Criminal Offense Trends Following Juvenile Delinquency," Journal of Criminal Law, Criminology and Police Science 49 (1958):24-49.
26. Gary D. Gottfredson, "Organizing Crime: A Classification Scheme Based on Offense Transitions," Journal of Criminal Justice 3 (1975):321-32.
27. Alfred Blumstein and Michael A. Greene, Analysis of Crime-Type Switching in Recidivism (Pittsburgh: Carnegie-Mellon University, March 1976).
28. Ibid., p. 39.
29. Julian B. Roebuck and Mervyn L. Cadwallader, "The Negro Armed Robber As a Criminal Type: The Construction and Application of a Typology," Pacific Sociological Review 4 (Spring 1961):21-26, cited in Gibbons, Changing the Lawbreaker, p. 231.
30. Ibid.
31. John E. Conklin, Robbery and the Criminal Justice System (Philadelphia: J. B. Lippincott Company, 1972), p. 61.
32. Ibid., p. 64.
33. Ibid., p. 68.
34. Clinard and Quinney, Criminal Behavior Systems, p. 131.
35. Petersilia et al., Criminal Careers of Habitual Felons, p. vii.

CHAPTER IV

NATURE OF THE PROBLEM AND RESEARCH OBJECTIVES

When the Law Enforcement Assistance Administration (LEAA) funded the first career-criminal programs, the advertised intent was to provide the necessary money so that prosecutors would have the resources to expedite the cases of serious repeat offenders without bargaining away the chance to convict on major felonies or habitual-offender statutes that would insure lengthy sentences. Ronald Kramer points out, however, that in the beginning the career-criminal initiative was more a tool to raise management consciousness among prosecutors than an attempt to reduce crime. It was only later, "with the creation of the social problem of career criminals" that crime reduction emerged as the primary goal of the program.¹ Although the LEAA Career Criminal Program was responsible for increased speed and efficiency of prosecutorial efforts directed at career criminals in several jurisdictions, Kramer feels that the rapid shift in emphasis toward crime reduction had an adverse effect upon the original goal of raising management consciousness.²

As far as crime reduction goes, in the first years of the federally sponsored career-criminal programs, there were no methodologically sound data available to determine if the program did in fact reduce crime. This did not stop LEAA, the media, and a number

of prosecutors from making crime-reduction claims for the program. What has cooled the ardor of career-criminal program proponents in this regard are the recently completed career-criminal evaluation studies commissioned by LEAA. The findings of the Mitre Corporation's evaluation of the career-criminal programs showed no increases in the incapacitation of career criminals in the four sites analyzed. In one jurisdiction, significantly longer sentence lengths for career criminals were observed. Chelimsky and Dahmann point out that this may "translate into crime-level effects, but such effects would not be observed until the release time of the offenders, a time removed from the period covered by the evaluation."³

The response to these evaluation results has been twofold. There has been a return to an emphasis on the potential of career-criminal programs to be a means of improving prosecutor case-management techniques. Better management of cases, it is hoped, would bring about reductions in the level of crime, although this eventuality would be very difficult to measure. In a sense, then, career-criminal programs have come full circle from the raising of management consciousness to reducing crime through incapacitation to the raising of management consciousness.

There is an added element to the concept of career-criminal programs, brought into being at least in part by the same evaluations that caused the retreat on many fronts from claims of crime reduction for the programs: a body of opinion that career-criminal programs as currently constituted may not reduce crime; the "treatment" is too little and too late. In other words, we are not severely punishing or incapacitating enough criminals at ages when they are most active. In

an article on the problem of adolescents in crime, Boland points out that

the criminal justice system is more likely to punish an older and often wornout offender than a young and very criminally active one. Studies now show that while individual crime rates decrease with age, the severity of official sanctions rises. As a consequence, significant punishment does not occur for many offenders until they reach their middle twenties, when they are at or near the end of their criminal careers.⁴

The idea that criminal activity decreases with age is certainly not new. In fact, one of the few relationships that has turned up in study after study on recidivism since the early work of Quetelet is the relationship between age and crime: as the offender grows older, criminal activity decreases. Table 4.1 uses data from 1970 to show the striking relationship that still exists between age and the commission of crime. The table serves further to point out the problem in trying to reduce crime by incapacitating career criminals for lengthy periods. If the offender is identified by the extent of his criminal record—as in most career-criminal programs—he may be at an age and stage in his criminal career where criminal activity would decrease or cease in any case. Statistics from career-criminal programs operating in 1977 revealed that the typical offender was twenty-nine years old when convicted as a career criminal. Table 4.1 indicates, though, that it is persons aged twenty-nine and under who account for 72.2 percent of arrests for violent crimes and 85.3 percent of arrests for property crimes. If it could somehow be shown that the relationship between age and crime for career criminals is different from that for the known general offender population (for example, career criminals may not mature out of crime as early as persons committing a smaller number of offenses), it might support the hypothesis that a reduction of crime

Table 4.1.

Arrests for Serious Crimes by Age Group, United States, 1970

Age Group	Percentage of Population	Percentage of Arrests for Violent Crimes	Percentage of Arrests for Offenses Against Property
10-14	10.4	7.0	21.8
15-19	9.0	27.6	41.0
20-24	8.0	23.8	15.6
25-29	6.5	13.8	6.9
30-34	5.5	8.6	3.9
35-39	5.4	6.3	2.7
40-44	5.7	4.8	2.2
45-49	6.0	3.3	1.6
50-54	5.4	2.1	1.0
55-59	4.8	1.3	.7
60-64	4.2	.7	.4
65 and over	9.8	.7	.5

Source: Gwynn Nettler, Explaining Crime (New York: McGraw-Hill, 1974), p. 101.

can be achieved through the incapacitation of career criminals. Until now, however, data have not been available for a sufficiently large sample of career criminals to test for such a possibility. From this problem perspective the road to making career-criminal programs more effective at reducing crime is to identify career criminals at an earlier age by making better use of juvenile criminal records. It still remains, however, to demonstrate empirically that even this step would have any potential for significantly reducing the level of crime.

Since the first career-criminal program began operation in 1975, it has become evident from program statistics that persons designated as career criminals are processed more quickly, are less likely to be given the opportunity to plea bargain, are more likely to be convicted on the most serious felony charged, and, once convicted, are more likely to be sentenced under available habitual-offender statutes than persons not so designated. National statistics from all programs in 1977 also indicated that the typical career criminal was twenty-nine years of age when convicted under a career-criminal program; 96 percent of those designated career criminals were male, 66 percent were single, and 31 percent were known or reliably suspected to be users of narcotics. Defendants processed through these programs averaged ten prior arrests and five and a half prior convictions; and 44 percent of the defendants were on parole, probation, or pretrial release from another charged crime when the new crimes that placed them in the career-criminal program were committed.⁵

While these figures are interesting, there are a number of questions and issues that have not been adequately addressed in addition to concerns of reducing crime and/or improving prosecutor case

management. These issues have to do with the career-criminal program itself and the criminal behavior patterns of habitual offenders selected for career-criminal status.

1. a. How do individuals designated career criminals differ from those not so designated within the same jurisdiction?
- b. What are the variables that influence whether or not a career criminal is prosecuted under available habitual-offender statutes?
2. Putting aside the question of differentiating between defendants selected or not selected for career-criminal status and between career criminals prosecuted or not prosecuted under habitual-offender statutes, it is important to know more about the career-criminal group itself.
 - a. Does the group consist mainly of assaulters, street muggers, and rapists who prey upon unsuspecting strangers, or is a large proportion of defendants processed under these programs simply habitual nuisances, such as the alcoholic bad-check writer and the petty thief? That is, are career criminals in fact extremely active in the commission of serious crimes or do they tend to be habitual petty offenders?
 - b. Does the program deal extensively with the skilled professional and/or members of organized crime, i.e., those individuals who according to Sutherland, Clinard and Quinney, Gibbons, Inciardi, and others acquire considerable sums of money by committing a variety of highly specialized crimes that require elaborate techniques and

well-developed skills? Or, can the majority of individuals processed as career criminals be more accurately described as conventional or disorganized criminals who commonly are involved in a series of property offenses where the amount of money taken in each offense is relatively small?

- c. More information is needed about the types and varieties of crimes committed by persons over the course of extended careers in crime. It would be useful to know whether offenders continue the same type of crime or vary the types committed. Evidence of a trend among those designated career criminals could be used further to type offenders and to facilitate the construction of a more accurate and detailed estimate of future criminal behavior. There has been a fair amount of previous research on this aspect of criminal behavior patterns, but the studies have generally not dealt specifically with persons who possessed extensive criminal records, or they have considered a limited variety of offenses.⁶ Where some attempt has been made to analyze the criminal behavior patterns of those with extensive careers, the sample size has not been large. Wolfgang's sample of 3,475 delinquent males was reduced to an N of 144 when only individuals who had committed five or more offenses by the age of thirty were considered. Roebuck did look at a larger sample of subjects who could be classified as habitual offenders (N=400), but the sample was deficient in that it included only blacks who entered the District of Columbia Reformatory between January 5, 1954, and

November 8, 1955.⁷ A recent study carried out by the Rand Corporation examined the incidence of crime-type switching over time for persons with extensive criminal records, but again the sample was small (N=49) and limited, in that only persons whose last conviction was for armed robbery were selected.⁸ A more recent study by the Rand Corporation, completed in 1981, did look at a larger sample (N=624) of California inmates that may be comparable to persons selected for prosecution as career criminals. Like the earlier study, criminal background data were obtained from inmate self-reports.⁹

- d. We do not really know whether certain crime-specific criminal types cited in the literature really exist to any great extent among the defendants processed through career-criminal programs. Hood and Sparks have noted that homogeneous criminal careers are not common, and, consequently, offender typologies based on such a notion will be very constricted.¹⁰ Yet, it may be that typologies such as Conklin's for robbery or Pope's for burglary¹¹ do in fact accurately portray a large number of offenders, but only during certain stages of a career. The study of a large sample of habitual offenders might indicate that, indeed, there are individuals who specialize in robbery, burglary, or other offenses and are amenable to the development of typologies, but they may fit these typologies for only certain periods of time rather than for the entire span of a criminal career. For example, Pope

points out that burglary is essentially a young man's game.¹² Perhaps offenders concentrate on burglaries when young but later graduate to forgery, fraud, or some other crime that is less physically demanding and/or more lucrative in terms of potential payoff than is burglary.

- e. More knowledge is also needed concerning the fluctuation in seriousness of crimes committed by offenders over time.

Wilkins postulates in his theory of the amplification of deviance that increased deviance results from the deviation-amplifying effect of the perception of self as the number of contacts with the criminal justice system increases.¹³ A further inference from Wilkins's theory could be an increase in the seriousness and/or frequency of criminal behavior after several contacts with the criminal justice system. The analysis of data on juvenile offenders by Wolfgang et al. suggests a slight escalation in the seriousness of offenses committed as the number of offenses committed increases, with a greater upswing after the tenth offense.¹⁴ Overall, their data do not support the idea that offense severity is positively related to the number of offenses committed, but the analysis covered a relatively short period of time. A measure of the seriousness of an offender's behavior for a specific period would incorporate the seriousness of the offense or offenses and the offender's time at risk. This formula might be useful in obtaining a more complete picture of variations in the seriousness of crimes committed over

time.

3. Program statistics show that career criminals are processed more quickly than persons not so designated, but no attempt has been made thus far to investigate whether or not the accelerated prosecution of career criminals has contributed to increasing delays from arrest to disposition for the first or less-serious offender who does not come within the purview of the program. Where it can be shown that no greater delay has occurred, it may be reasonable to assume that such a situation is the outcome of additional effort by the court staff, a generally decreasing work load, or the expansion of court resources. It would be important to document changes in court operations, work load, and staff since the inception of career-criminal programs in order to determine, in part, the price being paid for accelerated prosecution.
4. If the practice of selecting certain offenders for special prosecutorial attention and possibly additional punishment is to continue, we should at least attempt to refine the selection procedures as much as possible by analyzing the relationships between persistent criminal behavior and variables other than age. By doing this, the size of the group processed in this manner might be reduced, and thus ease the pressure on correctional facilities to maintain custody of an increasing number of defendants receiving lengthy sentences. Such a refinement of selection procedures would depend upon better classification of the offender population defined as career criminal, which in turn would require information based on a

larger sample of career criminals than has heretofore been available.

It is clear that a great deal of information is lacking concerning just who is being processed through career-criminal programs, the pattern and seriousness of their criminal behavior over time, and the side effects these special prosecutorial programs may be having on the court systems in which they operate.

A major problem in conducting additional research to address the aforementioned questions and issues has been the lack of a data base that would permit a large-sample statistical study of habitual offenders. The work of Roebuck,¹⁵ Wolfgang,¹⁶ and more recently that of Petersilia et al.¹⁷ in connection with habitual offenders has produced some interesting and perhaps policy-relevant results for the criminal justice system, but by the usual standards of quantitative analysis, the samples used in these studies have not been large enough to permit meaningful inferences about the larger career-criminal or habitual-offender population. The LEAA Career Criminal Program presents an opportunity to study over six thousand defendants processed as career criminals throughout the nation. The Detroit program alone, which is studied in depth, had processed over eight hundred defendants as career criminals by the end of 1978. Such information is vital to understanding and coping effectively with that relatively small group of offenders that seems to contribute so much more than its share to the crime problem of today.

Research Objectives

The research has four general objectives. The first is to describe as fully as possible the individuals designated career criminals and to compare their characteristics to those of offenders considered but not selected for career-criminal status. The main questions addressed with regard to this objective are:

- What are the principal types of offenses committed by persons selected for the career-criminal program, and how are the persons selected different in terms of present and past offending behavior from those not selected in the same jurisdiction?
- Where have persons selected for inclusion in the program committed their crimes, that is, do the records indicate localized criminal behavior or geographically widespread behavior (which might be expected in the case of professional criminals as described by Sutherland, Clinard and Quinney, and Gibbons)? How do they compare in this regard to persons not included in the career-criminal program?
- Are most of the crimes of career criminals committed against relatives or acquaintances, or against strangers? Are they different from noncareer criminals in this respect?
- What are the personal and demographic characteristics, such as age, race, sex, marital status, employment status, etc., of those designated career criminals? Do the characteristics differ from those of persons not prosecuted through career-criminal programs?

In the instance of these questions, it is hypothesized that the types of crimes committed, where they are committed, relationships to

victims, and the demographic and personal characteristics of career criminals all point to a group of persons who, according to Irwin, come from lower- and working-class urban areas, pursue a chaotic purposeless life filled with unskilled, careless, and variegated criminal activity.¹⁸ Irwin refers to this type as the "disorganized criminal." Gibbons calls this type the "semi-professional offender," someone who engages in various simple and uncomplicated property crimes, such as strong-arm robberies, holdups, burglaries, and larcenies.¹⁹

- An obvious question that follows is what personal, demographic, and criminal behavior characteristics are most important in determining whether one is prosecuted as a career criminal?

At the core of the career-criminal prosecutorial program is the concept of increased prosecutor time and attention in order to improve, that is, reduce, the time required to dispose of serious cases, and at the same time insure a minimum of plea bargaining so that punishment for individuals prosecuted under the program will be maximized. It is therefore important to compare not just the personal, demographic, and criminal behavior characteristics of career and noncareer criminals. One must examine the nature of the legal process applied to persons designated as career criminals and compare this to the processing of persons not so designated. The second general research objective is to look at the prosecutorial process for career and noncareer criminals alike. Specific questions to be addressed include:

- How long does it take to process a career-criminal case from arrest to final disposition, and is this processing time significantly different from the time required to process offenders outside the career-criminal program?

- If processing times for career and noncareer criminals are significantly different, can this difference be attributed to the special prosecutorial attention provided by the career-criminal program or might one expect relatively rapid prosecutorial action with or without a career criminal program, given the nature of the current offense being prosecuted and the offender's prior record?
- How much plea bargaining takes place in the career-criminal program compared to what takes place in the cases of individuals not prosecuted as career criminals?
- Where there are significant differences in plea bargaining between career- and noncareer-criminal groups, can the differences be attributed to the career-criminal program?
- To what extent are persons designated career criminals prosecuted under habitual-offender statutes?
- What determines whether a person defined as a career criminal is prosecuted under habitual-offender statutes, or is merely given special attention to accelerate prosecution for the current offense?

The last two questions are specific to persons prosecuted as career criminals but are important issues because one of the original avowed purposes of career-criminal programs was to make better use of existing habitual-offender statutes in order to insure more lengthy sentences for more serious offenders.

The third general objective is to provide as comprehensive a picture as possible of the criminal behavior patterns of career criminals over an extended period of time. This objective overlaps with the comparison of career- and noncareer-criminal characteristics

but is intended to provide much more detail on the characteristics of persons prosecuted as career criminals. The primary questions addressed with regard to this objective are:

- .. Is the crime-type sequence in arrest-to-arrest recidivism nearly random in nature, as suggested by the work of Wolfgang et al., or is there some degree of specialization that would permit prediction of the type of future crime based on prior criminal record?
- .. If there is some degree of specialization by the career criminal, does it remain constant over a long period, or might the offender attempt different types of crime at different ages?
- .. If persons designated career criminals can be classified according to whether they commit primarily property or violent crimes, can this classification be further refined on the basis of demographic and personal variables?
- .. Are career criminals always committing crimes when not incarcerated, or do some, as Glaser suggests, go through fairly long periods of criminal inactivity in the midst of a criminal career?²⁰
- .. Is there a process of escalation of the seriousness of criminal behavior as a criminal career progresses?
- .. Is it possible to determine at what stage of a criminal career the most serious criminal activity is likely to take place?

The fourth general objective of the research is to examine the possible effects of the career-criminal program on defendants not identified as career criminals, as well as any changes in court staffing costs and any possible crime-reduction effects of present or modified career criminal programs. Questions addressed in this regard are:

- Has the length of time from arrest to disposition for defendants not selected for accelerates prosecution significantly changed since the inception of the career-criminal program?
- Does the lengthy incarceration of habitual offenders, as identified by the career-criminal program, appear to enhance the probability of crime reduction through incapacitation?
- How has the size and makeup of court staff changed with the inception of the career-criminal program?
- How great an effect would earlier identification and severe punishment of career criminals have on reducing the level of crime?
- Has the cost of processing a defendant through the court system changed significantly as a result of career-criminal program operations?

All of the foregoing questions are addressed through analysis of data taken from the LEAA Career Criminal Program computerized case files, and additional data gleaned from the hard files of the Wayne County Prosecutor's Office in Detroit, Michigan.

Notes

1. Ronald Charles Kramer, Constructing Crime: A Social-Historical Analysis of the Origins and Development of the LEAA Career Criminal Program (Ann Arbor: University Microfilms, 1979), p. 260.
2. Ibid., p. 261.
3. Eleanor Chelimsky and Judith Dahmann, "The Mitre Corporation's National Evaluation of the Career Criminal Program: A Discussion of the Findings," Journal of Criminal Law and Criminology 71 (Summer 1980):106.
4. Barbara Boland, "Fighting Crime: The Problem of Adolescents," Journal of Criminal Law and Criminology 71 (Summer 1980): 94.
5. Phil Cohen, "Profile of a Criminal Career," The Verdict 2 (January-March 1977):4-5.
6. The President's Commission Task Force, Report on Science and Technology, used data from the FBI Uniform Crime Reports to construct "a rearrest crime switch matrix table" wherein the probabilities of committing specific index crimes were derived, given knowledge of the commission of specific index crimes in the past. The construction of the table was mainly an exercise in demonstrating the potential use of such analysis because the data used were often inadequate. Best estimates, approximations, or extrapolations of the whole country from data characteristic of specific jurisdictions in many cases had to suffice.
 In another study, Gottfredson looked at a sample of adult male parolees. From Uniform Parole Report offense codes, he derived nine categories using the Winer Index to assess similarity among offenses. He found that the category of prior offense is a moderately efficient predictor of the category of subsequent offenses. However, the subjects in this study were followed up only through the commission of a second major offense. Gary D. Gottfredson, "Organizing Crime: A Classification Scheme Based on Offense Transitions," Journal of Criminal Justice 3
7. Julian B. Roebuck, Criminal Typology (Springfield, IL: Charles C Thomas, 1967), p. 98.
8. Joan Petersilia et al., Criminal Careers of Habitual Felons (Santa Monica: Rand Corporation, 1977).
9. Mark A. Peterson and Harriet B. Braiker, Doing Crime: A Survey of California Prison Inmates (Santa Monica: Rand Corporation, April 1980).

10. Roger Hood and Richard Sparks, Key Issues in Criminology (New York: McGraw-Hill, 1970), p. 138.
11. Carl E. Pope, Crime Specific Analysis: An Empirical Examination of Burglary Offender Characteristics (Washington: Government Printing Office, 1977).
12. Ibid., p. 16.
13. Leslie T. Wilkins, Social Deviance (Englewood Cliffs, NJ: Prentice-Hall, 1965).
14. Marvin E. Wolfgang, Robert M. Figlio, and Thorsten Sellin, Delinquency in a Birth Cohort (Chicago: University of Chicago Press, 1972), pp. 165-67.
15. Roebuck, Criminal Typology.
16. Wolfgang et al., Delinquency in a Birth Cohort.
17. Petersilia et al., Criminal Careers of Habitual Felons.
18. Irwin, The Felon, p. 24.
19. Don C. Gibbons, Changing the Lawbreaker (Englewood Cliffs, NJ: Prentice-Hall, 1965), p. 104.
20. Daniel Glaser, The Effectiveness of a Prison and Parole System (Indianapolis: Bobbs-Merrill, 1964), pp. 495-96.

CHAPTER V
CAREER-CRIMINAL SAMPLE AND DATA COLLECTION

The national sample used in this study consists of more than seven thousand cases categorized as career criminals by twenty-two jurisdictions throughout the United States. Data on these cases were submitted by each of the jurisdictions to the National Legal Data Center in California, which acted as a national clearinghouse for career-criminal statistics from 1975 to 1977. All cases in the sample were disposed of during the same period. Each jurisdiction periodically submitted completed career-criminal case data forms for completed cases, one form per defendant. Each form contains extensive information on the offense or offenses that trigger selection for career-criminal prosecution, the individual defendant, including some information on prior record, extent and nature of court processing for the latest offense, type of disposition, and length of sentence where conviction takes place. The National Legal Data Center entered all information from the case data forms it received onto computer tape. A copy of a computer tape with information from over seven thousand case data forms was made available for this research by the center.

The following variables contained on the career criminal case data forms (see Appendix A) were considered for analysis in the present research effort:

1. Prior Arrests. Indicates the number of prior arrests for the defendant.
2. Pending Cases. The number of cases against the individual.
3. Prior Felonies. Number of prior felonies recorded against the defendant.
4. Prior Misdemeanors. Number of prior misdemeanors recorded against the defendant.
5. Prior Habitual Criminal. Indicates if defendant has a prior habitual-offender conviction.
6. Prior Second Offender. Indicates if offender has a prior conviction as a second offender under the statutes of the reporting jurisdiction.
7. Prior Record. Indicates no prior record, local record, nonlocal record, or both.
8. Defendant Status Code. Indicates defendant's status at time of arrest, e.g., none or no previous status, pretrial release, prison parolee, etc.
9. Drug Addiction. Known or suspected.
10. Years Since Release from Incarceration.
11. Date of Birth.
12. Birth City.
13. State of Birth.
14. Sex.
15. Race.
16. Marital Status.
17. Time in Jurisdiction.
18. Employment Status.

19. Number of Codefendants.
20. Arrest Date.
21. Weapon Possessed at Time of Arrest. Indicates whether weapon possessed at time of arrest.
22. Type of Weapon Possessed at Arrest.
23. Sentence Date.
24. Disposition Date.
25. Total Sentence. Indicates the total years of consecutive confinement received by the defendant.
26. Charges.
27. Habitual Criminal Charged. Indicates whether individual is currently charged as an habitual criminal.
28. Second Offender Charge. Indicates whether offender is currently charged as a second offender.
29. Police File Date.
30. Prosecutor File Date.
31. Grand Jury File Date.
32. Disposition Type. Diversion, pleaded guilty, etc.
33. Disposition Code. Indicates whether conviction is for top felony, less than top felony, or lower misdemeanor.
34. Disposition Charge.
35. Minimum Sentence.
36. Maximum Sentence.
37. Offender Relationship to Victim.
38. Offense Date.
39. Weapon Possessed at Time of Offense. Indicates whether weapon possessed at time of offense.

40. Weapon Used at Time of Offense. Indicates whether weapon used at time of offense.

41. Type of Weapon Used at Time of Offense.

Additional data on the dates and types of all court events are provided for all cases, but no attempt has been made in this research to make use of those data elements.

The major difficulty in working with the national sample, other than its size and the unwieldy format used for computer storage of the data, was the lack of detail provided on prior criminal histories of defendants. This led to the decision to concentrate on one of the larger career-criminal programs for analysis and to mount a data collection effort to add the necessary detail on criminal histories for the defendants processed through that program. The career-criminal program selected was that of the Wayne County Prosecutor's Office located in Detroit, Michigan.

Because one of the purposes of the present research was to examine the variables that most influenced the decision to select defendants for prosecution as career criminals, it was also necessary to draw a comparison sample from the same jurisdiction for the same period of time, and to record demographic, current offense, and criminal history information for all cases in that sample. Time and cost considerations prevented collection of demographic and current offense data in the detail provided for career criminal defendants, but the criminal history information collection effort was the same for the career criminal and comparison sample.

Besides criminal history information, the data elements collected for the comparison sample consisted of:

1. Prior Record. Indicates no prior record, local record, nonlocal record, or both.
2. Number of Prior Charges Brought Against Defendant.
3. Date of Birth.
4. Sex.
5. Race.
6. Number of Codefendants.
7. Offense Date.
8. Most Serious Charge.
9. Relationship to Victim.
10. Arrest Date.
11. Firearm Involved. Indicates if firearm present at time of offense.
12. Disposition Type. Diversion, pleaded guilty, etc.
13. Disposition Date.
14. Sentence Date.
15. Sentence Category. Suspended sentence, probation, jail, prison time, etc.
16. Conviction Charge.

The data collection process began in January 1979 at the Wayne County Prosecutor's Office. Hard copies of all cases found on the National Legal Data Center computer tape were made available for purposes of this research. This included all cases where a final disposition occurred between the time of the inception of the Wayne County program in 1975 and the end of calendar year 1977. A total of 894 cases numbers was assigned for that period of time, but the number of cases did not correspond exactly to the number of defendants

processed during the same period of time. In some instances, certain defendants were assigned more than one career-criminal identification number. In other cases, numbers that could have been assigned to career-criminal defendants were not used or were dropped after a decision was made not to prosecute an individual as a career criminal. Other problems such as cases from the computer tape that did not appear in the Wayne County files, and the reverse, where data from Wayne County files were never entered on the computer tape, contributed to further attrition of the number of actual defendants for whom sufficient data were available for analysis.

After a careful review of information from the computer tape and the Wayne County hard files, 647 valid career-criminal cases were identified. Each of these cases represented one defendant whose case was disposed of during the period 1975 through 1977. Where more than one career-criminal number was assigned to one defendant, data from the cases were combined, and the lowest career criminal number assigned was used for identification purposes.

The next step in the data-collection process consisted of examining each of the 647 career-criminal files and recording for each individual available criminal history information. The information was obtained from criminal history (rap) sheets located in the prosecutor's files. For each and every officially recorded offense of 647 career-criminal defendants the following items of information were recorded:

1. Place of Arrest.
2. Date of Arrest.
3. Arrest Offense.

4. Disposition Date.
5. Disposition Offense.
6. Sentence.

The only offenses not recorded were those for which the defendant was currently undergoing prosecution, either as a career criminal or as a noncareer criminal defendant.

The rap sheets found in the prosecutor's files were also used to determine the actual time at risk for the defendant during the period of time the offenses occurred. That is, a defendant is at risk only when it is possible for him/her to commit crimes. Thus, when one is incarcerated, one is not available to commit crimes, other than those committed against other prisoners or prison guards. This concept of time at risk is very important in assessing the level of criminal activity for each individual. Obviously, the offender who is incarcerated for four years of a five-year period and commits four offenses is more active than another individual who is incarcerated for only one year during the same period of time and commits the same four offenses.

The examination of individual rap sheets did not enable an exact determination of time at risk in all instances for all cases. Disposition information for all offenses was simply not available. This means that certain periods when individuals were considered to be at risk were actually times when those individuals were incarcerated. However, all criminal histories were provided through the Detroit Police Department and supplemented with FBI rap sheets. Consequently, the percentage of cases where disposition information was provided was very high (over 90 percent). Also, the fact that all of the records

were from one jurisdiction and showed no pattern where certain offenses consistently lacked disposition information would suggest no specific bias with regard to recording dispositions for certain types of offenses.

While disposition information was provided in the vast majority of cases, it was still not always possible to get an exact measurement of time at risk because release information was in many cases missing where an individual received an indeterminate sentence. For example, an individual may have received a two-to-five-year sentence to the state prison for burglary, but no indication of release time information was given on the rap sheet. In such instances, the assumption was made that the offender was released at the expiration of the minimum sentence, less any good time earned. The amount of good time earned was estimated by applying the good-time laws in effect in the state where the person was imprisoned at the time of the imprisonment. As in the instance of missing disposition information, this procedure might inflate the time at risk beyond the actual time involved but, again, it is not expected that any bias will occur in the data more toward one defendant than toward another. The overall effect will be to diminish the seriousness of criminal activity attributed to each individual. This may to some degree decrease the apparent differences between the occasional offender and those more heavily involved in crime.

There were some instances where no rap sheet could be found in the prosecutor's file. When this occurred, an attempt was made to obtain criminal history information from the Detroit Police Bureau of Records, with the cooperation of the investigator assigned to the Wayne

County career-criminal unit. When no Detroit Police or FBI criminal history could be located, the assumption was made that the defendant had no prior adult criminal record.

With regard to the collection of data on criminal histories, the same procedures were followed for career-criminal defendants and the comparison sample. However, the manner in which other data were collected for the comparison sample was different from the career-criminal data collection process, and requires some explanation. There was no National Legal Data Center to serve as a clearinghouse for data on cases not designated career-criminal cases. This seemed to point to the inevitable necessity of an extensive data-gathering project in the Wayne County Prosecutor's Office in order to obtain sufficient data on a sample of offenders not selected for prosecution as career criminals. This proved to be unnecessary, however, due to the existence of a data set on offenders processed through Detroit Recorders Court for the years 1975, 1976, and 1977. Most of the offenders found in this sample were not processed as career criminals. The sample was randomly drawn from the cases handled by the Wayne County Prosecutor's Office to study the processing of offenders through the court and provided data on many of the same variables found in the career-criminal data set. This, and the fact that the sample was drawn from the same Wayne County jurisdiction as the career-criminal data being analyzed and during the same period of time (1975-1977), led to the decision to use this data set as a basis for a sample of noncareer-criminal offenders.

The entire data set consisted of 1,375 cases: 474 from 1975; 433 from 1976; and 468 from 1977. Before making use of this sample,

the cases were examined in order to eliminate from the sample any offenders who had been identified at any time as career criminals under the Wayne County career-criminal program. A subset of 408 offenders was then randomly selected from the remaining cases to form the comparison sample used in this research.

CHAPTER VI

METHODOLOGY

The first general research objective was to describe as fully as possible the individuals prosecuted as career criminals, and to compare their characteristics to those of offenders considered but not selected for career criminal status. Each general objective was subdivided into a series of questions to be addressed. The initial question under the first general research objective was, what are the principal types of offenses committed by persons selected for the career-criminal program, and how are the persons selected different, in terms of present and past offending behavior, from those in the same jurisdiction who were not selected for career-criminal prosecution?

The first part of this question was addressed by merely noting the distribution of charges for those selected for prosecution as career criminals. The second part of the question presented a more complex methodological problem, that is, how to measure past and present criminal behavior for all subjects in the study. It is a simple enough procedure to count the number of offenses committed, and to ascertain the length of time between offenses for individuals, but a measure is also needed for the seriousness of criminal acts. This measure is provided through the use of crime seriousness weights--based on those developed by Sellin and Wolfgang in 1964¹--which helps

to provide a more precise picture of the offender's overall involvement in criminal behavior and thus makes the concept of careers in crime more meaningful. The seriousness of an individual's arrest record was measured by assigning a numerical weight to each arrest, up to and including the sample offense, adding the derived numbers, and then dividing by the number of days the person was at risk. Thus,

$$S = \frac{\sum W}{T}$$
, where S represents the seriousness of criminal behavior; W, the numerical weight for each offense; and T, the individual's time at risk.

In most cases, available criminal histories did not provide sufficient detail to assign a specific weight based on all elements of an offense; here, use was made of the average seriousness scores computed by Sellin and Wolfgang for Uniform Crime Reports index and nonindex offenses.² When it was possible to ascertain injury and/or property loss for an offense, weights were taken from the mean raw magnitude scale scores for 141 offenses involving male offenders of unidentifiable age and were rated by police officers and university students.³ The weightings of police officers and university students were averaged to arrive at the final weight used, because the ratios between offenses for the two groups of raters were virtually identical. Sellin and Wolfgang noted that "because of the inherent ratio quality of the magnitude judgments, the particular numbers used by raters are not especially relevant; rather, it is the ratios of offense seriousness that are preserved intact."³

The seriousness of an individual's conviction record was based on recorded conviction offenses weighted in the same manner as arrest

offenses, and entered into the same formula used to establish the seriousness of arrest records.

The aforementioned methods of looking at crime seriousness were supplemented by measures of the seriousness of criminal behavior for specific age groups. This was necessary in order to compare career- and noncareer-criminal subjects in regard to the presence or absence of patterns in the seriousness of criminal behavior over time. Criminal careers were broken down into age categories as follows: 15-19 years; 20-24 years; 25-29 years; 30-34 years; 35-39 years; 40-44 years; 45-49 years; 50-54 years; 55-59 years; 60-64 years; 65-69 years; and 70-74 years. The seriousness of an arrest or conviction record for any five-year period was established in a manner similar to the overall crime-seriousness score for an individual. Adjustments had to be made for cases where the subject's age indicated a time at risk less than the five-year period under study, before the subtraction from the five-year period of incarceration time. There were, in fact, few cases where the subject's age coincided exactly with the end of a specific period, so they were potentially at risk for an entire five-year period. This problem was resolved by multiplying the original formula, $S = \frac{EW}{T}$, by a weight based on the individual's age, as determined by subtracting the date of birth from the latest arrest date in the age category, and the age category under study. With this method, the weight to be used for the age category of 15-19 years equals $\frac{\text{age}-5,475}{1,825}$. The number 5,475 in the numerator represents fifteen years in days, while 1,825 in the denominator is equal to five years. The number of years to be subtracted from age in the numerator increases by five for

each successive age category. Therefore, the weight to be used for age 20-24 years equals $\frac{\text{age-7,300}}{1,825}$; age 25-29 years equals $\frac{\text{age-9,125}}{1,825}$; and so on.

As a final comparison of prior criminal behavior, the offense distributions in both samples were examined to establish the nature of offense transitions taking place in the case of career- and noncareer-criminal offenders. Hammond and Chayen found that approximately 60 percent of current offenses committed were the same as those that the offender had committed most frequently throughout his criminal career. It is pointed out that this is a significantly higher percentage than would be expected from the total number of current offenses and offenses committed in the past if they were independent.⁴

Some previous work by Blumstein and Larson with offense transitions uses a crime-switch matrix model that shows a "strong tendency to commit (or at least to be arrested for) different types of crimes."⁵ This seems to contradict somewhat the findings of Hammond and Chayen in England, except for the fact that the matrix used by Blumstein and Larson was based on a sample of offenders committing two or more offenses. The English sample consisted entirely of offenders with long criminal careers. One might expect to find more evidence of criminal specialization when examining more extensive criminal careers. If this is in fact the case, it might be expected that a history of several offenses of the same type will be a more powerful predictor of offense type than simply the crime type of the last arrest. However, the model of Blumstein and Larson assumed that "the crime switch matrix depends only on the crime type of last arrest, not

upon age, disposition, or otherwise upon prior criminal career."⁶

The assumption of Blumstein and Larson is supported by the work of Wolfgang et al. with juvenile offenders. They noted that the probability of committing an offense when classified by type changed very little over offense number.⁷ On the basis of this evidence, they suggested that the process that generates offense-specific probability distributions operates essentially in the same manner at each offense number.⁸ If this situation actually exists, the transition probabilities associated with the commission of offenses may be modeled by a homogeneous Markov Chain. The data base used by Wolfgang et al., however, suffered from the same deficiency as that of Blumstein and Larson, that is, the sample size for those committing a large number of offenses was very small. In fact, there were only enough cases to test the dependency of offense choices on the type or types before the last, for the first three offenses.⁹ Given the nature of the data used to date, it may be premature to assume that the crime-switch matrix depends only on the crime type of last arrest in the case of the habitual offender.

In order to measure this phenomenon, the progression from first to each subsequent offense was diagrammed as pathways along the branches of a tree with five alternative paths at each juncture. This model of offense diversity is referred to as a tree or snowflake model, and as Wolfgang et al. point out, becomes "extraordinarily large quite rapidly and exhausts the supply of offenders in the sheer number of available pathways."¹⁰ The application of the model in this research differs from Wolfgang et al. in two major respects, however. First, offenses were classified in a manner different from that used by

Wolfgang et al. Five classifications were used in this research: high violent; low violent; high property; low property; and nonindex. "High" and "low" refer to the seriousness weight of the offenses, "high" being above the median for all offenses in the same classification, and "low" being below the median for all offenses in the same classification.

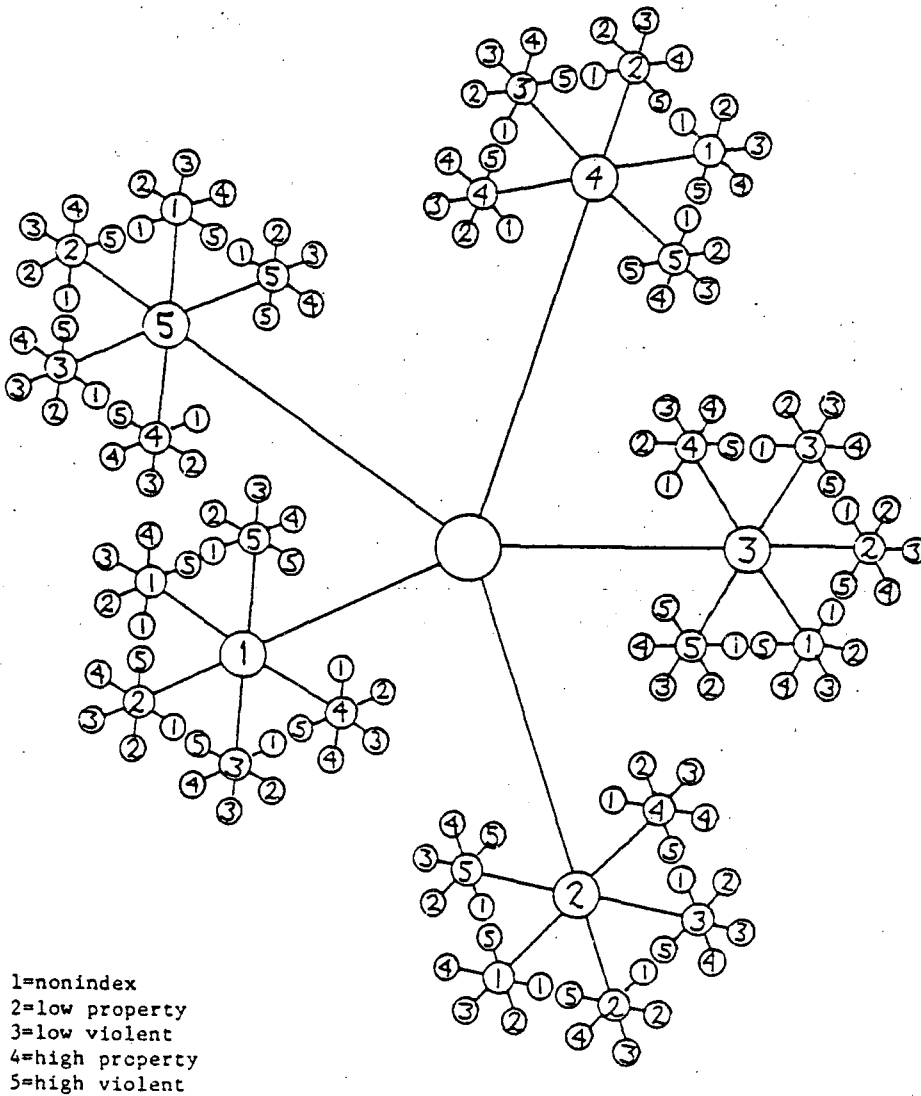
The second and more important difference in the application of this model was the availability of a sufficient number of offenders with extensive criminal records. This permitted testing of the dependency of offense choices on the types of offenses committed previously to a greater extent than was possible before. Figure 6.1 shows the branching probability model of offense diversity with the offense classifications previously described. The model shown originates from birth but cannot show desistance because all subjects in this research have at least one recent arrest. The results of the application of this model to career and noncareer offenders were examined to compare patterns of offense diversity for career- and noncareer-criminal prosecution cases.

All comparisons between career- and noncareer-criminal samples were made on the basis of computed measures of central tendencies or differences in proportions for each variable studied.

The second question under the first general research objective had to do with the location of crimes committed by persons prosecuted as career criminals: Where have persons selected for inclusion in the career-criminal program committed their crimes, and how did they compare in this regard to persons not prosecuted under the career-criminal program? Do police records indicate localized

Figure 6.1

Snowflake Model of Offense Diversity



criminal behavior, or geographically widespread behavior of the type that might be expected in the case of professional criminals, such as those described by Sutherland, Clinard and Quinney, and Gibbons? This matter can be easily addressed by examining the prior record information collected for each subject in the study. The location of each and every arrest was recorded along with actual dates, offense, and disposition information. The diversity of arrest location was examined for the complete criminal career of subjects and for five-year age groups beginning with age 15 to 19 years. Particular attention was given to the extent that out-of-state arrests were recorded, because of the important role the presence or absence of such arrests might play in the selection process for career criminal prosecution.

The third question within the first general research objective is concerned with the victims of offenses committed by career or noncareer criminals. Are most of the crimes of career criminals committed against relatives or acquaintances, or against strangers? One might expect the more career-oriented criminal to commit crimes against relative strangers, and thus lessen the probability of detection and apprehension. It was not possible to obtain information for all prior offenses on the relationship of the offender to the victim. Consequently, the proportion of offenses where the victim was related to, or known to, the offender is based on information regarding the most current offense or offenses that led to selection for regular or career-criminal prosecution.

Another issue to be examined under the first research objective was the differences in personal and demographic characteristics, such

as age, race, sex, marital status, employment status, etc. Do these characteristics differ significantly for those prosecuted as career criminals in contrast to those who are not given this special prosecutorial attention? Comparing the two samples on these characteristics presented no special measurement problems in terms of the age, race, and sex variables, but in regard to other characteristics, such as marital status, employment status, drug use, and so on, the data in the noncareer-criminal sample was found to be inadequate because of large amounts of missing data. Consequently, comparisons between the two groups were limited to the variables of age, race, and sex.

All of the aforementioned comparisons lead to the final issue under this research objective, that is, what characteristics are most important in determining whether one is simply prosecuted or given the special distinction of being prosecuted as a career criminal? This question was addressed through the use of multiple regression analysis, with the dependent variable being inclusion in, or omission from, career-criminal prosecution. The dependent variable and other categorical independent variables were entered into the regression equations by the use of dummy coding, whereby a number of vectors are generated such that in any given vector, membership in a given group or category is assigned the number 1, while nonmembership in the category is assigned 0.¹¹

The initial regression analysis was carried out in a manner that allowed independent variables to enter freely the regression equation in a stepwise fashion. Because of the size of the sample used in the regression (N=1,050) compared to the number of independent

variables (12),¹² the results of the initial regression equation may have been unstable and by no means could be considered unequivocal.¹³ Consequently, a second series of stepwise multiple regression analyses was carried out after several independent variables were eliminated from the equation on both theoretical and empirical grounds.¹⁴ At the same time, scatter plots were produced for crosstabulations of continuous variables in an effort to discover any nonlinear relationships that would not be picked up by the multiple regression analyses, or any distortion of means due to extreme cases. A further test for the possibility of distortion due to extreme cases was carried out by doing regressions using the square roots of the variables used in the second series of regression equations, thereby reducing any effect of extreme cases. If any relationship between independent and dependent variables was due to the influence of extreme cases, a substantial change in the amount of variance explained by the variable in question, when used in a square-rooted regression equation, might be expected. Results of the final regression equations were validated, using a split half cross-validation method as outlined by Kerlinger.¹⁵

The second general research objective was to examine and compare the legal processes that are applied to career- and noncareer-criminal cases. The first issue under this objective was the length of time it takes to process a career criminal from arrest to final disposition of the case, compared to processing time for cases not prosecuted as career criminals. Arrest and disposition dates were available for the most recent offense in both the career criminal- and noncareer-criminal samples. There was no great difficulty, therefore, in establishing processing times for subjects in both samples, and

comparing the results.

A more difficult question to address is whether any differences in processing times between the two samples may be attributed to the effects of a career-criminal prosecution program. This question was approached in two ways. First, the processing time for the current offenses was compared to the time required to prosecute for similar offenses in the same jurisdiction prior to the inception of the career-criminal program. This comparison was possible because arrest and disposition date information was collected on all prior offenses where available. Of course, the extent and seriousness of one's prior record may have an effect on the time it takes to prosecute a case, with or without a career-criminal program. In order to take this possibility into account, offense seriousness weights were used to establish the similarity of past offenses to the present offense, and the similarity of the seriousness of the overall criminal records prior to the current offense. This permitted the comparison of prosecutor processing time for subjects with similar criminal backgrounds (at least in terms of the seriousness of criminal behavior), and who were prosecuted for offenses very much like those for which they were prosecuted as career criminals.

The second approach used to determine the effect of career-criminal prosecution on processing time was to make processing time for the most recent offense the dependent variable in a multiple regression equation. The presence or absence of career-criminal prosecution became an independent variable in the equation with career-criminal prosecution being assigned a value of 1 and noncareer-criminal prosecution a value of 0. In this manner it was

possible to compare the effect of career-criminal prosecution on processing to the effects of such variables as age, race, sex, seriousness of offense, number of prior arrests, number of prior convictions, and seriousness of prior arrest and conviction record. By allowing the independent variables to enter into the equation in a stepwise fashion, it was possible to determine the relative contribution of all variables to fluctuations in the dependent variable of processing time.

As in the case of the previous multiple regression carried out in this research, scatter plots were used to search for any nonlinear relationships or distortion of means by extreme cases that would not be picked up by the regression analysis. A secondary check for the effects of extreme cases was also conducted by the use of the square roots of values in a second regression equation.

Perhaps even more important than processing time for the career-criminal prosecution process is the issue of plea bargaining. This brings us to the question of how much plea bargaining takes place in the career-criminal program compared to what takes place in the cases of individuals not prosecuted as career criminals. There are a number of different ways that prosecutors bargain with the defendant. In return for a guilty plea, the prosecutor might promise not to prosecute codefendants; to arrange for the defendant or a codefendant to be incarcerated in a particular prison; to have the defendant tried in a juvenile court; to make specific recommendations for presentence investigations or concurrent sentences; or not to oppose probation. The prosecutor can also promise immunity with respect to some crimes in order to obtain a plea on another crime; the immunity may even relate

crimes not yet charged. All of the above possibilities are in addition to the most common plea arrangements involving (1) the sentence recommendation, (2) the plea to a lesser included offense, and (3) the dismissal of charges in a specific indictment, information, or other charging paper.¹⁶ The purpose of this litany of prosecutorial bargaining options is to illustrate the difficulty of empirically measuring all aspects of the plea bargaining process.

The data available for the present research do allow for at least partial measurement of the plea bargaining process in terms of the actual proportion of negotiated pleas compared to trial verdicts, possible prosecutor influence on sentencing, and the extent of pleading to lesser included charges.

It is a straightforward process to compare the proportion of negotiated pleas to trial verdicts in the career- and noncareer-criminal sample. One might expect fewer pleas of guilty in the career-criminal sample if indeed the career-criminal program prosecutors are taking a tougher bargaining line. One might also expect longer sentences of incarceration for persons prosecuted as career criminals compared to persons committing similar crimes but not given this special prosecutorial attention. The use of sentence length as a measure of prosecutor willingness to bargain is, of course, somewhat tenuous, given the number of other variables that may affect sentencing, such as the defense attorney's ability, the nature of the presentence investigator's report and recommendations, and the sentencing judge's wide-ranging discretion. However, combined with the aforementioned measure of the extent of cases where negotiations take place, and some measure of the extent to which defendants are permitted

to plead to lesser included charges, sentence length can contribute to an overall picture of the plea bargaining process.

In order to measure the extent to which defendants were permitted to plead to lesser included charges, it was necessary to assess the seriousness of the arrest charge, and the seriousness of the charge for which the defendant was eventually convicted. Where prosecution did not lead to a conviction, no attempt was made to determine the extent of plea bargaining involved. The numerical weight for the arrest charge was then divided by the numerical weight assigned to the conviction charge in each case. In this manner a ratio of arrest seriousness to conviction seriousness was established for each case. One would expect smaller ratios as the amount of plea bargaining declines. This and the aforementioned measures of plea bargaining were used to compare the experiences of persons prosecuted as career criminals to individuals given routine prosecutorial attention within the same jurisdiction.

After establishing the existence or absence of significant differences between career- and noncareer-criminal samples in regard to the measures of plea bargaining just described, the next step was to determine whether any differences could be attributed to the existence of the career-criminal prosecution process. The method used here was the same as that used to determine the effect of career-criminal prosecution on processing time. The charge reduction ratio was treated as a dependent variable and an individual's status as a career- or noncareer-criminal prosecution subject was treated as a categorical independent variable, and was included in a regression equation with other possibly relevant independent variables. Other independent

variables entering into the regression equation included age, race, sex, number of prior arrests, number of prior convictions, seriousness of prior arrest record, seriousness of prior conviction record, and seriousness of current offense. Independent variables were again allowed to enter into the regression equation in a stepwise fashion in order to determine the relative contribution of all variables to fluctuations in the dependent variable of charge reduction ratio.

It was pointed out in chapter 4 of this research that one of the advertised intents of the first career-criminal programs was to provide prosecutors with the resources that would enable them to make better use of existing habitual offender statutes, and thus insure more lengthy sentences for the most serious offenders. Consequently, an attempt is made here to examine the nature of the use of habitual-offender statutes in the Wayne County career-criminal prosecution program. There was no difficulty in determining the extent of habitual-offender statute use because each career-criminal case file included information on whether or not the option to make use of such a statute was exercised.

How often a habitual-offender statute was used does not necessarily tell us why it was used in some cases and not in others, which brings us to the final question to be addressed under this second research objective. What determines whether a person defined as a career criminal is prosecuted under habitual-offender statutes, or is merely given special attention to accelerate prosecution for the current offense? A close examination of the data showed that an extremely low proportion of career criminals (4 percent) were prosecuted under habitual-offender statutes, making it impractical to

assess empirically the bases for selection. Conversations with Wayne County prosecutors, however, indicated the use of habitual-offender statutes primarily as a bargaining chip to obtain pleas to higher felonies.

The third general objective of this research was to provide as comprehensive a picture as possible of the criminal behavior patterns of career criminals over an extended period of time. This is actually an extension of the process outlined under the first research objective, but with special attention given to persons prosecuted as career criminals who are over 30 years of age and who have extensive criminal records.

The first question under this third objective had to do with specialization within long criminal careers. Is the crime-type sequence in arrest-to-arrest recidivism nearly random in nature, as suggested by the work of Wolfgang et al., or is there some degree of specialization that would permit prediction of the type of future crime based on prior criminal record? The methodology used here is virtually identical to that used when comparing the offense patterns of career and noncareer criminals, but the emphasis was on older career criminals with extensive records. The application of the "snowflake" model of offense diversity in this case served to determine the utility of examining prior record as a predictor of future criminal behavior at different stages of a long criminal career rather than to compare patterns of offense diversity for career- and noncareer-criminal prosecution cases.

The second question to be addressed under this research objective follows from the first. If there is some degree of

specialization by the career criminal, does it remain constant over a long period, or might the offender attempt different types of crime at different ages? The criminal records of career criminals over 30, with at least five prior felony arrests, were examined in five-year intervals, according to when the subject was 15-19 years of age, 20-24 years, and so on, to the age of 74 years. In this manner it was possible to determine whether the habitual offender passes through phases of different crimes at different ages or is truly diversified in terms of criminal behavior regardless of age.

There is little doubt that violent stranger-to-stranger crimes generate the most fear and concern among Americans. It was therefore important to attempt to classify offenders by type of offending behavior (i.e., violent or property) and to establish the existence or absence of significant demographic differences among groups. That is, if persons designated career criminals can be classified according to whether they commit primarily property or violent crimes, can this classification be further refined on the basis of demographic and personal variables?

Offenders were classified as violent, property, or mixed offenders according to their histories of criminal behavior. If an offender's record consisted of 75 percent or more violent offenses, the offender was classified as a violent offender. In the same manner, an individual with a criminal record of 75 percent or more property offenses was classified as a property offender. Others were classified as mixed offenders. Subsequent to this classification process, the three groups were compared on the basis of age, race, sex, age at first conviction, number of pending cases, number of prior arrests, number of

prior convictions, and whether drug addiction was known or suspected.

In addition to the type of criminal behavior exhibited, i.e., commission of violent or property crimes, an important consideration is the frequency or intensity of criminal behavior. Are frequency levels constant? That is, are career criminals always committing crimes when not incarcerated, or do some, as Glaser suggests, go through fairly long periods of criminal inactivity in the midst of a criminal career?¹⁷ The career-criminal sample was again divided into five-year age intervals. The mean level of criminal activity was then compared for all age groups to determine the nature of the relationship, if any, between age and criminal activity for career-criminal subjects.

The same procedure was used in examining career-criminal data to establish whether a process of escalation of the seriousness of criminal behavior exists as a criminal career progresses. In this instance, seriousness scores were computed and substituted for the number of offenses occurring in each five-year interval.

Whatever the pattern of the seriousness of criminal behavior, it would be useful to know, if possible, in which period of a long criminal career one should expect the most serious criminal activity. We know the young are generally more active in terms of criminal behavior, but if the seriousness of criminal behavior escalates with age, there might be justification for incapacitation of older career criminals not on the basis of high recidivism risk but rather the extreme seriousness of the offenses likely to be committed by those who do recidivate. The patterns of criminal intensity and the seriousness of criminal behavior were compared to determine if and when those patterns coincided.

The fourth and final general objective of the present research was to examine the possible effects of the career-criminal program on defendants not identified as career criminals, as well as any changes in court staffing costs and any possible crime-reduction effects of present or modified career-criminal programs.

The first task under this objective was to determine whether the length of time from arrest to disposition for defendants not selected for accelerated prosecution significantly changed since the inception of the career-criminal program. Annual reports of the Detroit Recorders Court provide details on overall processing time for criminal cases. Data from the reports were used to determine what might be expected from year to year in terms of fluctuation in processing time. Processing times for persons in the comparison and career-criminal samples were then compared in order to establish how each deviated from what would be expected, given the history of the court.

If there are any apparent adverse effects on noncareer criminals as a result of increased attention to the persistent offender, the price may be considered small if indeed this incapacitation program does succeed as a social defense measure that even if it does not deter at least prevents criminals from doing harm while they are confined or closely supervised.¹⁸ The question then becomes, does the lengthy incarceration of habitual offenders, as identified by the career criminal program, appear to enhance the probability of crime reduction through incapacitation? This question can best be answered by examining the sentences received by persons prosecuted as career criminals and comparing the results to the patterns of criminality that

would be expected for the individual of the same age and similar background.

If lengthy incarceration does appear to have the desired effect of eliminating the otherwise intense criminal activity of career-criminal types, it is still not reasonable to attribute the effect to career-criminal prosecution unless it can be shown that the sentences given out under the program would have been substantially less had the program not been in existence. To test for this possibility, the prior records of persons prosecuted as career criminals were again examined, with special attention being given to the type of sentences meted out for similar offenses and offenders in the past.

There is still the possibility, of course, that career-criminal prosecution is responsible for higher conviction rates and reduced plea bargaining. These effects would not be likely to show up where one simply compares sentencing results for similar offender backgrounds with like convictions; consequently, it was necessary to compare past prosecution practices regarding the career-criminal sample to those in evidence under the career-criminal program. Two things were done here. First, past conviction rates for career criminals were compared to conviction rates occurring with career-criminal prosecution. If career-criminal prosecution leads to higher conviction rates, one would see a greater increase in the conviction rate than would be expected due simply to the offender's being older and having a longer criminal record. Second, the extent to which defendants were permitted to plead to lesser included charges under career-criminal prosecution was compared to the past experience of career criminals. The method used

was the same as that described earlier, where charge reduction practices for career-criminal cases were compared to noncareer-criminal prosecution cases. If career-criminal prosecution is having the desired effect, we will see a reduction in the ratio of arrest seriousness to conviction seriousness greater than would be expected simply as a result of the offender's being older, with a more extensive criminal background.

A factor to be weighed in addition to any benefits of career-criminal prosecution is any changes in the size and makeup in court staff as a result of implementation and maintenance of a career-criminal program. For this reason an attempt was made to determine how the size and makeup of court staff had changed with the inception of the career-criminal program. Annual reports of the Detroit Recorders Court and the Prosecutor's Repeat Offenders Bureau (PROB)¹⁹ were used to examine staff changes that took place in the Wayne County Prosecutor's Office as a result of the development of a career-criminal prosecuting capability.

In chapter 4 of this research it was noted that evaluations of career-criminal programs by the Mitre Corporation did not support the notion that career-criminal programs resulted in increased incapacitation for career criminals.²⁰ One response to these evaluation results has been the claim that the "treatment" is too little and too late. That is, criminals are not being punished severely enough at early enough ages. This belief has led to more intense pressure to make use of juvenile records in determining whether individuals meet prior-record criteria for prosecution as career criminals. Would earlier identification of career criminals have the

desired effect? How great an effect would earlier identification and severe punishment of career criminals have on reducing the level of crime? The methodology used to address this question parallels that of Van Dine et al. in 1977.²¹ This effort does not attempt, as Van Dine et al. did, to evaluate the effects of incapacitation on all adult offenders. Rather, only the records of persons who become habitual offenders are examined to determine the possible crime-reduction effects of earlier career-criminal identification.

Because extensive information was not available on the juvenile records of career-criminal subjects, different assumptions were made that offenders were sufficiently active as juveniles to qualify for career-criminal prosecution by age 20, 22, and 25. This will naturally inflate the possible effects of an early identification process at the earliest age because it is unlikely that all subjects had sufficiently serious juvenile records to qualify them for career-criminal prosecution by the age of 20.²² Measurements of possible incapacitation effects on career criminals is probably more realistic when one assumes identification at ages 22 and 25 where juvenile records are available.

This experiment was ex post facto in nature. That is, a reverse record check was the means of analysis, rather than a longitudinal followup of a cohort. The cohort under analysis consisted of all offenders 30 years of age or older in December 1977. As in the case of the Van Dine et al. research, all subjects, whether found guilty or not of the crimes with which they were charged, were initially assumed to have committed all of the crimes for which they were arrested. It is pointed out that this overstates the

effectiveness of an incapacitation policy. To estimate the minimum crime-reduction effect of incapacitation, conviction offenses rather than arrests would be used as a measure of the number of crimes that might have been prevented with earlier classification as career criminals and specific sentencing practices.²³

Four specific sentencing practices were assumed for the three different ages of classification as career criminals:

1. Where a person is prosecuted as a career criminal for a felony property offense and has a prior record consisting of only property-offense convictions, a conviction shall result in the imposition of a two-year net mandatory prison term.

2. Where a person is prosecuted as a career criminal for a felony property offense and has a prior record containing one, but no more than one, conviction for a violent felony, a conviction shall result in the imposition of a three-year net mandatory prison term.

3. Where a person is prosecuted as a career criminal for a violent felony offense and has a prior record containing only property offense convictions, a conviction shall result in the imposition of a three-year net mandatory prison term.

4. Where a person is prosecuted as a career criminal for a violent felony offense and has a prior record containing one or more convictions for violent felonies, a conviction shall result in the imposition of a five-year net mandatory prison term.

In light of the aforementioned assumptions, the next step was to examine the criminal records of individuals beginning at the earliest recorded arrests, age 20 to 30, age 22 to 30, and age 25 to 30. Where disposition information was available in the criminal

histories, sentences meted out for target felonies were noted and subtracted from the mandatory sentence that would have been imposed in order to arrive at a net effect of the early identification as a career criminal and the implementation of the mandatory sentencing policies described. The number of recorded offenses that would have been prevented under the policies described were then summed and compared to Uniform Crime Reports statistics for the same period in the same area, in order to arrive at an estimate of the potential crime-reduction effect of the policies.

The final issue to be addressed after the measurement of career-criminal activities and the effects of career-criminal prosecution on those activities and court functions was the cost of the special attention given to career-criminal prosecution. Has the cost of processing a defendant through the court system changed significantly as a result of career-criminal program operations? Documents from the Detroit Recorders Court and the Prosecutor's Repeat Offenders Bureau were used to assess any changes in the monetary costs associated with the existence of a career-criminal prosecution effort.

Notes

1. Thorsten Sellin and Marvin E. Wolfgang, The Measurement of Delinquency (New York: John Wiley & Sons, 1964).
2. Ibid., p. 317.
3. See *ibid.*, pp. 381-86, 393-94. In a few cases details of an offense were available, but the offense did not clearly fit any of the 141 offense situations described by Sellin and Wolfgang. In these instances, the Michigan Penal Code was consulted in order to determine the class and maximum penalty for the offense. After the class and maximum penalty were established, a list was made of all offenses in the code sharing the same class and penalty. This list was compared to the 141 offenses described by Sellin and Wolfgang. All offenses from the list that were described by any of the Sellin-Wolfgang offenses were given appropriate numerical weight, and the mean of those weights then served as a new weight.
4. W. H. Hammond and Edna Chayen, Persistent Criminals (London: Her Majesty's Stationery Office, 1963), p. 43.
5. Alfred Blumstein and Richard Larson, "Models of a Total Criminal Justice System," Operations Research 17 (1969):224.
6. Ibid., p. 225.
7. Marvin E. Wolfgang, Robert M. Riglio, and Thorsten Sellin, Delinquency in a Birth Cohort (Chicago: University of Chicago Press, 1972), p. 174.
8. Ibid., pp. 174-75.
9. Ibid., p. 154.
10. Ibid.
11. Fred N. Kerlinger and Elazar J. Pedhazur, Multiple Regression in Behavioral Research (New York: Holt, Rinehart and Winston, 1973), p. 117.
12. The twelve independent variables used in the first regression analysis were (1) age, (2) race, (3) sex, (4) age at first arrest, (5) age at first conviction, (6) seriousness of present offense, (7) number of previous high-seriousness arrests, (8) number of previous high-seriousness convictions, (9) number of previous low-seriousness arrests, (10) number of previous low-seriousness convictions, (11) seriousness of prior arrest record, and (12) seriousness of prior conviction record.

13. Kerlinger and Pedhazur, Multiple Regression in Behavioral Research. See pp. 282-83 for a discussion of the effect the ratio of independent variable to sample size has on the overestimation of multiple correlation.

14. Where independent variables were highly intercorrelated, the measure that seemed to provide the most useful information was retained. For example, arrest-seriousness scores were highly correlated with conviction-seriousness scores. Given the vagaries of the United States criminal justice system today, a decision was made to eliminate arrest scores from the analyses. Ordinarily one might be inclined to use arrest seriousness as a measure. Roebuck, among others, has pointed out "that the further one gets away from a criminal's arrest history, the more obscure and distorted become the facts of his criminal activities." See Julian B. Roebuck, Criminal Typology: The Legalistic, Physical Constitutional-Hereditary, Psychological-Psychiatric and Sociological Approaches (Springfield, IL: Charles C Thomas, 1967), pp. 100-1. However, the analyses here have to do with prosecutor decisions to single out offenders for special attention. In many, if not most, jurisdictions, prosecutors would be constrained from using anything other than convictions as an indicator of prior criminal behavior. Independent variables that were not highly intercorrelated with other variables were retained unless they did not contribute significantly to the explanation of variance in the dependent variable.

15. Kerlinger and Pedhazur, Multiple Regression in Behavior Research, pp. 283-84.

16. Yale Kamisar, Wayne R. LaFave, and Jerold H. Israel, Modern Criminal Procedure Cases, Comments and Questions (St. Paul: West Publishing Company, 1974), p. 1081.

17. Daniel Glaser, The Effectiveness of a Prison and Parole System (Indianapolis: Bobbs-Merrill, 1964), pp. 495-96.

18. James Q. Wilson, Thinking About Crime (New York: Basic Books, 1975), p. 53.

19. The Prosecutor's Repeat Offenders Bureau (PROB) was the term given to the career-criminal program of the Wayne County Prosecutor's Office.

20. See chapter 4, no53 3.

21. Stephen Van Dine, Simon Dinitz, and John Conrad, "The Incapacitation of the Dangerous Offender: A Statistical Experiment," Journal of Research in Crime and Delinquency 14 (1977):22-34.

22. Marvin E. Wolfgang, "From Boy to Man--From Delinquency to Crime," Proceedings of a National Symposium on the Serious Juvenile Offender, September 19 and 20, 1977, Minneapolis, Minnesota. Analysis of Wolfgang's Philadelphia cohort data show that at age 26 of 185

subjects arrested as adults, 138 (75 percent) had a previous juvenile arrest as well. Selection criteria for career-criminal prosecution in Wayne County provided that eligible persons were those charged with (1) homicide, (2) robbery, (3) assaults (including criminal sexual conduct), or (4) burglary who are identified from a record search and/or M.O. as having two or more pending felony charges or two or more prior felony convictions.

23. Van Dine, Dinitz, and Conrad, "The Incapacitation of the Dangerous Offender." p. 25.

CHAPTER VII

FINDINGS

Crosstabular Comparisons of Career- and Noncareer-Criminal Samples

Crosstabular analyses of the career-criminal and comparison samples revealed a number of significant differences between the two groups. In terms of present criminal behavior, i.e., the most recent offense for which subjects were prosecuted as career or noncareer criminals, the career-criminal sample had a significantly higher proportion ($X^2=116.6$, 1 d.f., $P < .01$) of violent arrest offenses than did the comparison sample. Seventy-five percent of the career-criminal group were arrested for violent offenses, compared to 41 percent for the comparison sample. For those subjects who were eventually convicted ($N=806$ for the combined sample), there were also significant differences between the career-criminal and comparison samples ($X^2=105$, 1 d.f., $P < .01$) in the proportion of convictions for violent offenses. Seventy-four percent of career-criminal convictions were for violent offenses, compared to 36 percent for the comparison sample. The distribution of violent and nonviolent arrest and conviction offenses is shown in Table 7.1. Table 7.2 provides more detail on the distribution of arrest and conviction offenses for the two samples.

Given the proportion of violent offenses committed by persons

Table 7.1

Type of Arrest and Conviction Offenses by Mode of Prosecution

Prosecution Mode	Type of Arrest Offense				Type of Conviction Offense			
	Violent		Nonviolent		Violent		Nonviolent	
	#	%	#	%	#	%	#	%
Career criminal	483	75	164	25	403	74	142	26
Noncareer criminal	169	41	239	59	95	36	166	64

Differences between career-criminal and noncareer-criminal samples on type of arrest offense and type of conviction offense are statistically significant. Chi square = 116.6, $p < .01$, and 105.5, $p < .01$, respectively.

Table 7.2

Arrest and Conviction Charges by Mode of Prosecution

Prosecution Mode	Larceny		Burglary		Narcotics		Assault	
	#	%	#	%	#	%	#	%
	Arrest Charge							
Career criminal	24	4	114	18	17	3	83	13
Noncareer criminal	101	25	60	15	67	16	84	21
	Conviction Charge							
Career criminal	22	4	102	19	12	2	71	13
Noncareer criminal	77	30	30	12	46	18	60	23

* This figure is slightly over 2 percent of all felony cases processed during the same period of time.

Table 7.2--continued

Robbery		Kidnapping		Rape		Murder		Other		Total
#	%	#	%	#	%	#	%	#	%	
Arrest Charge										
259	40	13	2	43	7	85	13	8	1	N=647*
56	14	0	0	15	4	14	3	11	3	N=408
Conviction Charge										
217	40	7	1	38	7	70	13	6	1	N=545
21	8	0	0	5	2	9	3	13	5	N=261

in the career-criminal sample, it was not surprising to find that persons prosecuted as career criminals had significantly higher seriousness scores attached to arrests ($t=7.5$, $P < .01$) and conviction offenses ($t=0.0$, $P < .01$) than did subjects in the comparison sample.

Significant differences in the extent and seriousness of criminal behavior between the career-criminal and comparison samples were also found when subjects' prior criminal histories were examined. The mean number of arrests recorded for the career-criminal offender was 6.8, compared to 3.4 for persons in the comparison sample ($t=9.9$, $P < .01$). The mean number of convictions for the career criminal was 6.5, compared to 2.9 for persons in the comparison sample ($t=10.8$, $P < .01$). These differences in the number of arrests and convictions attributed to the different sample subjects extended to the measured seriousness of criminal behavior over time. The mean arrest record seriousness score for career-criminal subjects was 1.0, compared to .5 for subjects in the comparison sample ($t=2.8$, $P < .01$). The mean conviction record seriousness scores were .5 and .2, respectively ($t=6.5$, $P < .01$). The seriousness of an individual's arrest and conviction record was measured by assigning a numerical weight to each arrest and conviction up to and including the sample offense, adding the derived numbers, and then dividing by the number of days the person was at risk. Thus, $S = \frac{\sum W}{T}$, where S represents the seriousness of criminal behavior; W, the numerical weight for each offense; and T, the individual's time at risk.

Further analyses of the data by specific age classifications revealed that the extent of differentiation between career-criminal and

comparison-sample subjects was not uniform across age categories. Age categories were limited to ages 15-44 because the small number of subjects over age 44 would not be conducive to any meaningful analyses. Significant differences in the number of arrests and convictions for career-criminal and comparison subjects were present in the age categories of 15-19 years, 20-24 years, and 25-29 years, but these differences disappeared after age 29. Tables 7.3 and 7.4 show the mean number of arrests and convictions by mode of prosecution and age.

The pattern of differences between career-criminal and comparison-sample subjects across age groups on the seriousness of arrest record was similar to the differences in number of arrests and convictions between the two samples. That is, significant differences found in the younger age categories eventually disappeared. Table 7.5 shows the mean arrest seriousness score by mode of prosecution and age group.

To this point we have seen a consistent pattern of differences between the career-criminal and comparison samples in the younger age groups (i.e., 15-19, 20-24, and 25-29) wherein career criminals were arrested more often, convicted more often, and compiled significantly more serious arrest records. However, when measuring the seriousness of subject records using conviction offenses, the results were somewhat different. The computation of seriousness scores for subjects' conviction records showed career-criminal subjects to have higher scores than comparison subjects, as might be expected, but these differences were not statistically significant until the subjects were 35 years old, unlike the significant differences found at early ages between career and noncareer criminals on number of arrests and convictions, and

Table 7.3

Number of Arrests by Mode of Prosecution at Different Ages

Mode of Prosecution	\bar{X} Number of Arrests						
	15-19 years	20-24 years	25-29 years	30-34 years	35-39 years	40-44 years	Lifetime Record
Career criminal	2.4 N=647	2.3 N=560	1.0 N=373	.4 N=183	.2 N=87	.1 N=48	6.8 N=647
Noncareer criminal	1.0 N=408	1.1 N=323	.5 N=187	.3 N=106	.2 N=57	.1 N=38	3.4 N=408

Differences between career-criminal and noncareer-criminal samples were significant at the .05 level or better for ages 15-19 years, 20-24 years, 25-29 years, and lifetime record.

Table 7.4

Number of Convictions by Mode of Prosecution at Different Age-

Mode of Prosecution	\bar{X} Number of Convictions						
	15-19 years	20-24 years	25-29 years	30-34 years	35-39 years	40-44 years	Lifetime Record
Career criminal	1.9 N=647	2.0 N=560	.8 N=373	.3 N=183	.2 N=87	.1 N=48	6.5 N=647
Noncareer criminal	.7 N=408	.8 N=373	.4 N=187	.3 N=106	.1 N=57	.1 N=38	2.9 N=408

Differences between career-criminal and noncareer-criminal samples were significant at the .05 level or better for age groups 15-19 years, 20-24 years, 25-29 years, and lifetime record.

Table 7.5
 Seriousness of Arrest Record by Mode of
 Prosecution at Different Ages

Mode of Prosecution	\bar{X} Arrest-Seriousness Score						
	15-19 years	20-24 years	25-29 years	30-34 years	35-39 years	40-44 years	Lifetime Record
Career criminal	1.6 N=647	3.7 N=560	11.3 N=373	10.7 N=183	1.7 N=87	7.7 N=48	1.0 N=647
Noncareer criminal	1.0 N=408	1.4 N=323	.8 N=187	.9 N=106	.7 N=57	.6 N=38	.5 N=408

With the exception of age groups 35-39 years and 40-44 years, all differences between career and noncareer samples were significant at the .05 level or better.

arrest seriousness. This seems to lend some support to the claim of many prosecutors that habitual offenders are more adept at working the criminal justice process to their benefit, taking advantage of system overloads and weaknesses, and generally making better bargains with busy prosecutors. A note of caution is in order: Some of the differences found between career-criminal and comparison subjects were substantial but were not statistically significant because of the extreme variability of the scores in certain age categories.

Table 7.6 shows the complete breakdown of the mean conviction seriousness scores by mode of prosecution and age group.

Career- and Noncareer-Criminal Behavior Patterns

A further examination of offense distributions and transition probabilities for subjects over the age of 30 and with at least three prior arrests revealed additional differences between the career-criminal and comparison samples.¹ Tables 7.7 and 7.8 show that the probabilities of the second offense's being the same type as the first are similar for the career-criminal and comparison subjects except that in the case of the comparison sample there is a higher probability of continuing with the same type of offense in the nonindex (least serious) category. The situation changes, however, when one looks at transition probabilities in the same manner for offense numbers 7 and 8. In the case of the career criminal there is only a slight change from the much earlier transition in the high-violent and low-property categories, with a substantial decrease in the nonindex category. It seems as though the career criminals who have long

Table 7.6

Seriousness of Conviction Record by Mode of
Prosecution and Age Group

Mode of Prosecution	\bar{X} Conviction Seriousness Score						
	15-19 years	20-24 years	25-29 years	30-34 years	35-39 years	40-44 years	Lifetime Record
Career criminal	1.3 N=647	12.2 N=560	17.1 N=323	6.5 N=183	2.1 N=87	.9 N=48	.5 N=647
Noncareer criminal	1.0 N=408	1.1 N=323	.8 N=187	.8 N=106	.6 N=57	.3 N=38	.2 N=408

Differences between career- and noncareer-criminal scores for groups 35-39 years, 40-44 years, and lifetime record are significant at the .05 level or better.

Table 7.7

Partial Transition Probabilities for Career-Criminal Sample by Offense Type

Initial Probability	Offense 1	Transition Probability	Offense 2	Offense 7	Transition Probability	Offense 8
	(N=158)		(N=158)	(N=116)		(N=116)
.16	High violent	.24	High violent	High violent	.26	High violent
.05	Low violent	*	Low violent	Low violent	*	Low violent
.02	High property	*	High property	High Property	*	High property
.47	Low property	.50	Low property	Low property	.46	Low property
.30	Nonindex	.54	Nonindex	Nonindex	.39	Nonindex

* No subjects in this category.

Table 7.8

Partial Transition Probabilities for Comparison Sample by Offense Type

Initial Probability	Offense 1	Transition Probability	Offense 2	Offense 7	Transition Probability	Offense 8
	(N=67)		(N=67)	(N=33)		(N=33)
.18	High violent	.17	High violent	High violent	*	High violent
.06	Low violent	.50	Low violent	Low violent	.33	Low violent
.03	High property	*	High property	High property	*	High property
.34	Low property	.48	Low property	Low property	.14	Low property
.39	Nonindex	.69	Nonindex	Nonindex	.72	Nonindex

* No subjects in this category.

records maintain a similar level of activity in the high-violent and low-property categories over several offenses but are less inclined to commit the least serious nonindex offenses in the later stages of their career.

The situation was quite different for the comparison sample. Here, unlike the career-criminal sample, the transition probability in the nonindex category increased slightly when the transition between offense numbers 7 and 8 was compared to the transition between offense numbers 1 and 2. Furthermore, the transition probability for the low-property category decreased substantially, and the high-violent category disappeared altogether. For those comparison-sample subjects with extensive criminal careers, the pattern in later stages of the career is more one of minor offenses, occasionally interspersed with a low-serious property or low-serious violent offense.

The differences between career criminals and subjects from the comparison sample persist when combinations of transition probabilities are examined. Tables 7.9 and 7.10 show the combined transition probabilities for career-criminal and comparison samples, respectively, in each offense category. The numbers represent the probability that offenses 1 through 4 or offenses 7 through 10 will consist entirely of one type of offense. The probability of four consecutive offenses of the same type is low in any case, but the combined probability in all but the nonindex category for the comparison sample diminishes to zero, while in the career-criminal sample the combined probability diminishes in the nonindex and low-property categories and increases in the high-violent category.

Essentially the same pattern of differences between the samples

Table 7.9

Selected Combination Transition Probabilities for
Career-Criminal Sample by Offense Type

Offenses 1-4 N=164	Probability	Offenses 7-10 N=129	Probability
All high violent	.07	All high violent	.10
All low violent	*	All low violent	*
All high property	*	All high property	*
All low property	.1	All low property	*
All nonindex	.18	All nonindex	.10

* No subjects in this category.

Table 7.10

Selected Combination Transition Probabilities for
Comparison Sample by Offense Type

Offenses 1-4 N=72	Probability	Offenses 7-10 N=34	Probability
All high violent	*	All high violent	*
All low violent	*	All low violent	*
All high property	*	All high property	*
All low property	.05	All low property	*
All nonindex	.23	All nonindex	.23

* No subjects in this category.

exists when less-extreme types of combinations are used. Tables 7.11 and 7.12 show the probabilities for career-criminal and comparison samples, respectively, of combinations wherein more than half of four offenses fall into the same category. The one exception to the previous patterns is that comparison-sample subjects with long records are more likely to have a majority of their later offenses in the low-property category. Even here, however, the probability is not nearly as high as that for the same category in the career-criminal sample (.43 compared to .65).

Demographic Characteristics of Offenders and Geographic Distribution of Offenders

The second question under the first general research objective outlined in Chapter VI required an analysis of the frequency distribution of prior arrest locations for career-criminal and comparison samples. This analysis was carried out for all ages and for specific five-year age groups beginning with age 15-19 years. This analysis revealed an almost complete lack of geographically widespread criminal behavior in both samples, with very few out-of-state arrests in all age groups.

While many of the career-criminal sample subjects could be viewed as habitual offenders, by the standard of geographical mobility described by Sutherland, Clinard and Quinney, and Gibbons, there are no professional criminals in either sample.

An attempt was made to compare the two samples on the bases of the offender's relationship to the victim for the current offense. It was noted in Chapter IV that one might expect the more career-oriented

Table 7.11
 Selected Probabilities for Career-Criminal
 Sample by Majority Offense Type

Offenses 1-4 N=164	Probability	Offenses 7-10 N=129	Probability
> .5 High violent	.12	> .5 High violent	.1022
> .5 Low violent	*	> .5 Low violent	*
> .5 High property	*	> .5 High property	*
> .5 Low property	.30	> .5 Low property	.649
> .5 Nonindex	.49	> .5 Nonindex	.154

* No subjects in this category.

Table 7.12
 Selected Probabilities for Comparison Sample
 by Majority Offense Type

Offenses 1-4 N=72	Probability	Offenses 7-10 N=34	Probability
> .5 High violent	*	> .5 High violent	*
> .5 Low violent	*	> .5 Low violent	*
> .5 High property	*	> .5 High property	*
> .5 Low property	.09	> .5 Low property	.43
> .5 Nonindex	.73	> .5 Nonindex	.27

* No subjects in this category.

criminal to commit crimes against relative strangers, and thus lessen the probability of detection and apprehension. Unfortunately, in the case of the comparison sample, data for this variable was unreliable because of a large number of missing cases, and thus the two samples could not be compared on this variable. An analysis was made of the offender's relationship to the victim for the career-criminal sample. It was found that for the career criminal's current offense, 88 percent were committed against strangers. This is not the sort of proportion one would expect to find if offenders were primarily in the habit of beating up friends and relatives. Rather, what is indicated is a type of offender who derives at least part of his living, albeit somewhat unsuccessfully, from the commission of crimes. Most of the violence that occurs is associated with crimes intended to achieve economic gains, such as robbery.

Thus far, analyses of differences between the career-criminal and comparison samples have been on the basis of criminal behavior alone. Some attention was given, however, to the demographic variables of age, race, and sex. An analysis of the distribution of these three variables in the two samples revealed little difference. The average age of the career-criminal subjects was somewhat higher than comparison-sample subjects, 27.5 years compared to 26.8 years. This difference was not statistically significant. Both samples had a small proportion of females, and the difference between the two samples was not statistically significant. Both samples had a very high proportion of nonwhites. Eighty-five percent of the comparison-sample offenders were nonwhite; 80 percent of the career-criminal subjects were nonwhite. While this difference is not great, it is statistically

significant ($\chi^2=6.02$, 1 d.f., $P < .05$). Table 7.13 shows the racial distribution for the career-criminal and comparison samples.

The Decision to Prosecute Offenders
As Career Criminals

It is clear that there are a number of important differences between career criminal and comparison sample subjects. What is not so clear is which variables are most important in determining which method of prosecution is selected for an offender. At this point, multiple regression analysis was used to establish the relative contribution of a number of variables to the decision of whether or not to prosecute an offender as a career criminal. The categorical variables of sex, race, and mode of prosecution were dummy coded as zeros and 1s, with females, whites, and persons prosecuted as noncareer criminals being made equal to zero. The initial regression set the mode of prosecution as the dependent variable. Independent variables used in this initial regression were age, race, sex, number of prior arrests, number of prior convictions, seriousness of the arrest record, seriousness of the conviction record, age at first arrest, age at first conviction, number of high-seriousness prior arrests, number of high-seriousness prior convictions, number of low-seriousness prior arrests, number of low-seriousness prior convictions, and the seriousness of the current charge. The results of this regression showed the number of high-seriousness convictions in an offender's prior record to be the most predictive of selection for prosecution as a career criminal. There was a .33 positive correlation between this variable and mode of prosecution, that is, the higher the number of prior high-seriousness

Table 7.13
Race by Mode of Prosecution

Race	Prosecution Mode	
	Career Criminal	Noncareer criminal
White	132	59
Nonwhite	515	349

$\chi^2 = 6.02$ 1 d.f. P < .05

convictions, the greater the likelihood of career-criminal prosecution. By itself, this variable explained slightly over 10 percent of the variation in the dependent variable ($r^2=.106$, $F=122$, $P < .01$). The second variable to enter the equation was the seriousness of the current charge. This variable had a positive correlation of .21 with the mode of prosecution and explained over 4 percent of the variation in mode of prosecution ($r^2=.044$, $F=53.1$, $P < .01$). The third variable to enter the equation was age at first arrest. This variable had a negative correlation of $-.25$ with the dependent variable and explained slightly over 3 percent of the variation ($r^2=.031$, $F=54$, $P < .01$). The fourth variable to enter the equation was number of prior convictions. The variable had a positive correlation with mode of prosecution of .30 and explained less than 1 percent of the variation ($r^2=.005$, $F=6.8$, $P < .01$). Other variables in the initial regression in order of entry were number of prior arrests, race, seriousness of conviction record, sex, seriousness of arrest record, age number of prior high-seriousness arrests, and age at first conviction. The last eight variables together explained slightly over 2 percent of the variation in the dependent variable ($r^2=.023$). Table 7.14 displays the intercorrelations among the first seven independent variables and mode of prosecution for the initial regression. To improve the stability of this first equation, a second stepwise multiple regression was conducted after independent variables were eliminated from the equation on both theoretical and empirical grounds.² The dependent variable remained the mode of prosecution. The independent variables for the second regression equation were limited to number of prior high-seriousness convictions, seriousness of the current charge, age at

Table 7.14

Correlation Matrix for Number of Previous High-Seriousness Convictions, Seriousness of Current Charge, Age at First Arrest, Number of Prior Convictions Number of Prior Arrests, Race, Seriousness of Conviction Record, and Mode of Prosecution

	Seriousness of Current Charge	Age at First Arrest	Number of Prior Convictions	Number of Prior Arrests	Race	Seriousness of Conviction Record	Mode of Prosecution*
Number of high seriousness convictions	.000	-.214	.752	.743	.072	.363	.325
Seriousness of current charge		.011	.041	-.045	.031	-.041	.209
Age at first arrest			-.250	-.252	-.054	-.203	-.245
Number of prior convictions				.981	-.028	.318	.299
Number of prior arrests					-.035	.305	.277
Race						-.051	-.075
Seriousness of conviction record							.205

* 0=noncareer-criminal prosecution; 1=career-criminal prosecution

first arrest, and number of prior convictions. The first variable to enter the second stepwise regression was again the number of prior high-seriousness convictions, explaining more than 10 percent of the variation in the dependent variable ($r^2=.106$, $F=122.9$, $P < .01$). The second variable to enter the equation was the seriousness of the current charge, which explained over 4 percent of the variation in mode of prosecution ($r^2=.044$, $F=53.1$, $P < .01$). The third variable to enter the equation was age at first arrest, explaining 3 percent of the variation ($r^2=.03$, $F=38$, $P < .01$). The last variable to enter the equation was the number of prior convictions. This variable explained less than 1 percent of the variation in mode of prosecution ($r^2=.053$, $F=6.7$, $P < .01$). At least part of the reason for the low explanatory power of the fourth variable in this equation may be its high correlation (.75) with the number of prior high-seriousness convictions, the first variable to enter the equation. Table 7.15 shows the intercorrelations among the four independent variables in this equation and mode of prosecution, and the regression results where mode of prosecution is the dependent variable. The four independent variables together explained over 18 percent of the variation in the dependent variable ($r^2=.185$, $F=58.7$, $P < .01$).

In order to assess the stability of the aforementioned regression equation, another regression was carried out, using the same variables but taking the square root of all values. This procedure reduces the effect of extreme cases on the equation, enabling us to see the extent to which the original relationship was due to outlying cases. The results of this regression showed that the amount of variation explained by the four independent variables was only slightly

Table 7.15

Correlation Matrix for Number of Previous High-Seriousness Convictions, Seriousness of Current Charge, Age at First Arrest, Number of Prior Convictions, and Mode of Prosecution*

	Number of High-Seriousness Convictions	Seriousness of Current Charge	Age at First Arrest	Number of Prior Convictions	Mode of Prosecution*
Number of high-seriousness convictions	.000		-.214	.751	.325
Seriousness of current charge			-.011	-.041	.209
Age at first arrest				-.250	-.245
Number of prior convictions					.299

* 0=noncareer-criminal prosecution; 1=career-criminal prosecution

	<u>DF</u>	<u>Sum of Squares</u>	<u>Mean Square</u>	<u>F</u>	<u>Prob > F</u>
Regression	4	45.8521	11.4630	58.67	0.0001
Error	1032	201.6232	0.1953		
Total	1036	247.4754			

	<u>B Value</u>	<u>Standard Error</u>	<u>Type II SS</u>	<u>F</u>	<u>Prob > F</u>
Intercept	0.6522				
Number of prior convictions	0.0095	0.0036	1.3172	6.74	0.0095
Age at first arrest	-0.0132	0.0023	6.4695	33.11	0.0001
Number of high-seriousness convictions	0.0440	0.0089	4.7420	24.27	0.0001
Seriousness of current charge	0.0001	0.0000	11.0374	56.49	0.0001

$R^2 = .1853$

different from that explained by the regression run without square root values ($r^2=.226$, compared to $r^2=.185$ in the previous regression). Any effect of extreme cases does not appear to be substantial.

Furthermore, an examination of scatterplots produced for crosstabulations of continuous variables, failed to reveal any nonlinear relationships that could not be picked up by multiple regression analysis.

A final series of regression was conducted to determine whether the independent variables might better predict mode of prosecution for the extremes of the sample. To test this, the same regression was run on a smaller sample consisting of subjects who were in the lowest and highest quartiles on measures of seriousness of conviction record as measured by conviction-seriousness scores. When this subsample of 568 subjects was used, R^2 increased from .185 to .31, indicating some slight improvement in predictive power for the independent variables for more extreme cases.

For validation purposes, the entire sample of 1,055 cases was split into two groups, using an even-odd method of selection. The first sample (even) constituted the construction sample. The second (odd) served as a validation sample. A stepwise procedure was used to form regression equations using mode of prosecution as the dependent variable. Scores were computed for each case in the validation sample, using the equations derived from the construction sample. These scores were then correlated with scores for the same dependent variable achieved by the validation sample regression equation. Results and construction coefficients are shown in Table 7.16. It can be seen that the construction coefficient for the dependent variable of mode of

Table 7.16

Construction and Validation Correlation Coefficients

Dependent Variable	Construction ¹ (N=520)	Validation ² (N=521)	Pearson's R
Mode of prosecution	$r^2 = .168$	$r^2 = .208$.97

1. The regression equation for the construction sample is represented by Y^1 (mode of prosecution) = .6162 + .0043 (number of prior convictions) + .0111 (age at first arrest) + .0534 (number of high seriousness convictions) + .0002 (seriousness of current offense).
2. The regression equation for the validation sample is represented by Y^1 (mode of prosecution) = .6855 + .0149 (number of prior convictions) + .0155 (age at first arrest) + .0357 (number of high seriousness convictions) + .0002 (seriousness of current offense).

prosecution underwent little change upon validation. While the amount of variation explained by the independent variables is not high, the results of validation suggest that the relationship found is reliable.

Processing Time and Plea Bargaining

The second general research objective was to examine and compare the legal processes that are applied to career- and noncareer-criminal cases. When length of processing time was examined, it was found that the length of time required to process offenders was significantly longer ($t=2.13$, $P < .05$) for career-criminal than comparison-sample cases. The average processing time for a career-criminal case was 163 days, compared to 140 days for comparison-sample cases. This difference is not surprising because of the more serious nature of cases processed in the career-criminal program.

To assess any effect the career-criminal program might have on processing, an attempt was made to compare processing time for the current offense to processing time for similar offenses committed by offenders with similar records in the past. Unfortunately, programmatic problems with the dates of prior offenses precluded the possible of assessing processing time in this manner; however, the recently published Career Criminal Program National Evaluation indicates a possible beneficial effect of career-criminal prosecution on the time required to process serious cases.³

An attempt was also made to assess the effect of career-criminal prosecution on processing time by treating processing time as a dependent variable in a regression equation. The results of

the regression equation indicated, however, that such variables as seriousness of the charge, mode of prosecution, age, sex, seriousness of record and number of prior offenses have very little impact on overall processing time. The only variable that explained as much as 1 percent of the variation in processing time was the seriousness of the current offense, and a total of ten independent variables explained only 4 percent of the variation in processing time. An examination of scatterplots also failed to reveal any curvilinear relationships that multiple regression would not detect. Further regressions and validation were not carried out because of the absence of any strong correlation between the dependent variable of processing time and any of the independent variables measured.

The plea bargaining process proved to be more amenable to measurement. The career-criminal and comparison-sample subjects were compared on the basis of the proportion of cases going to trial in each sample. A higher proportion of cases going to trial would be an indication of a lesser degree of plea bargaining. It was found that in the career-criminal sample, 30 percent of the cases were decided by trial, compared to 11 percent in the comparison sample. This is a statistically significant difference ($\chi^2=37.9$, 1 d.f., $P < .01$). Table 7.17 shows the distribution of pleas and trial cases for each sample.

The career and noncareer samples were also compared on the basis of the ratio of the seriousness of each subject's arrest charge to the seriousness of conviction charge. Where there is less plea bargaining, the ratios should be smaller. When the charge reduction ratios for the two samples were compared the career-criminal sample

Table 7.17
Type of Disposition by Mode of Prosecution

Disposition Type	Prosecution Mode	
	Career Criminal	Noncareer criminal
Plea	394	291
Trial	164	37

$\chi^2 = 37.9$ 1 d.f. $P < .01$

was found to have a significantly lower ratio than the comparison sample ($t=4.9$, $P < .01$). The ratio of arrest seriousness to conviction seriousness was 1.01 for the career-criminal sample and 1.68 for the comparison sample.

The next step in the analysis was to determine whether differences in the charge reduction ratio could be attributed to career-criminal prosecution. The charge reduction ratio was treated as a dependent variable, and an individual's status as a career- or noncareer-criminal prosecution subject was treated as a categorical independent variable and included in a regression equation with other possibly relevant independent variables. Other variables entering into the regression equation included age, age at first arrest, mode of prosecution, race, sex, seriousness of current offense, number of prior arrests, number of prior convictions, seriousness of prior arrest record, and seriousness of prior conviction record. Independent variables were again allowed to enter into the regression equation in a stepwise fashion in order to determine the relative contribution of all variables to fluctuations in the dependent variable of charge reduction ratio. Mode of prosecution was the first variable to enter into the regression equation. Where noncareer-criminal prosecution was made equal to zero and career-criminal prosecution equal to 1, mode of prosecution was negatively correlated to charge reduction ratio ($r=-.237$), and explained over 5 percent of the variation in the dependent variable ($r^2=.056$, $F=46.3$, $P < .01$). The second variable to enter into the equation was age at first arrest. It was positively correlated with charge reduction ratio ($r=.230$) and explained over 3 percent of the variation ($r^2=.034$, $F=28.7$, $P < .01$). Seriousness of

the current offense was the third variable to enter the equation. It was positively correlated ($r=.101$) with the dependent variable, and explained just under 2 percent of the variation ($r^2=.019$, $F=27.8$, $P .01$). Age was the fourth variable to enter the equation; it was positively correlated ($r=.123$) to charge reduction ratio and explained less than 1 percent of the variation ($r^2=.005$, $F=3.9$, $P .05$). No other variables made any statistically significant contribution to the equation. Table 7.18 shows the intercorrelations among the first seven independent variables to enter the regression equation and the dependent variable of charge reduction ratio. The first four independent variables together explained slightly over 11 percent of the variation in the charge reduction ratio ($r^2=.113$, $F=24.6$, $P < .01$).

A second regression was carried out using the same dependent variable of charge reduction ratio but limiting the independent variables to mode of prosecution, age at first arrest, seriousness of current offense, and age. The outcome of this regression is shown in Table 7.19. The results were the same as the first in terms of the explanatory power and significance of the equation. The explanatory power of the mode of prosecution also remained the same when the equation was set up so that mode of prosecution entered the equation after all other independent variables. That is, mode of prosecution explained about 5 percent of the variation in charge reduction.

A third regression was carried out, using the square root of all values in order to evaluate the effect of extreme cases on the equation. The results of this regression showed that the amount of variation explained by the independent variables was somewhat higher than the regression run without square root values ($r^2=.181$, $F=56.9$,

Table 7.18

Correlation Matrix for Mode of Prosecution,* Age at First Arrest, Seriousness of Current Offense, Age, Number of Prior High-Seriousness Arrests, Sex,** Number of Prior High-Seriousness Convictions, and Charge Reduction Ratio

	Age at First Arrest	Seriousness of Current Offense	Age	Number of Prior High-Seriousness Arrests	Sex	Number of Prior High-Seriousness Convictions	Charge Reduction Ratios
Mode of prosecution	-.245	.209	.035	.254	.099	.325	-.237
Seriousness of current offense			.029	.018	.040	.000	-.066
Age				.390	.044	.423	.123
Number of prior high-seriousness arrests					.117	.691	-.080
Sex						.061	.004
Number of prior high-seriousness convictions							-.066

* 0=noncareer-criminal prosecution; 1=career-criminal prosecution

** 0=female; 1=male

Table 7.19

Regression Results of Mode of Prosecution, Age at First Arrest, Seriousness of Current Offense, and Age on Charge Reduction Ratio

	<u>DF</u>	<u>Sum of Squares</u>	<u>Mean Square</u>	<u>F</u>	<u>Prob > F</u>
Regression	4	157.6712	39.4178	24.64	0.0001
Error	771	1233.1623	1.5994		
Total	775	1390.8335			

	<u>B Value</u>	<u>Standard Error</u>	<u>Type II SS</u>	<u>F</u>	<u>Prob > F</u>
Intercept	0.4607				
Age	0.0123	0.0062	6.2986	3.94	0.0476
Mode of prosecution*	-0.6554	0.1006	67.7790	42.38	0.0001
Seriousness of current charge	0.0002	0.0001	27.8760	17.43	0.0001
Age at first arrest	0.0336	0.0085	24.9466	15.60	0.0001

$R^2 = .1134$

* 0=noncareer-criminal prosecution; 1=career-criminal prosecution

$P < .01$). An examination of scatterplots produced for crosstabulations of continuous variables did not reveal any nonlinear relationships.

The validation technique used for this regression was the same as that employed earlier: The entire sample was split into two groups, using an even-odd method of selection, with the even half serving as construction and the odd half serving as validation sample. The results of this validation process are shown in Table 7.20. It can be seen that the construction coefficient for the dependent variable underwent substantial shrinkage upon validation. Consequently, the relationship revealed in this regression equation must be viewed with caution.

Career Criminals and Crime-Type Switching

The third general objective of the research was to provide a comprehensive picture of the criminal behavior patterns of career criminals over an extended period of time. This portion of the research focused on career criminals over 30 years of age with at least three prior offenses ($N=181$).

In determining whether the crime-type sequence in arrest-to-arrest recidivism is nearly random in nature, as suggested by the work of Wolfgang et al., or whether there is some degree of specialization that would permit prediction of the type of future crime on the basis of criminal record, extensive use was made of the snowflake model of offense diversity. Offense transitions of all subjects over 30 years of age were examined for offenses 1 through 4, 4 through 7, and 7 through 10, and for five different beginning-offense categories. The categories were: (1) high-seriousness violent

Table 7.20
Construction and Validation Correlation Coefficients

Dependent Variable	Construction ¹ (N=382)	Validation ² (N=394)	Pearson's R
Charge reduction ratio	.218	.076	.66

1. The regression equation for the construction sample is represented by Y^1 (charge reduction ratio) = $-.3007 + -.5556$ (mode of prosecution) + $.0840$ (age at first arrest) + $.0003$ (seriousness of current offense).
2. The regression equation for the validation sample is represented by Y^1 (charge reduction ratio) = $1.6881 + -.6812$ (mode of prosecution) = $.0003$ (seriousness of current offense).

offenses, (2) low-seriousness violent offenses, (3) high-seriousness property offenses, (4) low-seriousness property offenses, and (5) nonindex (least serious) offenses. High-seriousness offenses were those whose seriousness scores exceeded the median seriousness score for all offenses. Figures 1 through 30 (see Appendix B) show the branching probabilities for the five categories, beginning with offenses 1, 4, and 7 for career-criminal and comparison samples. An examination of these figures for career-criminal subjects (Figures 1 through 15) shows that the crime type of last arrest is not necessarily the best predictor of the next offense type. For example, when the current offense is a low-violent, high-property, or high-violent type, the best predictor for the next offense is a nonindex or low-property offense in most cases. If one looks at combinations of transitions, however, it is evident that knowledge of more offenses can enhance the prediction to the next offense type. Figure 5 shows that when offense number 1 is a high-seriousness violent offense, the probability of a second high-seriousness violent offense is only .24. The highest probability is for the second offense to be in the low-property ($r=.36$) or nonindex ($r=.32$) category. When offense numbers 1 and 2 are high-seriousness violent offenses, however, the probability of a third high-seriousness violent offenses increases to .5. Given three consecutive high-seriousness violent offenses, the probability of a fourth high-seriousness violent offense increases to .66. The same pattern holds essentially true at each stage of long criminal careers. Figures 10 and 15 show the progression from offenses 4 through 7 and 7 through 10, respectively. These figures indicate that the progression to higher probabilities is not always steady but, given the

knowledge of two or more consecutive offenses of the same type, that type becomes the best predictor for the next offense type, assuming another offense is committed

There is also some evidence to suggest increasing specialization in a specific type of crime in later stages of the criminal career. It can be seen in Tables 7.15 and 7.16 that in moving from offenses 1 through 4 to offenses 7 through 10 the probabilities in all but one category decline. The figures in the tables refer to the probability that more than half the offenses (1 through 4, or 7 through 10) will be of that specific type. In both career-criminal and comparison samples where individuals have extensive records, there is movement toward specialization in low-seriousness property crimes, and away from other categories.

It was also noted earlier that career-criminal subjects did not exhibit the same type of criminal behavior in different age categories. The average number of arrests recorded at different ages decreased as the offender grew older. Table 7.7 shows the mean number of arrests by age category to age 44. While the career-criminal offender generally committed more offenses than the comparison-sample subject, the pattern over age groups was very similar for the two samples. These patterns of criminal intensity did not coincide, however, with the level of seriousness of criminal behavior. Table 7.9 shows mean arrest seriousness scores for career-criminal and comparison samples by age category. In the case of the comparison sample, the level of arrest seriousness scores reflects the level of criminal activity over age categories but the pattern in the career-criminal sample is quite different. Although criminal activity declines in the career-criminal

sample in the 25-29 and 30-34 age categories, the overall seriousness of the career offender's criminal activity is actually higher during these periods. The seriousness of criminal activity does not decline substantially until the offender reaches the 35-39 age category.

Violent and Property Offenders

The next stage of the research involved comparing the characteristics of violent and property offenders. Career-criminal offenders were classified as violent, property, or mixed offenders according to their histories of criminal behavior. If an offender's record consisted of 75 percent or more violent offenses, the offender was classified as a violent offender. In the same manner, an individual with a criminal record of 75 percent or more property offenses was classified as a property offender. Others were classified as mixed offenders. Subsequent to this classification process, the three groups were compared on the basis of age, race, sex, age at first conviction, number of pending cases, number of prior arrests, number of prior convictions, and whether drug addiction was known or suspected. The classification process resulted in 112 offenders being classified as violent; 221, property offenders; 197, mixed offenders; and 117 not being classified because their number of prior offenses was too small.

When violent offenders were compared to property offenders on the aforementioned variables, very few significant differences were found. Only in the area of number of prior arrests and number of prior convictions were the two groups significantly different ($t=5.4$, $P < .01$ in both cases). Violent offenders had shorter arrest records ($\bar{X}=5.1$), compared to property offenders ($\bar{X}=8.2$) and shorter conviction records,

$\bar{X}=4.9$, compared to 7.9. There were very few females in both categories, which probably accounts for the fact that no significant differences were found between the violent and property offenders on the basis of sex.

Some Benefits and Costs of Career-Criminal Prosecution

The fourth and last objective of this research was to examine the possible effects of the career-criminal program on defendants not identified as career criminals, as well as any changes in court staffing costs and any possible crime-reduction effects of present or modified career-criminal programs.

An attempt was made to determine whether length of time from arrest to disposition for noncareer-criminal offenders changed significantly with the inception of the career-criminal program. It was not possible to do this directly because the annual reports of the Detroit Records Court did not provide sufficient detail on processing time over the years. The Mitre evaluation of several career-criminal programs did seem to indicate some salutary effect on career-criminal cases and on noncareer-criminal cases as well in some instances. That is, the processing time from arrest to disposition was reduced.⁴

A comparison of career-criminal conviction rates with past conviction rates showed no substantial difference, but there was a substantial difference in the sentences given out under career-criminal prosecution once the offender was convicted. Sentencing patterns were examined at several points in the career criminal's prior criminal history. The points were selected so as to resemble the pattern of

offenses and offender types occurring under career-criminal prosecution. The sentencing patterns were assessed in terms of the proportion of offenders receiving incarcerative sentences of six months or more. Prior to career-criminal prosecution, the proportion of such offenders ranged from 35 to 41 percent; under career-criminal prosecution, the proportion increased to 85 percent. When compared with even the highest previous proportion (41 percent), this difference is statistically significant ($X^2=924.4$, 1 d.f., $P < .01$) and is obviously having an important effect on putting those convicted as career criminals out of circulation.

The career-criminal prosecution process also seems to be having the desired effect upon plea bargaining. An examination of prior arrests and convictions for career criminals reveals no pattern of less charge reduction with lengthier record or more serious offenses, but the charge reduction ratio drops from an average of 1.22 to 1.01 with career-criminal prosecution. The difference is not statistically significant but the change is in the direction of less plea bargaining, and coupled with the large upswing in the proportion of long incarcerative sentences, indicates that while career offenders may try to bargain, they are getting no bargains compared to noncareer criminals or to what they received in the past.

The implementation of the career-criminal program in Wayne County was not without monetary costs. The Prosecutor's Repeat Offenders Bureau of Wayne County consists of a director, eight trial attorneys, one appellate, one investigator, and two clerical persons. Until December 1977 the program was supported by federal funds amounting to approximately \$300,000 per year. In December 1977 the

program was picked up by the Wayne County budget.⁵

What does the public get for the monies expended? The Mitre Corporation evaluation of career-criminal programs did not support the notion that the career-criminal prosecution process resulted in increased incapacitation for career criminals.⁶ There is evidence in the Wayne County program that incapacitation is, in fact, increased as a result of career-criminal prosecution. However, this does not necessarily mean that crime will be reduced because career criminals are not generally identified as such until they are older, and then less likely to commit additional crimes anyway. One response of career-criminal prosecution supporters to this criticism has been the claim that the treatment is too little and too late. That is, criminals are not being punished severely enough at early enough ages. One must then ask how great an effect would earlier identification and severe punishment of career criminals have on reducing the level of crime. The records of persons who became habitual offenders were examined to determine the possible crime reduction effects of earlier career-criminal identification. Extensive information was not available on the juvenile records of career-criminal subjects. Therefore, different assumptions were made that offenders were sufficiently active as juveniles to qualify for career-criminal prosecution by ages 20, 22, and 25. This inflates the possible effects of an earlier identification process at the youngest of the three ages because it is unlikely that all potential career-criminal offenders would have sufficiently serious juvenile records to qualify them for career-criminal prosecution by age 20. Measurement of possible incapacitation effects of identification as career criminals is

probably more realistic when one assumes identification at ages 22 and 25 where juvenile records are available.

A reverse record check was the means of analysis for this measurement. The cohort under analysis consisted of all offenders 30 years of age or older in December 1977. All subjects, whether found guilty or not of the crimes with which they were charged, were initially assumed to have committed all of the crimes for which they were arrested. This overstates the effectiveness of an incapacitation policy.

Four sentencing practices were assumed for the three ages of classification as career criminals:

1. Where a person is prosecuted as a career criminal for a felony property offense and has a prior record consisting of only property offense convictions, a conviction shall result in the imposition of a two-year net mandatory prison term.
2. Where a person is prosecuted as a career criminal for a felony property offense and has a prior record containing one or more convictions for a violent felony, a conviction shall result in the imposition of a three-year net mandatory prison term.
3. Where a person is prosecuted as a career criminal for a violent felony offense and has a prior record containing only property offense convictions, a conviction shall result in the imposition of a three-year net mandatory prison term.
4. Where a person is prosecuted as a career criminal for a violent felony offense and has a prior record containing one or more convictions for violent felonies, a conviction shall result in the imposition of a five-year net mandatory prison term.

In light of these sentencing assumptions, the next step was to examine the criminal records of individuals beginning at the earliest recorded arrests, age 20 to 25, 22 to 30, and 25 to 30. The mandatory sentencing assumptions are similar to those used by Van Dine et al. and are somewhat arbitrary.⁷ Given the type of sentences meted out to career-criminal defendants, they are a reasonable approximation of the minimum penalty one would expect career criminals to receive.

The prior records of offenders were then examined to determine the proportion of offenders who would qualify for the two-, three-, and five-year mandatory sentences, respectively, at ages 20, 22, and 25. Where records did not indicate that the individual would qualify for any of the mandatory-sentence situations described, it was assumed that the individual being prosecuted as a career criminal would qualify for at least the two-year mandatory sentence. The proportions were used in conjunction with the number of arrests that would be expected from the group of offenders, two, three, and five years subsequent to the target ages of 20, 22, and 25. On the basis of the data analyzed, it was estimated that identification for two years of career criminals at age 20 in Wayne County would result in the prevention of 467 property offenses and 292 violent offenses over a subsequent five-year period. If the age of identification as career criminals were 22, the number of crimes prevented would be 549 property and 271 violent. Identification at age 25 would result in 465 property and 264 violent offenses being prevented over five years. If career criminals could be consistently identified by age 22 over time, it is estimated that the potential effect on the crime index in Wayne County would be a reduction of 420 serious crimes over one year. Using a 1979 total index crime figure

of 110,725, this is a reduction of three-tenths of 1 percent. Of course, these figures are based on recorded offenses, and it is possible that the actual number of offenses prevented would be greater because the offenders are not apprehended and prosecuted for all offenses committed. This also does not take into account any general deterrence effect of an enhanced incapacitation policy.

Petersilia et al. found that 32 percent of their sample of habitual felons could be classified as intensive offenders, with the remaining 68 percent being classified as intermittent offenders. They also found that intensive offenders were arrested an average of one time per twenty-five offenses committed, while intermittent offenders were arrested once per five offenses committed.⁸ If we assume that the arrest ratios are similar for other habitual offenders and that the makeup of the present sample is roughly similar in terms of the proportions of intensive and intermittent offenders, it is possible that as many as 9,348 serious crimes would be prevented in the Detroit area over a two-year period, were persons to be identified as career criminals at age 22. This amounts to 4,674 serious crimes per year. Figures from the 1979 Crime in the United States show the number of index crimes in the same area to be 110,725 for a single year. The prevention of 4,674 serious offenses per year by means of incapacitation would constitute a 4.2 percent reduction in the number of serious crimes over one year.

Notes

1. Recorded arrests rather than convictions were used to analyze offense distributions and transition probabilities for both samples. Roebuck, among others, has pointed out "that the further one gets away from a criminal's arrest history, the more obscure and distorted become the facts of his criminal activities." See Julian B. Roebuck, Criminal Typology: The Legalistic, Physical Constitutional-Hereditary, Psychological-Psychiatric and Sociological Approaches (Springfield, IL: Charles C Thomas, 1967), pp. 100-1.

2. Where independent variables were highly intercorrelated, the measure that seemed to provide the most useful information was retained. Independent variables that were not highly intercorrelated with other independent variables were also dropped if they did not contribute significantly to the explanation of the variance in the dependent variables.

3. U.S., Department of Justice, National Institute of Justice, Career Criminal Program National Evaluation (Washington, DC: Government Printing Office, July 1981).

4. Ibid.

5. Figures were taken from the annual reports of the Wayne County Prosecutor's Office for the years 1976 and 1977.

6. Eleanor Chelimsky and Judith Dahmann, "The Mitre Corporation's National Evaluation of the Career Criminal Program: A Discussion of the Findings," Journal of Criminal Law and Criminology 71 (Summer 1980):106.

7. Stephen Van Dine, Simon Dinitz, and John Conrad, "The Incapacitation of the Dangerous Offender: A Statistical Experiment," Journal of Research in Crime and Delinquency 14 (1977):22-34.

8. See note 6, above.

CHAPTER VIII

CONCLUSION

The results of the data analysis described in Chapter VII of this research make patent that at least in the case of Wayne County, Michigan, the persons selected for career criminal are very different from those not selected for this special form of prosecution. The differences were found in spite of the fact that the Detroit Prosecutor's Repeat Offenders Bureau (PROB) is more than a career-criminal program. In addition to selecting individuals with serious records for prosecution, PROB gives the same special prosecutorial attention to designated serious offenders with minor or no prior records. The special prosecution unit in Detroit might best be described, then, as a major violators unit. Major violators or career criminals, the offenders prosecuted by this unit, were more serious about crime than subjects in this study's comparison sample. Offenders in the career-criminal sample were arrested more times, convicted more times, committed more violent offenses, committed more serious offenses, and persisted in crime for longer periods of time than did subjects from the comparison sample. PROB has been very successful in singling out the most serious, persistent, and perhaps incompetent offenders for special prosecutorial attention. Career-criminal subjects appear to be incompetent because prior record

and crime-seriousness variables accounted for less than 20 percent of the variation in the decision to prosecute offenders as career criminals. It appears that variables such as strength of case and perceived chances to obtain convictions may still be the most important factors in deciding whether to prosecute persons as career criminals.

Analysis of the data also revealed a tendency for increasing specialization by career criminals in later stages of their criminal careers. The comparison-sample subjects also moved toward more specialization later on but, unlike career-criminal subjects, tended to concentrate on minor offenses late in their careers. Career-criminal subjects were more likely to concentrate on more serious property offenses and serious violent offenses late in their criminal careers than were comparison subjects. The trend to persist in serious criminal behavior for a longer period of time can be clearly seen in Table 7.9. The peak years for serious criminal behavior by career-criminal subjects were ages 25 to 34. This is very important information in evaluating the utility of career-criminal prosecution other than on the basis of improved management of cases.

When career-criminal prosecution programs were initiated, they were touted as an effective method of reducing crime. Later, it was discovered that the average age of persons prosecuted as career criminals was 29 years, an age at which many persons are maturing out of crime. This research shows, however, that although career criminals may be committing fewer crimes at age 29 than when they were younger, they are also in the middle of the period when they can be expected to exhibit the most serious form of criminal behavior. Career-criminal programs in their present form may not be greatly reducing the number

of crimes committed by incapacitating selected offenders for long periods of time, but the programs are probably succeeding at getting individuals off the streets during the period when they are most likely to be committing more serious crimes.

The data also indicated that in addition to being a serious offender, the career-criminal subject was not particularly successful at committing crimes, and concentrated nearly all of his criminal activities within the same metropolitan area. The evidence points to the person prosecuted under the career-criminal program being best described not as a skilled professional but as a conventional career criminal. Clinard and Quinney describe the conventional career criminal as being involved primarily with crimes relating to property but, within the boundary of property offenses, likely to have a diversified offense record. Because the conventional career criminal lacks the skills and organizational contacts of the professional criminal, he or she is more likely eventually to be arrested and imprisoned. Consequently, conventional career criminals swell the prison ranks, perhaps to the point of constituting as many as half of all inmates.¹

In addition to selecting the most serious offenders, PROB was also successful in keeping plea bargaining to a minimum and getting long sentences for those convicted under the program. Career-criminal cases were more likely to go to trial and, by empirical measurement, had the seriousness of charges reduced less than subjects in the comparison sample, or compared to the previous experience of the career criminals. Career-criminal prosecution also substantially increased the incarceration time meted out to serious offenders.

As in the case of the relationship of offenders' criminal records to selection for career-criminal prosecution, the relationship between charge reduction and the career-criminal prosecution process must be qualified. The relationship is present but it is not strong. The career-criminal prosecution process accounted for only about 5 percent of the variation in charge reduction. Other measured factors having to do with age and prior criminal behavior accounted for an additional 6 percent of the variation. This means that 89 percent of the variation in charge reduction remains unexplained. One can only surmise that unmeasured variables similar to those affecting selection for career-criminal prosecution also play an important role in plea bargaining. These variables may have very little to do with keeping dangerous offenders off the streets but rather are related again to the strength of the prosecutor's case and the effort required to get a conviction.

For those cases selected for career-criminal prosecution, prosecutors are extremely efficient in keeping plea bargaining to a minimum and getting tough sentences while keeping conviction rates high. The problem appears to be with the selection process. Only the serious offenders who constitute the best cases from the standpoint of convictability get selected for career-criminal prosecution. This insures a good prosecution track record in getting a high percentage of convictions, lengthy sentences, and minimal plea bargaining. It may be true that the proportion of serious cases prosecuted is greater than would have been so before the inception of the career-criminal program, but the low explanatory power of variables associated with prior criminal behavior in the selection process for career-criminal

prosecution indicates room for further improvement. The best way to get more "good cases" for career-criminal prosecution may be to shore up the investigative support associated with career-criminal programs and to provide for more intensive work with the police in building good cases against serious offenders. Another approach would be generally to improve police and court handling of victims and witnesses, although this would be less amenable to control by a special career-criminal prosecution team.

More career criminals may be taken off the streets if prosecutors can be convinced that job security and promotion do not depend only on a high conviction rate. If this were accomplished, some percentage of the weaker cases could be successfully prosecuted. Reeducation of those who supervise prosecutors and perhaps of the public would be required before this could take place. Some sort of case-rating system, such as that used in a number of probation departments, might be helpful also. With cases rated according to an estimate of convictability, prosecutors could be evaluated on different scales according to the quality of cases handled by them.

As indicated in Chapter VII, this research effort was not particularly successful in determining the effect of career-criminal prosecution on noncareer-criminal cases or on the overall efficiency of the prosecutor's office. The evaluations carried out by the Mitre Corporation, however, seem to indicate that at least no harm is being done and perhaps the overall efficiency of the prosecutor's office improves somewhat where career-criminal programs exist.² This may not be enough in itself to justify the additional expense of such programs. However, the programs can have an effect on preventing crimes that

would have been committed by career criminals were they not incapacitated. Estimates of the number of crimes that could be prevented through earlier identification of career criminals show that the numbers are small, compared to the amount of serious crime reported, but the overall seriousness of offenses prevented may be significant. Of course, estimates in this analysis were based solely on recorded arrests. The actual number of offenses prevented may be higher. The number and seriousness of offenses prevented would also increase if career-criminal units become better at prosecuting weaker cases involving offenders with serious records.

The results of the analyses of the criminal behavior patterns of individuals who are classified as career criminals also have implications for assessment of the criminal justice system beyond career-criminal programs. The results underscore the need to look at the type of offenses committed by individuals, in addition to number of offenses in the record. If incapacitation efforts, whether by police, prosecutors, judges, or parole boards, are concentrated primarily in the period of most intense criminal activity (ages 15-24), we may be missing the opportunity to deal more effectively with the more serious crimes committed from age 25 through 34.

This research also emphasized the difficulty of predicting violent criminal behavior on the basis of characteristics other than a combination of length and type of prior criminal record. The best predictor of future violent acts is a history of violent acts. Unfortunately, a serious violent act is not the best predictor for subsequent offenses until a minimum of two serious violent offenses have been committed. All of this assumes that another offense will be

committed. Of course, a certain percentage of offenders will commit no further criminal acts.

The first four chapters of this research traced the development of the legal handling and classification of career-criminal types, such as professional, semiprofessional, and conventional. While the persons prosecuted under the Wayne County career-criminal program might best be described as semiprofessional or conventional--that is, technical skill is not characteristic of these offenders--it was not possible to establish a detailed typology of the career criminal in Wayne County. This is due to the fact that in many instances the decision to classify as a career criminal is more a function of prosecutor discretion regarding the strength of a case than the individual criminal's social and criminal background.

The primary means of dealing with individuals classified as career criminals remains one of incapacitation, on the basis of the belief that at least those persons caught and prosecuted as career criminals will be incarcerated for a long time and thus prevented from committing serious crimes against the public. This is an obvious truism. If offenders are locked up, they cannot commit street crimes. The more difficult issue to assess was the degree of impact a career-criminal prosecution policy might have on the overall crime rate. It does not appear that career-criminal programs can have a substantial effect on serious street crime as long as individuals are not identified and prosecuted as career criminals until age 27 or older. Results of this research did indicate that earlier identification of career criminals (e.g., at age 22) could produce a reduction of up to 4 percent in the number of serious crimes committed.

Whether or not the statistics bear out any claims of crime reduction for career-criminal prosecution, the programs remain very popular with prosecutors, and there is some evidence from the Mitre evaluation of career-criminal programs that the overall efficiency of prosecutor offices may be enhanced where these programs exist.

Another important aspect of career-criminal programs is the impression they give to the public that someone is "doing something" about serious street crime. Vigorous prosecution and longer terms for hardened criminals are generally popular, regardless of the overall impact the practice may have on crime rates.

Notes

1. Don C. Gibbons, Changing the Lawbreaker (Englewood Cliffs, NJ: Prentice-Hall, 1965), p. 135.
2. U.S., Department of Justice, National Institute of Justice, Career Criminal Program National Evaluation (Washington, DC: Government Printing Office, July 1981).

REFERENCES

- Austin, Roy L. "Offense History and Recidivism," Offender Rehabilitation 1 (1976-1977):209.
- Blumstein, Alfred, and Michael A. Greene. Analysis of Crime-Type Switching in Recidivism. Pittsburgh: Urban Systems Institute, 1976.
- _____, and Richard Larson. "Models of a Total Criminal Justice System," Operations Research 17 (1969):199.
- Brown, George K. "The Treatment of the Recidivist in the United States," The Canadian Bar Review 23 (1945):630.
- Chambliss, Bill. Box Man: A Professional Thief's Journey. New York: Harper and Row, 1972.
- Clinard, Marshall B., and Richard Quinney. Criminal Behavior Systems: A Typology. New York: Holt, Rinehart and Winston, 1967.
- Cohen, Phillip. "Profile of a Criminal Carrer," The Verdict 2 (1977): 3.
- Collins, James J. "Chronic Offender Careers." Paper presented at the American Society of Criminology Annual Meeting, Tucson, AZ, November 4-7, 1976.
- Conklin, John E. Robbery and the Criminal Justice System. Philadelphia: J. B. Lippincott Company, 1972.
- Dahmann, J. S., E. Albright, L. Hardacre, and L. S. Russell. Site Selection for the National-Level Evaluation of the Career Criminal Program. MITRE Corporation, September, 1976.
- _____, and James L. Lacy. Criminal Prosecutions in Four Jurisdictions: Departures from Routine Processing in the Career Criminal Program. MITRE Corporation, June, 1977.
- _____, and _____. Targeted Prosecution: The Career Criminal, Orleans Parish, Louisiana. MITRE Corporation, June, 1977.

- Erickson, Maynard L., and LeMar T. Empey. "Court Records, Undetected Delinquency and Decision Making," Journal of Criminal Law, Criminology and Police Science 54 (1963):456.
- Ferrero, Gina Lombroso. Criminal Man According to the Classification of Cesare Lombroso. New York: G. P. Putnam's Sons, 1911.
- Forst, Brian, and Kathleen B. Brosi. "A Theoretical and Empirical Analysis of the Prosecutor," Journal of Legal Studies 6 (1977): 177.
- _____, Judith Lucianovic, and Sarah J. Cox. What Happens After Arrest?. Washington: Institute for Law and Social Research, 1977.
- Fox, Lionel W. The English Prison and Borstal Systems. London: Routledge & Kegan Paul, 1952.
- Frum, Harold F. "Adult Criminal Offense Trends Following Juvenile Delinquency," Journal of Criminal Law, Criminology and Police Science 49 (1958):29.
- Gibbons, Don C. Changing the Lawbreaker. Englewood Cliffs, NJ: Prentice-Hall, 1965.
- _____. Society, Crime, and Criminal Careers. Englewood Cliffs, NJ: Prentice-Hall, 1973.
- Glaser, Daniel. The Effectiveness of a Prison and Parole System. Indianapolis: Bobbs-Merrill, 1964.
- Glueck, Sheldon, and Eleanor Glueck. Five Hundred Criminal Careers. New York, 1939; New York: Kraus Reprint Corporation, 1966
- _____, and _____. Later Criminal Careers. New York: The Commonwealth Fund, 1937; New York: Kraus Reprint Corporation, 1966.
- _____, and _____. Unraveling Juvenile Delinquency. New York: The Commonwealth Fund, 1950.
- Goodman, Leo A. "Statistical Methods for the Mover-Stayer Model," Journal of the American Statistical Association 56 (1961):841.
- Goring, Charles, The English Convict: A Statistical Study. London: His Majesty's Stationery Office, 1913; Montclair, NJ: Patterson Smith, 1972.
- Gottfredson, Gary D. "Organizing Crime: A Classification Scheme Based on Offense Transitions," Journal of Criminal Justice 3 (1975):321.

- Great Britain. Parliament. Commons. "Report from the Departmental Committee on Habitual Offenders," British Sessional Papers 37 (1895):1.
- _____. _____. _____. "Report from the Departmental Committee on Prisons," British Sessional Papers 56 (1895):1.
- _____. _____. _____. "Report of a Committee Appointed by the Secretary of State to Inquire Into the Best Means Available for Identifying Habitual Criminals," British Sessional Papers 86 (1895):108.
- Hammond, W. H., and Edna Chayen. Persistent Criminals. London: Her Majesty's Stationery Office, 1963.
- Hirschi, Travis, and Hanan C. Selvin. Delinquency Research. New York: Free Press, 1967.
- Hood, Roger, and Richard Sparks. Key Issues in Criminology. New York: McGraw-Hill, 1970.
- Inciardi, James A. Careers in Crime. Chicago: Rand McNally College Publishing Company, 1975.
- Irwin, John. The Felon. Englewood Cliffs, NJ: Prentice-Hall, 1970.
- Kelley, Clarence M. Crime in the United States. Washington: Government Printing Office, 1975.
- Kerlinger, Fred N. Foundations of Behavioral Research. New York: Holt, Rinehart and Winston, 1973.
- "An LEAA Success: The Career Criminal Program," Crime Control Digest 2 (November 1977).
- Lerman, Paul. Community Treatment and Social Control: A Critical Analysis of Juvenile Correctional Policy. Chicago: University of Chicago Press, 1975.
- Lombroso, Cesare. Crime, Its Causes and Remedies. Boston: Little, Brown and Company, 1918.
- McKenna, James Joseph. "An Empirical Testing of a Typology of Adult Criminal Behavior." Ph.D. dissertation, University of Notre Dame, 1972.
- Morris, Norval. The Habitual Criminal. London: Longmans, Green, for the London School of Economics, 1951.
- National Legal Data Center. Career Criminal Program (An Overview). Thousand Oaks, CA, October, 1977.

- _____. Data Collection Handbook. Thousand Oaks, CA, May, 1977.
- _____. Legal Background Materials for the Career Criminal Program. Thousand Oaks, CA, August 1977.
- _____. Specifications for Case Data Form. Thousand Oaks, CA, September, 1977.
- Nettler, Gwynn. Explaining Crime. New York: McGraw-Hill, 1974.
- New York. Report of the Crime Commission for 1929. Albany, 1930.
- Petersilia, Joan, Peter W. Greenwood, and Marvin Lavin. Criminal Careers of Habitual Felons. Santa Monica: Rand, August, 1977.
- Pittman, David J., and William Handy. "Patterns in Criminal Aggravated Assault," Journal of Criminal Law, Criminology and Police Science 55 (1964):462.
- Ploscowe, Morris, ed. Organized Crime and Law Enforcement. New York: Grosby Press, 1952.
- Pope, Carl E. Crime Specific Analysis: An Empirical Examination of Burglary Offender Characteristics. Washington: Government Printing Office, 1977.
- Roebuck, Julian B. Criminal Typology: The Legalistic, Physical-Constitutional-Hereditary, Psychological-Psychiatric and Sociological Approaches. Springfield, IL: Charles C Thomas, 1967.
- Roucek, Joseph S., ed. Sociology of Crime. New York: Philosophical Library, 1961.
- Rubin, Sol. The Law of Criminal Correction. St. Paul: West Publishing Company, 1973.
- Sabo, Ronald W. State Habitual or Dangerous Offender Statutes and Selected Firearms Use Enhancement Laws. Thousand Oaks, CA: National Legal Data Center, 1975.
- Sellin, Thorsten, and Marvin E. Wolfgang. The Measurement of Delinquency. New York: John Wiley and Sons, 1964.
- Shaw, Clifford R. The Natural History of a Delinquent Career. Philadelphia: Albert Saifer, 1951.
- Shin, H. Joo. "Do Lesser Pleas Pay?: Accommodations in the Sentencing and Parole Processes," Journal of Criminal Justice 1 (1973):27.
- Shinnar, Revel, and Shlomo Shinnar. "The Effects of the Criminal Justice System on the Control of Crime: A Quantitative Approach," Law and Society Review 9 (1975):581.

Sutherland, Edwin H. The Professional Thief. Chicago: University of Chicago Press, 1937.

_____, and Donald Cressey. Criminology. Philadelphia: J. B. Lippincott, 1974.

Taylor, R. S. "The Habitual Criminal: Observations on Some of the Characteristics of Men Sentenced to Preventive Detention," British Journal of Criminology 1 (1960-1961):21.

U.S. National Institute of Law Enforcement and Criminal Justice. Curbing the Repeat Offender: A Strategy for Prosecutors. Washington: Government Printing Office, 1977.

_____. Highlights of Interim Findings and Implications. Washington: Government Printing Office, 1977.

_____. President's Commission on Law Enforcement and Administration of Justice. Task Force Report: Science and Technology. Washington: Government Printing Office, 1967.

Van Dine, Stephan, Simon Dinitz, and John Conrad. "The Incapacitation of the Dangerous Offender: A Statistical Experiment," Journal of Research in Crime and Delinquency 14 (1977):22.

West, D. J. The Habitual Prisoner. London: Macmillan and Company, 1963.

Wilkins, Leslie T. Social Deviance. Englewood Cliffs, NJ: Prentice-Hall, 1965.

Wolfgang, Marvin E., Robert M. Figlio, and Thorsten Sellin. Delinquency in a Birth Cohort. Chicago: University of Chicago Press, 1972.

APPENDIX A

NATIONAL LEGAL DATA CENTER, INC.
 100 E. Thousand Oaks Blvd., Suite 177
 Thousand Oaks, CA 91360 • 805-497-3786 CAREER CRIMINAL CASE DATA FORM

JURISDICTION CODE: _____ REPORT PERIOD TO _____

I. DEFENDANT

1. CASE NUMBER(S) (max. of 13 annual 10/1/78-9/30/82)	2. PRIORS A. Number of Priors Arrested _____ B. Number of Pending Cases _____ C. Number of Pendency Connections _____ D. Number of Measurement Connections _____ E. Check if other Medical Connection _____ F. Check if other Severe Offender Connection _____	3. SELECTION CRITERIA SCORE(S) A. CRIME _____ B. CRIMINAL _____ C. TOTAL _____	5. DEFENDANT STATUS CODE _____
		4. PREVIOUS CRIMINAL RECORD None _____ Local _____ Non-Local _____	6. DRUG ADDICTION Known/Suspected _____
		7. TIME SINCE RELEASE FROM INCARCERATION Year _____ Month _____ Day _____	

8. CCP IDENTIFICATION CODE	9. DATE OF BIRTH ____/____/____	10. PLACE OF BIRTH CITY _____ STATE _____	11. SEX M _____ F _____	12. RACE W _____ M _____ O _____	13. MARITAL STATUS M _____ D _____ W _____ C _____
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14. LENGTH OF TIME IN JURISDICTION Year _____ Month _____ Day _____	15. EMPLOYMENT STATUS Full-Time _____ Part-Time _____ Unemployed _____ New-Marrier _____ Student _____ Internship _____	16. CO-DEFENDANT(S) A. Total Number of Co-Defendants _____ B. Number of CCP Co-Defendants (max. of 12) _____	C. CCP Co-Defendant ID Codes
--	---	--	------------------------------

DEFENDANT STATUS CODES: 1. Priors Arrested, 2. Priors Pending, 3. Probation, 4. Suspended Sentence, 5. Escape, 6. Misdemeanor, 7. Felony, 8. None, 9. In Jail, 0. Other (Part VIII) RACE CODES: 1. Anglo, 2. Black, 3. Spanish Speaking, 4. Oriental, 5. Am. Indian, 6. Other (Part VIII)

II. CRIMINAL EVENT

17. ARRESTING AGENCY Number of Offenses _____ (max. of 20)	18. ARRESTING UNIT (max. of 20)	19. Victim's Relationship to Offender No Victim _____ Name, Other: _____	20. CHARGING METHOD A. Complaint B. Informal C. Indictment D. Other
21. DATE OF OFFENSE ____/____/____	22. TIME AM _____ PM _____ C _____	23. PLACE OF OFFENSE PLACE _____ ADDRESS _____ CITY _____	24. DATE OF ARREST ____/____/____
25. TIME AM _____ PM _____ C _____	26. PLACE OF ARREST PLACE _____ ADDRESS _____ CITY _____	27. INITIAL CUSTODY METHOD A. Warrant B. No Warrant C. Surrender D. Estimation	
28. DID ACCUSED WEAPON AT Type _____ Time of Offense/Arrest _____ Yes _____ No _____	29. WEAPON OR PHYSICAL FORCE USED AGAINST PERSON? Type Used _____ No Used _____ Yes _____ No _____	30. STOLEN PROPERTY/ EVIDENCE RECOVERED? Yes _____ No _____ Used _____	

III. CHARGES (max. of 30)

31. CHARGE (one charge per line)	32. STATUTE	33. NLCC USE ONLY	34. FILED BY AND DATE (Complete to last year)	35. DISPOSITION		36. REASON CODE or DISPOSITION CHARGE	37. DISPOSITION DATE
				TYPE	CODE		
1.		<input type="checkbox"/>	POLICE PROS. G.J.				//
2.		<input type="checkbox"/>	POLICE PROS. G.J.				//
3.		<input type="checkbox"/>	POLICE PROS. G.J.				//
4.		<input type="checkbox"/>	POLICE PROS. G.J.				//

DISPOSITION TYPES: 1. Arraigned, 2. Nolle Prosequi, 3. Nolle Prosequi, 4. Nolle Prosequi, 5. PDI (Prosecutor Dismissal), 6. CCI (Court Dismissal), 7. PDI (Post Convict), 8. PDI (Post Guilty During Trial), 9. NC (Nolle Contemner), 10. JCI (Juvenile Conviction), 11. AJ (Alimony Acquittal), 12. NJC (New Jury Acquittal), 13. TJ (Trial Verdict), 14. CA (Case Abated), 15. NCC (Nolle Contemner During Trial), 16. JAI (Administrative Acquittal), 17. JAI (Administrative Acquittal), 18. JAI (Administrative Acquittal), 19. JAI (Administrative Acquittal), 20. JAI (Administrative Acquittal), 21. JAI (Administrative Acquittal), 22. JAI (Administrative Acquittal), 23. JAI (Administrative Acquittal), 24. JAI (Administrative Acquittal), 25. JAI (Administrative Acquittal), 26. JAI (Administrative Acquittal), 27. JAI (Administrative Acquittal), 28. JAI (Administrative Acquittal), 29. JAI (Administrative Acquittal), 30. JAI (Administrative Acquittal)

REASON CODES: 16. Judgment Bar, 17. Criminal, 18. Probation, 19. Construction Defect, 20. Indigent, 21. Missing Availability, 22. Missing Attorney, 23. Missing Conviction, 24. Statement, 25. No Probable Cause, 26. Government, 27. Pre Agreement, 28. Other (Part VIII), 29. No Satisfaction Benefit, 30. Escape, 31. Warrant Jurisdiction, 32. Inmate Acquittal, 33. Legal Defense.

IV. TRIAL OFFICIALS (Max. of 9 List Names)			
38. PROSECUTOR(S)	39. A. DEFENSE COUNSEL(S)	40. CODES	41. JUDGE(S)

DEFENSE COUNSEL CODES: (from 281) P (Prosecutor), PD (Public Defender/ Legal Aid), CA (Court Appointed) 577 Rev. 1

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CAREER CRIMINAL CASE DATA FORM - PAGE 2

V. COURT EVENTS (max. of 24)

41. DATE	42. RELEASE STATUS (see Code of Court Events)			43. TYPE OF EVENT									45. NO. REC. BY	44. DATE CONT. TO
1. // //	<input type="checkbox"/> At Large <input type="checkbox"/> PR <input type="checkbox"/> Jail	<input type="checkbox"/> Bond <input type="checkbox"/> Other (Part VII) <input type="checkbox"/> Sand/Jail	<input type="checkbox"/> 111 1st Hearing <input type="checkbox"/> 112 Pre/PTM <input type="checkbox"/> 113 Motion <input type="checkbox"/> 114 Trial <input type="checkbox"/> 115 G.L.	<input type="checkbox"/> Arraignment <input type="checkbox"/> Motion <input type="checkbox"/> Motion <input type="checkbox"/> Trial <input type="checkbox"/> Trial	<input type="checkbox"/> PS/IS <input type="checkbox"/> Appeal <input type="checkbox"/> Other (Part VII)	<input type="checkbox"/> Fee <input type="checkbox"/> Fee <input type="checkbox"/> Fee								
2. // //	<input type="checkbox"/> At Large <input type="checkbox"/> PR <input type="checkbox"/> Jail	<input type="checkbox"/> Bond <input type="checkbox"/> Other (Part VII) <input type="checkbox"/> Sand/Jail	<input type="checkbox"/> 111 1st Hearing <input type="checkbox"/> 112 Pre/PTM <input type="checkbox"/> 113 Motion <input type="checkbox"/> 114 Trial <input type="checkbox"/> 115 G.L.	<input type="checkbox"/> Arraignment <input type="checkbox"/> Motion <input type="checkbox"/> Motion <input type="checkbox"/> Trial <input type="checkbox"/> Trial	<input type="checkbox"/> PS/IS <input type="checkbox"/> Appeal <input type="checkbox"/> Other (Part VII)	<input type="checkbox"/> Fee <input type="checkbox"/> Fee <input type="checkbox"/> Fee								
3. // //	<input type="checkbox"/> At Large <input type="checkbox"/> PR <input type="checkbox"/> Jail	<input type="checkbox"/> Bond <input type="checkbox"/> Other (Part VII) <input type="checkbox"/> Sand/Jail	<input type="checkbox"/> 111 1st Hearing <input type="checkbox"/> 112 Pre/PTM <input type="checkbox"/> 113 Motion <input type="checkbox"/> 114 Trial <input type="checkbox"/> 115 G.L.	<input type="checkbox"/> Arraignment <input type="checkbox"/> Motion <input type="checkbox"/> Motion <input type="checkbox"/> Trial <input type="checkbox"/> Trial	<input type="checkbox"/> PS/IS <input type="checkbox"/> Appeal <input type="checkbox"/> Other (Part VII)	<input type="checkbox"/> Fee <input type="checkbox"/> Fee <input type="checkbox"/> Fee								
4. // //	<input type="checkbox"/> At Large <input type="checkbox"/> PR <input type="checkbox"/> Jail	<input type="checkbox"/> Bond <input type="checkbox"/> Other (Part VII) <input type="checkbox"/> Sand/Jail	<input type="checkbox"/> 111 1st Hearing <input type="checkbox"/> 112 Pre/PTM <input type="checkbox"/> 113 Motion <input type="checkbox"/> 114 Trial <input type="checkbox"/> 115 G.L.	<input type="checkbox"/> Arraignment <input type="checkbox"/> Motion <input type="checkbox"/> Motion <input type="checkbox"/> Trial <input type="checkbox"/> Trial	<input type="checkbox"/> PS/IS <input type="checkbox"/> Appeal <input type="checkbox"/> Other (Part VII)	<input type="checkbox"/> Fee <input type="checkbox"/> Fee <input type="checkbox"/> Fee								
5. // //	<input type="checkbox"/> At Large <input type="checkbox"/> PR <input type="checkbox"/> Jail	<input type="checkbox"/> Bond <input type="checkbox"/> Other (Part VII) <input type="checkbox"/> Sand/Jail	<input type="checkbox"/> 111 1st Hearing <input type="checkbox"/> 112 Pre/PTM <input type="checkbox"/> 113 Motion <input type="checkbox"/> 114 Trial <input type="checkbox"/> 115 G.L.	<input type="checkbox"/> Arraignment <input type="checkbox"/> Motion <input type="checkbox"/> Motion <input type="checkbox"/> Trial <input type="checkbox"/> Trial	<input type="checkbox"/> PS/IS <input type="checkbox"/> Appeal <input type="checkbox"/> Other (Part VII)	<input type="checkbox"/> Fee <input type="checkbox"/> Fee <input type="checkbox"/> Fee								
6. // //	<input type="checkbox"/> At Large <input type="checkbox"/> PR <input type="checkbox"/> Jail	<input type="checkbox"/> Bond <input type="checkbox"/> Other (Part VII) <input type="checkbox"/> Sand/Jail	<input type="checkbox"/> 111 1st Hearing <input type="checkbox"/> 112 Pre/PTM <input type="checkbox"/> 113 Motion <input type="checkbox"/> 114 Trial <input type="checkbox"/> 115 G.L.	<input type="checkbox"/> Arraignment <input type="checkbox"/> Motion <input type="checkbox"/> Motion <input type="checkbox"/> Trial <input type="checkbox"/> Trial	<input type="checkbox"/> PS/IS <input type="checkbox"/> Appeal <input type="checkbox"/> Other (Part VII)	<input type="checkbox"/> Fee <input type="checkbox"/> Fee <input type="checkbox"/> Fee								
7. // //	<input type="checkbox"/> At Large <input type="checkbox"/> PR <input type="checkbox"/> Jail	<input type="checkbox"/> Bond <input type="checkbox"/> Other (Part VII) <input type="checkbox"/> Sand/Jail	<input type="checkbox"/> 111 1st Hearing <input type="checkbox"/> 112 Pre/PTM <input type="checkbox"/> 113 Motion <input type="checkbox"/> 114 Trial <input type="checkbox"/> 115 G.L.	<input type="checkbox"/> Arraignment <input type="checkbox"/> Motion <input type="checkbox"/> Motion <input type="checkbox"/> Trial <input type="checkbox"/> Trial	<input type="checkbox"/> PS/IS <input type="checkbox"/> Appeal <input type="checkbox"/> Other (Part VII)	<input type="checkbox"/> Fee <input type="checkbox"/> Fee <input type="checkbox"/> Fee								
8. // //	<input type="checkbox"/> At Large <input type="checkbox"/> PR <input type="checkbox"/> Jail	<input type="checkbox"/> Bond <input type="checkbox"/> Other (Part VII) <input type="checkbox"/> Sand/Jail	<input type="checkbox"/> 111 1st Hearing <input type="checkbox"/> 112 Pre/PTM <input type="checkbox"/> 113 Motion <input type="checkbox"/> 114 Trial <input type="checkbox"/> 115 G.L.	<input type="checkbox"/> Arraignment <input type="checkbox"/> Motion <input type="checkbox"/> Motion <input type="checkbox"/> Trial <input type="checkbox"/> Trial	<input type="checkbox"/> PS/IS <input type="checkbox"/> Appeal <input type="checkbox"/> Other (Part VII)	<input type="checkbox"/> Fee <input type="checkbox"/> Fee <input type="checkbox"/> Fee								

CONTINUATION REASON CODES: 15. Court Unable to Reach Case, 16. Pre-Association, 62. Present Investigation, 63. Sentencing, 64. Pre-Trial Assistance Review, 64. Other (Code in Part VII), 67. & Fee, 68. & Not Proceeded by Jailer, 69. & Not Continued, 70. & Status Problem, 71. Prosecutor Unavailable, 72. Witness Unavailable, 74. Judge Unavailable, 75. Trialset Under Agreement by Ct., 76. Pre- Trial, 77. Pre- Trial, 78. Not Completed, 78. Adj. Pre Court Case, 79. Adj. Trial Other Case.

OTHER EVENT CODES: 80. Announcement, 81. Note Pre-Dismissal, 82. Pre-Preparation Violation, 83. Status Offense/Enhancement, 84. Report Card.

NOTATION EVENT CODES: 85. Release Status, 86. Evidentiary Sufficiency, 87. Superior & Superior, 88. Superior (Witness), 89. Concerning Counsel, 90. Existing Public Record, 91. Note Trial, 92. Pre- Courtroom, 93. Entitlement, 94. Dismissal, 95. Set Aside Plea, 96. Procedure, 97. Continuance.

REQUESTED BY CODES: 98. Defense, 99. Prosecutor, 100. Joint Agreement of Defense & Prosecutor, 101. Court.

VI. SENTENCES (max. of 20)

47. CONFINEMENT		48. FINE		49. SPECIAL SENTENCE		50. PROBATION	
CHARGE PERIOD	PERIOD	A. AMOUNT	B. AMOUNT	A. PERIOD	B. PERIOD	A. PERIOD	B. TYPE
	Term Case	SUSPENDED	SUSPENDED	Term	Term	SUSPENDED	
1.							<input type="checkbox"/> Suspended <input type="checkbox"/> Unconditional
2.							<input type="checkbox"/> Suspended <input type="checkbox"/> Unconditional
3.							<input type="checkbox"/> Suspended <input type="checkbox"/> Unconditional
4.							<input type="checkbox"/> Suspended <input type="checkbox"/> Unconditional

51. DATE // // 52. JUDGE (Last Name) 53. PROSECUTOR (Last Name)

SENTENCE TYPE: 1. Confinement, 2. Confinement, 3. Confinement & Fine, 4. Fine Sentence, 5. Other, 6. Confinement with Unrestricted Sentence, 7. Confinement in Unrestricted Sentence. CONFINEMENT CODE: 1. Local Jail, 2. State Prison, 3. Reformatory, 4. Other.

SPECIAL SENTENCE TYPE: 1. Probation, 2. Suspended Sentence, 3. Other (Enhanced Punishment, 4. Restriction Monetary, 5. General Facility.

SPECIAL SENTENCE CODE: 1. Local Jail, 2. State Prison, 3. Reformatory, 4. Other (Code in Part VII), 5. Monetary Facility, 6. Probation Facility, 7. Nonprobation Probationary Facility.

VII. EXPLANATIONS FOR PARTS I-VI

EXPLANATION NUMBER 1	EXPLANATION NUMBER 2

APPENDIX B

Figure B.1

Career Criminal Offenses 1-4
 Initial Offense=Nonindex
 N=48

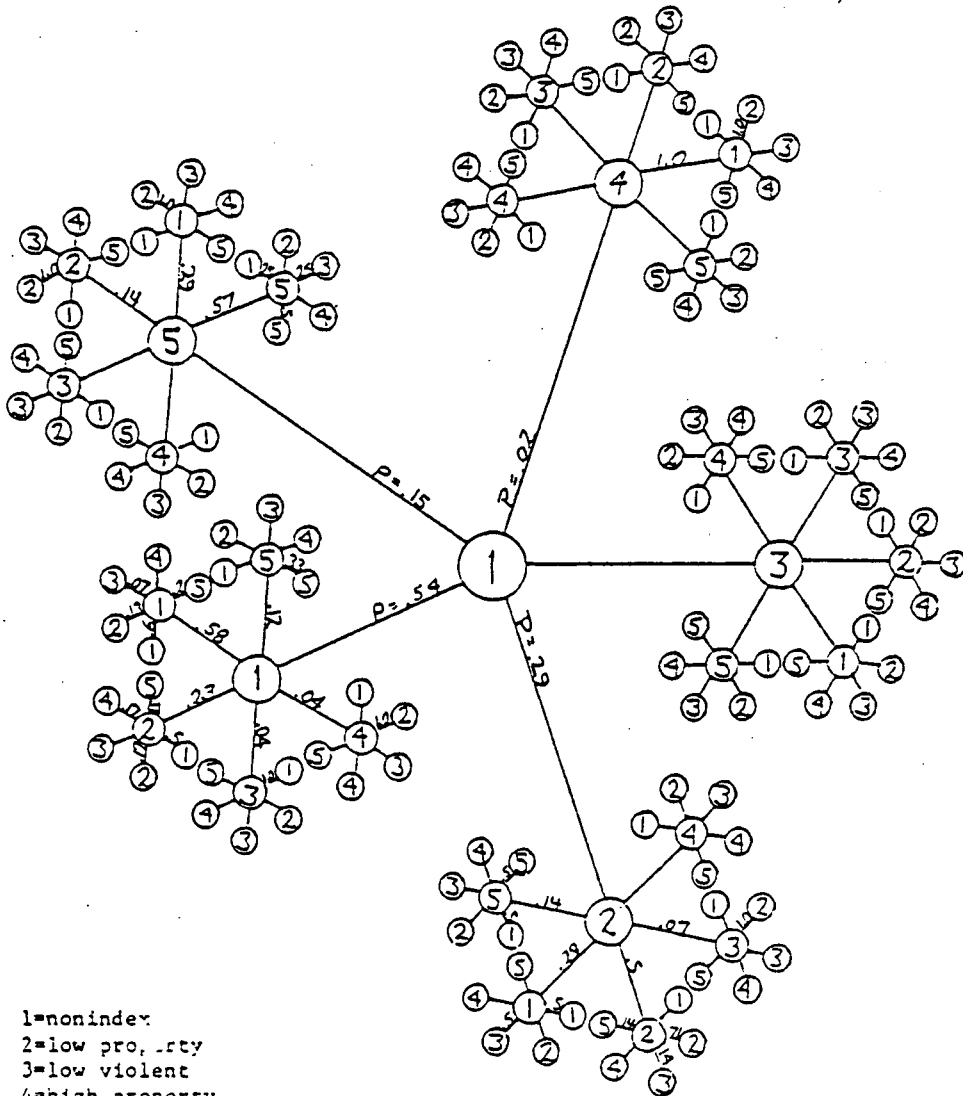
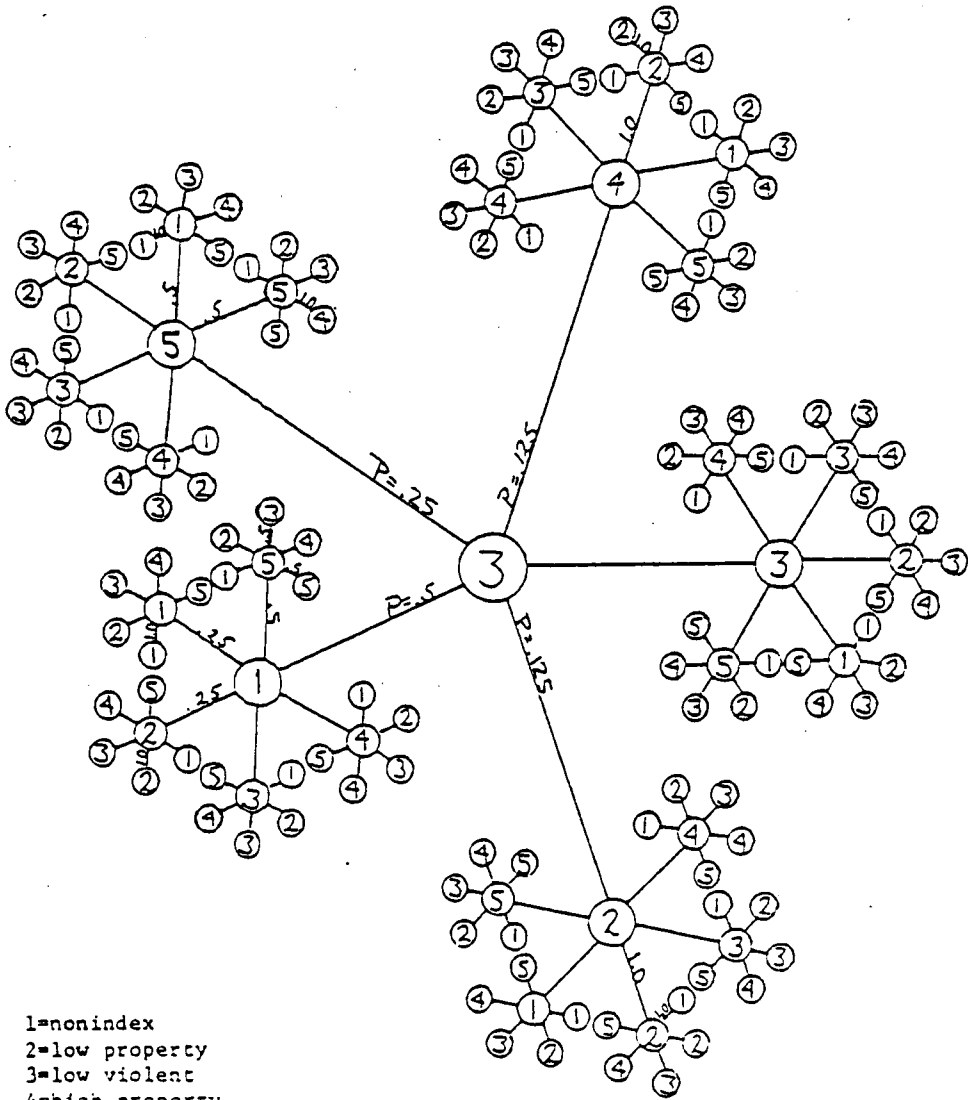


Figure B.3

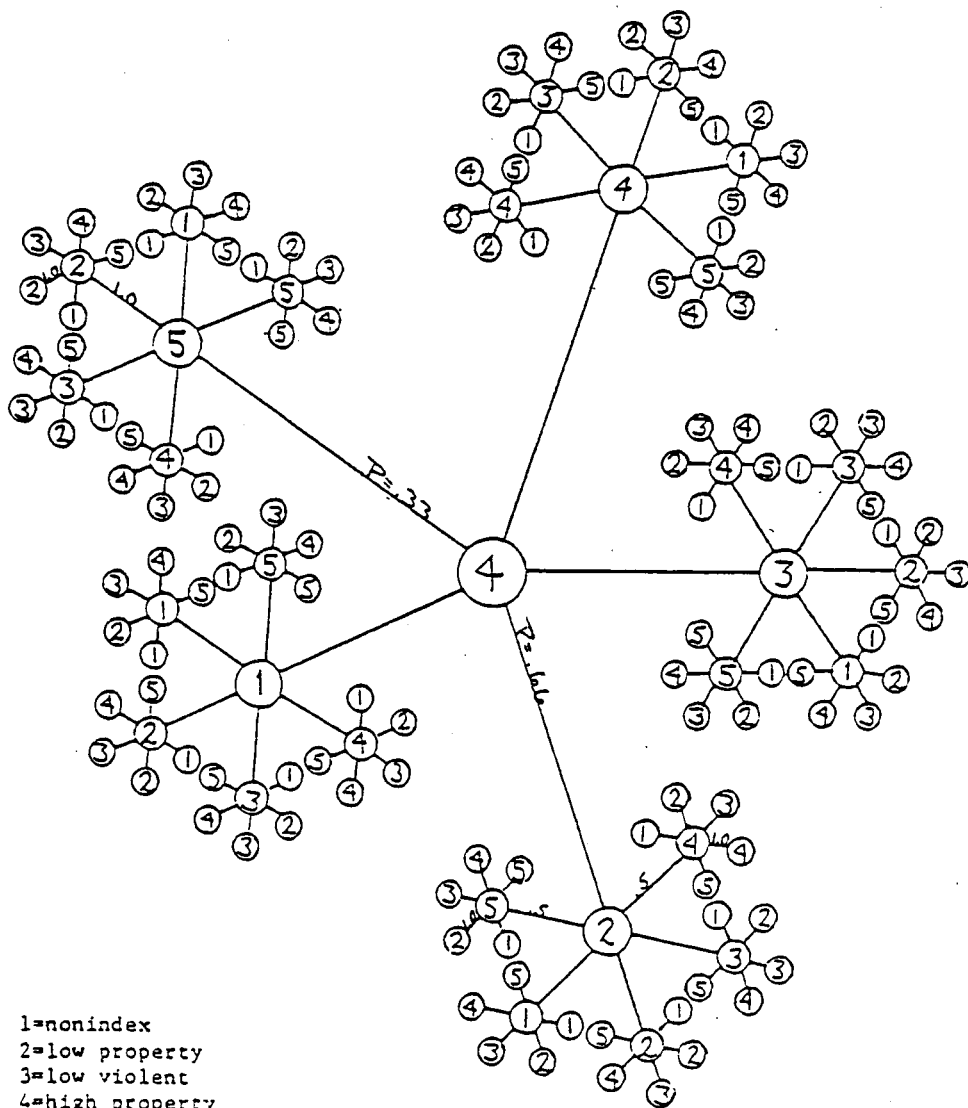
Career Criminal Offenses 1-4
 Initial Offense=Low Violent
 N=8



1=nonindex
 2=low property
 3=low violent
 4=high property
 5=high violent

Figure B.4

Career Criminal Offenses 1-4
 Initial Offense=High Property
 N=3



1=nonindex
 2=low property
 3=low violent
 4=high property
 5=high violent

Figure B.5

Career Criminal Offenses 1-4
 Initial Offense=High Violent
 N=23

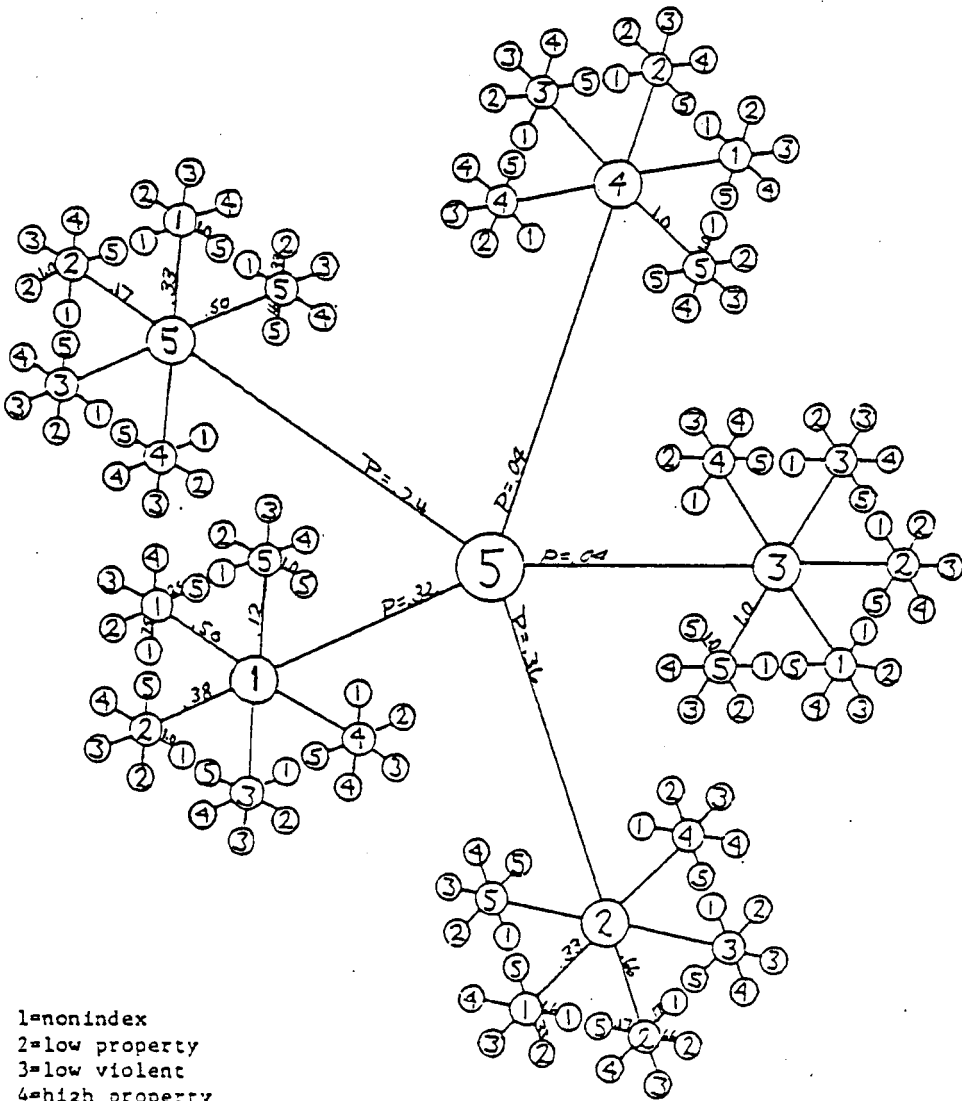


Figure B.6

Career Criminal Offenses 4-7
 Initial Offense=Nonindex
 N=61

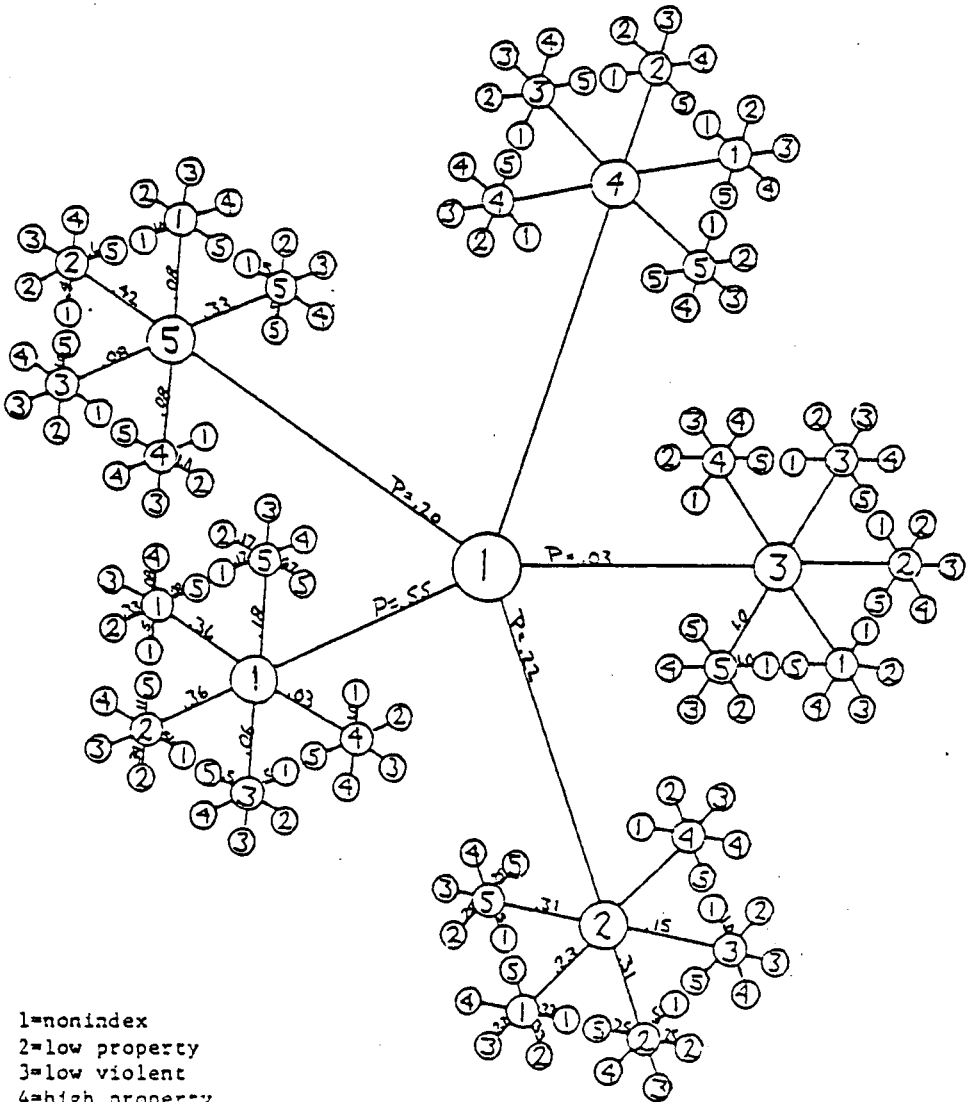
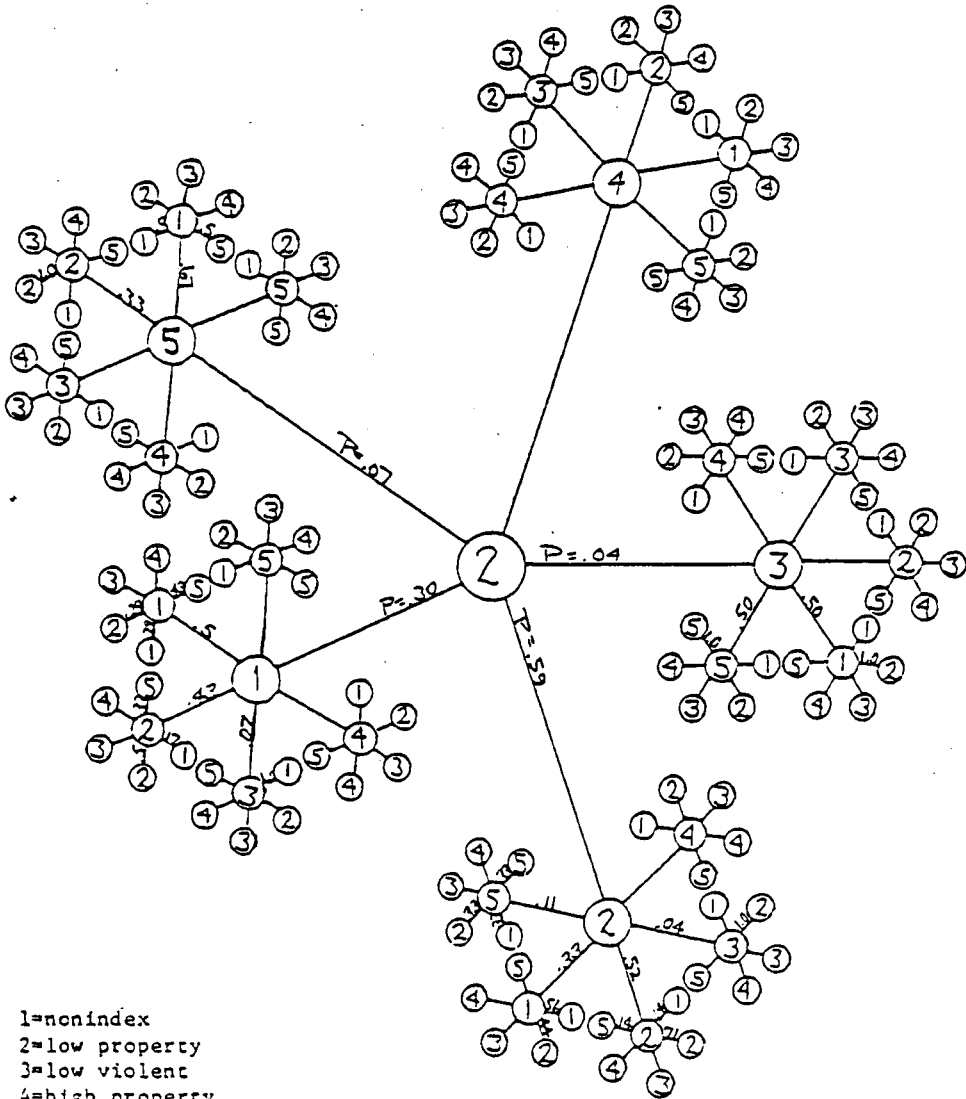


Figure 3.7

Career Criminal Offenses 4-7
 Initial Offense=Low Property
 N=47



1=nonindex
 2=low property
 3=low violent
 4=high property
 5=high violent

Figure B.8

Career Criminal Offenses 4-7
 Initial Offense=Low Violent
 N=9

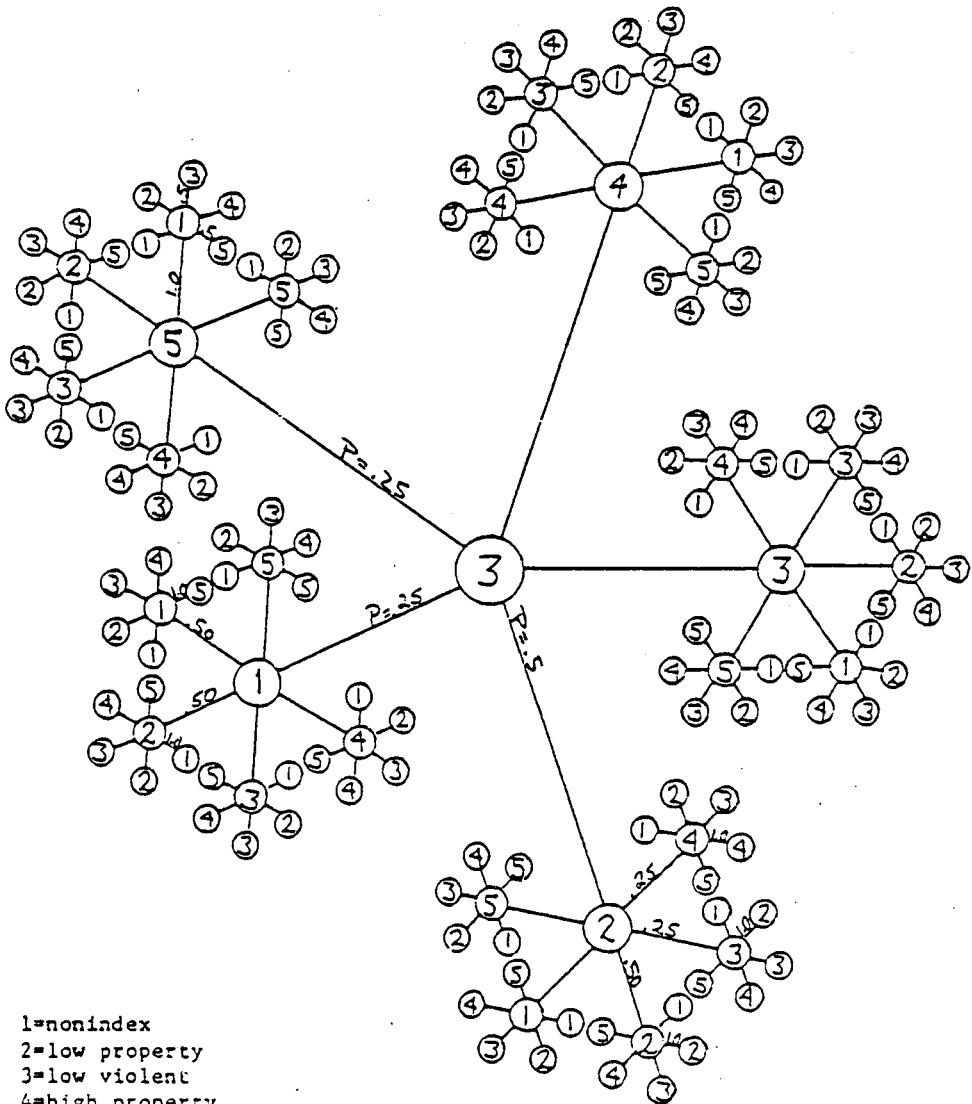
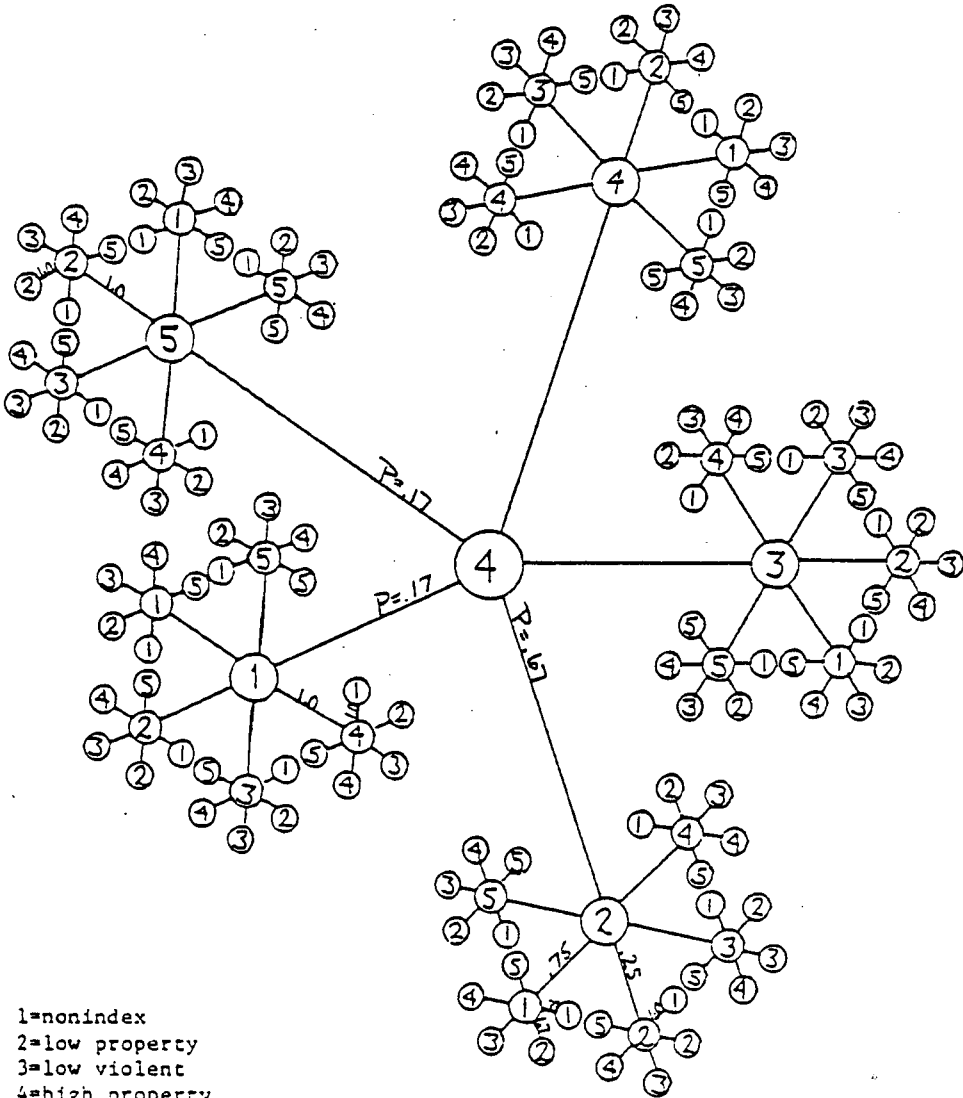


Figure 3.9

Career Criminal Offenses 4-7
 Initial Offense=High Property
 N=6



1=nonindex
 2=low property
 3=low violent
 4=high property
 5=high violent

Figure B.10

Career Criminal Offenses 4-7
 Initial Offense=High Violent
 N=22

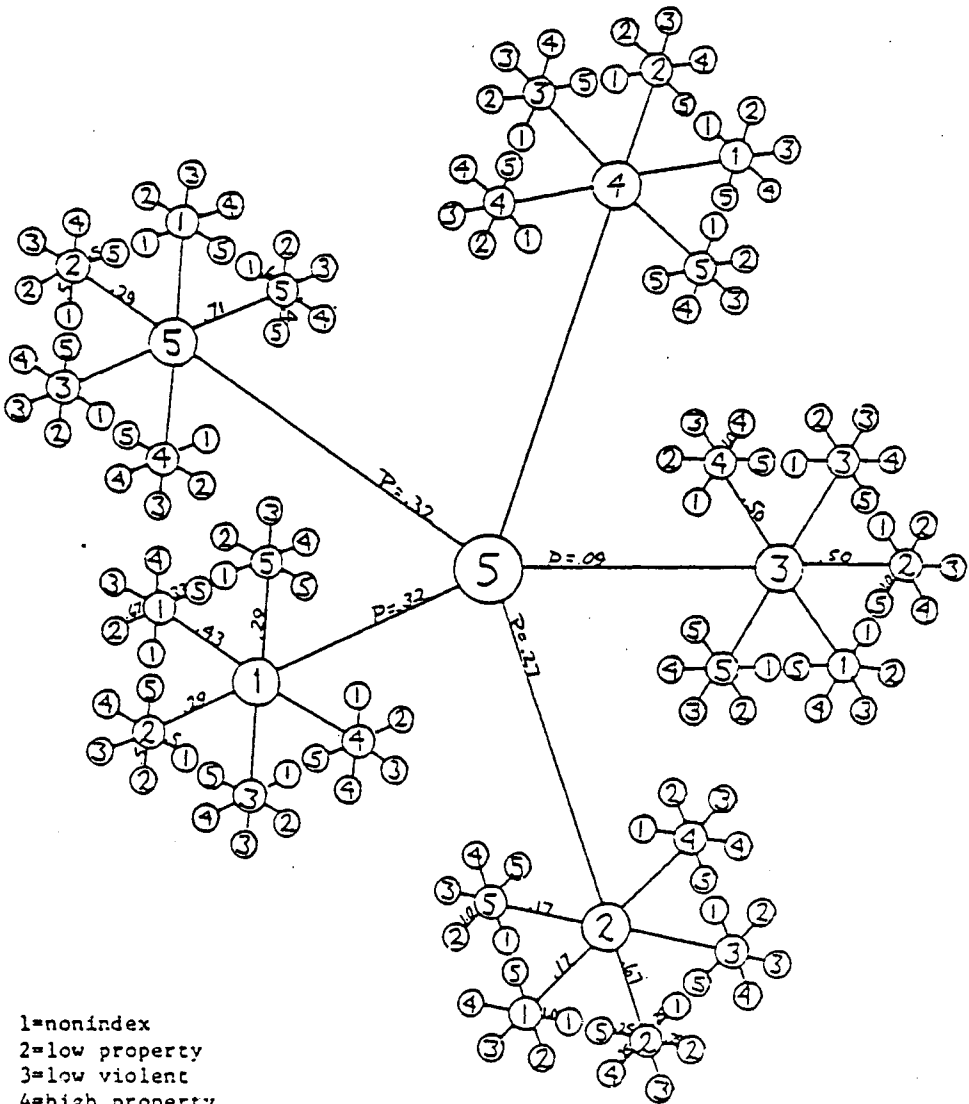


Figure B.11

Career Criminal Offenses 7-10
 Initial Offense=Nonindex
 N=43

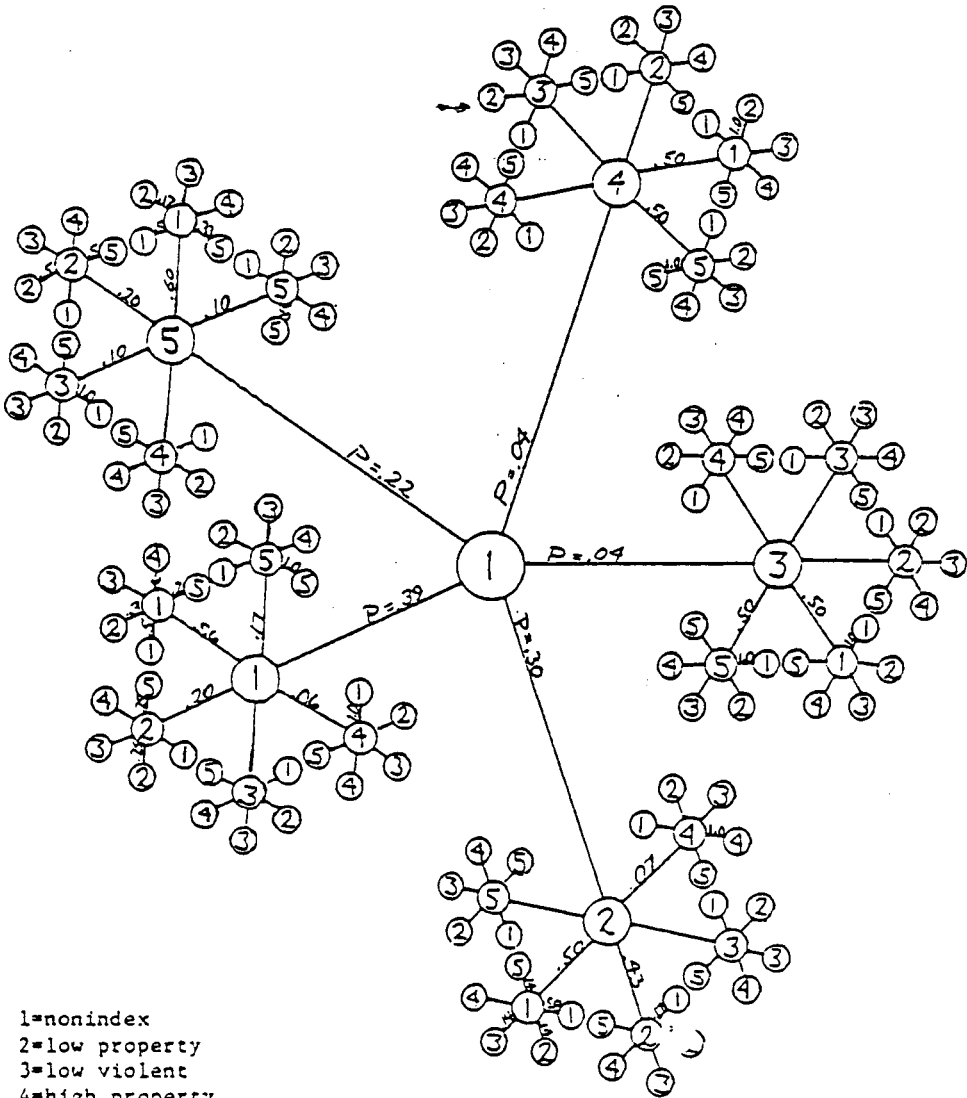


Figure B.12

Career Criminal Offenses 7-10
 Initial Offense=Low Property
 N=47

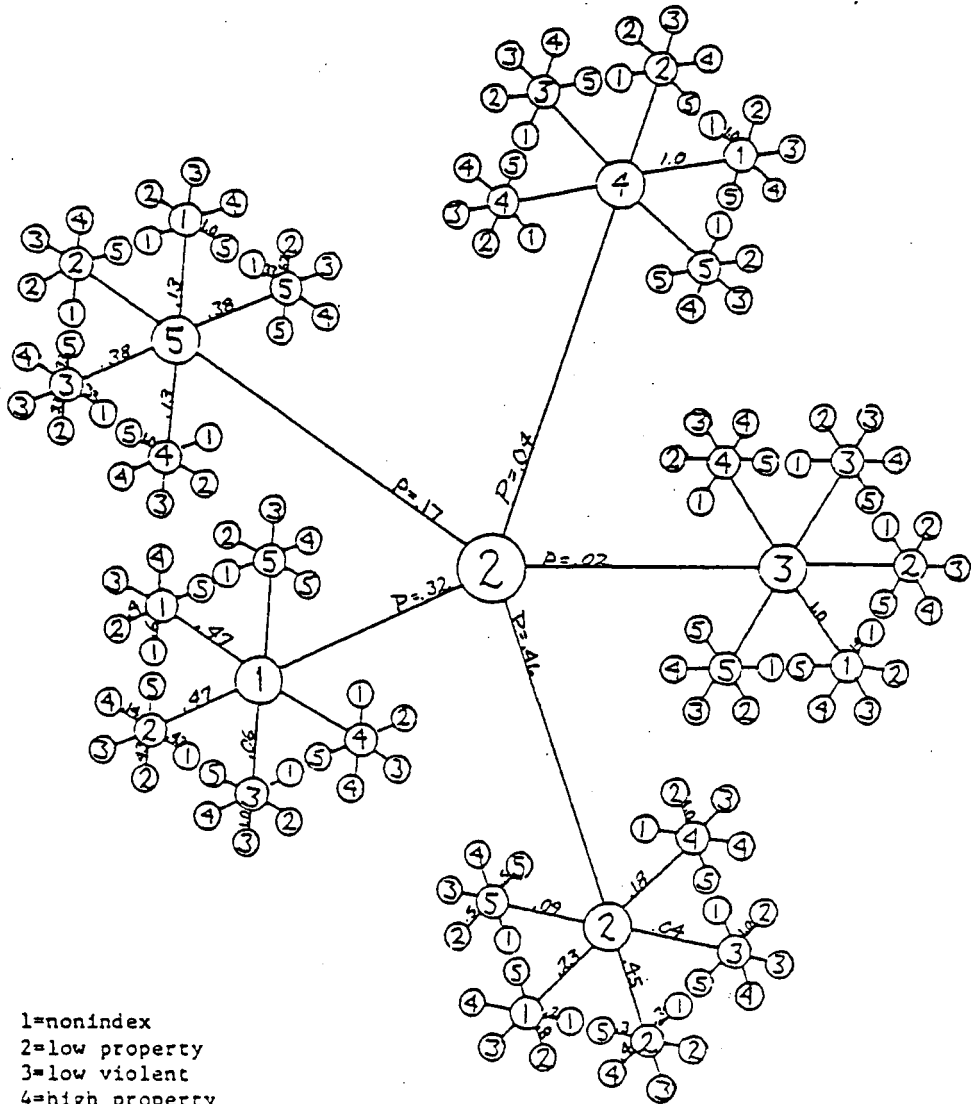
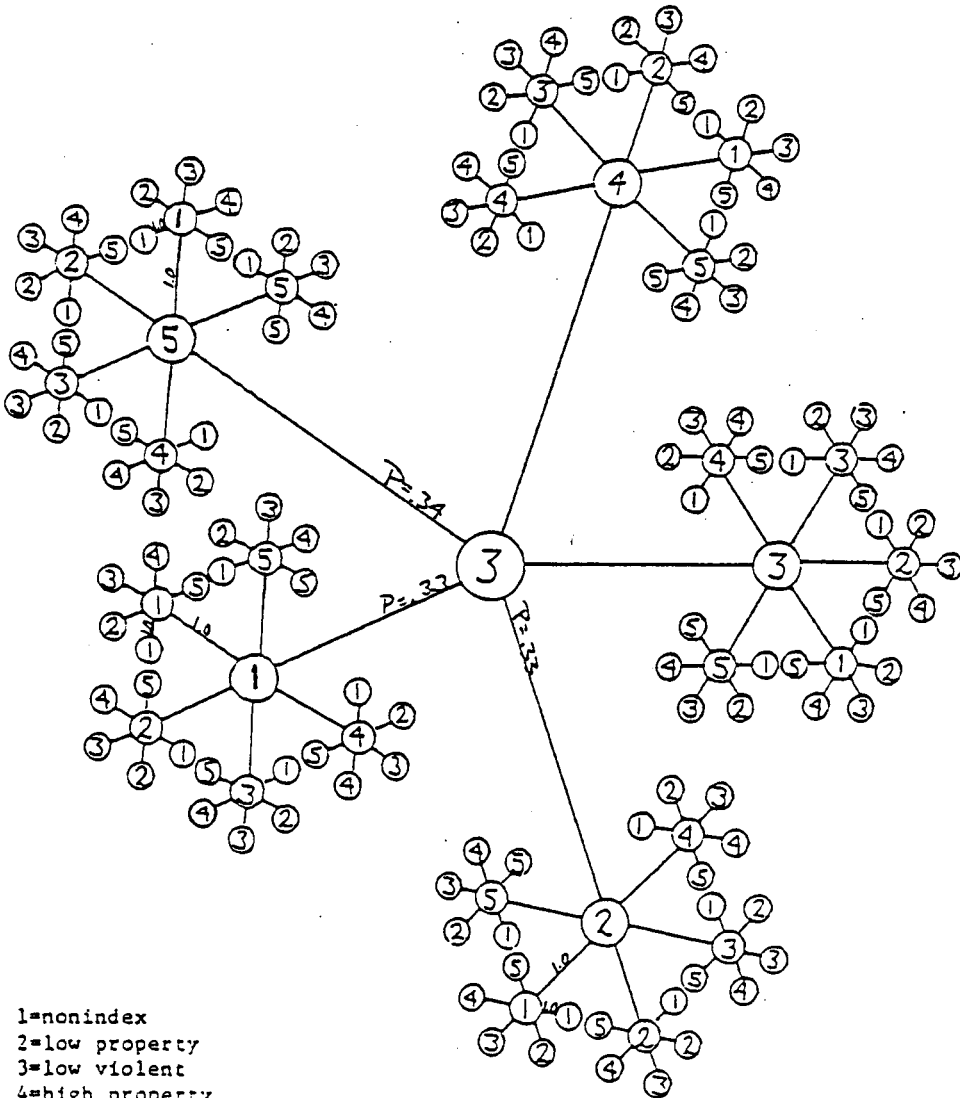


Figure B.13

Career Criminal Offenses 7-10
 Initial Offense=Low Violent
 N=3



1=nonindex
 2=low property
 3=low violent
 4=high property
 5=high violent

Figure B.14

Career Criminal Offenses 7-10
 Initial Offense=High Property
 N=3

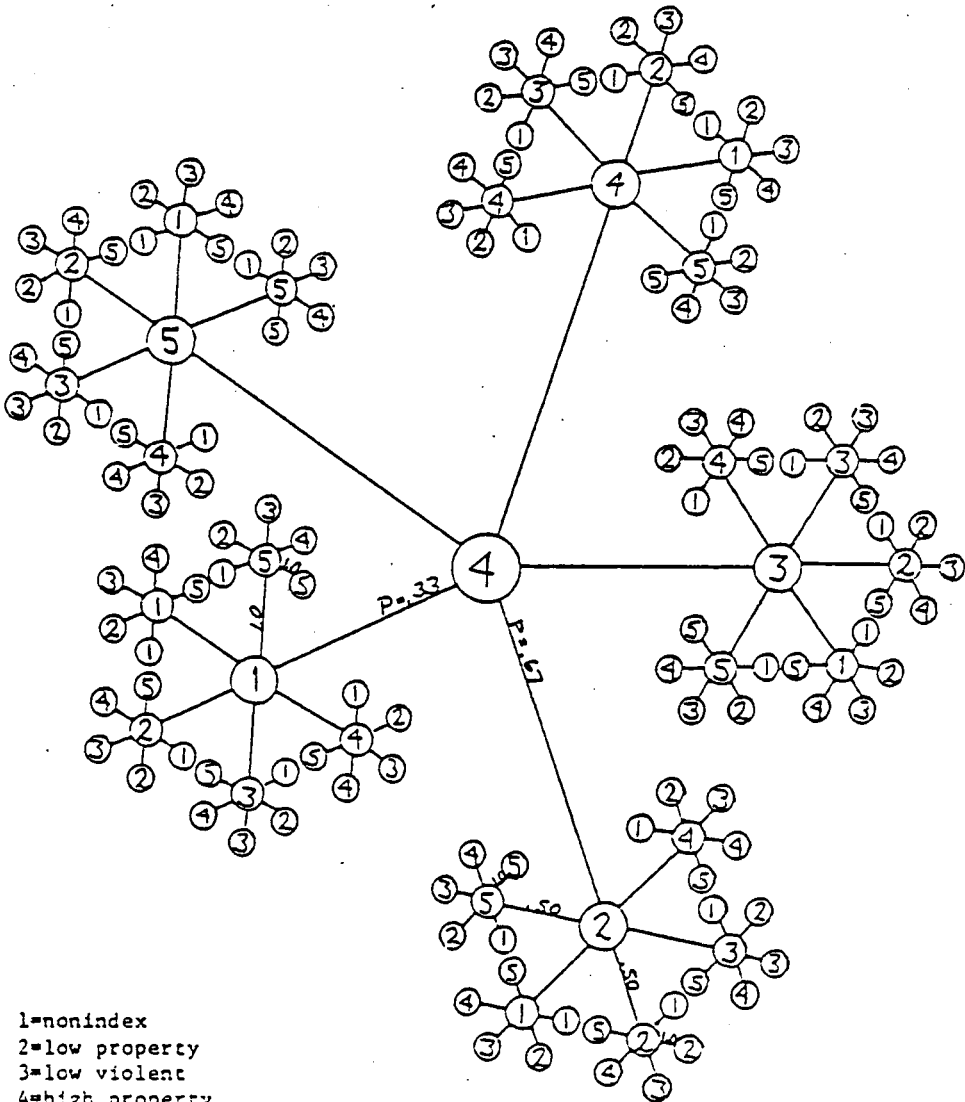


Figure B.15

Career Criminal Offenses 7-10
 Initial Offense=High Violent
 N=19

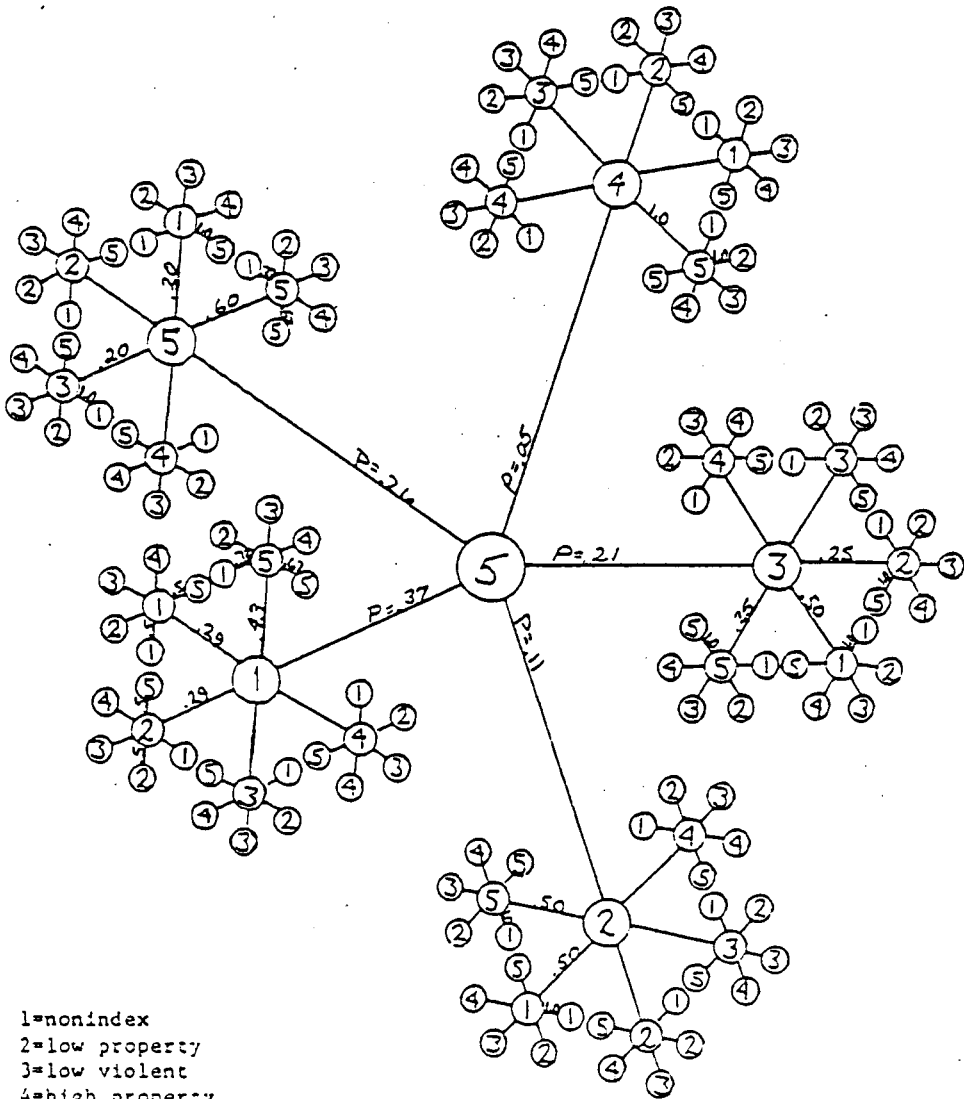


Figure B.16

Comparison Sample Offenses 1-4
 Initial Offense=Nonindex
 N=26

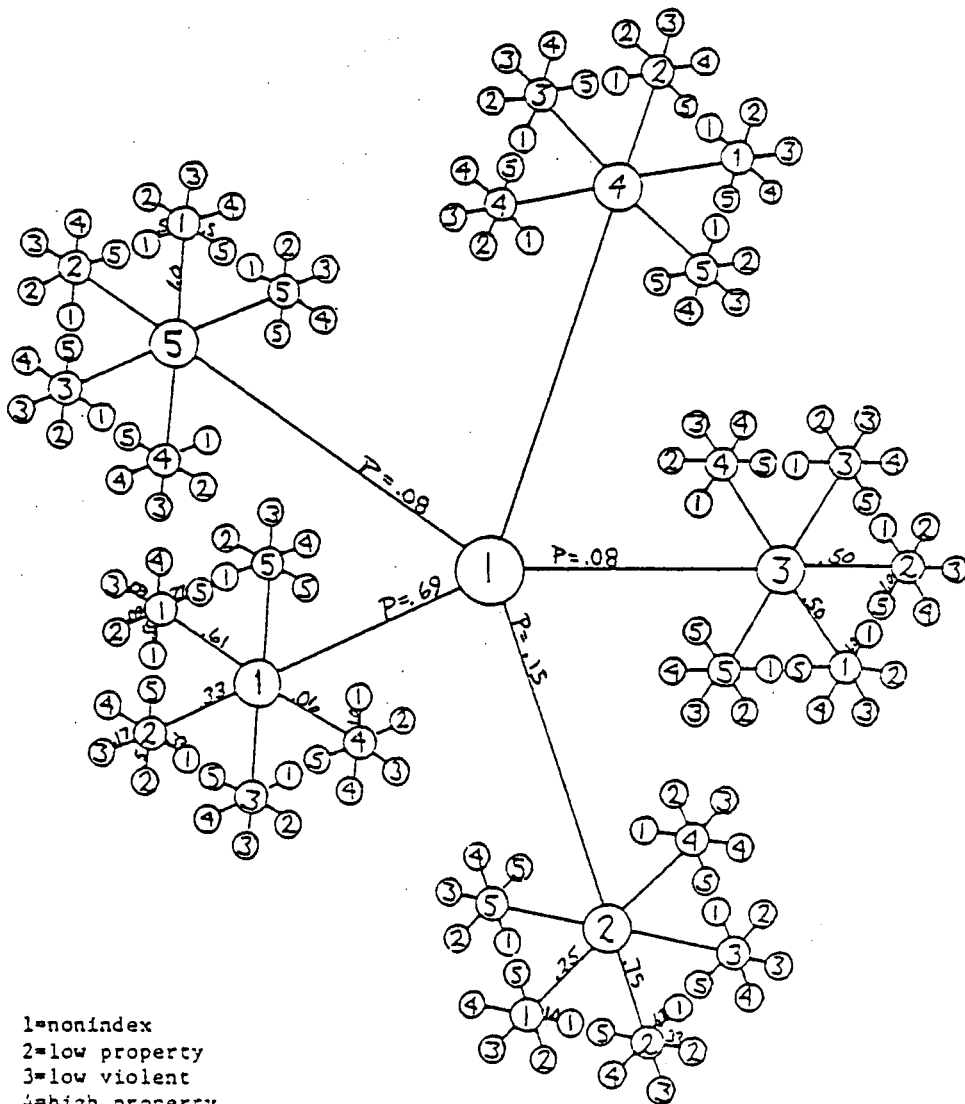


Figure B.17

Comparison Sample Offenses 1-4
 Initial Offense=Low Property
 N=23

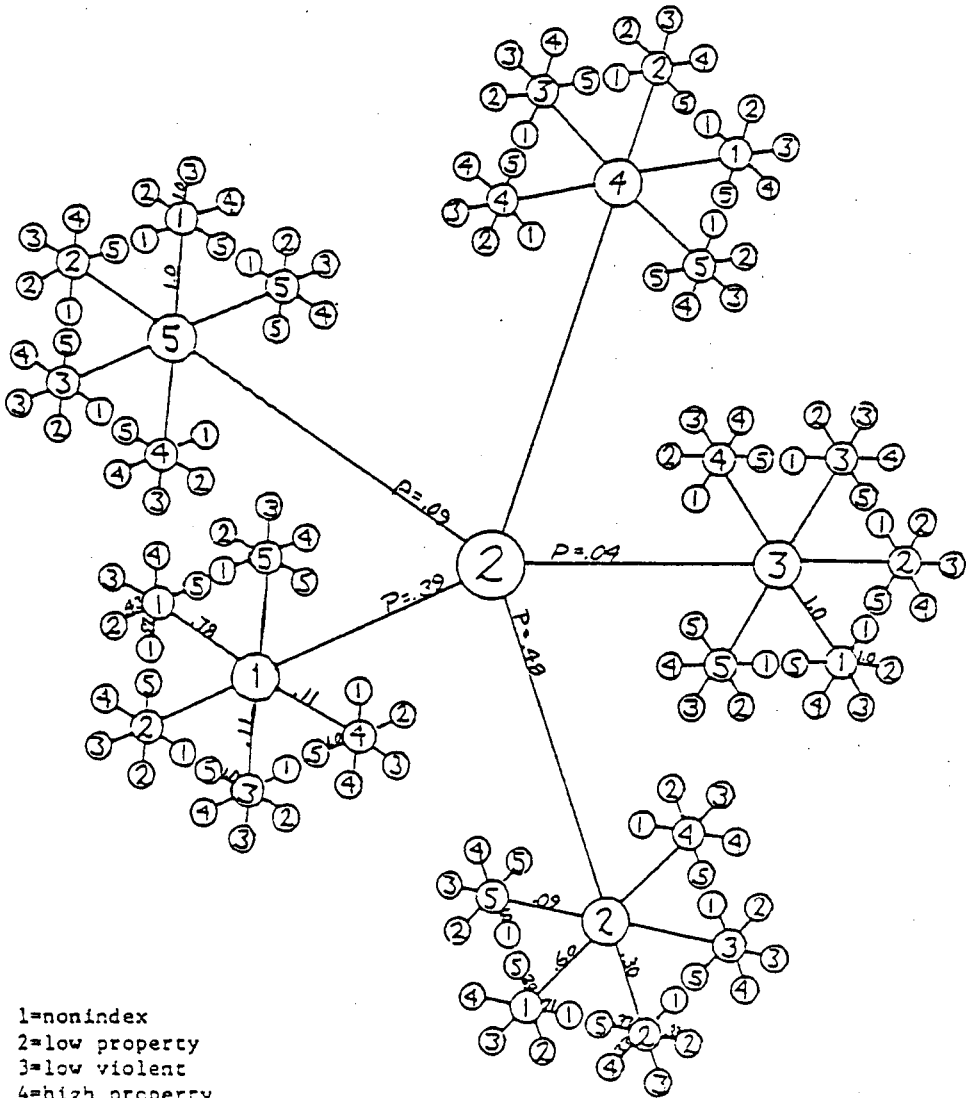


Figure B.18

Comparison Sample Offenses 1-4
 Initial Offense=Low Violent
 N=4

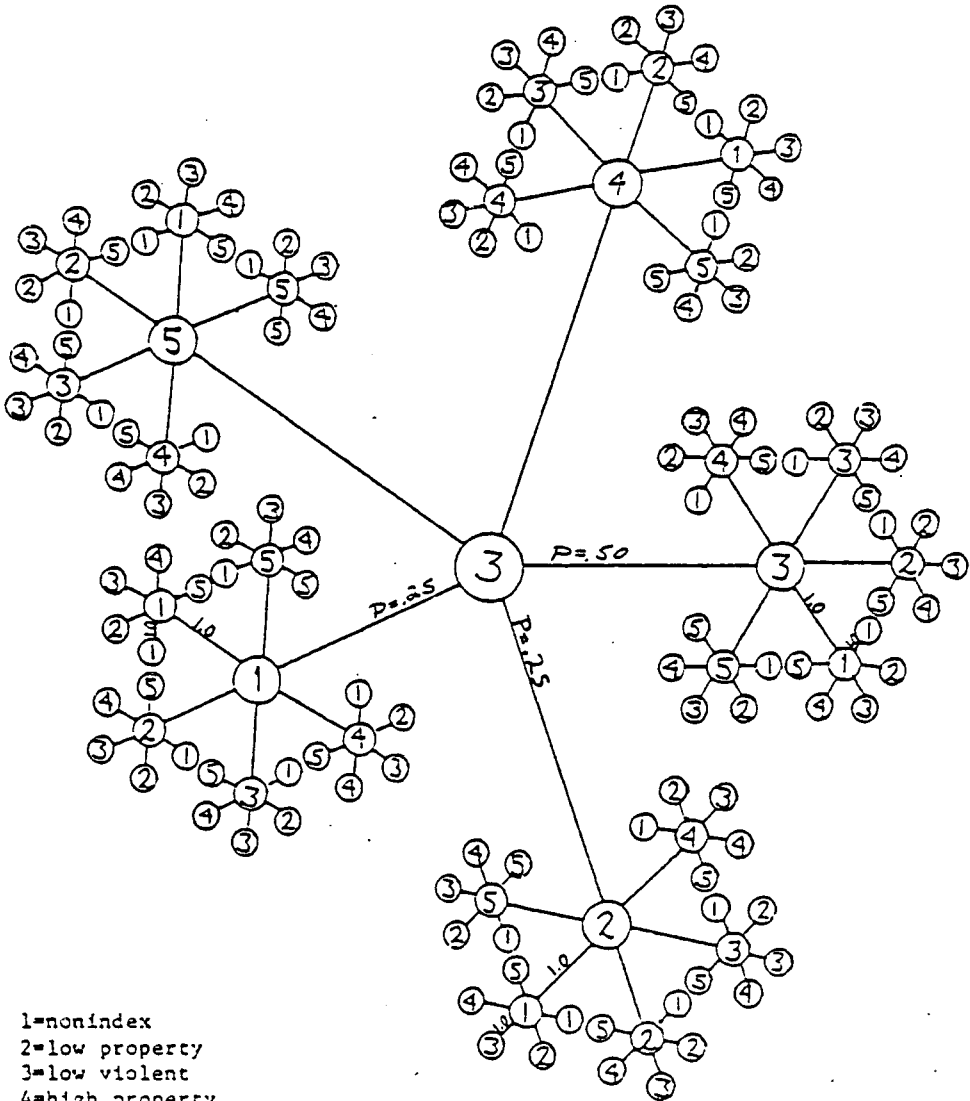
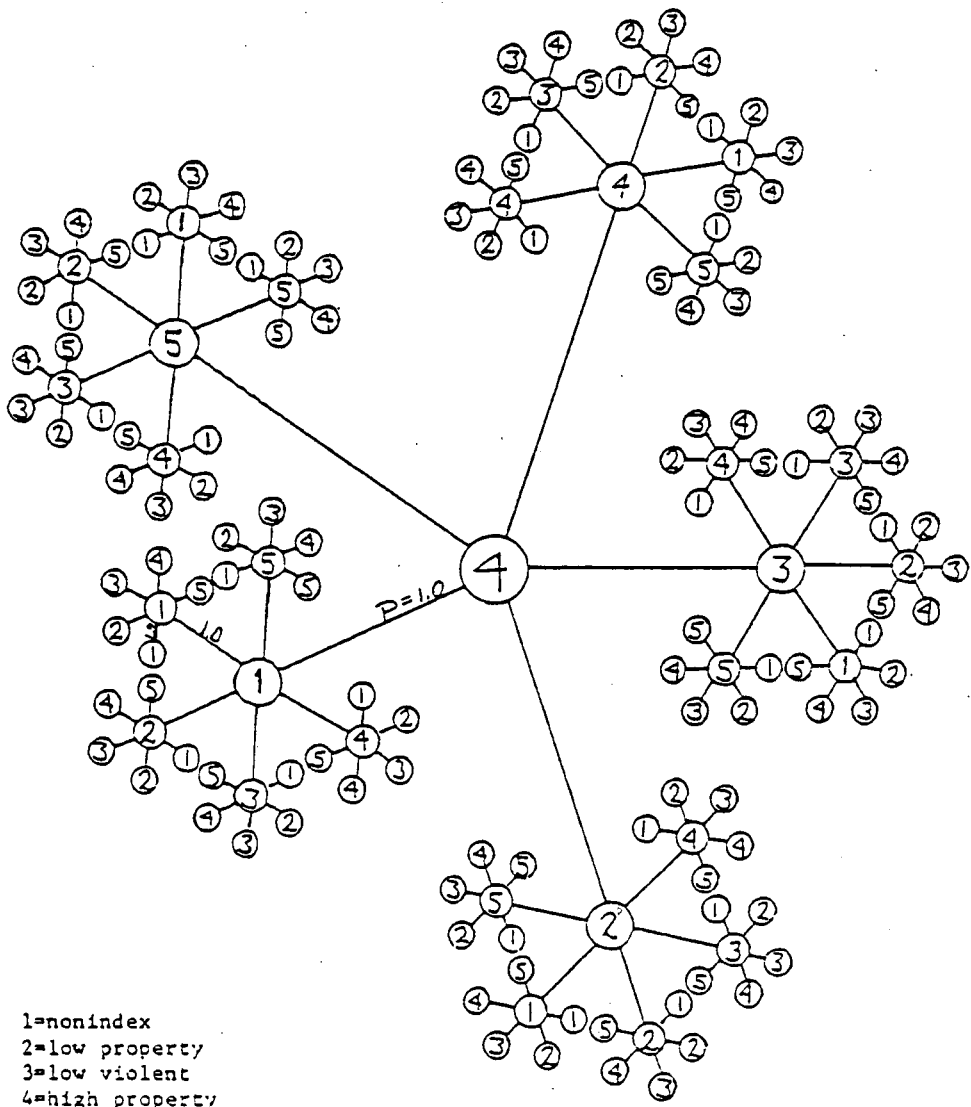


Figure B.19

Comparison Sample Offenses 1-4
Initial Offense=High Property
N=1



1=nonindex
2=low property
3=low violent
4=high property
5=high violent

Figure B.20

Comparison Sample Offenses 1-4
 Initial Offense=High Violent
 N=12

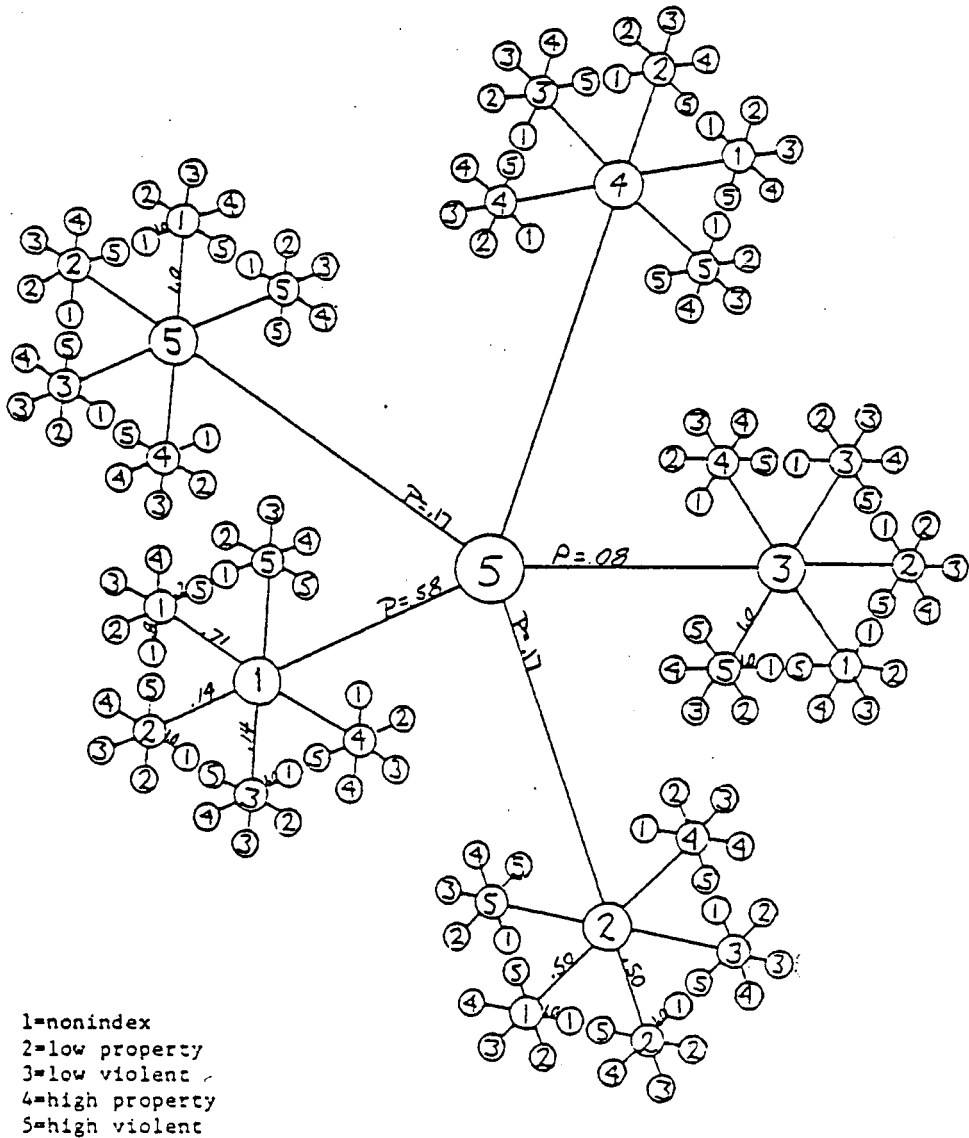


Figure B.21

Comparison Sample Offenses 4-7
 Initial Offense=Nonindex
 N=32

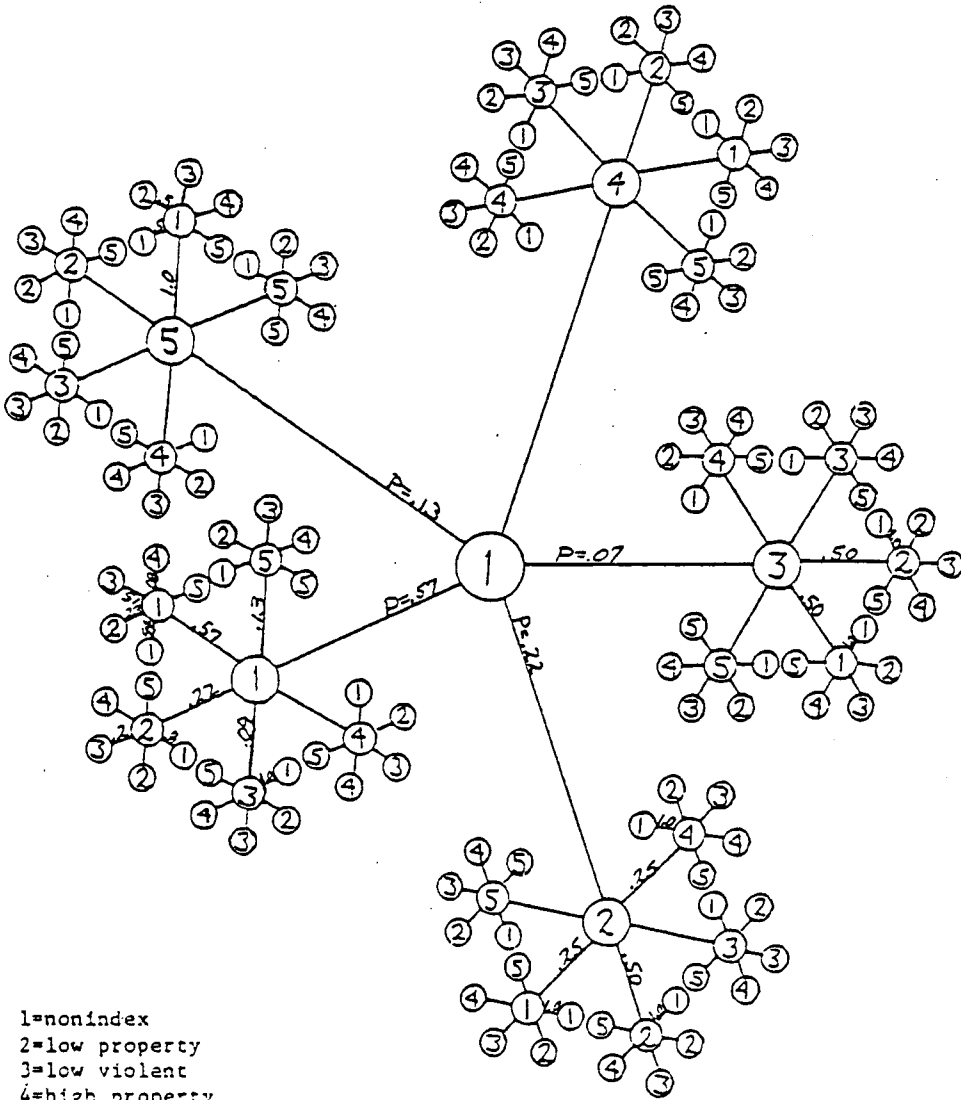
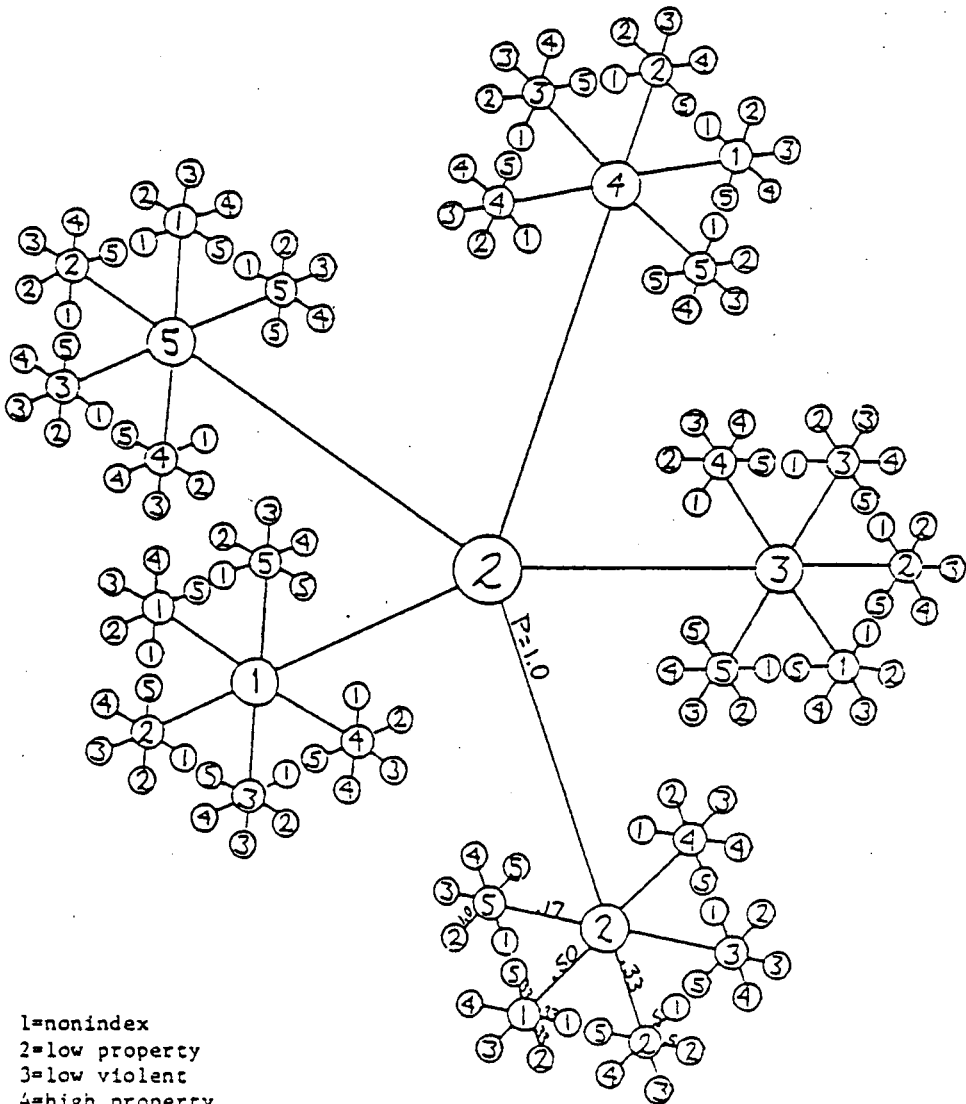


Figure B.22

Comparison Sample Offenses 4-7
 Initial Offense=Low Property
 N=6



1=nonindex
 2=low property
 3=low violent
 4=high property
 5=high violent

Figure B.23

Comparison Sample Offenses 4-7
 Initial Offense=Low Violent
 N=4

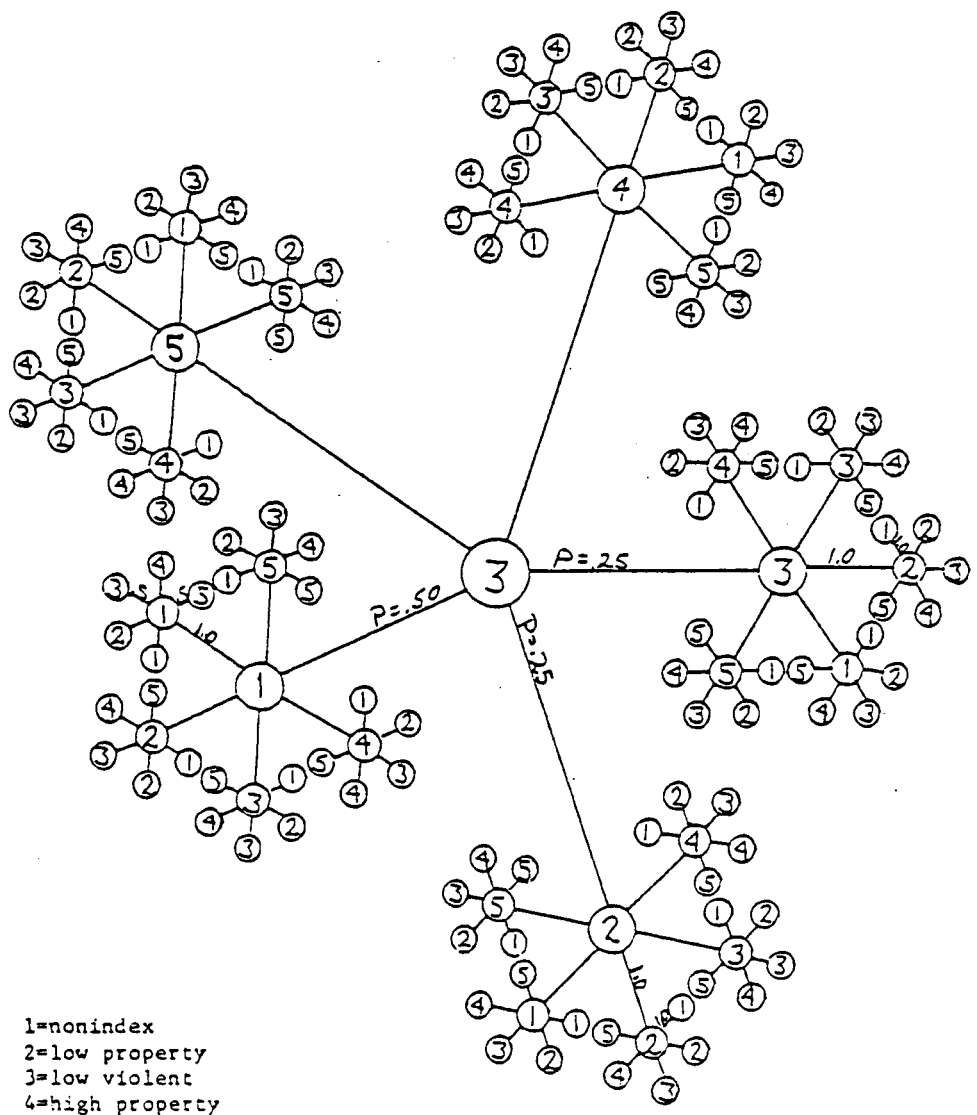
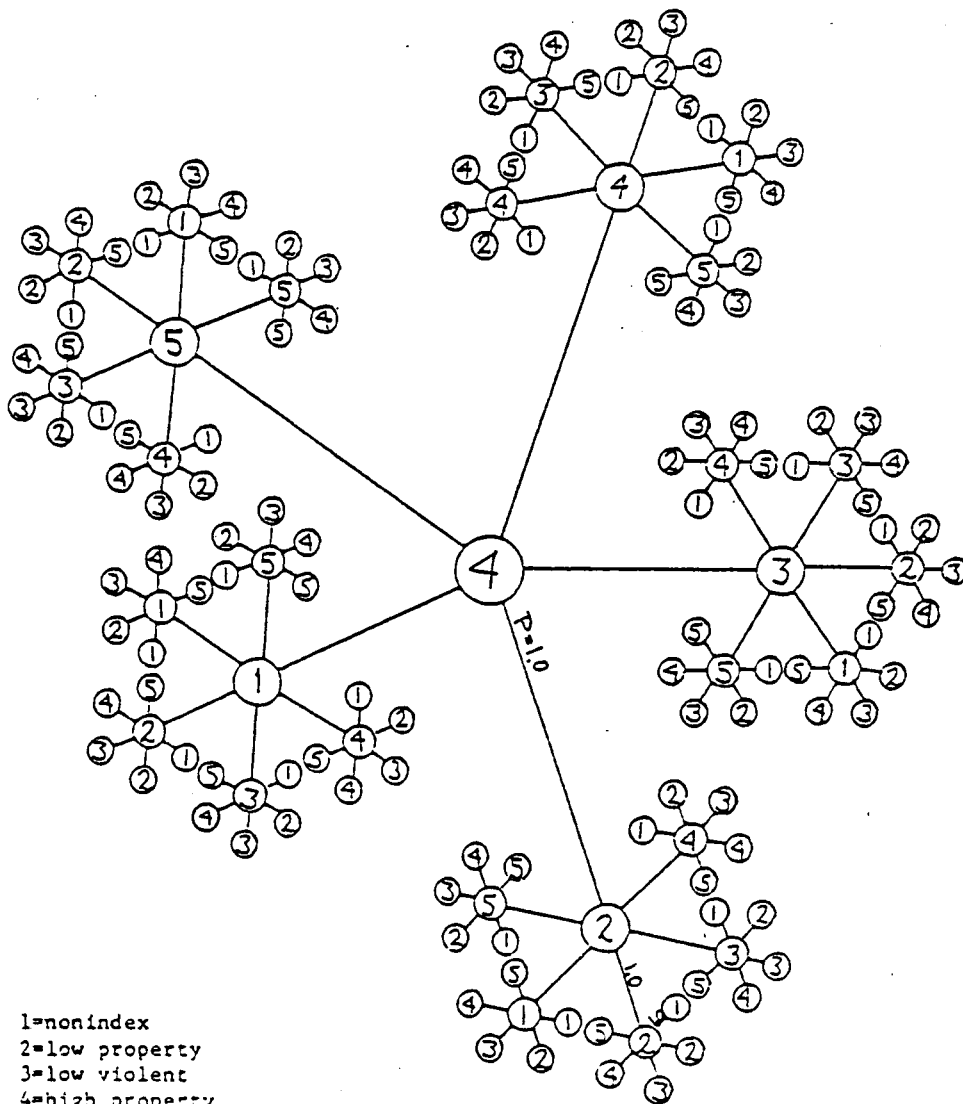


Figure B.24

Comparison Sample Offenses 4-7
 Initial Offense=High Property
 N=1



1=nonindex
 2=low property
 3=low violent
 4=high property
 5=high violent

Figure B.25

Comparison Sample Offenses 4-7
 Initial Offense=High Violent
 N=6

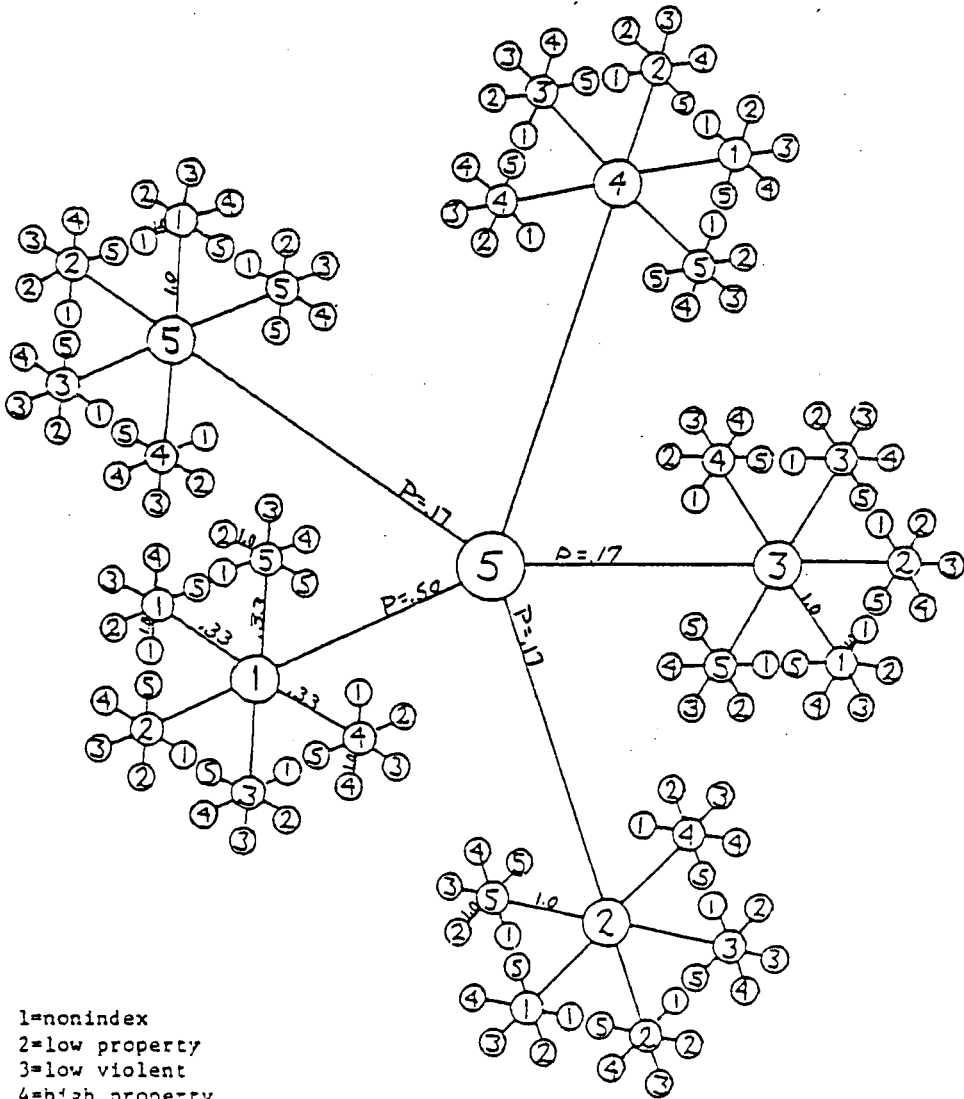
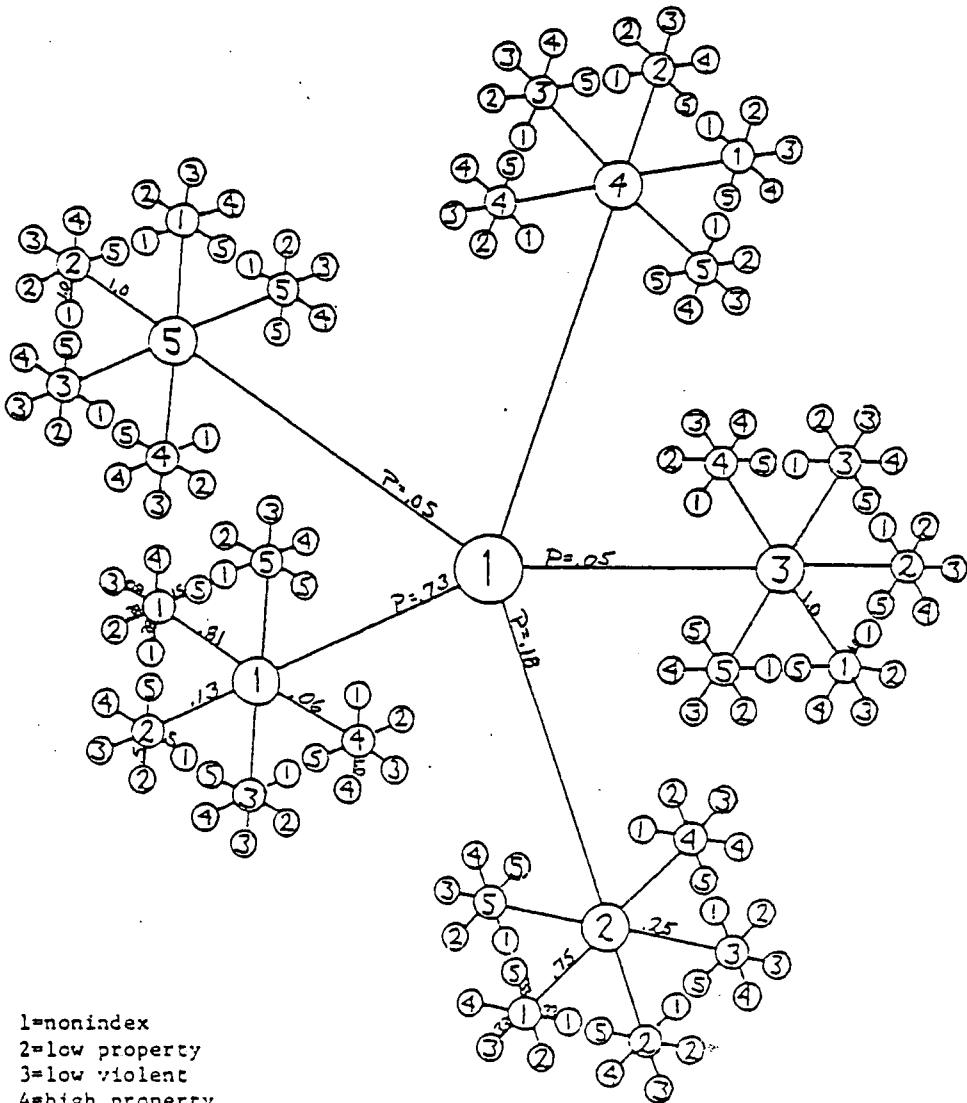


Figure 3.26

Comparison Sample Offenses 7-10
 Initial Offense=Nonindex
 N=23



1=nonindex
 2=low property
 3=low violent
 4=high property
 5=high violent

Figure B.27

Comparison Sample Offenses 7-10
 Initial Offense=Low Property
 N=7

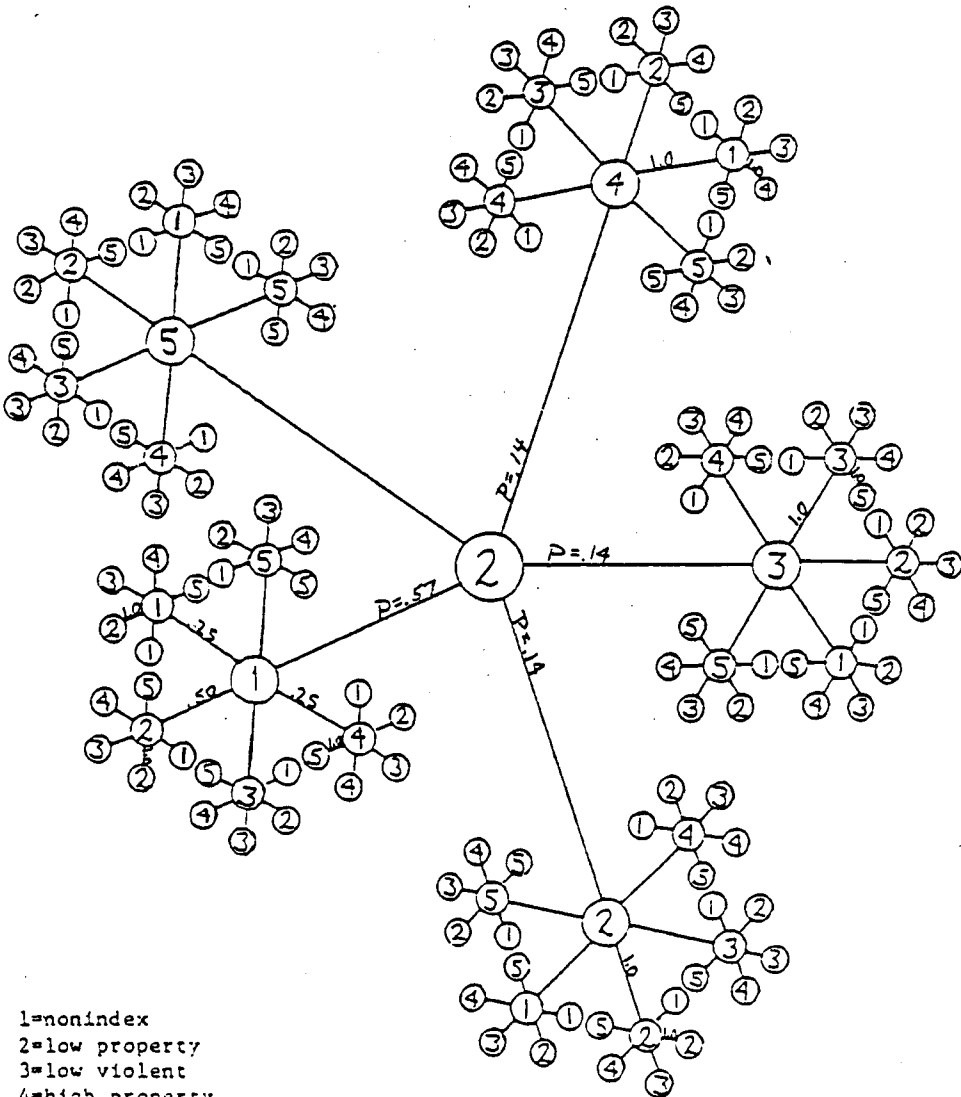
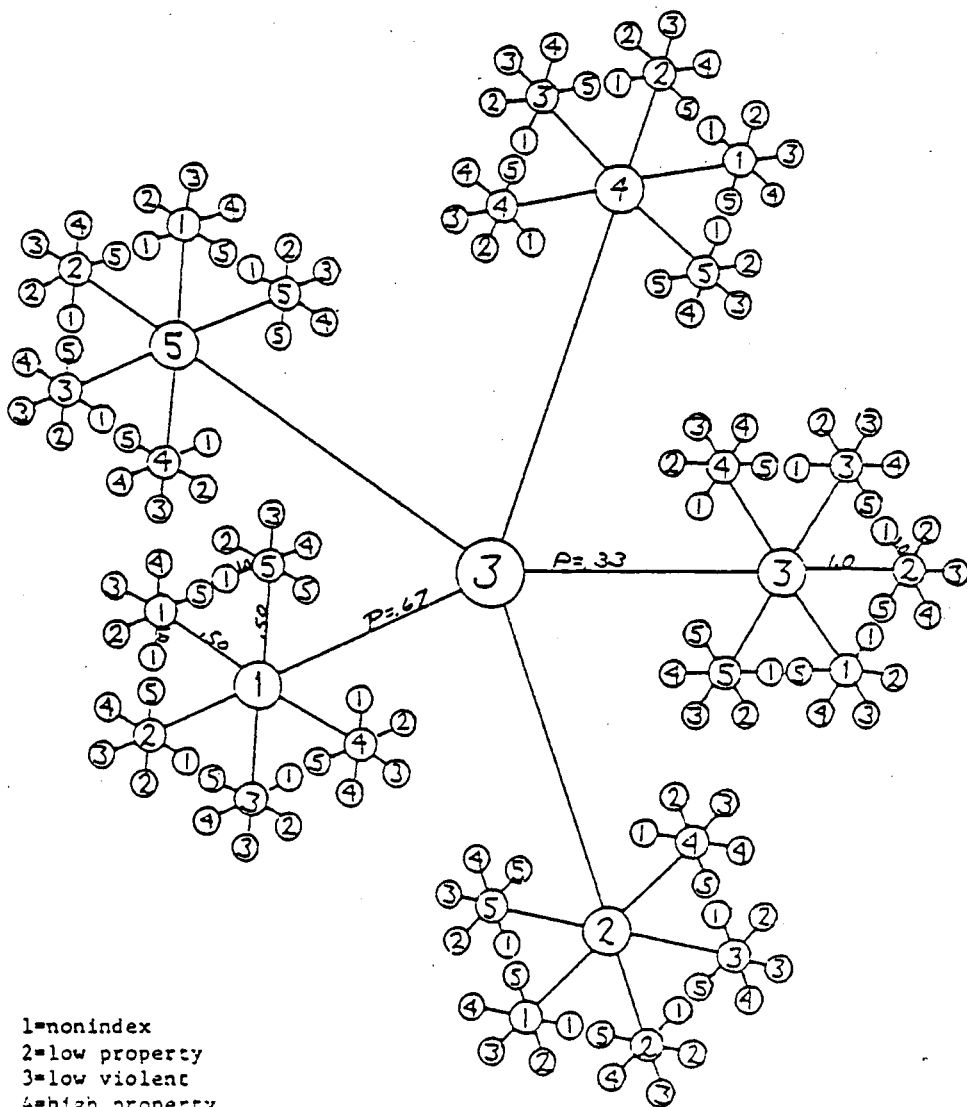


Figure B.28

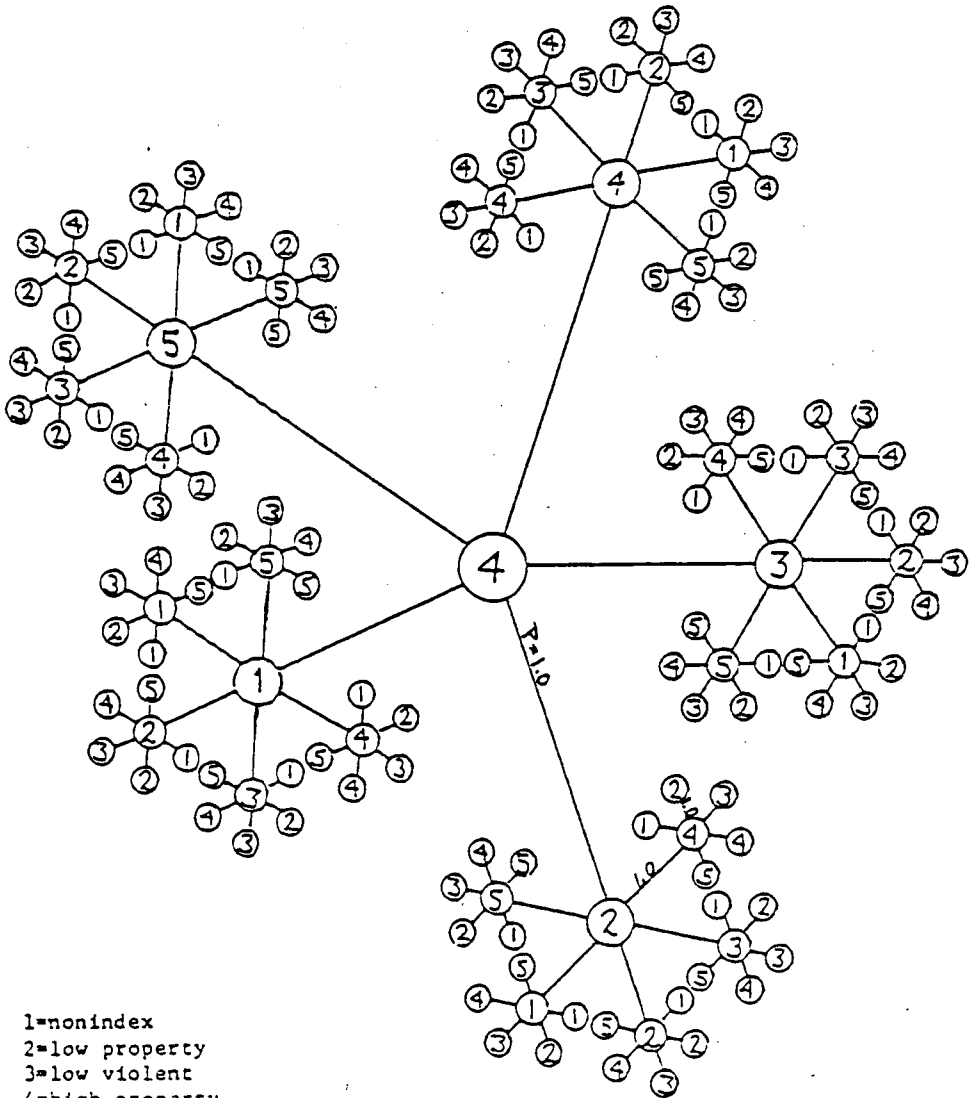
Comparison Sample Offenses 7-10
 Initial Offense=Low Violent
 N=3



1=nonindex
 2=low property
 3=low violent
 4=high property
 5=high violent

Figure B.29

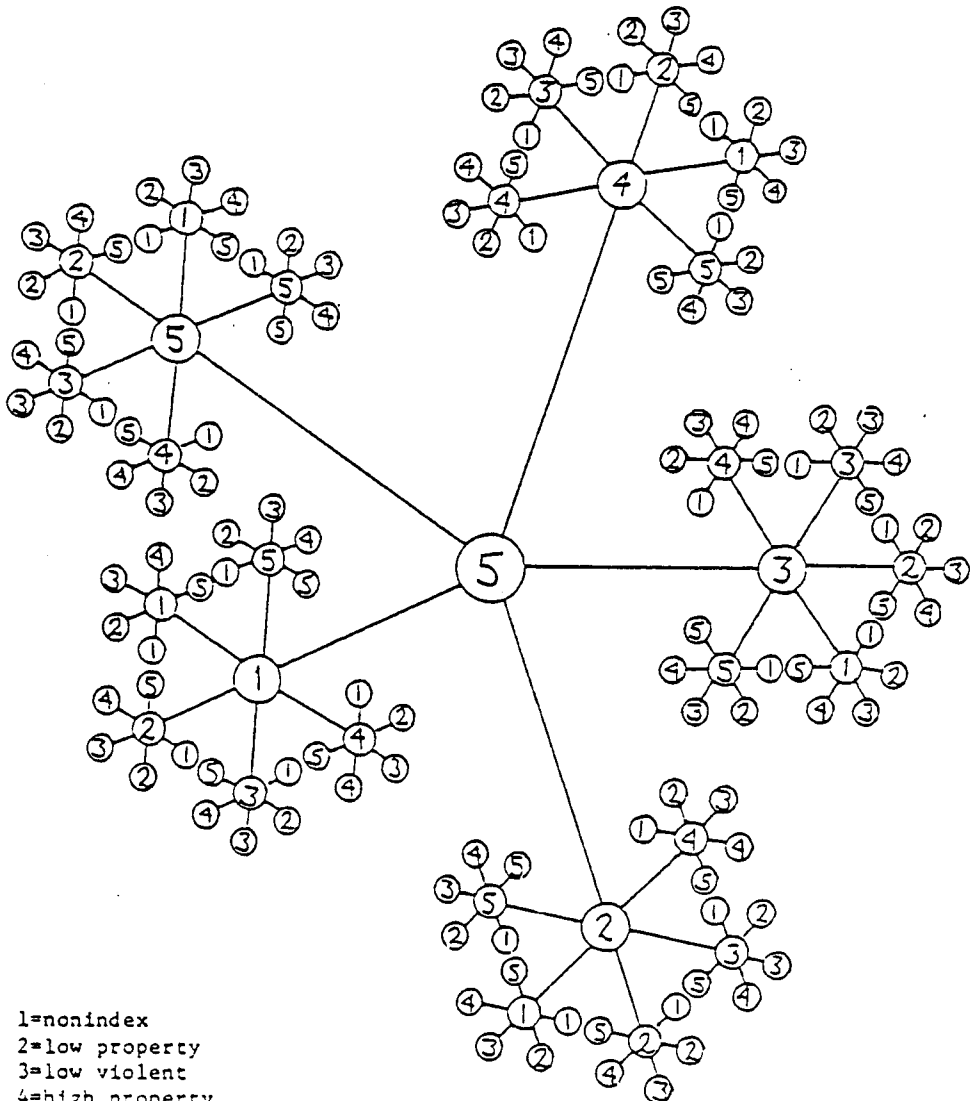
Comparison Sample Offenses 7-10
 Initial Offense=High Property
 N=1



1=nonindex
 2=low property
 3=low violent
 4=high property
 5=high violent

Figure B.30

Comparison Sample Offenses 7-10
Initial Offense=High Violent*



1=nonindex
2=low property
3=low violent
4=high property
5=high violent

* No subjects in this category

