2

Crime in the United States

The extraordinary expansion of the penal system—especially the prison and jail populations—cries out for explanation. Many have assumed that the criminal justice system has grown so rapidly because U.S. crime rates are unusually high and getting higher. According to this argument, the worsening of the U.S. crime problem generated much fear and concern among the public, and politicians responded by enacting tough criminal justice measures. In this chapter, we analyze the available evidence to assess whether the crime problem has, in fact, worsened. Is the U.S. crime rate really higher than ever? Is crime a far more serious problem in the United States than in other industrialized countries? If so, the growth of the U.S. prison and jail populations could be seen as a response to a worsening or particularly severe crime problem and the fear it engenders. But if the U.S. crime rate is neither increasing nor unusually high, the unprecedented expansion of the penal system remains mysterious.

Crime in Historical Perspective

It is commonly asserted that crime, especially violent crime, is a much more serious problem than in the past. In fact, historical research suggests that modern industrialized societies—including our own—are significantly *less* violent than the predominantly rural societies of previous centuries. In Europe, for example, rates of crime and violence declined steadily from the 13th century through the mid-20th century. In fact, levels of homicide were between 10 and 20 times higher in the medieval and

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early modern periods than in the 20th century. In the United States, too, urbanization and industrialization were associated with declining levels of violence (Hagan, 1994). Contrary to popular perceptions, then, it appears that Western society has become less rather than more violent over time.

The incidence of violence continued to decline through the 1940s in most industrialized countries, although the U.S. homicide rate did increase under Prohibition in the 1920s (Gurr, 1989; Haller, 1989; Monkkonen, 1981). After World War II, reported rates of crime in the United States (and most European countries) began an upward trend that continued for some time. The Uniform Crime Reports, which we will discuss momentarily, indicate that this increase continued through the 1980s. Despite this upward trend, homicide was far less common in 1981 (a peak year for murder in the 20th-century United States) than it had been at several points in the 19th century (Lane, 1989).

Whether or not the incidence of crime has increased in the more recent past is hotly debated. The uncertainty stems from the fact that different data sources generate quite varied assessments of crime trends. For most of the 20th century, the Federal Bureau of Investigation's Uniform Crime Report (UCR) served as the main source of information about crime. The UCR measures how frequently seven so-called index crimes—homicide, robbery, rape, assault, larceny, burglary, and arson—are reported to the police. According to the UCR, both violent and property crime rates increased fairly steadily from the early 1960s through the early 1990s but dropped considerably over the course of the 1990s. Thus, the overall picture provided by the UCR suggests that crime rates rose throughout the 1960s, 1970s and 1980s but declined noticeably in the 1990s (see Exhibit 2.1). The problem is that these data are quite inconsistent with the results of other measures of crime rates for all but the 1990s. In particular, criminal victimization surveys tell quite a different story about U.S. crime patterns.

In the early 1970s, concern about the significant numbers of criminal victimizations that were not reported to police (and hence omitted from the UCR) led to the creation of the National Crime Survey (now called the National Crime Victimization Survey, or NCVS). The results of the NCVS are based on interviews with a random sample of 100,000 noninstitutionalized U.S. residents 12 years old and older. These NCVS respondents are asked by interviewers to describe their experiences with different types of crime. Because many people do not report such experiences to the police, but are willing to discuss them with telephone

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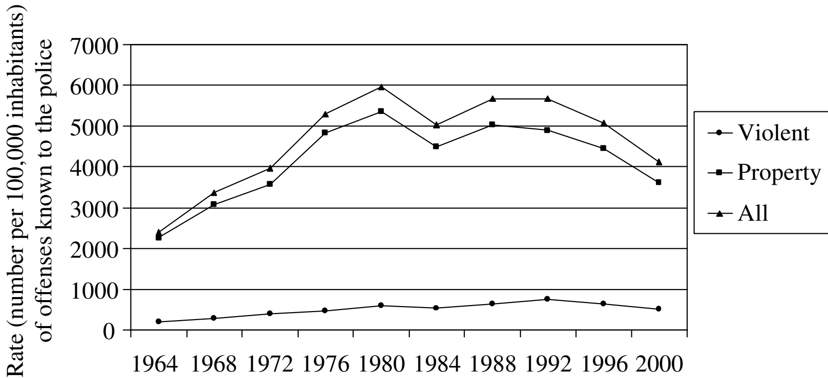

Exhibit 2.1 Crime Trends: Uniform Crime Report Data

SOURCE: Federal Bureau of Investigation (2001); Maguire and Pastore (1997), Table 3.11.

interviewers, the NCVS data show a much higher level of criminal victimization than do the UCR. (Many people also do not report their experiences to telephone interviewers, and those most likely to be victimized are less likely to be reached by telephone, so the victimization survey data still underestimate the incidence of criminal victimization).

Unlike the UCR data, the NCVS results suggest that rates of violent crime fluctuated (rather than increased) over the course of the 1970s and 1980s (see Exhibit 2.2). Also unlike the UCR estimates, the NCVS data indicate that rates of property crime declined sharply during this period. The two data sources are in agreement only with respect to the 1990s: Both suggest that violent and property crime rates dropped significantly during that time.

Why do the UCR and NCVS provide such contradictory assessments of trends in criminal victimization during the 1970s and 1980s? Answering this question is a bit more complicated than it may seem. For one thing, the UCR and NCVS do not measure exactly the same crimes or cover an identical time period.[1] Comparisons of the two data sources must take this and other methodological differences into account. Most researchers attempting to sort out these issues have concluded that much of the increase in crime reported in the UCR is a consequence of two main developments:

- Members of the public became more likely to report their victimization to the police.

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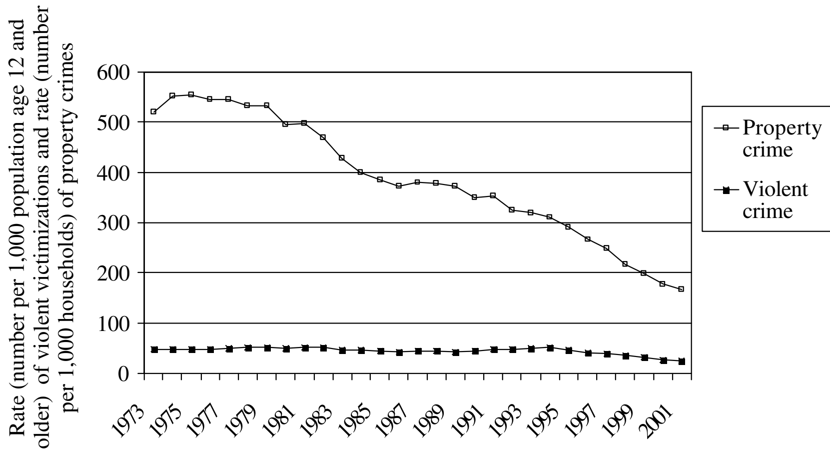

Exhibit 2.2 Crime Trends: National Criminal Victimization Survey Data

SOURCE: Bureau of Justice Statistics (1998a).

Note: The 1976-1991 data were adjusted to make them comparable to data following the 1992 redesign.

- The police became more likely to record these reports and to share their records with the FBI, the agency responsible for compiling the UCR (Boggess & Bound, 1997; O'Brien, 1996).

The fact that more victims of crime are choosing to report their victimization to the police appears to reflect growing awareness of and concern about crime.[2] Studies investigating the decision to report rape, for example, suggest that heightened concern about violence against women has increased the likelihood that rape victims will report their victimization to the police (O'Brien, 1996; Orcutt & Faison, 1994).

In addition, the police have become more likely to record these reports. For example, in 1973, about half of all aggravated assaults reported in the NCVS were recorded by the police; in 1988, the police recorded an estimated 97% of all such reports (Donahue, 1997; Miller, 1996, p. 27). Similarly, growing police awareness of the prevalence and seriousness of rape has increased the likelihood that police will "found" (i.e., judge to be reliable) reports of rape and include them in official records. In Indianapolis, for example, the number of rape reports founded and recorded by the police increased significantly

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following the establishment of a sex offender unit in that department (LaFree, 1989).

Police diligence in recording crime reports occurred largely at the behest of the federal government. In 1973, in an effort to improve crime statistics, the Justice Department began to assist local police departments with their record keeping and encouraged officers on the beat to spend more time on paperwork. As a result, the number of crimes recorded by police departments between 1973 and 1995 grew by 116%, although the number of victimizations reported to the police decreased 5% during this period (Rand, Lynch, & Cantor, 1997, p. 3). As one crime trend analyst concluded, "The 20 year period from 1973 [through] 1992 was not a period of ever-increasing rates of violent crime. Instead it was a period of increasing police productivity in terms of the recording of crimes that occurred" (O'Brien, 1996, p. 204). As a result, there is good reason to suspect that the NCVS data provide a more accurate picture of crime trends, and to conclude that levels of crime have not risen sharply over the past three decades.

But one type of crime measured in the UCR has been less affected by public reporting and police recording practices: homicide. Unlike other types of crime, homicide comes to the attention of the police in the vast majority of cases. Friends and relatives are unlikely to be able to cover up a murder, and the police rarely fail to record a crime as serious as homicide. Moreover, data from medical sources regarding the incidence of death by homicide closely parallel the homicide rate compiled by the FBI. For all of these reasons, UCR estimates of the murder rate are seen by most experts as fairly trustworthy.[3]

What do these data tell us about lethal violence in the United States? According to the UCR, the incidence of homicide doubled from the mid-1960s to the late 1970s, peaked in 1980, fluctuated for most of the 1980s, spiked again in 1991, and dropped throughout the 1990s (see Exhibit 2.3). This drop was quite dramatic, and murder rates at the dawn of the 21st century are lower than they have been for decades. In short, it appears that the United States did experience quite high levels of lethal violence in the late 1970s and 1980s, and again in the early 1990s. And as we shall see, homicide is a more serious problem in the United States than in other industrialized countries, even after the declines of the 1990s.

In sum, the upward trend in the crime rate between 1960 and 1990 suggested by the UCR appears to be largely a consequence of increased reporting and improved police recording practices. Although also

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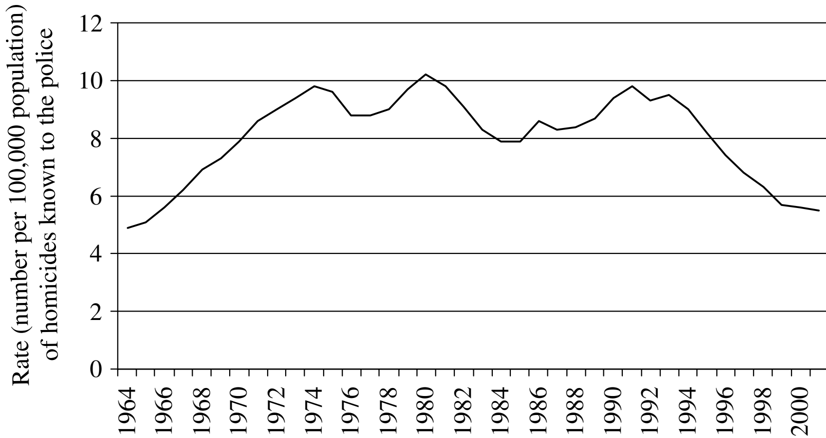

Exhibit 2.3 U.S. Homicide Rate

SOURCE: Federal Bureau of Investigation (1950-2001).

imperfect, the NCVS is considered to be a more reliable indicator of crime trends (Donahue, 1997; O'Brien, 1996).[4] The results of this survey indicate that rates of property crime have dropped steadily over the past two decades and that violent crime was less common in the year 2000 than it was two decades ago. Homicide data clearly indicate that lethal violence is a serious problem in the United States, but do not suggest that homicide has become evermore frequent in recent decades.

Together, these findings suggest that the expansion of prisons and jails is not a result of a worsening crime problem. Recent trends have made this even more evident. Both the NCVS and the Uniform Crime Reports indicate that crime levels dropped significantly during the 1990s. Despite this, the U.S. incarceration rate rose from 458 per 100,000 in 1990 to 699 per 100,000 in 2000 (Bureau of Justice Statistics, 2001, Table 1). Of course, the correlation between rising rates of incarceration and declining levels of crime raises the possibility that the growth of prisons and jails is an effective anticrime measure. We will have more to say about this possibility in subsequent chapters. For now, the point we wish to stress is that the massive expansion of the criminal justice system has not been primarily a consequence of rising levels of crime.

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Crime in Comparative Perspective

Even if crime rates are stable or declining, it is possible that the crime problem is far worse in the United States than in other comparable countries. Indeed, many people believe that the United States has more crime than other industrialized countries. This difference, if it exists, could generate much anxiety and concern about crime and thus indirectly explain the United States' exceptionally high rate of incarceration. The impression that the United States is far more crime-ridden than other comparable countries is based largely on research that compares UCR data and European crime statistics. Such comparisons are unsound, for a number of reasons:

- As discussed earlier, the UCR data appear to misrepresent crime trends in recent decades; comparisons that rely on them are therefore misleading.

- Some European crime statistics are based on the number of people convicted, but the UCR data measure those crimes that are known to the police. Clearly, most crimes known to the police do not result in convictions. As a result, such comparisons overestimate the difference between crime rates in the United States and crime rates in other industrialized countries (Miller, 1996).

- Cross-national comparisons have been hampered by the fact that countries may define crimes differently. For example, what would be considered pickpocketting in one country might be classified as robbery in another and larceny in yet a third.

Recognition of these problems fueled the creation of the International Crime Surveys, first administered by the Dutch Ministry of Justice in 1988. These international surveys offer some advantages:

- Those administering the international survey use a single definition of each type of crime in every country in which the survey is conducted.

- Like the NCVS results, the findings of the international surveys do not depend on the actions of criminal justice officials but are based on the direct reports of surveyed individuals. (Although some survey respondents lie, we have no reason to suspect that Americans lie any more or any less than Belgians, Swedes, or Japanese.)

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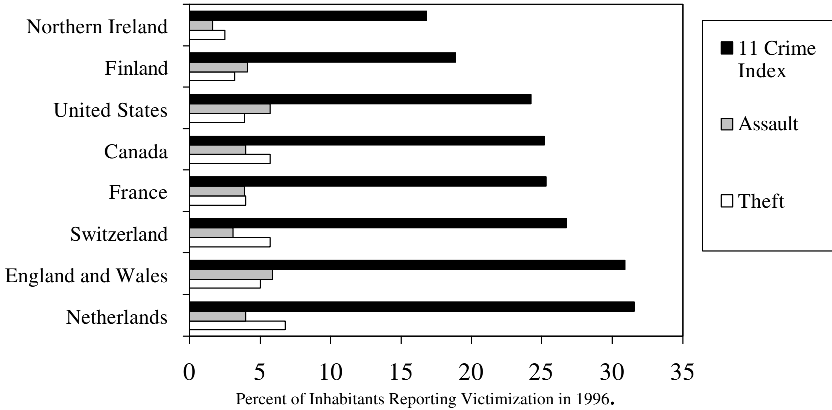

Exhibit 2.4 International Rates of Criminal Victimization

SOURCE: Mayhew and Van Dijk (1997).

The results of the International Crime Surveys cast doubt on the assumption that the United States is far more crime-ridden than other industrialized nations. The 1989 survey found that although rates of victimization in the United States were somewhat high, for no single crime were American rates the highest. For example, rates of auto theft were higher in England, Italy, Australia, New Zealand, and France than in the United States, and burglary was more common in New Zealand and Australia than in the United States (Van Dijk & Mayhew, 1991, p. 199; see also Donziger, 1996; Tonry, 1995, p. 198). Surveys administered by the United Nations in 1991 also found that U.S. rates of property crime were fairly average, and that the incidence of violent crime was on the high end, but not exceptionally so (see Zimring & Hawkins, 1997, chap. 3).

The 1996 International Crime Survey suggests that as a result of their recent declines, U.S. crime rates—including levels of violent crime—have become quite average. According to this survey, the overall victimization rate (weighted to reflect the seriousness of offenses) was lower in the United States than in six other industrialized countries and was actually slightly below the norm (see Exhibit 2.4).[5]

In sum, international survey data suggest that the United States does not have an unusually severe crime problem. Although U.S. rates of violent crime historically have been at the high end of the international distribution, this fact alone cannot account for a U.S. incarceration rate that

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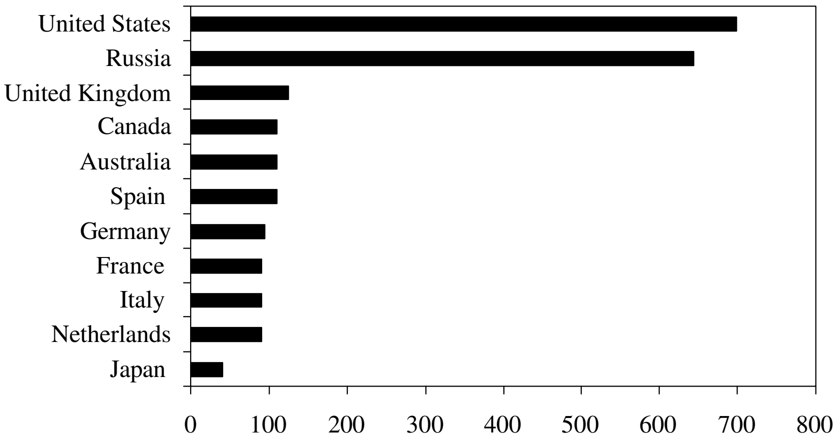

Exhibit 2.5 International Incarceration Rates, 2000

SOURCE: Sentencing Project (n.d.-i).

Note: Data for United States are for the year 2000. Data for other countries measure incarceration rates on varying dates between 1997–2000.

is *6 to 10 times greater* than that of other industrialized nations (see Exhibit 2.5). Furthermore, recent surveys suggest that the rate of violent crime is now actually lower in the United States than in many other developed countries.

Cross-national comparisons of crime that analyze all available data sources (police statistics as well as national and international survey data) reach similar conclusions. One such study sponsored by the National Institute of Justice found that England and Wales suffer higher levels of crime than does the United States (Bureau of Justice Statistics, 1998a). Another study concluded that U.S. rates of nonlethal violence are roughly similar to those in other English-speaking countries, but that rates of serious property crime are significantly lower than in many other industrialized countries, including Australia, Canada, Sweden, and the Netherlands. As the author of this study concludes, "The United States has higher levels of lethal violence than other nations but similar levels of minor [nonlethal] violence and property crime than other nations normally considered more civil" (Lynch, 1995, p. 11; see also Zimring & Hawkins, 1997).

Indeed, lethal violence is the exception to the rule that U.S. crime rates are unexceptional. (Homicide is not measured in the International

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Crime Survey—or any other survey—because dead people cannot report their victimization.) According to police statistics, homicide is 3 to 5 times more common in the United States than in any other industrialized country, even after the recent decline (Zimring & Hawkins, 1997). Murder thus remains a significant problem in the United States, the causes of which will be explored in the following chapter.

But the high murder rate in the United States cannot explain why we have such large and growing prison and jail populations. Homicide convictions account for only a small proportion of those admitted to prison. In 1997, for example, only 2.7% of new court commitments to state prison involved people convicted of homicide. By contrast, more than 30% of those sentenced to state prison were convicted of drug offenses (Maguire & Pastore, 1995, Table 6.32). Jail inmates are even less likely to have been charged with homicide and more likely to be minor offenders (Bureau of Justice Statistics, 1997, Table 15). Similarly, homicide offenders account for 0.4% of the past decade's growth in the federal prison population; in contrast, drug offenders account for nearly 61% of that expansion (Maguire & Pastore, 1998, Table 6.29). In short, most of those incarcerated in the United States are doing time for crimes much less serious than homicide.

Conclusion

In this chapter, we have argued that the U.S. crime rate is neither rising nor (with the exception of homicide) unusually high in comparison to other industrialized countries. Thus, it is clear that the prison boom in the United States is not a consequence of a worsening or exceptional crime problem.

The fact that levels of crime dropped while rates of incarceration continued to rise in the 1990s and into the 21st century might be interpreted as evidence that incarceration is an effective anticrime strategy. According to this argument, crime rates are dropping in the United States—both absolutely and relatively—because we have incarcerated so many people.[6] Although this argument sounds plausible, there are many reasons to doubt that the incarceration boom is responsible for declining crime rates. In particular, the recent correlation between rising rates of incarceration and declining levels of crime is fairly unusual: Comparative research shows that states and countries that incarcerate at higher rates are not necessarily characterized by lower crime rates (Currie, 1998, pp. 56-57). This issue will be addressed in greater detail in Chapter 9.

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Although crime in the United States has diminished over the past decade and is roughly comparable to the level experienced in other industrialized countries, the U.S. homicide rate continues to be exceptionally high. In the next chapter, we examine why this is so and consider the significance of this pattern for the recent expansion of the criminal justice system.

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