The Crime Picture

LEARNING OBJECTIVES

After reading this chapter, you should be able to

- Describe the history and nature of the FBI’s UCR/NIBRS Program, and explain what it can tell us about crime in the United States today.
- Describe the history and nature of the National Crime Victimization Survey Program, and explain what it can tell us about crime in the United States today.
- List and explain the differences between the UCR/NIBRS and the NCVS programs.
- Identify the special categories of crime discussed in this chapter, and explain why they are of contemporary significance.

OUTLINE

- Introduction
- The UCR/NIBRS Program
- The National Crime Victimization Survey
- Comparisons of the UCR and NCVS
- Special Categories of Crime
INTRODUCTION

According to broadcast ratings guru *MediaWeek*, the most popular scripted show on television today is the CBS crime drama *CSI: Crime Scene Investigation*. The series’ top ranking would seem to be no small feat for a “cop show” that has to compete with the likes of widely watched offerings like *American Idol, Desperate Housewives, Survivor*, and *Lost*. Until, that is, one realizes that the American public is fascinated with hard-hitting crime dramas. And that helps to explain the success of shows like the *CSI* spin-offs, *CSI: Miami* and *CSI: New York*, as well as to explain why the NBC-TV show *Law and Order* is the longest-running drama on television today and the second-longest-running drama ever. Like *CSI*, the *Law and Order* series has generated its own spin-offs, including *Law and Order: Criminal Intent* and *Law and Order: Special Victims’ Unit*. Taken together, more than 600 original *Law and Order* episodes have aired. Other crime and justice shows on TV today include *Cold Case* (CBS), *Criminal Minds* (CBS), *NCIS, NCIS: Los Angeles* (CBS), *Numb3rs* (CBS), and *White Collar* (USA). Like this textbook, many of today’s television shows deliver content across a variety of media. Visit *CSI* online at [Web Extra 2–1](#) at MyCrimeKit.com, and see some real-life crime-prevention links sponsored by *Law and Order: SVU* at [Web Extra 2–2](#). Visit a real cold case squad at [Web Extra 2–3](#).

The public’s interest in crime has also given birth to reality TV crime shows, including *America’s Most Wanted* (which premiered on Fox in 1988), *COPS, Crime and Punishment*, and *Wildest Police Videos*. Similarly, newsmagazine shows like *60 Minutes, 20/20*, and *Nightline* frequently focus on justice issues, and any number of recent movies—including films like *Public Enemies, The Taking of Pelham 123, Taken, SWAT, Training Day, The Green Mile, Runaway Jury*, and *Minority Report*—play off the public’s fascination with crime and the personal drama it fosters.

This chapter has a dual purpose. First, it provides a statistical overview of crime in contemporary America by examining information on reported and discovered crimes. Second, it identifies special categories of crime that are of particular interest today, including crime against women, crime against the elderly, hate crime, corporate and white-collar crime, organized crime, gun crime, drug crime, cybercrime, and terrorism.

Although we will look at many crime statistics in this chapter, it is important to remember that statistical aggregates of reported crime, whatever their source, do not reveal the lost lives, human suffering, lessened productivity, and reduced quality of life that crime causes. Unlike the fictional characters on TV crime shows, real-life crime victims as well as real-life offenders lead intricate lives—they have families, hold jobs, and dream dreams. As we examine the crime statistics, we must not lose sight of the people behind the numbers.

Crime Data and Social Policy

Crime statistics provide an overview of criminal activity. If used properly, a statistical picture of crime can serve as a powerful tool for creating social policy. Decision makers at all levels, including legislators, other elected officials, and administrators throughout the criminal justice system, rely on crime data to analyze and evaluate existing programs, to fashion and design...
new crime-control initiatives, to develop funding requests, and to plan new laws and crime-control legislation. Many “get tough” policies, such as the three-strikes movement that swept the country during the 1990s, have been based in large part on the measured ineffectiveness of existing programs to reduce the incidence of repeat offending.

However, some people question just how objective—and therefore how useful—crime statistics are. Social events, including crime, are complex and difficult to quantify. Even the decision of which crimes should be included and which excluded in statistical reports is itself a judgment reflecting the interests and biases of policymakers. Moreover, public opinion about crime is not always realistic. As well-known criminologist Norval Morris points out, the news media do more to influence public perceptions of crime than any official data do. During the four-year period (in the mid-1990s) covered by Morris’s study, for example, the frequency of crime stories reported in the national media increased fourfold. During the same time period, crime was at the top of the list in subject matter covered in news stories at both the local and national levels. The irony, says Morris, is that “the grossly increasing preoccupation with crime stories came at a time of steadily declining crime and violence.” However, as Morris adds, “aided and abetted by this flood of misinformation, the politicians, federal and state and local, fostered the view that the public demands our present ‘get tough’ policies.”

The Collection of Crime Data

Nationally, crime statistics come from two major sources: (1) the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting (UCR) Program (also known today as the UCR/NIBRS Program), which produces an annual overview of major crime entitled Crime in the United States; and (2) the National Crime Victimization Survey (NCVS) of the Bureau of Justice Statistics (BJS). The most widely quoted numbers purporting to describe crime in America today probably come from the UCR/NIBRS Program, although the statistics it produces are based largely on reports to the police by victims of crime.

Recently, some professional organizations, most notably the Washington-based Police Executive Research Forum (PERF), have undertaken their own efforts to gather crime data. For example, PERF polled police departments across the country for data related to violent crime. PERF surveys also ask police chiefs to provide subjective impressions of crime trends in their cities and towns.

The statistics gathered by PERF, similar to those in the UCR/NIBRS Program, are based on law enforcement agencies’ reports of crimes. PERF notes, however, that because its “members are police chiefs, sheriffs, and other law enforcement executives, PERF is able to...
obtain official crime statistics from many of the nation’s largest jurisdictions and to release those figures several months before the nationwide tallies are released by the FBI.”

A fourth source of crime data is offender self-reports based on surveys that ask respondents to reveal any illegal activity in which they have been involved. Offender self-reports are not discussed in detail in this chapter because surveys utilizing them are not national in scope and are not undertaken regularly. Moreover, offenders are often reluctant to accurately report ongoing or recent criminal involvement, making information derived from these surveys somewhat unreliable and less than current. However, the available information from offender self-reports reveals that serious criminal activity is considerably more widespread than most “official” surveys show (Figure 2–1).

Other regular publications also contribute to our knowledge of crime patterns throughout the nation. One such publication is the Sourcebook of Criminal Justice Statistics—an annual compilation of national information on crime and on the criminal justice system. The Sourcebook is produced by the BJS, and a Web-based version of the Sourcebook is continually updated as data become available. The National Institute of Justice (NIJ), which is the primary research arm of the U.S. Department of Justice, the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the Federal Justice Statistics Resource Center, and the National Victim’s Resource Center provide still more information on crime patterns. Visit Web Extra 2–4 at MyCrimeKit.com for an overview of the many sources of crime data. The Sourcebook is available directly at Library Extra 2–1 at MyCrimeKit.com.

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FIGURE 2–1
The criminal justice funnel.

Police Report Crime Spikes Related to Economy

Nearly half of the 233 police agencies surveyed since the collapse of the nation’s financial markets link increases in criminal offenses to the faltering economy, a new review by a law enforcement research group shows.

In a comprehensive survey of possible links between crime and the economy, the Police Executive Research Forum found that 44% of agencies reported spikes in crime linked to the economy. Of those, 39% reported increases in robberies, 32% in burglaries and 40% in thefts. The report also found that 63% of the 233 agencies were bracing for funding cuts during [2009].

The survey, conducted over a five-week period starting in late December, asked for information on all of 2008 but emphasized the past six months to account for the economic crash.

The combination of declining resources and increases in some offenses represents the “first wave” of bad news for communities and police officials, says Chuck Wexler, the research forum’s executive director.

“When departments saw increases in violent crime (in 2005 and 2006), they were able to flood the problem areas using overtime for additional patrols. Now, that overtime is drying up,” he says. He adds that 62% of police departments said they were cutting overtime spending.

Crime dropped in 2007 and during the first half of 2008, according to the FBI.

Among cities reporting increases in crimes linked to the sagging economy:

- Atlanta Police Chief Richard Pennington blames the economy for increases of 14% in burglary in 2008 and of 17% in auto theft. Many of those offenses spiked as the economy soured, he says.

  Instead of taking jewelry and other valuables, he says, burglars are stripping homes of flat-screen TVs and computers. Both items can easily be resold.

  “I haven’t seen stuff like this in a long time,” Pennington says.

- Austin Police Chief Art Acevedo says financial woes are pushing people to violence. He says aggravated assaults rose 10% last year. Many involved families having money disputes, he says.

  “The state of the economy is putting tremendous pressure on the American family,” Acevedo says.

  “There are homes the cops all know where there has been a pattern of problems. Now, we’re going to homes that haven’t been problems in the past.”

- Topeka police reported spikes in shoplifting and burglaries. Thieves there are stealing license plates to recover stickers on the plates that show proof of tax payments, according to the report.

Some communities reported a decrease in crime despite the economic slump. Phoenix Police Chief Jack Harris says crime in his city has not worsened, and property-related offenses—burglary, theft and robbery—actually have declined 9%.

“We would like to think it’s our crime-suppression effort,” Harris says. “I hesitate to take responsibility for declines in crime, because that means you get the blame when it goes up.”

Eleven percent of the agencies reported crime increases they did not link to the economy.

Wexler says police aren’t likely to feel the full impact of the faltering economy until at least [mid-2009] because crime tends to pick up in the summer.

In Atlanta, Pennington says the economy already is hampering the department’s ability to fight rising crime.

City workers, including the department’s 1,760 officers, administrators and chief, are now working 36-hour weeks to save money, he says. The hourly cuts took effect after Christmas.

“This just started,” Pennington says. “We’ll see how it goes.”

The UCR/NIBRS Program

Development of the UCR Program

In 1930, Congress authorized the U.S. attorney general to survey crime in America, and the FBI was designated to implement the program. In short order, the bureau built on earlier efforts by the International Association of Chiefs of Police (IACP) to create a national system of uniform crime statistics. As a practical measure, IACP had recommended the use of readily available information, and so it was that citizens’ crime reports to the police became the basis of the FBI’s plan.

During its first year of operation, the FBI’s Uniform Crime Reporting Program received reports from 400 cities in 43 states. Twenty million people were covered by that first comprehensive survey. Today, approximately 16,000 law enforcement agencies provide crime information for the program, with data coming from city, county, and state departments. To ensure uniformity in reporting, the FBI has developed standardized definitions of offenses and terminologies used in the program. A number of publications, including the Uniform Crime Reporting Handbook and the Manual of Law Enforcement Records, are supplied to participating agencies, and training for effective reporting is available through FBI-sponsored seminars and instructional literature.

Following IACP recommendations, the original UCR Program was designed to permit comparisons over time through construction of a Crime Index. The index summed the occurrences of seven major offenses—murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft—and expressed the result as a crime rate based on population. In 1979, by congressional mandate, an eighth offense—arson—was added to the index. The Crime Index, first published in Crime in the United States in 1960, was the title used for a simple aggregation of the seven main offense classifications (called Part I offenses). The Modified Crime Index refers to the original Crime Index offenses plus arson.

Over the years, however, concern grew that the Crime Index did not provide a clear picture of criminality because it was skewed by the offense with the highest number of reports—typically larceny-theft. The sheer volume of larceny-theft offenses overshadowed more serious but less frequently committed offenses, skewing perceptions of crime rates for jurisdictions with high numbers of larceny-thefts, but low numbers of serious crimes like murder and forcible rape. In June 2006, the FBI’s Criminal Justice Information Services (CJIS) Advisory Policy Board officially discontinued the use of the Crime Index in the UCR/NIBRS Program and in its publications and directed the FBI to instead publish simple violent crime totals and property crime totals until a more viable index could be developed.

Although work to develop such an index is still ongoing, UCR/NIBRS Program crime categories continue to provide useful comparisons of specific reported crimes over time and between jurisdictions. It is important to recognize, as you read through the next few pages, that today’s UCR/NIBRS Program categories tend to parallel statutory definitions of criminal behavior, but they are not legal classifications—only conveniences created for statistical-reporting purposes. Because many of the definitions of crime used in this textbook are derived from official UCR/NIBRS Program terminology, you should remember that this terminology may differ from statutory definitions of crime.

Crime Index

A now defunct but once inclusive measure of the UCR Program’s violent and property crime categories, or what are called Part I offenses. The Crime Index, long featured in the FBI’s publication Crime in the United States, was discontinued in 2004. The index had been intended as a tool for geographic (state-to-state) and historical (year-to-year) comparisons via the use of crime rates (the number of crimes per unit of population). However, criticism that the index was misleading arose after researchers found that the largest of the index’s crime categories, larceny-theft, carried undue weight and led to an underappreciation of changes in the rates of more violent and serious crimes.

New York Police Department crime-scene specialists collecting evidence in front of the British Consulate in May 2005 after two small makeshift bombs exploded outside the building. No one was injured in the blasts. What kinds of crimes are most likely to go unreported or undiscovered?

Mary Altaffer/AP Wide World Photos
**The National Incident-Based Reporting System (NIBRS)**

Beginning in 1988, the FBI’s UCR Program initiated development of a new national crime-collection effort called the National Incident-Based Reporting System (NIBRS). NIBRS represents a significant redesign of the original Uniform Crime Reporting Program. Whereas the original UCR system was “summary based,” the newly enhanced National Incident-Based Reporting System is incident driven (Table 2–1). Under NIBRS, city, county, state, and federal law enforcement agencies throughout the country furnish detailed data on crime and arrest activities at the incident level either to the individual state incident-based reporting programs or directly to the federal NIBRS program.

NIBRS is not a separate report; rather it is the new methodology underlying the contemporary UCR system—hence our use of the term UCR/NIBRS in describing today’s Uniform Crime Reporting Program. Whereas the old UCR system depended on statistical tabulations of crime data, which were often little more than frequency counts, the new UCR/NIBRS system gathers many details about each criminal incident. Included is information on place of occurrence, weapon used, type and value of property damaged or stolen, the personal characteristics of the offender and the victim, the nature of any relationship between the two, and the disposition of the complaint.

Under UCR/NIBRS, the traditional distinctions between Part I and Part II offenses are being replaced with 22 general offenses: arson, assault, bribery, burglary, counterfeiting, embezzlement, extortion, forcible sex offenses, fraud, gambling, homicide, kidnapping, larceny, motor vehicle theft, narcotics offenses, nonforcible sex offenses, pornography, prostitution, receiving stolen property, robbery, vandalism, and weapons violations. Other offenses on which UCR/NIBRS data are being gathered include bad checks, vagrancy, disorderly conduct, driving under the influence, drunkenness, nonviolent family offenses, liquor-law violations, “Peeping Tom” activity, runaways, trespass, and a general category of all “other” criminal law violations. UCR/NIBRS also collects data on an expanded array of attributes involved in the commission of offenses, including whether the offender is suspected of using alcohol, drugs or narcotics, or a computer in the commission of the offense.

The FBI began accepting crime data in NIBRS format in January 1989. Although the bureau intended to have NIBRS fully in place by 1999, delays have been routine, and the NIBRS format has not yet been fully adopted. Because it is a flexible system, changes continue to be

**TABLE 2–1  Differences between the Traditional UCR and Enhanced UCR/NIBRS Reporting**

<table>
<thead>
<tr>
<th>Traditional UCR</th>
<th>Enhanced UCR/NIBRS</th>
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<tbody>
<tr>
<td>Consists of monthly aggregate crime counts</td>
<td>Consists of individual incident records for the eight major crimes and 38 other offenses, with details on offense, victim, offender, and property involved</td>
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<tr>
<td>Records one offense per incident, as determined by the hierarchy rule, which suppresses counts of lesser offenses in multiple-offense incidents</td>
<td>Records each offense occurring in an incident</td>
</tr>
<tr>
<td>Does not distinguish between attempted and completed crimes</td>
<td>Distinguishes between attempted and completed crimes</td>
</tr>
<tr>
<td>Records rape of females only</td>
<td>Records rape of males and females</td>
</tr>
<tr>
<td>Collects assault information in five categories</td>
<td>Restructures definition of assault</td>
</tr>
<tr>
<td>Collects weapon information for murder, robbery, and aggravated assault</td>
<td>Collects weapon information for all violent offenses</td>
</tr>
<tr>
<td>Provides counts on arrests for the eight major crimes and 21 other offenses</td>
<td>Provides details on arrests for the eight major crimes and 49 other offenses</td>
</tr>
</tbody>
</table>

made in the data gathered under UCR/NIBRS. In 2003, for example, three new data elements were added to the survey to collect information on law enforcement officers killed and assaulted. Another new data element has been added to indicate the involvement of gang members in reported offenses.

The goals of the innovations introduced under NIBRS are to enhance the quantity, quality, and timeliness of crime-data collection by law enforcement agencies and to improve the methodology used for compiling, analyzing, auditing, and publishing the collected data. A major advantage of UCR/NIBRS, beyond the sheer increase in the volume of data collected, is the ability that NIBRS provides to break down and combine crime offense data into specific information.

In keeping with the FBI’s interest in technological improvements, and to make reports of crime data more widely available, in 2006 the FBI moved all UCR/NIBRS data reporting to the Internet and stopped paper production of its annual publication, Crime in the United States. Efforts to make the electronic versions more useful and searchable continue. The latest edition of Crime in the United States can be viewed at Library Extra 2–2 at MyCrimeKit.com. To learn more about the effects of NIBRS innovations on crime statistics, including comparisons of traditional UCR summary data with the newer, more detailed UCR/NIBRS data, see Web Extra 2–5 at MyCrimeKit.com. Finally, the Bureau of Justice Statistics provides an NIBRS information website, which can be accessed via Web Extra 2–6.

Other changes in crime reporting were brought about by the 1990 Crime Awareness and Campus Security Act, which requires colleges to publish annual security reports. Most campuses share crime data with the FBI, increasing the reported national incidence of a variety of offenses. The U.S. Department of Education reports that 48 murders and 3,680 forcible sex offenses occurred on and around college campuses in 2004—the most recent year for which data are available. Also reported were 5,915 robberies, 7,076 aggravated assaults, 39,740 burglaries, and 13,874 motor vehicle thefts. Although these numbers may seem high, it is important to realize that, except for the crimes of rape and sexual assault, college students experience violence at average annual rates that are lower than those for nonstudents in the same age group. Rates of rape and sexual assault do not differ statistically between students and nonstudents. For the latest campus crime statistics, see Web Extra 2–7 at MyCrimeKit.com. Library Extra 2–3 provides statistical information on the sexual victimization of college women.

**Historical Trends**

Most UCR/NIBRS information is reported as a rate of crime. Rates are computed as the number of crimes per some unit of population. National reports generally make use of large units of population, such as 100,000 people. Hence the rate of rape reported by the UCR/NIBRS Program for 2008 was 29.3 forcible rapes per every 100,000 inhabitants of the United States (or 58.6 per 100,000 females). Rates allow for a meaningful comparison over areas and across time. The rate of reported rape for 1960, for example, was only about 10 per 100,000 inhabitants. We expect the number of crimes to increase as population grows, but rate increases are cause for concern because they indicate that reports of crime are increasing faster than the population is growing. Rates, however, require interpretation. Since the definition of rape that the FBI uses in reporting statistics on that crime includes only female victims, the rate of victimization might be more meaningfully expressed in terms of every 100,000 female inhabitants. Similarly, although there is a tendency to judge an individual’s risk of victimization based on rates, such judgments tend to be inaccurate since they are based purely on averages and do not take into consideration individual life circumstances, such as place of residence, wealth, and educational level. While rates may tell us about aggregate conditions and trends, we must be very careful when applying them to individual cases.

Since the FBI’s Uniform Crime Reporting Program began, there have been three major shifts in crime rates—and we now seem to be witnessing the beginning of a fourth. The first occurred during the early 1940s, when crime decreased sharply due to the large number of young men who entered military service during World War II. Young males make up the most “crime-prone” segment of the population, and their deployment overseas did much to
lower crime rates at home. From 1933 to 1941, the Crime Index declined from 770 to 508 offenses per every 100,000 members of the American population.\(^\text{14}\)

The second noteworthy shift in offense statistics was a dramatic increase in most forms of crime between 1960 and the early 1990s. Several factors contributed to the increase in reported crime during this period. One was also linked to World War II. With the end of the war and the return of millions of young men to civilian life, birthrates skyrocketed between 1945 and 1955, creating a postwar baby boom. By 1960, the first baby boomers were teenagers—and had entered a crime-prone age. This disproportionate number of young people produced a dramatic increase in most major crimes.

Other factors contributed to the increase in reported crime during the same period. Modified reporting requirements made it less stressful for victims to file police reports, and the publicity associated with the rise in crime sensitized victims to the importance of reporting. Crimes that might have gone undetected in the past began to figure more prominently in official statistics. Similarly, the growing professionalization of some police departments resulted in greater and more accurate data collection, making some of the most progressive departments appear to be associated with the largest crime increases.\(^\text{15}\)

The 1960s were tumultuous years. The Vietnam War, a vibrant civil rights struggle, the heady growth of secularism, a dramatic increase in the divorce rate, diverse forms of “liberation,” and the influx of psychedelic and other drugs all combined to fragment existing institutions. Social norms were blurred, and group control over individual behavior declined substantially. The “normless” quality of American society in the 1960s contributed greatly to the rise in crime.

From 1960 to 1980, crime rates rose from 1,887 to 5,950 offenses per every 100,000 U.S. residents. In the early 1980s, when postwar boomers began to age out of the crime-prone years and American society emerged from the cultural drift that had characterized the previous 20 years, crime rates leveled out briefly. Soon, however, an increase in drug-related criminal activity led crime rates—especially violent crime rates—to soar once again. Crime rates peaked during the early 1990s.

A third major shift came with a significant decline in the rates of most major crimes being reported between 1991 and 2008. During these years, the crime rate dropped from 5,897 to 3,670 offenses per every 100,000 residents—sending it down to levels not seen since 1975. The U.S. Department of Justice suggests various reasons for the decline, including\(^\text{16}\)

- A coordinated, collaborative, and well-funded national effort to combat crime, beginning with the Safe Streets Act of 1968 and continuing through the USA PATRIOT Act of 2001
- Stronger, better-prepared criminal justice agencies, resulting from increased spending by federal and state governments on crime-control programs
- Growth in the popularity of innovative police programs, such as community policing (see Chapter 6)
- A strong victims’ movement and enactment of the 1984 federal Victims of Crime Act (see Chapter 11) and the 1994 Violence against Women Act (discussed later in this chapter), which established the Office for Victims of Crime in the U.S. Department of Justice
- Sentencing reform, including various “get tough on crime” initiatives (see Chapter 11)
- A substantial growth in the use of incarceration (see Chapter 13) due to changes in sentencing law practice (see Chapter 11)
- The “war on drugs,” begun in the 1970s,\(^\text{17}\) which resulted in stiff penalties for drug dealers and repeat drug offenders
- Advances in forensic science and enforcement technology, including the increased use of real-time communications, the growth of the Internet, and the advent of DNA evidence (see Chapter 11)

More important than new strict laws, an expanded justice system, police funding, or changes in crime-fighting technologies, however, may have been influential economic and demographic factors that were largely beyond the control of policymakers but that combined to produce substantial decreases in rates of crime—including economic expansion and a significant
shift in demographics caused by an aging of the population. During the 1990s, unemployment decreased by 36% in the United States, while the number of people ages 20 to 34 declined by 18%. Hence it may have been the ready availability of jobs combined with demographic shifts in the population—not the official efforts of policymakers—that produced a noteworthy decrease in crime during the 1990s. Read noted criminologist Alfred Blumstein’s analysis of crime’s decline in Library Extra 2–4 at MyCrimeKit.com to learn more about why crime rates fell during the 1990s.

A fourth shift in crime trends seems to be starting now. Some think that recent economic uncertainty, an increased jobless rate among unskilled workers, the growing number of ex-convicts who are back on the streets, the recent growth in the teenage population in this country, the increasing influence of gangs, copycat crimes, and the lingering social disorganization brought on by natural disasters like Hurricane Katrina in 2005 may lead to sustained increases in crime.18 “We’re probably done seeing declines in crime rates for some time to come,” says Jack Riley, director of the Public Safety and Justice Program at RAND Corporation in Santa Monica, California. “The question,” says Riley, “is how strong and how fast will those rates [rise], and what tools do we have at our disposal to get ahead of the curve.”19

In 2006, in an effort to draw attention to spiking rates of violent crime in a number of major cities, the Police Executive Research Forum released a report entitled A Gathering Storm: Violent Crime in America.20 PERF was concerned that official FBI data would take too long to gather and might be released too late to effectively combat the growing trend in violence that it felt it had identified. The information used as the basis for the 2006 PERF report had been gathered from law enforcement executives at a “violent crime summit” held at the Mayflower Hotel in Washington, D.C. PERF said that its data show that there are a number of cities across the country reporting large changes in the extent and nature of violent crime.

A second PERF report, this one entitled Violent Crime in America: 24 Months of Alarming Trends, was released in 2007 before full-year crime statistics were available from the FBI. It found even more reason for concern.21 The report noted that urban violent crime increased significantly in 2006 and that “many cities experienced double-digit or even triple-digit percentage increases in homicides and other violence.”

PERF authors said that the most recent crime statistics showed a worsening of a trend first identified by PERF in mid-2005, “when PERF began to hear rumblings from its members that ‘violent crime is making a comeback.’”22

Finally, in 2008, the Third Way Culture Program, a Washington, D.C.–based nonpartisan strategy center, released a report with conclusions similar to those reached by PERF. Titled The Impending Crime Wave,23 the Third Way report identified what it called “four dangerous new trends” that it sees leading to heightened rates of serious crime in the near future: (1) “the reentry explosion” (“a massive and unprecedented population of prisoners reentering society and returning to their often troubled neighborhoods”); (2) “the lengthening shadow of illegal immigration” (said to attract a new kind of opportunistic criminal who serves members of a shadow economy); (3) “the sprawling parentless neighborhood of the Internet” (which puts children at risk of sexual predation and other crimes); and (4) “the surging youth population” (“a demographic surge that is responsible for a million new teenagers and young adults, who are statistically far more prone to commit crimes than the general population”). The entire Third Way report is available online at Library Extra 2–5 at MyCrimeKit.com. Figure 2–2 shows historical rates of crime.

UCR/NIBRS in Transition

Reports of crime data available through the UCR/NIBRS Program are now going through a transitional phase, as the FBI integrates more NIBRS-based data into its official summaries. The transition to NIBRS reporting is complicated by the fact that not only does NIBRS gather more kinds of data than the older summary UCR Program did, but the definitions used for certain kinds of criminal activity under NIBRS differ from what they were under the traditional UCR Program. The standard reference publication that the FBI designates for use by police departments in scoring and reporting crimes that occur within their jurisdiction is the Uniform Crime Reporting Handbook, and it is the most recent edition of that Handbook that
guides and informs the discussion of crime statistics in the pages that follow. You can access the entire 164-page *Uniform Crime Reporting Handbook* at Library Extra 2–6 at MyCrimeKit.com. A thorough review of that document shows that much of the traditional UCR summary data-reporting terminology and structure remains in place. Learn more about the kinds of information recorded under NIBRS at Library Extra 2–7.

Figure 2–3 shows the FBI crime clock, which has long been calculated annually as a shorthand way of diagramming crime frequency in the United States. Note that crime clock data imply a regularity to crime that, in reality, does not exist. Also, although the crime clock is a useful diagrammatic tool, it is not a rate-based measure of criminal activity and does not allow easy comparisons over time. Seven major crimes are included in the figure: murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft.

A Dress Code for Bank Customers?

Dark glasses, a hooded sweatshirt, and a hat have been called the “uniform of choice” for bank robbers. In an effort to thwart an increase in robberies, some banks have begun posting requests for customers to remove hats, hoods, and sunglasses before entering financial establishments. In 2009, for example, Houston-area banks began putting up signs requiring that customers remove even their cowboy hats—a request that some saw as going too far. Since Sterling Bank, with 60 branches across Texas, asked customers to follow such rules, none of its branches has been robbed. Graham Painter, a Sterling Bank spokesman, says, “We don’t want our regular customers thinking that we’re telling them how they ought to dress. But . . . it seems reasonable and not too much to ask to give us an advantage over the robber.”

Not all banks, however, are following the trend. “I think what you have to weigh is convenience to customers versus the added benefits in terms of identifying suspects with a measure like this,” said Melodie Jackson, spokeswoman for Citizens Bank of Massachusetts. “We’re taking a very close look at things.”

Nonetheless dress code signs are becoming commonplace at banks throughout the country, and it is likely that this request will soon become the de facto standard at banking and other financial venues.

YOU DECIDE

Are bank “dress codes” asking too much of customers? How would you feel about doing business with a bank that posts requests like those described here?

The crime clock distinguishes between two categories of offenses: violent crimes and property crimes. The violent, or personal, crimes are murder, forcible rape, robbery, and aggravated assault. The property crimes, as Figure 2–3 shows, are burglary, larceny-theft, and motor vehicle theft. Other than the use of this simple dichotomy, UCR/NIBRS data do not provide a clear measure of the severity of the crimes they cover.

Like most UCR/NIBRS statistics, crime clock data are based on crimes reported to (or discovered by) the police. For a few offensives, the numbers reported are probably close to the numbers that actually occur. Murder, for example, is a crime that is difficult to conceal because of its seriousness. Even where the crime is not immediately discovered, the victim is often quickly missed by family members, friends, and associates, and someone files a “missing persons” report with the police. Auto theft is another crime that is reported in numbers similar to its actual rate of occurrence, probably because insurance companies require that the victim file a police report before they will pay the claim.

A commonly used term in today’s UCR/NIBRS reports is clearance rate, which refers to the proportion of reported crimes that have been “solved.” Clearances are judged primarily on the basis of arrests and do not involve judicial disposition. Once an arrest has been made, a crime is regarded as having been “cleared” for reporting purposes. Exceptional clearances (sometimes called clearances by exceptional means) can result when law enforcement authorities believe they know who committed a crime but cannot make an arrest. The perpetrator may, for example, have fled the country or died. Table 2–2 summarizes UCR/NIBRS Program statistics for 2008.

Part I Offenses

MURDER Murder is the unlawful killing of one human being by another. UCR/NIBRS statistics on murder describe the yearly incidence of all willful and unlawful homicides within the United States. Included in the count are all cases of nonnegligent manslaughter that have been reported to or discovered by the police. Not included in the count are suicides, justifiable homicides (that is, those committed in self-defense), deaths caused by negligence or accident, and murder attempts. In 2008, some 16,272 murders came to the attention of police departments across the United States. First-degree murder is a criminal homicide that is planned. Second-degree murder is an intentional and unlawful killing but one that is generally unplanned and that happens “in the heat of the moment.”

Murder is the smallest numerical category in the Part I offenses. The 2008 murder rate was 5.4 homicides for every 100,000 residents of the United States. Generally, murder rates peak in the warmest months; in 2008, the greatest number of murders occurred in August. Geographically, murder is most common in the southern states. However, because those states are also the most populous, a meaningful comparison across regions of the country is difficult.

Age is no barrier to murder. Statistics for 2008 reveal that 210 infants (children under the age of one) were victims of homicide, as were 261 people age 75 and over. Young adults between 20 and 24 were the most likely to be murdered. Murder perpetrators were also most common in this age group.

Firearms are the weapon used most often to commit murder. In 2008, guns were used in 68% of all killings. Handguns outnumbered shotgunss almost 15 to 1 in the murder statistics, with rifles used almost as often as shotguns. Knives were used in approximately 12% of all murders. Other weapons included explosives, poison, narcotics overdose, blunt objects like clubs, and hands, feet, and fists.
TABLE 2–2  Major Crimes Known to the Police, 2008
(UCR/NIBRS Part I Offenses)

<table>
<thead>
<tr>
<th>Offense</th>
<th>Number</th>
<th>Rate per 100,000</th>
<th>Clearance Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Personal/Violent Crimes</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Murder</td>
<td>16,272</td>
<td>5.4</td>
<td>63.6%</td>
</tr>
<tr>
<td>Forcible rape</td>
<td>89,000</td>
<td>29.3</td>
<td>40.4</td>
</tr>
<tr>
<td>Robbery</td>
<td>441,855</td>
<td>145.3</td>
<td>26.8</td>
</tr>
<tr>
<td>Aggravated assault</td>
<td>834,885</td>
<td>274.6</td>
<td>54.9</td>
</tr>
<tr>
<td><strong>Property Crimes</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Burglary</td>
<td>2,222,196</td>
<td>730.8</td>
<td>12.5</td>
</tr>
<tr>
<td>Larceny-theft</td>
<td>6,588,873</td>
<td>2167.0</td>
<td>19.9</td>
</tr>
<tr>
<td>Motor vehicle theft</td>
<td>956,846</td>
<td>314.7</td>
<td>12.0</td>
</tr>
<tr>
<td>Arson</td>
<td>56,972</td>
<td>24.1</td>
<td>18.0</td>
</tr>
<tr>
<td><strong>U.S. Total</strong></td>
<td>11,206,899</td>
<td>3,685.0</td>
<td></td>
</tr>
</tbody>
</table>

*a Arson can be classified as either a property crime or a violent crime, depending on whether personal injury or loss of life results from its commission. It is generally classified as a property crime, however. Arson statistics are incomplete for 2008.


Only 12.9% of all murders in 2008 were perpetrated by offenders classified as “strangers.” In 46% of all killings, the relationship between the parties had not yet been determined. The largest category of killers was officially listed as “acquaintances,” which probably includes a large number of former friends. Arguments cause most murders (40.6%), but murders also occur during the commission of other crimes, such as robbery, rape, and burglary. Homicides that follow from other crimes are more likely to be impulsive rather than planned.

M Murders may occur in sprees, which “involve killings at two or more locations with almost no time break between murders.”27 One spree killer, John Allen Muhammad, 41, part of the “sniper team” that terrorized the Washington, D.C., area in 2002, was arrested along with 17-year-old Jamaican immigrant Lee Boyd Malvo in the random shootings of 13 people in Maryland, Virginia, and Washington over a three-week period. Ten of the victims died.28 In 2003, Muhammad and Malvo were convicted of capital murder; Muhammad was sentenced to die. Malvo was given a second sentence of life without the possibility of parole in 2006 after he struck a deal with prosecutors in an effort to avoid the death penalty.29

In contrast to spree killing, mass murder entails “the killing of four or more victims at one location, within one event.”30 Recent mass murderers have included Seung-Hui Cho (who killed 33 people and wounded 20 on the campus of Virginia Polytechnic Institute and State University in Blacksburg, Virginia, in 2007); Timothy McVeigh (the antigovernment Oklahoma City bomber); and Mohammed Atta and the terrorists whom he led in the September 11, 2001, attacks against American targets.

Yet another kind of murder, serial murder, happens over time and officially “involves the killing of several victims in three or more separate events.”31 In cases of serial murder, days, months, or even years may elapse between killings.32 Some of the more infamous serial killers of recent years are confessed Wichita BTK33 murderer Dennis Rader; Jeffrey Dahmer, who received 936 years in prison for the murders of 15 young men (and who was himself later murdered in prison); Ted Bundy, who killed many college-aged women; Henry Lee Lucas, now in a Texas prison, who confessed to 600 murders but later recanted (yet was convicted of 11 murders and linked to at least 140 others); 34 Ottis Toole,
crime in America

Rape

Unlawful sexual intercourse achieved through force and without consent. Broadly speaking, the term rape has been applied to a wide variety of sexual attacks and may include same-sex rape and the rape of a male by a female. For statistical-reporting purposes, however, the term forcible rape has a specific and somewhat different meaning. The UCR/NIBRS Program defines forcible rape as "the carnal knowledge of a female forcibly and against her will." Forcible rape is a separate federal crime to "kill or attempt to kill" a fetus "at any stage of development" during an assault on a pregnant woman. The fetal homicide statute, better known as Laci and Conner’s Law, after homicide victims Laci Peterson and her unborn son (whom she had planned to name Conner), specifically prohibits the prosecution of "any person for conduct relating to an abortion for which the consent of the pregnant woman, or a person authorized by law to act on her behalf, has been obtained.”

Because murder is such a serious crime, it consumes substantial police resources. Consequently, over the years the offense has shown the highest clearance rate of any index crime. More than 61% of all homicides were cleared in 2008. Figure 2–4 shows expanded homicide data from the FBI. Learn more about homicide trends in the United States at Library Extra 2–8 at MyCrimeKit.com.

Lucas’s partner in crime; cult leader Charles Manson, still serving time for ordering followers to kill seven Californians, including famed actress Sharon Tate; Andrei Chikatilo, the Russian “Hannibal Lecter,” who killed 52 people, mostly schoolchildren; David Berkowitz, also known as the “Son of Sam,” who killed six people on lovers’ lanes around New York City; Theodore Kaczynski, the Unabomber, who perpetrated a series of bomb attacks on “establishment” figures; Seattle’s Green River Strangler, Gary Leon Ridgway, a 54-year-old painter who in 2003 confessed to killing 48 women in the 1980s; and the infamous “railroad killer” Angel Maturino Resendiz. Although Resendiz was convicted of only one murder—that of Dr. Claudia Benton, which occurred in 1998—he is suspected of many more.

Federal homicide laws changed in 2004, when President George Bush signed the Unborn Victims of Violence Act. The act, which passed the Senate by only one vote, made it a separate federal crime to “kill or attempt to kill” a fetus “at any stage of development” during an assault on a pregnant woman. The fetal homicide statute, better known as Laci and Conner’s Law, after homicide victims Laci Peterson and her unborn son (whom she had planned to name Conner), specifically prohibits the prosecution of “any person for conduct relating to an abortion for which the consent of the pregnant woman, or a person authorized by law to act on her behalf, has been obtained.”

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FORCIBLE RAPE

The term rape is often applied to a wide variety of sexual attacks, including same-sex rape and the rape of a male by a female. For statistical-reporting purposes, however, the term forcible rape has a specific and somewhat different meaning. The UCR/NIBRS Program defines forcible rape as “the carnal knowledge of a female forcibly and against her will.” By definition, rapes reported under the summary UCR Program are always of females. Although today our society acknowledges that males can be the victims of sexual assault, the Uniform Crime Reporting Handbook, which serves as a statistical-reporting guide for law enforcement agencies, says, “Sexual attacks on males are excluded from the rape category and should be classified as assaults or other sex offenses depending on the nature of the crime and the extent of the injury.” While it was not part of original UCR terminology, some jurisdictions refer to same-sex rape as sexual battery. Incidents of sexual battery are reportable under today’s UCR/NIBRS Program as sexual offenses but do not enter the statistics on rape.
Statutory rape, where no force is involved but the victim is younger than the age of consent, is not included in rape statistics, but attempts to commit the rape of a female by force or the threat of force are.

Forcible rape is the least reported of all violent crimes. Estimates are that only one out of every four forcible rapes is reported to the police. An even lower figure was reported by a 1992 government-sponsored study, which found that only 16% of rapes were reported. The victim’s fear of embarrassment was the most commonly cited reason for nonreports. In the past, reports of rapes were often handled in ways that made victims feel further victimized. Information was usually taken by desk sergeants or male detectives who were typically insensitive to victims’ needs, and the physical examination victims had to endure was often a traumatizing experience in itself. Also, many states routinely permitted the woman’s past sexual history to be revealed in detail in the courtroom if a trial ensued. But the past few decades have seen many changes designed to facilitate accurate reporting of rape and other sex offenses. Trained female detectives often interview the victims, physicians have become better educated in handling the psychological needs of victims, and sexual histories are no longer regarded as relevant in most trials.

UCR/NIBRS statistics show 89,000 reported forcible rapes for 2008, a slight decrease over the number of offenses reported for the previous year. Rape reports, however, have sometimes increased, even in years when reports of other violent crimes have been on the decline. The offense of rape follows homicide in its seasonal variation. The greatest numbers of forcible rapes in 2008 were reported in the hot summer months, while the lowest numbers were recorded in January, February, November, and December.

Rape is frequently committed by a man known to the victim, as in the case of date rape. Victims may be held captive and subjected to repeated assaults. In the crime of heterosexual rape, any female—regardless of age, appearance, or occupation—is a potential victim. Through personal violation, humiliation, and physical battering, rapists seek a sense of

A crime in progress? Date rape is unlawful sexual intercourse with a female against her will that occurs within the context of a dating relationship. “Date rape drugs” like Rohypnol are sometimes secretly placed in women’s drinks, rendering them unable to resist. How can women guard against being victimized?

Peter Dokus/Getty Images Inc.—Stone Allstock
personal aggrandizement and dominance. Victims of rape often experience a lessened sense of personal worth; feelings of despair, helplessness, and vulnerability; a misplaced sense of guilt; and a lack of control over their personal lives.

Contemporary wisdom holds that forcible rape is often a planned violent crime that serves the offender’s need for power rather than sexual gratification. The “power thesis” has its origins in the writings of Susan Brownmiller, who argued in 1975 that the primary motivation leading to rape is the male desire to “keep women in their place” and to preserve gender inequality through violence. Although many writers on the subject of forcible rape have generally accepted the power thesis, at least one study has caused some to rethink it. In a 1995 survey of imprisoned serial rapists, for example, Dennis Stevens found that “lust” was reported most often (41%) as “the primary motive for predatory rape.”

Statistically speaking, most rapes are committed by acquaintances of the victims and often betray a trust or friendship. Date rape, which falls into this category, appears to be far more common than previously believed. Recently, the growing number of rapes perpetrated with the use of the “date rape drug” Rohypnol have alarmed law enforcement personnel. Rohypnol, which is discussed in Chapter 16, is an illegal pharmaceutical substance that is virtually tasteless. Available on the black market, it dissolves easily in drinks and can leave anyone who consumes it unconscious for hours, making them vulnerable to sexual assault.

Rape within marriage, which has not always been recognized as a crime, is a growing area of concern in American criminal justice, and many laws have been enacted during the past few decades to deter it. Similarly, even though UCR/NIBRS Program statistics officially report only the rape or attempted rape of females, some state statutes criminalize the rape of a male by a female. When it occurs, this offense is typically statutory rape. In 2007, for example, sixth-grade Wilmington, Delaware, science teacher Rachel L. Holt, a 34-year-old divorcee, was sentenced to 10 years in prison after pleading guilty to second-degree rape. She had initially been charged with 28 counts of first-degree rape—which prosecutors said was based on the number of times she had had sex with a 13-year-old male student whom she had plied with alcohol and let drive her car. The intense affair took place over a one-week period.

Learn more about the crime of rape and about what people can do to protect themselves at Web Extra 2–8 at MyCrimeKit.com. Read about statistical measures relating to the sexual victimization of women at Library Extra 2–9 at MyCrimeKit.com.

FIGURE 2–5
Robbyer locations, 2008.
Robbery is primarily an urban offense, and most arrestees are young male minorities. The robbery rate in cities in 2008 was 145 per every 100,000 inhabitants, whereas it was only 47.8 in rural areas. Eighty-eight percent of those arrested for robbery in 2008 were male, 65% were under the age of 25, and 58% were minorities.47

AGGRAVATED ASSAULT In April 2006, Arthur J. McClure, 22, of Fort Myers, Florida, was arrested when he allegedly took the head off of an Easter Bunny costume that he was wearing and punched Erin Johansson of Cape Coral, Florida, after the young mother apparently became upset that a mall photo set was closing 10 minutes early.48 The incident was witnessed by dozens of people, including many children who had gathered to have their pictures taken with the rabbit. McClure, who denied he struck Johansson, was fired after the incident.

Assaults are of two types: simple (misdemeanor) and aggravated (felonious). For statistical-reporting purposes, simple assaults typically involve pushing and shoving. While simple assault may also at times include fistfights, the correct legal term to describe such incidents is battery. Aggravated assaults are distinguished from simple assaults in that either a weapon is used or the assault victim requires medical assistance. When a deadly weapon is employed, an aggravated assault may be charged as attempted murder even if no injury results.49 In some cases, the UCR/NIBRS Program scores these attempted assaults as aggravated assault because of the potential for serious consequences.

In 2008, 834,885 cases of aggravated assault were reported to law enforcement agencies in the United States. Assault reports were most frequent in summer months and least frequent in February, November, December, and January. Most aggravated assaults were committed with blunt objects or objects near at hand (34%), while hands, feet, and fists were also commonly used (26%). Less frequently used were knives (19%) and firearms (21%). Because those who commit assaults are often known to their victims, aggravated assaults are relatively easy to solve. About 55% of all aggravated assaults reported to the police in 2008 were cleared by arrest.

BURGLARY Although it may involve personal and even violent confrontation, burglary is primarily a property crime. Burglars are interested in financial gain and usually fence (that is, illegally sell) stolen items, recovering a fraction of their cash value. About 2.2 million burglaries were reported to the police in 2008. Dollar losses to burglary victims totaled $4.6 billion, with an average loss per offense of $2,079.

The UCR/NIBRS Program employs three classifications of burglary: (1) forcible entry, (2) unlawful entry where no force is used, and (3) attempted forcible entry. In most jurisdictions, force need not be employed for a crime to be classified as burglary. Unlocked

assault (UCR/NIBRS) An unlawful attack by one person upon another. Historically, assault meant only the attempt to inflict injury on another person; a completed act constituted the separate offense of battery. Under modern statistical usage, however, attempted and completed acts are grouped together under the generic term assault.

aggravated assault The unlawful, intentional inflicting, or attempted or threatened inflicting, of serious injury upon the person of another. While aggravated assault and simple assault are standard terms for reporting purposes, most state penal codes use labels like first-degree and second-degree to make such distinctions.

burglary (UCR/NIBRS) The unlawful entry of a structure to commit a felony or a theft (excludes tents, trailers, and other mobile units used for recreational purposes). Under the UCR/NIBRS Program, the crime of burglary can be reported if (1) an unlawful entry of an unlocked structure has occurred, (2) a breaking and entering (of a secured structure) has taken place, or (3) a burglary has been attempted.

A man threatening a police officer with a beer bottle in Sydney, Australia, in December 2005, after ethnic tensions erupted into running battles between police and a mob of thousands of youths. An assault is an unlawful attack upon one person by another. What is the difference between assault and aggravated assault?

Rob Griffith/AP Wide World Photos
Race and the Criminal Justice System

Several years ago, Professor Lani Guinier of the University of Pennsylvania School of Law was interviewed on Think Tank, a public television show. Guinier was asked by Ben Wattenberg, the program’s moderator, “When we talk about crime, crime, crime, are we really using a code for black, black, black?” Guinier responded this way: “To a great extent, yes, and I think that’s a problem, not because we shouldn’t deal with the disproportionate number of crimes that young black men may be committing, but because if we can’t talk about race, then when we talk about crime, we’re really talking about other things, and it means that we’re not being honest in terms of acknowledging what the problem is and then trying to deal with it.”

Crimes, of course, are committed by individuals of all races. The link between crime—especially violent, street, and predatory crimes—and race, however, shows a striking pattern. In most crime categories, arrests of black offenders equal or exceed arrests of whites. In any given year, arrests of blacks account for more than 50% of all arrests for violent crimes. Blacks, however, comprise only 12% of the U.S. population. When rates (which are based upon the relative proportion of racial groups) are examined, the statistics are even more striking. The murder rate among blacks, for example, is ten times that of whites. Similar rate comparisons, when calculated for other violent crimes, show that far more blacks than whites are involved in other street crimes, such as assault, burglary, and robbery. Related studies show that 30% of all young black men in America are under correctional supervision on any given day—a far greater percentage than for members of any other race in the country.

The real question for anyone interested in the justice system is how to explain such huge race-based disparities. Some authors maintain that racial differences in arrests and in rates of imprisonment are due to the differential treatment of African Americans at the hands of a discriminatory criminal justice system. Marvin D. Free, Jr., for example, says that the fact that African Americans are underrepresented as criminal justice professionals results in their being overrepresented in arrest and confinement statistics. Some police officers, says Free, are more prone to arrest blacks than whites, frequently arrest blacks without sufficient evidence to support criminal charges, and overcharge in criminal cases involving black defendants—resulting in misleading statistical tabulations that depict blacks as being responsible for a greater proportion of crime than is, in fact, the case.

Other writers disagree. In The Myth of a Racist Criminal Justice System, for example, William Wilbanks claims that while the practice of American criminal justice may have been significantly racist in the past, and while some vestiges of racism may indeed remain, the system today is by and large objective in its processing of criminal defendants. Using statistical data, Wilbanks shows that “at every point from arrest to parole there is little or no evidence of an overall racial effect, in that the percentage outcomes for blacks and whites are not very different.” Wilbanks claims to have reviewed “all the available studies that have examined the possible existence of racial discrimination from arrest to parole.” In essence, he says, “this examination of the available evidence indicates that support for the ‘discrimination thesis’ is sparse, inconsistent, and frequently contradictory.”

Wilbanks is careful to counter arguments advanced by those who continue to suggest that the system is racist. He writes, for example, “Perhaps the black/white gap at arrest is a product of racial bias by the police in that the police are more likely to select and arrest black than white offenders. The best evidence on this question comes from the National Crime Survey which interviews 130,000 Americans each year..."
about crime victimization. . . . The percent of offenders described by victims as being black is generally consistent with the percent of offenders who are black according to arrest figures.”

Contemporary research appears to discount claims that today’s American justice system is racist. In 2006, for example, Pauline K. Brennan, a criminologist at the University of Nebraska at Omaha, examined the effects of race and ethnicity on the sentencing of female misdemeanants and found that “race/ethnicity did not directly affect sentencing.” 4 Brennan discovered, however, that black and Hispanic females were more likely to receive jail sentences than their White counterparts due to differences in “things like prior record and charge severity.

A fundamental critique of Wilbanks’s thesis comes from Coramae Richey Mann, who says that his overreliance on quantitative or statistical data fails to capture the reality of racial discrimination within the justice system. 5 White victims, says Mann, tend to overreport being victimized by black offenders because they often misperceive Hispanic and other minority offenders as black. Similarly, she says, black victims are sometimes reluctant to report victimization—especially at the hands of whites.

Mann’s arguments are discounted by those who point out that the statistics appear to be overwhelming. If they are accurate, then another question emerges: Why do blacks commit more crimes? Wilbanks says, “The assertion that the criminal justice system is not racist does not address the reasons why blacks appear to offend at higher rates than whites before coming into contact with the criminal justice system. . . . It may be that racial discrimination in American society has been responsible for conditions (for example, discrimination in employment, housing, and education) that lead to higher rates of offending by blacks.”

Marvin Free, Jr., suggests that African Americans are still systematically denied equal access to societal resources that would allow for full participation in American society—resulting in a higher rate of law violation. In a work that considers such issues in great detail, John Hagan and Ruth D. Peterson acknowledge the reality of higher crime rates among ethnic minorities and attribute them to (1) concentrated poverty; (2) joblessness, (3) family disruption, and (4) racial segregation. 6

The question of actual fairness of the justice system can be quite different from one of perceived fairness. As University of Maryland Professor Katheryn K. Russell points out, “Study after study has shown that blacks and whites hold contrary views on the fairness of the criminal justice system’s operation; blacks tend to be more cautious in their praise and frequently view the system as unfair and racially biased; by contrast whites have a favorable impression of the justice system. . . . The point is not that whites are completely satisfied with the justice system, but rather that, relative to blacks, they have faith in the system.” 9 One reason for such differences may be that blacks are more likely to be victims of police harassment and brutality or may know someone who has been.

Even if blacks do engage in more criminal activity than whites, says noted criminologist Thomas J. Bernard, higher rates of offending may be due, at least in part, to their perception that members of their group have historically been treated unfairly by agents of social control—resulting in anger and defiance, which express themselves in criminal activity. 10 Hence, says Bernard, crime—at least crime committed by minority group members—becomes a kind of protest against a system that is perceived as fundamentally unfair.

According to Russell, inequities in the existing system may propel African Americans into crime and combine with stereotypical images in the popular media to perpetuate what she calls the criminal blackman myth. The criminal blackman myth, says Russell, is a stereotypical portrayal of black men as inherently more sinister, evil, and dangerous than their white counterparts. The myth of the criminal blackman, adds Russell, is self-perpetuating, resulting in continued frustration, more crime, and growing alienation among African Americans.

3Ibid.
doors and open windows are invitations to burglars, and the legal essence of burglary consists not so much of a forcible entry as it does of the intent to trespass and steal. In 2008, 61.2% of all burglaries were forcible entries, 32.3% were unlawful entries, and 6.4% were attempted forcible entries. The most dangerous burglaries were those in which a household member was home (about 10% of all burglaries). Residents who were home during a burglary suffered a greater than 30% chance of becoming the victim of a violent crime. However, while burglary may evoke images of dark-clothed strangers breaking into houses in which families lie sleeping, burglaries more often are of unoccupied homes and take place during daylight hours.

The clearance rate for burglary, as for other property crimes that we’ll look at later, is generally low. In 2008, the clearance rate for burglary was only 12.5%. Burglars usually do not know their victims, and in cases where they do, burglars conceal their identity by committing their crime when the victim is not present.

**Larceny-Theft**

In 2002, 25-year-old Thad Roberts and 22-year-old Tiffany Fowler were arrested in Orlando, Florida, and charged with stealing moon rocks from the Johnson Space Center in Houston, Texas. Roberts had been working as a student intern at the center, and Fowler was a Space Center employee. Officials realized that the lunar samples, along with a number of meteorites, were missing when they discovered that a 600-pound safe had disappeared from the Houston facility. They had been alerted to the loss by messages placed on a website run by a mineralogy club in Antwerp, Belgium, offering “priceless moon rocks collected by Apollo astronauts” for sale for up to $5,000 per gram. Roberts and Fowler were arrested by federal agents pretending to be potential purchasers.

Larceny is another name for theft, and the UCR/NIBRS Program uses the term larceny-theft to describe theft offenses. Some states distinguish between simple larceny and grand larceny, categorizing the crime based on the dollar value of what is stolen. Larceny-theft, as defined by the UCR/NIBRS Program, includes the theft of valuables of any dollar amount. The reports specifically list the following offenses as types of larceny (listed here in order of declining frequency):

- Thefts from motor vehicles
- Shoplifting
- Thefts from buildings
- Thefts of motor vehicle parts and accessories
- Bicycle thefts
- Thefts from coin-operated machines
- Purse snatching
- Pocket picking

Thefts of farm animals (known as rustling) and thefts of most types of farm machinery also fall into the larceny category. In fact, larceny is such a broad category that it serves as a kind of catchall in the UCR/NIBRS Program. In 1995, for example, Yale University officials filed larceny charges against 25-year-old student Lon Grammer, claiming that he had fraudulently obtained university funds. The university maintained that Grammer had stolen his education by forging college and high school transcripts and concocting letters of recommendation prior to admission. Grammer’s alleged misdeeds, which Yale University officials said misled them into thinking that Grammer, a poor student before attending Yale, had an exceptional scholastic record, permitted him to receive $61,475 in grants and loans during the time he attended the school. Grammer was expelled.

Reported thefts vary widely, in terms of both the objects stolen and their value. Stolen items range from pocket change to a $100 million aircraft. For reporting purposes, crimes entailing embezzlement, con games, forgery, and worthless checks are specifically excluded from the count of larceny. Because larceny has traditionally been considered a crime that requires physical possession of the item appropriated, some computer crimes, including thefts engineered through online access or thefts of software and information, have not been scored as larcenies unless computer equipment, electronic circuitry, or computer media...
were actually stolen. In 2004, however, the FBI confirmed that it was working with Cisco Systems, Inc., to investigate the possible theft of some of the company’s intellectual property. The theft involved approximately 800 megabytes of proprietary software code used to control the company’s Internet routers. Since hardware manufactured by Cisco Systems accounts for more than 60% of all routers used on the Internet, officials feared that the lost software could represent a major security threat for the entire Internet.

From a statistical standpoint, the most common form of larceny in recent years has been theft of motor vehicle parts, accessories, and contents. Tires, wheels, hubcaps, radar detectors, stereos, satellite radios, CD players, compact discs, and cellular phones account for many of the items reported stolen.

Reports to the police in 2008 showed 6,588,873 larcenies nationwide, with the total value of property stolen placed at $6.1 billion. Larceny-theft is the most frequently reported major crime, according to the UCR/NIBRS Program. It may also be the program’s most underreported crime category because small thefts rarely come to the attention of the police. The average value of items reported stolen in 2008 was about $925. Identity theft, a newer form of theft, is described in the CJ Today Exhibit box on the next page.

MOTOR VEHICLE THEFT For record-keeping purposes, the UCR/NIBRS Program defines motor vehicles as self-propelled vehicles that run on the ground and not on rails. Included in the definition are automobiles, motorcycles, motor scooters, trucks, buses, and snowmobiles. Excluded are trains, airplanes, bulldozers, most farm and construction machinery, ships, boats, and spacecraft; the theft of these would be scored as larceny-theft. Vehicles that are temporarily taken by individuals who have lawful access to them are not thefts. Hence spouses who jointly own all property may drive the family car, even though one spouse may think of the vehicle as his or her exclusive personal property.

As we said earlier, because most insurance companies require police reports before they will reimburse car owners for their losses, most occurrences of motor vehicle theft are reported to law enforcement agencies. Some reports of motor vehicle thefts, however, may be false. People who have damaged their own vehicles in single-vehicle crashes or who have been unable to sell them may try to force insurance companies to “buy” them through reports of theft.

In 2008, 956,846 motor vehicles were reported stolen. The average value per stolen vehicle was $6,751, making motor vehicle theft a $6.4 billion crime. The clearance rate for motor vehicle theft was only 12% in 2008. Large city agencies reported the lowest rates of theft or larceny? Even members of the FBI’s Education and Training Services Unit in Washington, D.C., were unsure of how to classify the 1995 theft of this M-60 tank by Shawn Nelson, a former Army tank operator. Nelson drove the tank through the streets of San Diego before being shot and killed by police, who jumped on the tank and cut the hatch open with bolt cutters. In this photo, Nelson’s body is being removed from the tank shortly after he was shot. How would you classify the crime for statistical reporting purposes? Would the classification be different if Nelson had lived?

David McNew/Corbis—NY
Identity Theft: A New Kind of Larceny

In 2005, ChoicePoint, a personal-information clearinghouse with huge stores of private data on millions of Americans, announced that it had been the victim of a fraud perpetrated by thieves posing as legitimate business customers. The firm quickly notified more than 145,000 people nationwide that critical personal information, including credit scores, Social Security numbers, street addresses, and more, had been stolen in what looked like a massive identity theft scheme. Later that year, more than 100,000 Bank of America and Wachovia customers were notified that their financial records might have been stolen. MasterCard reported that 40 million credit card accounts had been compromised by a security breach at a payment-processing center.

Identity theft, which involves obtaining credit, merchandise, or services by fraudulent personal representation, is a special kind of larceny. According to a recent federal survey, 9.9 million Americans were victims of identity theft in 2007, although most did not report the crime. The latest statistics available from the Bureau of Justice Statistics show that 6.4 million households (5.5% of all households in the United States) discovered that at least one member experienced one or more types of identity theft in 2005. Only a year earlier, BJS reported that 3.6 million households (3% of the nation’s total) had been similarly victimized—meaning that the incidence of identity theft almost doubled in a 12-month span. If the statistics are accurate, identity theft is the fastest-growing type of crime in America.

Identity theft became a federal crime in 1998 with the passage of the Identity Theft and Assumption Deterrence Act. The law makes it a crime whenever anyone “knowingly transfers or uses, without lawful authority, a means of identification of another person with the intent to commit, or to aid or abet, any unlawful activity that constitutes a violation of federal law, or that constitutes a felony under any applicable state or local law.”

The 2004 Identity Theft Penalty Enhancement Act added two years to federal prison sentences for criminals convicted of using stolen credit card numbers and other personal data to commit crimes. It also prescribed prison sentences for those who use identity theft to commit other crimes, including terrorism, and it increased penalties for

identity theft
A crime in which an imposter obtains key pieces of information, such as Social Security and driver’s license numbers, to obtain credit, merchandise, and services in the name of the victim. The victim is often left with a ruined credit history and the time-consuming and complicated task of repairing the financial damage.
defendants who exceed or abuse the authority of their position in unlawfully obtaining or misusing means of personal identification.

Anyone can fall prey to identity theft—even celebrities. In 2000, for example, golfer Tiger Woods learned that his identity had been stolen and that credit cards taken out in his name had been used to steal $17,000 worth of merchandise, including a 70-inch TV, stereos, and a used luxury car. In 2001, the thief, 30-year-old Anthony Lamar Taylor, who looks nothing like Woods, was convicted of falsely obtaining a driver’s license using the name of Eldrick T. Woods (Tiger’s given name), Woods’s Social Security number, and his birth date. Because Taylor already had 20 previous convictions of all kinds on his record, he was sentenced to 200 years in prison under California’s three-strikes law.

Like Woods, most victims of identity theft do not even know that their identities have been stolen until they receive bills for merchandise they haven’t purchased.

According to the National White Collar Crime Center, identity thieves use several common techniques. Some engage in “Dumpster diving,” going through trash bags, cans, or Dumpsters to get copies of checks, credit card and bank statements, credit card applications, or other records that typically bear identifying information. Others use a technique called “shoulder surfing.” It involves simply looking over the victim’s shoulder as he or she enters personal information into a computer or on a written form. Eavesdropping is another simple, yet effective, technique that identity thieves often use. Eavesdropping can occur when the victim is using an ATM machine, giving credit card or other personal information over the phone, or dialing the number for their telephone calling card. Criminals can also obtain personal identifying information from potential victims through the Internet. Some Internet users, for example, reply to “spam” (unsolicited e-mail) that promises them all sorts of attractive benefits while requesting identifying data, such as checking account or credit card numbers and expiration dates, along with their name and address. Identity theft perpetrated through the use of high technology depends on the fact that a person’s legal and economic identity in contemporary society is largely “virtual” and supported by technology.

Learn more about identity theft via Web Extra 2–9, and read the National Strategy to Combat Identity Theft at Library Extra 2–10 at MyCrimeKit.com. You can take a personal ID Theft Safety Quiz online at Library Extra 2–11.

7U.S. Code, Title 18, Section 1028.

ARSON The UCR/NIBRS Program received crime reports from more than 16,000 law enforcement agencies in 2008. Of these, only 14,011 submitted arson data. Even fewer agencies provided complete data as to the type of arson (the nature of the property burned), the estimated monetary value of the property, the ownership, and so on. Arson data include only the fires that are determined through investigation to have been willfully or maliciously set. Fires of unknown or suspicious origin are excluded from arson statistics.

The intentional and unlawful burning of structures (houses, storage buildings, manufacturing facilities, and so on) was the type of arson reported most often in 2008 (24,750 instances). The arson of vehicles was the second most common category, with 15,572 such burnings reported. The average dollar loss per instance of arson in 2008 was $16,015, and total nationwide property damage was placed at close to $1 billion. As with most property crimes, the clearance rate for arson was low—only 18% nationally. The crime of arson exists in a kind of statistical limbo. In 1979, Congress ordered that it be added as an eighth Part I offense. Today, however, many law enforcement agencies still have not begun making regular reports to the FBI on arson offenses in their jurisdictions.

Some of these difficulties have been resolved through the Special Arson Program, authorized by Congress in 1982. In conjunction with the National Fire Data Center, the FBI now operates a Special Arson Reporting System, which focuses on fire departments across the nation. The reporting system is designed to provide data to supplement yearly UCR arson tabulations.

aron (UCR/NIBRS) Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, and so on. Some instances of arson result from malicious mischief, some involve attempts to claim insurance money, and some are committed in an effort to disguise other crimes, such as murder, burglary, or larceny.
Part II Offenses

The Uniform Crime Reporting Program also includes information on what the FBI calls Part II offenses. Part II offenses, which are generally less serious than those that make up the Part I offense category, include a number of social-order, or so-called victimless, crimes. The statistics on Part II offenses are for recorded arrests, not for crimes reported to the police. The logic inherent in this form of scoring is that most Part II offenses would never come to the attention of the police were it not for arrests. Part II offenses are shown in Table 2–3, with the number of estimated arrests made in each category for 2008.

A Part II arrest is counted each time a person is taken into custody. As a result, the statistics in Table 2–3 do not report the number of suspects arrested but rather the number of arrests made. Some suspects were arrested more than once.

THE NATIONAL CRIME VICTIMIZATION SURVEY

A second major source of statistical data about crime in the United States is the National Crime Victimization Survey, which is based on victim self-reports rather than on police reports. The NCVS is designed to estimate the occurrence of all crimes, whether reported or not. The NCVS was first conducted in 1972. It built on efforts in the late 1960s by both the National Opinion Research Center and the President’s Commission on Law Enforcement and the Administration of Justice to uncover what some had been calling the dark figure of crime. This term refers to those crimes that are not reported to the police and that remain unknown to officials. Before the development of the NCVS, little was known about such unreported and undiscovered offenses.

### TABLE 2–3  UCR/NIBRS Part II Offenses, 2008

<table>
<thead>
<tr>
<th>Offense Category</th>
<th>Number of Arrests</th>
</tr>
</thead>
<tbody>
<tr>
<td>Simple assault</td>
<td>1,298,342</td>
</tr>
<tr>
<td>Forgery and counterfeiting</td>
<td>90,127</td>
</tr>
<tr>
<td>Fraud</td>
<td>234,199</td>
</tr>
<tr>
<td>Embezzlement</td>
<td>21,402</td>
</tr>
<tr>
<td>Stolen property (e.g., receiving)</td>
<td>111,319</td>
</tr>
<tr>
<td>Vandalism</td>
<td>285,012</td>
</tr>
<tr>
<td>Weapons (e.g., carrying)</td>
<td>179,661</td>
</tr>
<tr>
<td>Prostitution and related offenses</td>
<td>75,004</td>
</tr>
<tr>
<td>Sex offenses (e.g., statutory rape)</td>
<td>79,914</td>
</tr>
<tr>
<td>Drug-law violations</td>
<td>1,702,537</td>
</tr>
<tr>
<td>Gambling</td>
<td>9,811</td>
</tr>
<tr>
<td>Offenses against the family (e.g., nonsupport)</td>
<td>118,419</td>
</tr>
<tr>
<td>Driving under the influence</td>
<td>1,483,396</td>
</tr>
<tr>
<td>Liquor-law violations</td>
<td>625,939</td>
</tr>
<tr>
<td>Public drunkenness</td>
<td>611,069</td>
</tr>
<tr>
<td>Disorderly conduct</td>
<td>685,985</td>
</tr>
<tr>
<td>Vagrancy</td>
<td>33,852</td>
</tr>
<tr>
<td>Curfew violation/loitering</td>
<td>133,063</td>
</tr>
<tr>
<td>Runaways</td>
<td>109,225</td>
</tr>
</tbody>
</table>

Early data from the NCVS changed the way criminologists thought about crime in the United States. The use of victim self-reports led to the discovery that crimes of all types were more prevalent than UCR statistics indicated. Many cities were shown to have victimization rates that were more than twice the rate of reported offenses. Others, like Saint Louis, Missouri, and Newark, New Jersey, were found to have rates of victimization that very nearly approximated reported crime. New York, often thought of as a high-crime city, was discovered to have one of the lowest rates of self-reported victimization.

NCVS data are gathered by the Bureau of Justice Statistics through a cooperative arrangement with the U.S. Census Bureau. Twice each year, Census Bureau personnel interview household members in a nationally representative sample of approximately 43,000 households (about 76,000 people). Approximately 150,000 interviews of individuals age 12 or older are conducted annually. Households stay in the sample for three years, and new households rotate into the sample regularly.

The NCVS collects information on crimes suffered by individuals and households, whether or not those crimes were reported to law enforcement. It estimates the proportion of each crime type reported to law enforcement, and it summarizes the reasons that victims give for reporting or not reporting. BJS statistics are published in annual reports entitled Criminal Victimization and Crime and the Nation’s Households.

Using definitions similar to those employed by the UCR/NIBRS Program, the NCVS includes data on the national incidence of rape, sexual assault, robbery, assault, burglary, personal and household larceny, and motor vehicle theft. Not included are murder, kidnapping, and victimless crimes (crimes that, by their nature, tend to involve willing participants). Commercial robbery and the burglary of businesses were dropped from NCVS reports in 1977. The NCVS employs a hierarchical counting system similar to that of the pre-NIBRS system: It counts only the most “serious” incident in any series of criminal events perpetrated against the same individual. Both completed and attempted offenses are counted, although only people 12 years of age and older are included in household surveys.

NCVS statistics for recent years reveal the following:

- Approximately 15% of American households are touched by crime every year.
- About 19 million victimizations occur each year.
- City residents are almost twice as likely as rural residents to be victims of crime.
- About half of all violent crimes, and slightly more than one-third of all property crimes, are reported to police.67
- Victims of crime are more often men than women.
- Younger people are more likely than the elderly to be victims of crime.
- Blacks are more likely than whites or members of other racial groups to be victims of violent crimes.
- Violent victimization rates are highest among people in lower-income families.

A report by the Bureau of Justice Statistics found that in 2007, NCVS crime rates had reached their lowest level since the survey began.68 Declines began in the mid-1990s, with violent crime rates dropping almost 60% between 1993 and 2007.69 While these statistics indicate that in recent years crime rates have declined, UCR statistics, which go back almost another 40 years, show that today’s crime rate is still many times what it was in the early and middle years of the twentieth century.70 A comparison of UCR/NIBRS and NCVS data for 2007 can be found in Table 2–4. Explore the latest NCVS data at Web Extra 2–10 at MyCrimeKit.com.

Many researchers trust NCVS data more than UCR/NIBRS data because they believe that self-reports provide a more accurate gauge of criminal incidents than do police reports. Learn more about the use of self-report surveys in the measurement of crime and delinquency at Library Extras 2–12 and 2–13 at MyCrimeKit.com.

**COMPARISONS OF THE UCR AND NCVS**

As mentioned earlier in this chapter, crime statistics from the UCR/NIBRS and the NCVS reveal crime patterns that are often the bases for social policies created to deter or reduce crime. These policies also build on explanations for criminal behavior found in more elaborate
interceptions of the statistical information. Unfortunately, however, researchers too often forget that statistics, which are merely descriptive, can be weak in explanatory power. For example, NCVS data show that “household crime rates” are highest for households (1) headed by blacks, (2) headed by younger people, (3) with six or more members, (4) headed by renters, and (5) located in central cities. Such findings, combined with statistics that show that most crime occurs among members of the same race, have led some researchers to conclude that values among certain black subcultural group members both propel them into crime and make them targets of criminal victimization. The truth may be, however, that crime is more a function of inner-city location than of culture. From simple descriptive statistics, it is difficult to know which is the case. Learn more about the UCR/NIBRS Program and the NCVS, and see how they compare, by viewing Web Extra 2–11 at MyCrimeKit.com.

Like most statistical data-gathering programs in the social sciences, the UCR/NIBRS and the NCVS programs are not without problems. Because UCR/NIBRS data are based primarily on citizens’ crime reports to the police, there are several inherent difficulties. First, not all people report when they are victimized. Some victims are afraid to contact the police, while others may not believe that the police can do anything about the offense. Second, certain kinds of crimes are reported rarely, if at all. These include victimless crimes, also known as social-order offenses, such as drug use, prostitution, and gambling. Similarly, white-collar and high-technology offenses, such as embezzlement and computer crime—because they often go undiscovered—probably enter the official statistics only rarely. Third, victims’ reports may not be entirely accurate. A victim’s memory may be faulty, victims may feel the need to impress or please the police, or they may be under pressure from others to misrepresent the facts. Finally, all reports are filtered through a number of bureaucratic levels, which increases the likelihood that inaccuracies will enter the data. As noted methodologist Frank Hagan points out, “The government is very keen on amassing statistics. They collect them, add to them, raise them to the nth power, take the cube root, and prepare wonderful diagrams. But what you must never forget is that every one of these figures comes in the first instance from the chowty dar [village watchman], who puts down what he damn pleases.”

### TABLE 2–4 Comparison of UCR/NIBRS and NCVS Data, 2008

<table>
<thead>
<tr>
<th>Offense</th>
<th>UCR/NIBRS</th>
<th>NCVS*</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Personal/Violent Crimes</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homicide</td>
<td>16,272</td>
<td>—</td>
</tr>
<tr>
<td>Forcible rape&lt;sup&gt;b&lt;/sup&gt;</td>
<td>89,000</td>
<td>203,830</td>
</tr>
<tr>
<td>Robbery</td>
<td>441,855</td>
<td>551,830</td>
</tr>
<tr>
<td>Aggravated assault</td>
<td>834,885</td>
<td>839,940</td>
</tr>
<tr>
<td><strong>Property Crimes</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Burglary&lt;sup&gt;c&lt;/sup&gt;</td>
<td>2,222,196</td>
<td>3,188,620</td>
</tr>
<tr>
<td>Larceny</td>
<td>6,588,873</td>
<td>12,335,400</td>
</tr>
<tr>
<td>Motor vehicle theft</td>
<td>956,846</td>
<td>795,160</td>
</tr>
<tr>
<td>Arson&lt;sup&gt;d&lt;/sup&gt;</td>
<td>56,972</td>
<td>—</td>
</tr>
<tr>
<td><strong>Total of All Crimes Recorded</strong></td>
<td>11,206,899</td>
<td>21,312,400&lt;sup&gt;e&lt;/sup&gt;</td>
</tr>
</tbody>
</table>

*NCVS data cover “households touched by crime,” not absolute numbers of crime occurrences. More than one victimization may occur per household, but only the number of households in which victimizations occur enters the tabulations.

<sup>b</sup>NCVS statistics include both rape and sexual assault.

<sup>c</sup>NCVS statistics include only household burglary and attempts.

<sup>d</sup>Arson data are incomplete in the UCR/NIBRS and are not reported by the NCVS.

<sup>e</sup>Includes NCVS crimes not shown in the table, including 3.3 million simple assaults.

In contrast to the UCR/NIBRS dependence on crimes reported by victims who seek out the police, the National Crime Victimization Survey relies on door-to-door surveys and personal interviews for its data. Survey results, however, may be skewed for several reasons. First, no matter how objective survey questions may appear to be, survey respondents inevitably provide their personal interpretations and descriptions of what may or may not have been a criminal event. Second, by its very nature, the survey includes information from those people who are most willing to talk to surveyors; more reclusive people are less likely to respond regardless of the level of victimization they may have suffered. Also, some victims are afraid to report crimes even to nonpolice interviewers, while others may invent victimizations for the interviewer’s sake. As the first page of the NCVS report admits, “Details about the crimes come directly from the victims, and no attempt is made to validate the information against police records or any other source.”

Finally, because both the UCR/NIBRS and the NCVS are human artifacts, they contain only data that their creators think appropriate. UCR/NIBRS statistics for 2001, for example, do not include a tally of those who perished in the September 11, 2001, terrorist attacks because FBI officials concluded that the events were too “unusual” to count. Although the FBI’s 2001 Crime in the United States acknowledges “the 2,830 homicides reported as a result of the events of September 11, 2001,” it goes on to say that “these figures have been removed” from the reported data. Crimes that result from an anomalous event, but are excluded from reported data, highlight the arbitrary nature of the data-collection process itself.

SPECIAL CATEGORIES OF CRIME

A crime typology is a classification scheme used in the study and description of criminal behavior. There are many typologies, all of which have an underlying logic. The system of classification that derives from any particular typology may be based on legal criteria, offender motivation, victim behavior, the characteristics of individual offenders, or the like. Criminologists Terance D. Miethe and Richard C. McCorkle note that crime typologies “are designed primarily to simplify social reality by identifying homogeneous groups of crime behaviors that are different from other clusters of crime behaviors.” Hence one common but simple typology contains only two categories of crime: violent and property. In fact, many crime typologies contain overlapping or nonexclusive categories—just as violent crimes may involve property offenses, and property offenses may lead to violent crimes. Thus no one typology is likely to capture all of the nuances of criminal offending.

Social relevance is a central distinguishing feature of any meaningful typology, and it is with that in mind that the remaining sections of this chapter briefly highlight crimes of special importance today. They are crime against women, crime against the elderly, hate crime, corporate and white-collar crime, organized crime, gun crime, drug crime, cybercrime, and terrorism.

Crime against Women

The victimization of women is a special area of concern, and both the NCVS and the UCR/NIBRS contain data on gender as it relates to victimization. Statistics show that women are victimized less frequently than men in every major personal crime category other than rape. The overall U.S. rate of violent victimization is about 25 per 1,000 males age 12 or older, and 18 per 1,000 females. When women become victims of violent crime, however, they are more likely than men to be injured (29% versus 22%, respectively). Moreover, a larger proportion of women than men make modifications in the way they live because of the threat of crime. Women, especially those living in cities, have become increasingly careful about where they travel and the time of day they leave their homes—particularly if they are unaccompanied—and in many settings are often wary of unfamiliar males.

Date rape, familial incest, spousal abuse, stalking, and the exploitation of women through social-order offenses like prostitution and pornography are major issues facing American society today. Testimony before Congress tagged domestic violence as the largest cause of injury to American women. Former Surgeon General C. Everett Koop once identified violence against women by their partners as the number one health problem facing women.
Cyberspace has become a fertile field for illegal activity. With the use of new technology and equipment which cannot be policed by traditional methods, cyberstalking has replaced traditional methods of stalking and harassment. In addition, cyberstalking has led to offline incidents of violent crime. Police and prosecutors need to be aware of the escalating numbers of these events and devise strategies to resolve these problems through the criminal justice system.

—Linda Fairstein, Chief, Sex Crimes Prosecution Unit, Manhattan District Attorney’s Office

Findings from the National Violence against Women Survey (NVAWS) reveal the following.

- Physical assault is widespread among American women. Fifty-two percent of surveyed women said that they had been physically assaulted as a child or as an adult.
- Approximately 1.9 million women are physically assaulted in the United States each year.
- Eighteen percent of women experienced a completed or attempted rape at some time in their lives.
- Of those reporting rape, 22% were under 12 years old, and 32% were between 12 and 17 years old when they were first raped.
- Native American and Alaska Native women were most likely to report rape and physical assault, while Asian/Pacific Islander women were least likely to report such victimization. Hispanic women were less likely to report rape than non-Hispanic women.
- Women report significantly more partner violence than men. Twenty-five percent of surveyed women, and only 8% of surveyed men, said they had been raped or physically assaulted by a current or former spouse, cohabiting partner, or date.
- Violence against women is primarily partner violence. Seventy-six percent of the women who had been raped or physically assaulted since age 18 were assaulted by a current or former husband, cohabiting partner, or date, compared with 18% of the men.
- Women are significantly more likely than men to be injured during an assault. Thirty-two percent of the women and 16% of the men who had been raped since age 18 were injured during their most recent rape; 39% of the women and 25% of the men who were physically assaulted since age 18 were injured during their most recent physical assault.
- Eight percent of surveyed women and 2% of surveyed men said they had been stalked at some time in their lives. According to survey estimates, approximately 1 million women and 371,000 men are stalked annually in the United States.

Learn more about violence against women via Library Extra 2–14 at MyCrimeKit.com.

Survey findings like these show that more must be done to alleviate the social conditions that result in the victimization of women. Suggestions already under consideration call for expansion in the number of federal and state laws designed to control domestic violence, a broadening of the federal Family Violence Prevention and Services Act, federal help in setting up state advocacy offices for battered women, increased funding for battered women’s shelters, and additional funds for prosecutors and courts to develop spousal abuse units. The federal Violent Crime Control and Law Enforcement Act of 1994 was designed to meet many of these needs through a subsection entitled the Violence against Women Act (VAWA). That act signified a major shift in our national response to domestic violence, stalking (which is often part of the domestic violence continuum), and sexual assault crimes. For the first time in our nation’s history, violent crimes against women were addressed in relation to the more general problem of gender inequality.

The VAWA seeks to eradicate violence against women at all levels, and the act allocated $1.6 billion to fight violence against women. Included are funds to (1) educate police, prosecutors, and judges about the special needs of female victims; (2) encourage pro-arrest policies in cases of domestic abuse; (3) provide specialized services for female victims of crime; (4) fund battered women’s shelters across the country; and (5) support rape education in a variety of settings nationwide. The law also extends “rape shield law” protections to civil cases and to all criminal cases in order to bar irrelevant inquiries into a victim’s sexual history. VAWA was reauthorized by Congress in 2000. Read the text of the original VAWA legislation at Web Extra 2–12 at MyCrimeKit.com.

Finally, the passage of antistalking legislation by all 50 states and the District of Columbia provides some measure of additional protection to women (since women comprise 80% of all stalking victims). On the federal level, the seriousness of stalking was addressed when Congress passed the interstate stalking law in 1996. The law also addresses cyberstalking, or the use of the Internet by perpetrators seeking to exercise power and control over their victims by threatening them directly or by posting misleading and harassing information about them. Cyberstalking can be especially insidious because it does not require that the
Gender Issues in Criminal Justice

The Violent Crime Control and Law Enforcement Act of 1994 included significant provisions intended to enhance gender equality throughout the criminal justice system. Title IV of the Violent Crime Control and Law Enforcement Act, known as the Violence against Women Act (VAWA) of 1994, contains the Safe Streets for Women Act. This act increased federal penalties for repeat sex offenders and requires mandatory restitution for sex crimes, including costs related to medical services (including physical, psychiatric, and psychological care); physical and occupational therapy or rehabilitation; necessary transportation, temporary housing, and child-care expenses; lost income; attorneys’ fees, including any costs incurred in obtaining a civil protection order; and any other losses suffered by the victim as a result of the offense. The act also requires that compliance with a restitution order be made a condition of probation or supervised release (if such a sentence is imposed by the court) and provides that violation of the order will result in the offender’s imprisonment.

Chapter 2 of VAWA provided funds for grants to combat violent crimes against women. The purpose of funding was to assist states and local governments to “develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving violent crimes against women.” The law also provided funds for the “training of law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of sexual assault and domestic violence”; for “developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault and domestic violence”; and for developing and strengthening “victim services programs, including sexual assault and domestic violence programs.”

The act also created the crime of crossing state lines in violation of a protection order and the crime of crossing state lines to commit assault on a domestic partner. It established federal penalties for the latter offense of up to life in prison in cases where death results.

Chapter 3 of the act provided funds to increase the “safety for women in public transit and public parks.” It authorized up to $10 million in grants through the Department of Transportation to enhance lighting, camera surveillance, and security telephones in public transportation systems used by women.

Chapter 5 of VAWA funded the creation of hotlines, educational seminars, informational materials, and training programs for professionals who provide assistance to victims of sexual assault. Another portion of the law, titled the Safe Homes for Women Act, increased grants for battered women’s shelters, encouraged arrest in cases of domestic violence, and provided for the creation of a national domestic violence hotline to provide counseling, information, and assistance to victims of domestic violence. The act also mandates that any protection order issued by a state court must be recognized by the other states and by the federal government and must be enforced “as if it were the order of the enforcing state.”

VAWA was reauthorized by Congress in 2000 and again in 2005. The 2000 reauthorization provided $3.3 billion in continuation funding and earmarked a portion of the money for programs that coordinate the work of victims’ advocates, police, and prosecutors in the fight against domestic violence. The second reauthorization provided continuation monies for critical programs and funded the development of new services to respond to evolving community needs. In recognition of the fact that domestic violence sometimes leaves victims without homes, the 2006 legislation made funds available to expand services to the homeless, including the development of transitional housing options.

1VAWA 2005 was signed into law by President George W. Bush on January 5, 2006. It is officially known as the Violence against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162).
perpetrator and the victim be in the same geographic area. Similarly, electronic communication technologies lower the barriers to harassment and threats; a cyberstalker does not need to confront the victim physically. Learn more about stalking and cyberstalking at Library Extra 2–15 at MyCrimeKit.com.

Crime against the Elderly

Relative to other age groups, older victims rarely appear in the crime statistics. Criminal victimization seems to decline with age, suggesting that older people are only infrequently targeted by violent and property criminals. Moreover, older people are more likely than younger individuals to live in secure areas and to have the financial means to provide for their own personal security.

Victimization data pertaining to older people come mostly from the NCVS, which, for such purposes, looks at people age 65 and older. The elderly generally experience the lowest rate of victimization of any age group in both violent and property crime categories. Some aspects of crime against older people are worth noting. In general, elderly crime victims are more likely than younger victims to

- Be victims of property crime—nine out of ten crimes committed against the elderly are property crimes, compared to fewer than four in ten crimes against people between age 12 and 24
- Face offenders who are armed with guns
- Be victimized by strangers
- Be victimized in or near their homes during daylight hours
- Report their victimization to the police, especially when they fall victim to violent crime
- Be physically injured

In addition, elderly people are less likely to attempt to protect themselves when they are victims of violent crime.

The elderly face special kinds of victimizations that only rarely affect younger adults, such as physical abuse at the hands of caregivers. Criminal physical abuse of the elderly falls into two categories: domestic and institutional. Domestic abuse often occurs at the hands of caregivers who are related to their victims; institutional abuse occurs in residential settings like retirement centers, nursing homes, and hospitals. Both forms of elder abuse may also involve criminal sexual victimization. To learn more about domestic and institutional elder abuse, visit the National Center on Elder Abuse (NCEA) via Web Extra 2–13 at MyCrimeKit.com.

The elderly are also more often targeted by con artists. Confidence schemes center on commercial and financial fraud (including telemarketing fraud), charitable donation fraud, funeral and cemetery fraud, real estate fraud, caretaker fraud, automobile and home repair fraud, living trust fraud, health-care fraud (e.g., promises of “miracle cures”), and health-provider fraud (overbilling and unjustified repeat billing by otherwise legitimate health-care providers). “False friends” may intentionally isolate elderly targets from others in the hopes of misappropriating money through short-term secret loans or outright theft. Similarly, a younger person may feign romantic involvement with an elderly victim or pretend to be devoted to the senior in order to solicit money or receive an inappropriate gift or inheritance. The U.S. Senate’s Special Committee on Aging provides additional information on such crimes at its Elder Justice Center website, which can be accessed via Web Extra 2–14 at MyCrimeKit.com.

Finally, crime against the elderly will likely undergo a significant increase as baby boomers enter their retirement years. Not only will the elderly comprise an increasingly larger segment of the population as boomers age, but it is anticipated that they will be wealthier than any preceding generation of retirees, making them attractive targets for scam artists and property criminals.

Hate Crime

A significant change in crime-reporting practices resulted from the Hate Crime Statistics Act, signed into law by President George H. W. Bush in 1990. The act mandates a statistical tally of hate crimes; data collection under the law began in 1991. Congress defined
In 2007, police agencies reported a total of 7,624 hate-crime incidents, including three murders, across the country. As Figure 2–6 shows, approximately 18.4% of the incidents were motivated by religious bias, 50.8% were caused by racial hatred, and 13.2% were driven by prejudice against ethnicity or national origin. Another 16.6% of all hate crimes were based on sexual orientation, most committed against males believed by their victimizers to be homosexuals. A relatively small number of hate crimes targeted people with physical or mental disabilities.

Following the terrorist attacks of September 11, 2001, authorities in some jurisdictions reported a dramatic shift in the nature of hate crime, with race-motivated crimes declining and crimes motivated by religion or ethnicity increasing sharply. Islamic individuals, in particular, became the target of many such crimes.

Most hate crimes consist of intimidation, although vandalism, simple assault, and aggravated assault also account for a number of hate-crime offenses. A few robberies and rapes were also classified as hate crimes in 2007.

Although hate crimes are popularly conceived of as crimes motivated by racial enmity, the Violent Crime Control and Law Enforcement Act of 1994 created a new category of “crimes of violence motivated by gender.” Congress defined this crime as “a crime of violence committed because of gender or on the basis of gender, and due, at least in part, to an animus based on the victim’s gender.” The 1994 act did not establish separate penalties for gender-motivated crimes, anticipating that they would be prosecuted as felonies under existing laws. The 1994 act also mandated that crimes motivated by biases against people with disabilities be considered hate crimes.

Hate crimes are sometimes called bias crimes. One form of bias crime that bears special mention is homophobic homicide—the murder of homosexuals by those opposed to their lifestyles. The Southern Poverty Law Center, which tracks hate groups, identified 888 such groups operating in the United States in 2007. The center, which is based in Montgomery, Alabama, says that the number of hate groups has jumped 48% since 2000, mostly because of the formation of new anti-immigrant organizations. Learn more about hate crime and what can be done to address it at Library Extras 2–16 and 2–17 at MyCrimeKit.com.

Corporate and White-Collar Crime

In 2009, investment fund manager Bernard (“Bernie”) Madoff pleaded guilty to operating a Ponzi scheme that defrauded investors out of as much as $50 billion. Called “Wall Street’s biggest fraud” by some, Madoff’s shenanigans purportedly cost investors $50 billion. Madoff, a one-time chairman of NASDAQ, pleaded guilty to 11 felony counts, including securities fraud, mail fraud, wire fraud, money laundering, and perjury. On June 29, 2009 he was sentenced to 150 years in federal prison.

The recent economic downturn, combined with the collapse of the housing market and a loss of jobs in many sectors of the economy, has sparked a rapid growth in mortgage fraud scams. Mortgage fraud, which is a federal crime, can involve making false or misleading statements about one’s identity, personal income, assets, or debts during the mortgage application process. It also includes efforts to knowingly overvalue land or property so as to defraud purchasers and lenders.

Essentially, there are three types of mortgage fraud. The first, “fraud for profit,” involves a scheme by “ghost buyers” to collect cash, with no interest in owning the property against which money is being borrowed. The second is “fraud for housing,” or application fraud, in which otherwise legitimate homebuyers fake documents in order to appear eligible for a loan that they would not otherwise get. According to one report, 61% of all reported mortgage frauds in 2008 involved misrepresentations made on applications for a mortgage. The third type of mortgage fraud involves overestimating a property’s value or submitting a false appraisal.

With each arrest, indictment and prosecution, we sent this clear, unmistakable message: corrupt corporate executives are no better than common thieves.

—U.S. Attorney General John Ashcroft, commenting on the arrests of former WorldCom executives

hate crime as an offense “in which the defendant’s conduct was motivated by hatred, bias, or prejudice, based on the actual or perceived race, color, religion, national origin, ethnicity, gender, or sexual orientation of another individual or group of individuals.” In 2007, police agencies reported a total of 7,624 hate-crime incidents, including three murders, across the country. As Figure 2–6 shows, approximately 18.4% of the incidents were motivated by religious bias, 50.8% were caused by racial hatred, and 13.2% were driven by prejudice against ethnicity or national origin. Another 16.6% of all hate crimes were based on sexual orientation, most committed against males believed by their victimizers to be homosexuals. A relatively small number of hate crimes targeted people with physical or mental disabilities.
A 2009 study by the Mortgage Asset Research Institute concluded that mortgage fraud was more prevalent at the time of the study than it had been at the height of the nation’s building boom just a few years earlier. Federal agencies, already inundated with mortgage fraud cases, are starting to look into a new breed of scams perpetrated by those who offer to refinance homes or save them from foreclosure. In one of the new scams, criminals offer to help people who are about to lose their homes, collect several thousand dollars up front, and then disappear. In early 2009, the Federal Trade Commission announced a wave of law enforcement actions against operations using deceptive tactics to market mortgage modification and home foreclosure relief services, including firms that marketed their “services” by falsely implying an affiliation with the federal government.

Under the American system of criminal justice, corporations can be treated as separate legal entities and can be convicted of violations of the criminal law under a legal principle known as the identification doctrine. In 2002, for example, a federal jury convicted global accounting firm Arthur Andersen of obstruction of justice after its employees shredded documents related to Enron’s bankruptcy in an effort to impede an investigation by securities regulators. The conviction, which was overturned by a unanimous U.S. Supreme Court in 2005, capped the firm’s demise, and it ended U.S. operations in August 2002.

Although corporations may be convicted of a crime, the human perpetrators of corporate crime are business executives known as white-collar criminals. White-collar crime was first defined in 1939 by Edwin H. Sutherland in his presidential address to the American Sociological Society. Sutherland proposed that “crime in the suites” (a reference to corporate offices) rivaled the importance of street crime in its potential impact on American society.

In July 2002, President George W. Bush unveiled plans to create a new Corporate Fraud Task Force within the federal government and proposed a new law providing criminal penalties for corporate fraud. He told corporate leaders on Wall Street, “At this moment, America’s greatest economic need is higher ethical standards—standards enforced by strict laws and upheld by responsible business leaders.” A few months later, the president signed into law the Sarbanes-Oxley Act. The new law created tough provisions designed to deter and punish corporate and accounting fraud and corruption and to protect the interests of workers and shareholders. Under the Sarbanes-Oxley Act, corporate officials (chief executive officers and chief financial officers) must personally vouch for the truth and accuracy of their companies’
Organized Crime

For many people, the term organized crime conjures up images of the Mafia (also called the Cosa Nostra) or the hit HBO TV series The Sopranos. Although organized criminal activity is decidedly a group phenomenon, the groups involved in such activity in the United States today display a great deal of variation. During the past few decades in the United States, the preeminence of traditional Sicilian American criminal organizations has fallen to such diverse criminal associations as the Black Mafia, the Cuban Mafia, the Haitian Mafia, the Colombian cartels, and Asian criminal groups like the Chinese Tongs and street gangs, Japanese yakuzas, and Vietnamese gangs. Included here as well might be inner-city gangs, the best known of which are probably the Los Angeles Crips and Bloods and the Chicago Vice Lords; international drug rings; outlaw motorcycle gangs like the Hell’s Angels and the Pagans; and other lesser associations of small-time thugs, prison gangs, and gun dealers. Noteworthy among these groups—especially for their involvement in the lucrative drug trade—are the Latino organized bands, including the Dominican, Colombian, Mexican, and Cuban importers of cocaine, heroin, marijuana, and other controlled substances.

The unlawful activities of organized groups that operate across national boundaries are especially significant. Such activity is referred to as transnational organized crime. Transnational criminal associations worthy of special mention are the Hong Kong–based Triads, the South American cocaine cartels, the Italian Mafia, the Japanese yakuzas, the Russian Mafia, and the West African crime groups—each of which extends its reach well beyond its home country. In some parts of the world, close links between organized crime and terrorist groups involve money laundering, which provides cash to finance the activities of terrorist cells and to finance para-military efforts to overthrow established governments.

Former CIA Director R. James Woolsey points out that “while organized crime is not a new phenomenon today, some governments find their authority besieged at home and their foreign policy interests imperiled abroad. Drug trafficking, links between drug traffickers and terrorists, smuggling of illegal aliens, massive financial and bank fraud, arms smuggling, potential involvement in the theft and sale of nuclear material, political intimidation, and corruption all constitute a poisonous brew—a mixture potentially as deadly as what we faced during the cold war.”104 The challenge for today’s criminal justice student is to recognize that crime does not respect national boundaries. Crime is global, and what happens in one part of the world could affect us all.105

Gun Crime

Guns and gun crime seem to pervade American culture. On October 13, 2007, for example, well-known Rapper T. I. (Clifford Harris) was arrested just hours before he was to take the stage at the BET Hip-Hop Awards. The 27-year-old self-proclaimed King of the South, who had been nominated in nine different award categories, was arrested by agents of the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and charged...
with attempting to buy several machine guns and silencers from undercover agents. The rapper, already a convicted drug felon, was alleged to have purchased firearms on at least four earlier occasions. In 2006, T. I.’s best friend, Philant Johnson, was killed in a postperformance gun battle in Cincinnati.

Months earlier, a 2007 shooting spree at the Virginia Polytechnic Institute and State University in Blacksburg, Virginia, in which 33 people (including the gunman) died and 20 were wounded, led to one of the most intense debates over gun control in this country in decades. The CJ Today Exhibit box on page 68 provides additional information on the issue of gun control.

Constitutional guarantees of the right to bear arms have combined with historical circumstances to make ours a well-armed society. Guns are used in many types of crimes. Each year, approximately 1 million serious crimes—including homicide, rape, robbery, and assault—involve the use of a handgun. In a typical year, approximately 12,000 murders are committed in the United States with firearms. A recent report by the Bureau of Justice Statistics found that 18% of state prison inmates and 15% of federal inmates were armed at the time they committed the crime for which they were imprisoned. Nine percent of those in state prisons said they fired a gun while committing the offense for which they were serving time.

Both federal and state governments have responded to the public concern over the ready availability of handguns. In 1994, Congress passed the Brady Handgun Violence Prevention Act, which President Bill Clinton signed into law. The law was named for former Press Secretary James Brady, who was shot and severely wounded in an attempt on President Ronald Reagan’s life on March 30, 1981. The law mandated a five-day waiting period before the purchase of a handgun, and it established a national instant criminal background check system that firearms dealers must use before selling a handgun. Under the system, licensed importers, manufacturers, and dealers are required to verify the identity of a firearm purchaser using a valid photo ID (such as a driver’s license); must submit the purchaser’s application to ensure that the applicant’s receipt or possession of a handgun would not violate federal, state, or local law; and must contact the system to receive a unique identification number authorizing the purchase before they transfer the handgun.

While the Brady law may limit retail purchases of handguns by felons, a BJS study found that most offenders obtain weapons from friends or family members or “on the street” rather than attempt to purchase them at retail establishments. In 2001, undercover congressional investigators were able to show that applicants using fake forms of identification, such as counterfeit driver’s licenses with fictitious names, could easily circumvent Brady law provisions. Moreover, according to these studies, an ever-growing number of violent criminals are now carrying handguns.

In Congress, debate continues about whether to require gun manufacturers to create and retain “ballistic fingerprints” (the marks left on a bullet by the barrel of the gun from which it was fired) of each weapon they produce. Although a national ballistics fingerprinting requirement may still be years away, two states—Maryland and New York—already require that a record be kept of the “fingerprint” characteristics of each new handgun sold.

In 2007, California Governor Arnold Schwarzenegger signed legislation requiring that microstamping technology be employed in all new semiautomatic pistols sold in the state after January 1, 2010. Microstamping uses laser engraving to encode a weapon’s serial number on each cartridge that it fires up, and California authorities believe that the technology will allow handguns to be traced to their manufacturer and then to the first purchaser, using only spent cartridges left at crime scenes.

Learn more about promising strategies to reduce gun violence at Library Extra 2–18 at MyCrimeKit.com. For the latest information on gun violence and gun laws, visit the Brady Center to Prevent Gun Violence via Web Extra 2–17 at MyCrimeKit.com. The National Rifle Association site at Web Extra 2–18 provides support for responsible access to firearms.

**Drug Crime**

Unlike many crimes tracked by the FBI, drug-related crime continues to rise even in many years when other crimes decrease. The seemingly relentless increase in drug violations largely accounts for the continued growth in America’s prison populations, even when official crime...
Gun Control Debate Hangs over U.S.–Mexico Violence

Members of Congress may be alarmed by the surge in Mexican drug violence and its potential to spill across the border, but they grow silent when the talk turns to gun control as a solution.


“The Second Amendment Task Force opposes the discussed ban and will fight any attempts that infringe on our Second Amendment rights,” said Rep. Paul Broun, R-Ga., a chairman of the group. Six Democrats and six Republicans co-signed his statement.

Mexico’s drug violence has killed more than 9,000 people since President Felipe Calderon took office in December 2006 as gangs battle each other for territory and fight off a government crackdown.

Underscoring the Obama administration’s concern over the violence and the potential for a large-scale spillover into the United States, Secretary of State Hillary Rodham Clinton will travel to Mexico . . . to show support for its crackdown on drug cartels.

Paul Helmke, president of the Brady Campaign to Prevent Gun Violence, said the administration’s plan would be inadequate if it does not enact new gun restrictions.

“The problem that is occurring in Mexico is one we are contributing to. It is one our weak gun laws are contributing to,” Helmke said.

Mexico has long tried to get the United States to curtail the number of guns—many purchased legally—that wind up south of the border, where gun laws are much stricter. The State Department says firearms obtained in the U.S. account for an estimated 95 percent of Mexico’s drug-related killings.

“If President Calderon’s policies to roll back organized crime are to be successful, we need to defang the power of the drug syndicates to inflict damage upon our state, local and police forces,” Arturo Sarukhan, the Mexican ambassador to the United States, said in January. “The best way we can do that is for a real ratcheting up of the United States’ capabilities of shutting down the flow of weapons.”

That may prove tough to do.

After opposition from the National Rifle Association, 22 Democrats joined Republicans in a Senate vote [in March 2009] to negate the District of Columbia’s tough gun registration requirements and overturn its ban on rapid-fire semi-automatic weapons. More than 80 House Democrats backed a similar measure last year.

The gun lobby has raised more than $20 million for political candidates since the 1990 election cycle, with about 85 percent going to Republicans. That ranks 68th among about 80 industry groups tracked by the OpenSecrets.org campaign finance watchdog.

When border violence comes up in hearings, lawmakers say they don’t see a need for new gun laws.

“I don’t think the solution to Mexico’s problems is to limit Second Amendment gun rights in this country,” said Sen. John Cornyn, R-Texas, chairman of the Senate GOP’s election committee. “What we can do is help our Mexican friends enforce their own laws.”

For his part, Obama has signaled a willingness to tighten restrictions on guns, calling the flow of drug money and guns “a two-way situation.” Yet 65 Democrats said in a letter to Holder that they would oppose any attempt by the administration to revive a ban on military-style weapons.

Congress did provide $45 million this year for Project Gunrunner, a federal program aimed at curbing the flow of guns. Rep. Ciro Rodriguez, a Texas Democrat on the Appropriations Committee, said he will seek another $30 million over two years for the program and $30 million more to fund efforts by Immigration and Customs Enforcement to crack down on gun trafficking.

The Second Amendment to the U.S. Constitution reads, “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” For many years, the official position of the U.S. Justice Department had been that the Second Amendment merely gives states the collective right to organize and arm militias in order to protect the public interest and that it does not mean that individual citizens have a constitutional right to own firearms. On May 7, 2002, however, in two briefs filed with the U.S. Supreme Court by U.S. Solicitor General Theodore B. Olson, the Justice Department officially reversed course, declaring, “The current position of the United States . . . is that the Second Amendment more broadly protects the rights of individuals, including persons who are not members of any militia or engaged in active military service or training, to possess and bear their own firearms, subject to reasonable restrictions designed to prevent possession . . . of types of firearms that are particularly suited to criminal misuse.”

In the 2008 case of District of Columbia v. Heller, the U.S. Supreme Court, in what many saw as vindication of the government’s change in position, struck down a District of Columbia gun-control regulation and ruled that “the Second Amendment protects an individual’s right to possess firearms and that the city’s total ban on handguns, as well as its requirement that firearms in the home be kept nonfunctional even when necessary for self-defense, violated that right.” The Court’s holding in Heller was sweeping and unambiguous. The decision clearly declares the Second Amendment protection of “an individual right to possess a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home.” It remains to be seen what impact the Heller case will have on existing laws meant to control the sale and possession of handguns and other types of weapons in various U.S. jurisdictions.

One of the most significant laws enacted prior to Heller was the Violent Crime Control and Law Enforcement Act of 1994.
1994,\(^2\) which regulated the sale of firearms within the United States and originally banned the manufacture of 19 military-style assault weapons, including those with specific combat features, such as high-capacity ammunition clips capable of holding more than ten rounds. The ban on assault weapons ended in 2004, however, when it was not renewed by Congress. The 1994 law also prohibited the sale or transfer of a gun to a juvenile, as well as the possession of a gun by a juvenile, and it prohibits gun sales to, and possession by, people subject to family violence restraining orders.

The 1996 Domestic Violence Offender Gun Ban\(^4\) prohibits individuals convicted of misdemeanor domestic violence offenses from owning or using firearms. Soon after the law was passed, however, it became embroiled in controversy when hundreds of police officers across the country who had been convicted of domestic violence offenses were found to be in violation of the ban. A number of officers lost their jobs, while others were placed in positions that did not require them to carry firearms. While some legislators pushed to exempt police officers and military personnel from the ban’s provisions, others argued that they should be included. Feminist Majority President Eleanor Smeal was angered. “Rather than trying to seek an exemption for police officers and military personnel who are abusers, we should be concerned with why we are recruiting so many abusers for these positions,” she said.\(^5\)

Following the 1999 Columbine High School shooting, a number of states moved to tighten controls over handguns and assault weapons. The California legislature, for example, restricted gun purchases to one per month and tightened a ten-year-old ban on assault weapons. Similarly, Illinois passed a law requiring that gun owners lock their weapons away from anyone under age 14.

In 2004, at the urging of major police organizations, the U.S. Senate scuttled plans for a gun-industry protection bill. However, the bill was revived in 2005 and passed both houses of Congress before being signed into law by President George W. Bush on October 31. Known as the Protection of Lawful Commerce in Firearms Act, the law grants gunmakers and most gun dealers immunity from lawsuits brought by victims of gun crimes and their survivors. The law removes negligence as viable grounds for a civil suit against a gun dealer who carelessly sells a gun to someone who is at risk for using it in a crime; the law states that the dealer can be sued only if he or she knew of the gun buyer’s criminal intent before the purchase. Gunmakers were made immune from suits alleging product liability for having manufactured potentially lethal items. Read the 2007 Report to the President on Issues Raised by the Virginia Tech Tragedy at Library Extra 2–19 at MyCrimeKit.com.


\(^3\)PL 103–322, 108 Stat. 1796 (codified as amended in scattered sections of 18, 21, 28, 42, etc., U.S.).

\(^4\)PL 104–208, an amendment to U.S. Code, Title 18, Section 921a. Also known as the Lautenberg Amendment.


during 2002.\(^11^9\) Some of the increase stems from changes in federal drug laws. Whatever the cause, the drug–crime link is costly to society and shows few signs of abating.

Cybercrime

Cybercrime, sometimes called computer crime or information-technology crime, uses computers and computer technology as tools in crime commission. Computer criminals manipulate the information stored in computer systems in ways that violate the law. (Thefts of computer equipment, although sometimes spectacular, are not computer crimes but are instead classified as larcenies.)

Many crimes committed via the Internet, such as prostitution, drug sales, theft, and fraud, are not new forms of offending. Rather, they are traditional offenses that use technology in their commission or that build on the possibilities for criminal activity that new technologies make possible. In 2004, for example, police and real estate agents in Australia and New Zealand issued warnings to people who had been using Web-based virtual tours to sell their houses.\(^12^0\) Burglars “down under” had been using the tours, which provide 360-degree views of a home’s interior, to target expensive houses, locate valuables, and identify and disarm security devices.

U.S. Customs and Border Protection Senior Special Agent Donald Daufenbach, an international expert in child pornography and the Internet, points out that “the Internet is like anything else: It can be bent or perverted for nefarious purposes. . . . The Internet has

...
absolutely changed the way people communicate with each other, changed the way people conduct commerce, changed the way people do research, changed the way people entertain themselves and changed the way people break the law. . . . People are catching on pretty quick, but law enforcement is lagging behind miserably in this whole endeavor.”121

Chapter 18 provides additional information about cybercrime, including computer malware, software piracy, and phishing, and the law enforcement technologies used to fight it. Learn more about cybercrime and efforts to combat it at Web Extra 2–19 at MyCrimeKit.com.

Terrorism

Following the September 11, 2001, attacks on the World Trade Center and the Pentagon, terrorism and its prevention became primary concerns of American justice system officials. Before September 11, however, terrorism was far from unknown. In 2001, for example, terrorist attacks totaled 864 worldwide—down from the 1,106 reported a year earlier.122

The great blackout of 2003, which affected as many as 50 million people in the United States and Canada, demonstrated the fragility of the nation’s energy grid—another potential terrorist target. To assist in developing protection for the nation’s critical infrastructure, the Homeland Security Act of 2002 created the Department of Homeland Security and made its director a Cabinet member. Visit the Department of Homeland Security via Web Extra 2–20 at MyCrimeKit.com. Terrorism and efforts to combat it are discussed in detail in Chapter 17.
summary

- The FBI’s Uniform Crime Reporting Program began in the 1930s when Congress authorized the U.S. attorney general to survey crime in America. Today’s UCR/NIBRS Program provides annual data on the number of reported Part I offenses, or major crimes, as well as information about arrests that have been made for less serious Part II offenses. The Part I offenses are murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson. The Part II offense category covers many more crimes, including drug offenses, driving under the influence, and simple assault. Modifications to the UCR Program, which has traditionally provided only summary crime data, are occurring with the implementation of the new National Incident-Based Reporting System. NIBRS, which represents a significant redesign of the original UCR Program, gathers many details about each criminal incident, such as place of occurrence, weapon used, type and value of property damaged or stolen, the personal characteristics of the offender and the victim, the nature of any relationship between the two, and the disposition of the complaint.

- The National Crime Victimization Survey is the second major source of statistical data about crime in the United States. The NCVS, which was first conducted in 1972, is based on victim self-reports rather than on police reports. The NCVS originally built on efforts by both the National Opinion Research Center and the 1967 President’s Commission on Law Enforcement and the Administration of Justice to uncover what some had been calling the dark figure of crime—that is, those crimes that are not reported to the police and that are relatively hidden from justice system officials. An analysis of victim self-report data led to the realization that crimes of all types were more prevalent than UCR statistics had previously indicated.

- Significant differences exist between the UCR/NIBRS and the NCVS. UCR/NIBRS data are primarily based on citizens’ crime reports to the police, whereas NCVS data are gathered by field researchers who interview randomly selected households throughout the country. These and other differences lead to significant variation in the crime rates reported under both programs.

- This chapter discusses a number of special categories of crime, including crime against women, crime against the elderly, hate crime, corporate and white-collar crime, organized crime, gun crime, drug crime, cybercrime, and terrorism. Each of these categories is of special concern in contemporary society.

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1. Describe the historical development of the FBI’s Uniform Crime Reporting Program, and list the crimes on which it reports. How is the ongoing implementation of the National Incident-Based Reporting System changing the UCR Program? How will data reported under the new UCR/NIBRS differ from the crime statistics reported under the traditional UCR Program?

2. Describe the history of the National Crime Victimization Survey. What do data from the NCVS tell us about crime in the United States today?

3. What significant differences between the UCR/NIBRS and NCVS programs can be identified?

4. What are the special categories of crime discussed in this chapter? Why are they important?

**questions for review**

1. What can crime statistics tell us about the crime picture in America? How has that picture changed over time? What additional changes might be coming?

2. What are the potential sources of error in the nation’s major crime reports? Can you think of some popular use of crime statistics today that might be especially misleading?

3. Why are many crime statistics expressed as rates? How does the use of crime rates instead of simple numerical tabulations improve the usefulness of crime data?

4. Do some property crimes have a violent aspect? Are there any personal crimes that could be nonviolent? If so, what might they be?

5. What is a clearance rate? What does it mean to say that a crime has been “cleared”? What are the different ways in which a crime can be cleared?

**questions for reflection**

1. What can crime statistics tell us about the crime picture in America? How has that picture changed over time? What additional changes might be coming?

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3. Why are many crime statistics expressed as rates? How does the use of crime rates instead of simple numerical tabulations improve the usefulness of crime data?

4. Do some property crimes have a violent aspect? Are there any personal crimes that could be nonviolent? If so, what might they be?

5. What is a clearance rate? What does it mean to say that a crime has been “cleared”? What are the different ways in which a crime can be cleared?

Discuss your answers to these questions and other issues on the CJ Today e-mail discussion list (join the list at MyCrimeKit.com).
Go to MyCrimeKit.com to explore the following study tools and resources specific to this chapter:

- Chapter Quiz and More Practice: dozens of multiple-choice and true-false questions
- Flashcards: 33 flashcards to test your knowledge of the chapter’s key terms
- Web Quest: visit the FBI’s Uniform Crime Reporting Program, the Sourcebook of Criminal Justice Statistics, and data from the BJS National Crime Victimization Survey to gather information on the crime of rape
- Assignments: real-world essay questions about current issues, e-homework, opinion-based essay questions, and chapter projects for research and analysis
- Expanded Book: more information on corporate criminal investigations and fraud

Go to Chapter 2 of Criminal Justice Interactive to use the following resources and study tools:


Issue 1: Crime versus Deviance
Issue 2: Full Law Enforcement: Actuality or Imagination?


Endnotes for this chapter can be found online at MyCrimeKit.com