PROBLEM

Due to limited participation in hate crime reporting nationally, official data from the Federal Bureau of Investigation (FBI) on hate crime tell us little about the prevalence of hate crime nationally. This study explores reasons that hate crimes are not reported accurately, and provides suggestions for improving hate crime reporting.

METHOD

A total of 705 police departments' hate crime investigators responded to a survey asking about hate crime reporting and training. The researchers also completed interviews with advocacy groups and national hate crime professionals.

KEY FINDINGS

- 37% of respondents from agencies that did not report to the FBI in 1997, and 31% of those from agencies that reported zero hate crimes, believed that their agencies had investigated and reported at least one hate crime.
- Two reasons were suggested for reporting problems: (1) jurisdictions' hate crime definitions differ from those of the Federal government; and (2) local departments report accurately to the state, but the state fails to report accurately to the FBI.
- 38% of departments have an official policy on hate crimes, and 25% have a specialized officer to deal with the crimes. In the opinion of the respondents, the most important factors that might discourage an officer from recording a bias motivation in a crime report relate to the officer's personal definition of hate crime and feelings about minorities.
- In the opinion of the respondents, the factor that is most likely to encourage officers to properly identify and report a bias crime is departmental managers investing resources and effort into the issue of hate crime as a unique problem.

POLICY IMPLICATIONS

Two broad categories of influence that encourage officers to investigate and report hate crimes are overt departmental influences and the belief that it is the right thing to do. The first factor can be addressed through managerial prioritizing and establishing an infrastructure to deal with hate crimes. The second factor can be addressed through enhanced community interaction and training. U

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INSIDE

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RACIAL PROFILING


In response to allegations of racial and ethnic discrimination in traffic stops, a practice that has been labeled “racial profiling,” law enforcement agencies are collecting data on traffic stops that include the race or ethnicity of drivers. Interpreting these data to determine whether a pattern of racial discrimination exists poses enormous difficulties. The purpose of this article is to critically examine the baselines or “denominators” that are commonly used to assess the racial and ethnic distribution of people stopped.

METHOD

The study examines baseline measures that have been proposed by various authors. It also reviews the data analysis provided by the San Jose Police Department in the two reports of their Vehicle Stop Demographic Study.

KEY FINDINGS

The resident population of a particular law enforcement jurisdiction is not the proper baseline for determining whether racial profiling exists, since different groups of residents may have different rates of committing traffic violations.

Official crime data are a poor baseline for traffic stop data, since traffic law offending is not necessarily related to serious crime, and since arrest rates for minorities may themselves be the result of discriminatory enforcement patterns.

An “early warning system” approach is an option for dealing with traffic stop data that avoids the problem of identifying an appropriate baseline. This approach assumes that racial profiling resembles other forms of police misconduct and will therefore be particularly acute among a small number of officers in any given agency.

The early warning system approach analyzes the traffic stop activity of particular officers relative to other officers working comparable assignments in order to identify individual officers whose performance requires review.

POLICY IMPLICATIONS

Commonly used baselines, such as the resident population of a jurisdiction or official data on criminal activity, are not appropriate for determining whether a pattern of discrimination exists in traffic stops. Traffic stop data can be meaningfully analyzed through a framework adapted from police early warning systems. The early warning system approach points toward appropriate and effective corrective action: some form of intervention directed toward the officers who appear to be the worst offenders.

DOMESTIC VIOLENCE


In 1996, the voters of North Carolina adopted a victims’ rights amendment to the state constitution. The following year, legislation to provide victims with a variety of rights stalled over the issue of whether these rights would extend to victims of domestic violence, with the primary concern being the potential costs of providing services. The Governor’s Crime Commission convened a Domestic Violence Study Commission to develop a definition of domestic violence and to provide estimates of the number of incidents covered by the definition.

METHOD

Statistical information on domestic violence cases was obtained from the specialized domestic violence courts of nine of the state’s 10 prosecutorial districts. Information on the nature of the offense, the relationship between victim and offender, services provided to the victim, and case disposition was obtained for 3,419 cases that occurred over a 4-month period.
About 81% of cases involved only one offense charge; the most common charge was “assault on a female.”

Almost all of the domestic violence victims (95%) received services; the most common services were the provision of information about the criminal justice process and court notification by phone or in person.

The largest percentage of defendants (41%) pled guilty to the original charge; overall, guilty verdicts were returned in 63% of trials.

Based on the data received, the Committee developed a statewide estimate of 42,569 misdemeanor domestic violence cases per year.

Based on the analysis, the Committee recommended a definition of domestic violence that encompassed seven distinct offenses and three categories of victim-offender relationship. The General Assembly accepted this definition and added four additional victim-offender relationships. The development of this compromise definition, based on data analysis, resulted in legislation that entitles victims of domestic violence in North Carolina to automatically receive all the services and assistance available to any other crime victim.

The study estimated that just under 7% of the people who had received community services for severe and persistent mental illness during 1996 were charged with a crime during 1997.

Female service recipients were as likely as males to be charged with a crime, while older recipients were less likely to be charged than service recipients in younger age groups.

Overall, the service recipients were 4.4 times as likely to be charged with a crime as members of the general population of the state.

Women in the treatment group were over 8 times more likely to be charged than women in the general population, while men in the treatment group were over 3 times more likely to be charged than men in the general population.

Two very different kinds of explanation are consistent with the observation that people with severe mental illness have a significantly elevated risk of getting into trouble with the law. First, the elevated risk could be due to the fact that people with severe mental illness are more likely to behave in ways that violate the rules of society. Alternatively, a person who appears to be severely mentally ill may receive greater scrutiny from law enforcement officials, who might be less tolerant of specific behaviors in mentally ill individuals than they would be of those same behaviors when exhibited by other members of the general population. Whatever the explanation, the findings regarding substantially elevated risk of criminal justice involvement for people with mental illness underline the need for service coordination, cross training, and criminal justice diversion programs for people with severe mental illness.
JUVENILES’ USE OF FIREARMS


At least some part of the juvenile crime problem can be attributed to the increased availability of firearms. Studies of juvenile firearms possession, ownership, and use suggest that a small but important minority carries guns. More information is needed on how juveniles attain and use firearms, and how the justice system responds to incidents related to juveniles’ possession and use of firearms. This information is important for developing strategies for controlling firearms possession and use among juveniles.

METHOD

A total of 380 juvenile offenders in confinement in New Mexico institutions completed a questionnaire asking about personal histories of contact with firearms and their perceptions of juvenile firearm possession and use. In addition, information was obtained from police records on 135 incidents that involved firearms and that led to the arrest of one or more juveniles in one county in New Mexico.

KEY FINDINGS

Fully 82% of juvenile offenders surveyed said that they had owned or kept a gun at some time prior to confinement; the average age at which they first owned or kept a gun was 12.5 years.

The most common form of obtaining a gun was being given a gun, followed by buying a gun or trading for a gun, stealing a gun, and borrowing a gun.

About two thirds of juvenile offenders reported that they had used a gun against someone prior to confinement; more than half used automatics or semiautomatics. The most common reasons reported for why juveniles used guns were “for protection” and the “need to get revenge.”

Of the 135 incidents involving juveniles and firearms studied, 25% resulted in a charge other than firearms, 33% resulted in firearms charges only, and the remaining 42% led to charges for both firearms and other offenses.

Policy Implications

The principal challenge faced by law enforcement with regard to firearms is the initial difficulty of detecting juveniles who are in illegal possession of firearms. Given that firearms offenses do not appear to be more difficult to prosecute than other kinds of offenses, and given that police checkups appear to lead to a greater probability of prosecution, it would be beneficial for police to more closely monitor juveniles in places where they are most likely to illegally possess firearms, such as cars and other public places.

PREDICTING PROBATION OUTCOMES


The problem of predicting offenders’ behavior has emerged in several areas of criminal justice research. Prediction tools are used widely in adult and juvenile probation supervision and are a central component of case classification systems in these areas. It is difficult, however, to compare the findings of different studies of probation risk, since variables related to probation outcomes often differ from one jurisdiction to another, outcome measures differ across studies, and most studies deal only with felony probationers. The current study was designed to overcome the limitations of previous research by using multiple measures of probation outcomes during supervision and by including both felony and misdemeanor probationers.
**METHOD**

The study included every adult probationer discharged from supervision during a 4-week period in Illinois. Probation officers provided information on 2,438 probationers’ demographic characteristics, the conditions of their sentences, and the outcomes of their cases.

**KEY FINDINGS**

Young probationers (under 21) are more likely than older probationers (over 40) to have their probations revoked, be arrested for new crimes, and be cited for technical violations.

Probationers convicted of felony offenses were more likely than misdemeanants to have their probation revoked, to be rearrested, or to be cited for technical violations.

When all factors are weighed against each other, the ones that best predicted negative outcomes on all three measures (arrest, technical violation and revocation) include: age, income, prior adult convictions, a history of drug abuse, and whether the probation jurisdiction was urban or rural (urban was associated with more negative outcomes).

**POLICY IMPLICATIONS**

In general, this study affirms the conclusions reached by many of the previous assessments of probation outcome. Age, income, prior involvement in the justice system, and histories of substance abuse are related to negative probation outcomes, regardless of how these outcomes are measured. Resources to address these factors, such as services to improve employment and treatment to address substance use problems, must be matched with increased levels of supervision. These characteristics often occur together in offenders, and can be used to define groups of probationers who should receive different types of supervision.