



ROSE INSTITUTE  
OF STATE AND LOCAL GOVERNMENT  

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CLAREMONT MCKENNA COLLEGE

# THE CRIME FUNNEL

ELISE HANSELL '15  
CHARLOTTE BAILEY '16  
NINA KAMATH '16  
LANE CORRIGAN '17

JOSEPH M. BESSETTE, PH.D., PROJECT SUPERVISOR

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850 Columbia Avenue  
Kravis Center 436  
Claremont, CA 91711-6420  
P: (909) 621-8159  
E: [roseinstitute@cmc.edu](mailto:roseinstitute@cmc.edu)

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## INTRODUCTION

The Rose Institute of State and Local Government presents its first comprehensive analysis of crime and criminal justice in the United States in our first report on the Crime Funnel Project.

A crime funnel is a succinct way to display the likelihood that the commission of a crime will result in an arrest, a felony conviction, incarceration (in a local jail or state prison), and imprisonment. While every serious crime should ideally result in the conviction of the offender and the imposition of an appropriate sentence, there is a drop-off at each stage of the process because not all crimes result in an arrest, not all arrests lead to a felony conviction, and not all convictions result in an appropriate sentence. Together, these drop-offs can be displayed as a graph in the shape of a funnel.

After compiling data from the Federal Bureau of Investigation's Uniform Crime Reports (UCR) and the Bureau of Justice Statistics' National Judicial Reporting Program (NJRP), our team constructed over 80 funnels to display and analyze the changes in the criminal justice system over the last two decades.

The first portion of the project looks at the five most serious index crimes outlined in the FBI's UCR program. These five crimes are murder, rape, robbery, aggravated assault, and burglary. The team compiled data for these five crimes from 1986 through 2006 on a quadrennial basis to assess the changes over time. (2006 is the most recent year with national sentencing data.) To gain a better understanding of these changes, we created two sets of funnels for each year. The first set begins with incidents and the second begins with arrests. The advantage of beginning with arrests is that these funnels more directly show how the criminal justice system responds once an alleged offender is in custody. We have also included the 2006 male and female comparison funnels for robbery, aggravated assault, and burglary. In addition to the funnels, our team calculated four different ratios for each index crime. Please see "Methodology" for details.

Although the crimes studied in this report are all felonies – which typically means they can result in incarceration for at least a year – in some cases, offenders arrested for these crimes may be convicted of a lesser misdemeanor and receive a shorter jail sentence or probation. For example, someone arrested for aggravated assault, typically a felony because it involves serious bodily injury or the use of a deadly weapon, may plead guilty to the lesser crime of simple assault, typically a misdemeanor because the bodily harm was not serious and a deadly weapon was not used. Because we have no national data on misdemeanor convictions, all conviction data in this report are for felony convictions only.

Lastly, our team looked at the arrest and processing for those accused of drug crimes over the period from 1986 through 2006. These funnels will become of particular interest in future reports as we examine differences among the states in sentencing policies.

It is our hope that these crime funnels will offer readers and researchers a unique perspective on the criminal justice system and its evolution over the last two decades. The team would like to thank Professor Joseph Bessette of CMC's Department of Government for his leadership and guidance on this project. His extensive knowledge of the criminal justice system proved an invaluable resource throughout the entire process. For this, we thank him.

Charlotte Bailey  
Elise Hansell  
Lane Corrigan  
Nina Kamath

## METHODOLOGY

The creation of each crime funnel requires four different data points: the number of incidents, the number of arrests, the number of convictions, and the number of incarcerations. The number of incidents is the number of crimes of specific types reported to local law enforcement. Conviction data refer to the number of felony convictions and do not include convictions on non-felony charges. Because incarceration includes local jail (usually a sentence up to a year) and state prison (usually a sentence of at least a year), we also show sentences to prison separately. Any incarceration resulting from a conviction on misdemeanor charges is not reflected in the data. The data come from two main sources: incident and arrest data from the Federal Bureau of Investigation (FBI), and conviction and sentencing data from the Bureau of Justice Statistics (BJS). Both are agencies of the U.S. Department of Justice. (The Appendix provides detailed source information for the data presented in each graph.)

The FBI's Uniform Crime Reporting program (UCR) publishes *Crime in the United States*, an annual report compiling the volume and rate of violent and property crimes and arrests nationwide. The UCR program relies on 16,000 city, county, and state law enforcement agencies to voluntarily report criminal incidents and arrests. The data cover 95% of the United States population, including 97% of those living in metropolitan areas and 87% in rural areas.

The Bureau of Justice Statistics' National Judicial Reporting Program (NJRP) publishes the biannual *Felony Sentences in State Courts* report, providing conviction and sentencing data for each of the five crimes. The NJRP data sets are compiled using a complex stratified cluster sampling design, collecting data from 300 of the over 3000 counties in the United States. The method gives greater weight to the 75 largest counties because they account for a larger proportion of serious crime in the nation. BJS researchers utilized state courts, prosecutor's offices,

sentencing commissions, and statistical agencies to collect the data. BJS has published reports on felony sentencing in state courts every two years between 1986 and 2006. (BJS discontinued this program in 2006, which is why 2006 is the most recent year for these funnels.)

In addition to using these data to create the funnels, our team prepared four different ratios for each crime. The first ratio compares arrests to incidents, demonstrating the likelihood that the commission of a crime results in an arrest. (For convenience, we present these as the number of arrests per 100 incidents. We use this method for all the ratios.) The second ratio compares felony convictions to arrests, illustrating the likelihood that an arrest resulted in a felony conviction for that particular crime. The third ratio compares incarceration to arrests, illustrating the likelihood that an arrest results in incarceration. The fourth ratio compares prison sentences to arrests, demonstrating the likelihood that an arrest results in state prison time for an offender. It is important to note that the ratios present aggregate data and cannot account for the fact that (a) a single offender might commit several crimes resulting in a single arrest and (perhaps after a plea bargain) a single prison sentence and (b) multiple offenders might together commit a single crime but each be arrested, convicted, and sentenced to prison. (Readers interested in more precise measures of how many crimes are "cleared" by an arrest should consult the FBI's annual *Crime in the United States*.<sup>1</sup>) Despite these qualifications, the funnels and ratios provide a broad quantitative look at the system's effectiveness in dealing with each crime. This allows for comparisons across crime types and well as changes over time.

<sup>1</sup>The FBI considers a crime "cleared" if, (1) an offender is arrested, charged with the crime, and turned over to the court for prosecution, or (2) the case is closed for some other reason, such as the death of the offender prior to arrest.

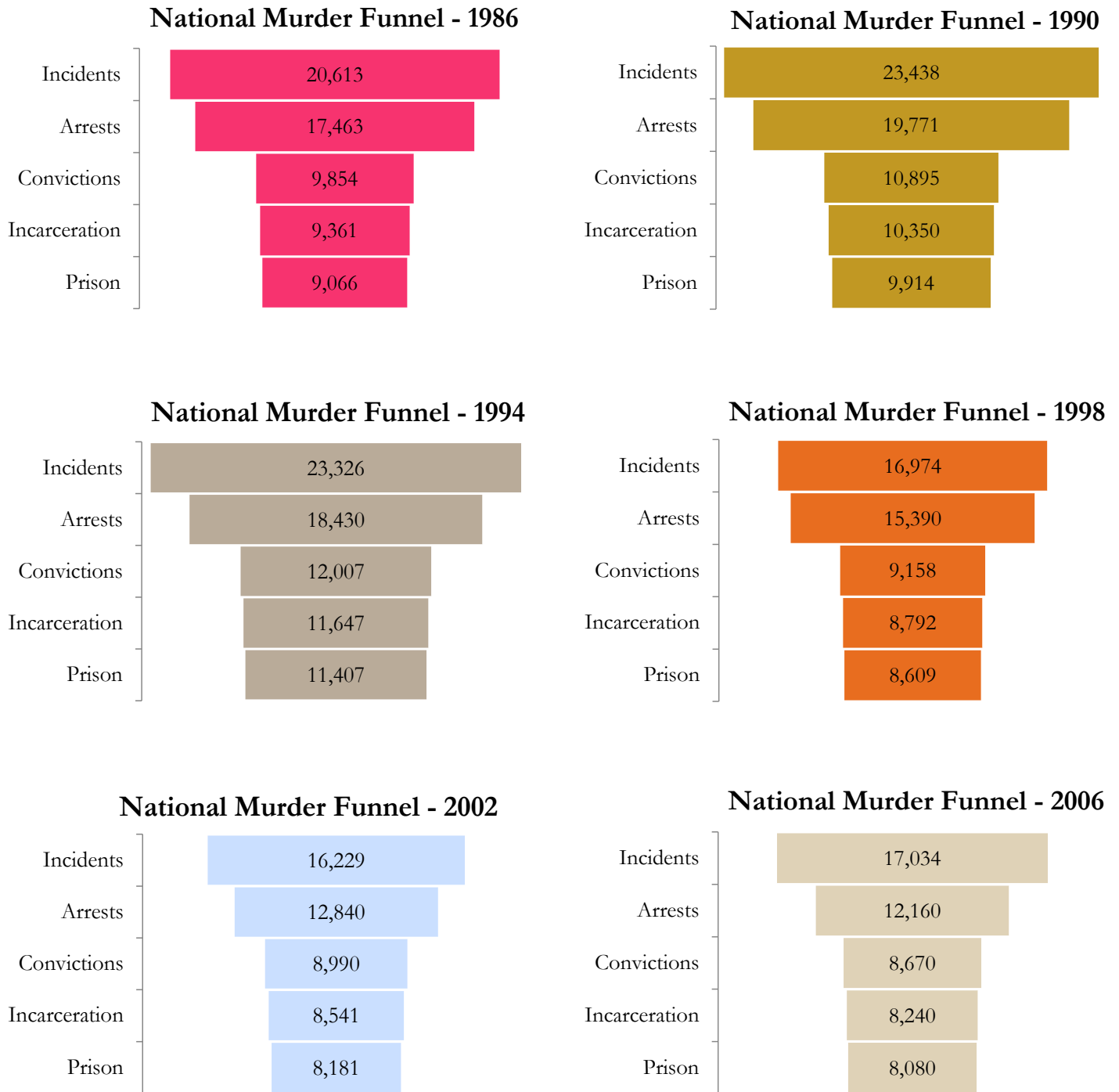
**CLASSIFICATION**

The FBI’s UCR program requires contributing agencies to classify crime according to the definitions below. The definitions are all categorized as Part I offenses (also called Index crimes) and are ranked below in order of their seriousness. In instances in which criminals have

committed multiple crimes in the same incident, the FBI employs the Hierarchy Rule, requiring agencies to count only the highest offense for its reporting statistics. For example, if an offender both robbed and murdered the victim, the UCR program data would only count the murder because it is the more serious crime.

Crime	Definition
Criminal Homicide	<p><b>Murder and nonnegligent manslaughter</b> (covered in this report): the willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded. The program classifies justifiable homicides separately and limits the definition to: (1) the killing of a felon by a law enforcement officer in the line of duty; or (2) the killing of a felon, during the commission of a felony, by a private citizen.</p> <p><b>Manslaughter by negligence</b> (not covered in this report): the killing of another person through gross negligence. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and traffic fatalities are not included in the category Manslaughter by Negligence.</p>
Rape	<p>Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Rapes by force and attempts or assaults to rape, regardless of the age of the victim, are included. Statutory offenses (no force used—victim under age of consent) are excluded.</p>
Robbery	<p>The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.</p>
Aggravated Assault	<p>An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.</p>
Burglary (breaking or entering)	<p>The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.</p>
Definition of Rape prior to January 1, 2013	<p>The carnal knowledge of a female forcibly and against her will. Rapes by force and attempts or assaults to rape, regardless of the age of the victim, are included. Statutory offenses (no force used—victim under age of consent) are excluded.</p>

- As the funnels demonstrate, there is great variation among the five Index crimes -- **murder, rape, robbery, aggravated assault, and burglary** – in how many incidents lead to an arrest, how many arrests lead to a conviction, and how many convictions result in a sentence to incarceration (local jail or state prison).
- For **murder**, most incidents result in an arrest, most arrests in a conviction, and most convictions in imprisonment. Murder incidents dropped 17% between 1986 and 2006, and 27% between 1990 and 2006.
- Even though arrests per **murder** dropped during the 20-year period, convictions, incarcerations, and prison sentences per arrest all increased, indicating a toughening of the system once an alleged offender was in custody.
- Although the number of **rapes** reported to the police was fairly constant between 1998 and 2006, prison sentences in 2006 were 30% higher than in 1998 and 43% higher than in 2002.
- Although there is a large drop-off from incidents of **robbery** to arrests and from arrests to convictions, a large majority of those convicted of robbery received a sentence to state prison.
- Compared to murder, rape, and robbery, the crime of **aggravated assault** shows a much more dramatic drop-off from incidents and arrests to punishment. Nonetheless, with only 3% more incidents in 2006 than in 1986, convictions almost tripled over the period and prison sentences more than doubled. Even so, only about 1 in 10 of those arrested for aggravated assault in 2006 received a prison sentence.
- **Burglary** shows a very similar pattern to aggravated assault: a very large drop-off from incidents to arrests and from arrests to incarceration, but also a measurable toughening of the system over time, with those arrested for burglary more likely to be convicted and incarcerated at the end of the 20-year period.
- The **male-female comparisons** (for robbery, aggravated assault, and burglary) all show that women commit many fewer crimes than men do and once arrested are less likely than men to be convicted or incarcerated.
- Between 1986 and 2006, **the total number of murders, rapes, robberies, aggravated assaults, and burglaries** was down 24%; yet during this same period convictions for these crimes were up 30%, incarcerations up 27%, and sentences to state prison up 15%. This is powerful evidence of a toughening of the criminal justice system for these five very serious crimes.
- In the twelve years between 1994 and 2006, arrests for **drug abuse violations** (which include possession, trafficking, sale, manufacture, etc.) increased 42%, with convictions increasing 38%, incarceration sentences 45%, and prison sentences 75%.
- Over the 20-year period, arrests for **drug trafficking** (which includes sale and manufacture) increased 78%. During the same period, convictions increased 178%, incarceration sentences 193%, and sentences to prison 212%. These figures are much higher than those for any of the other crimes studied here.

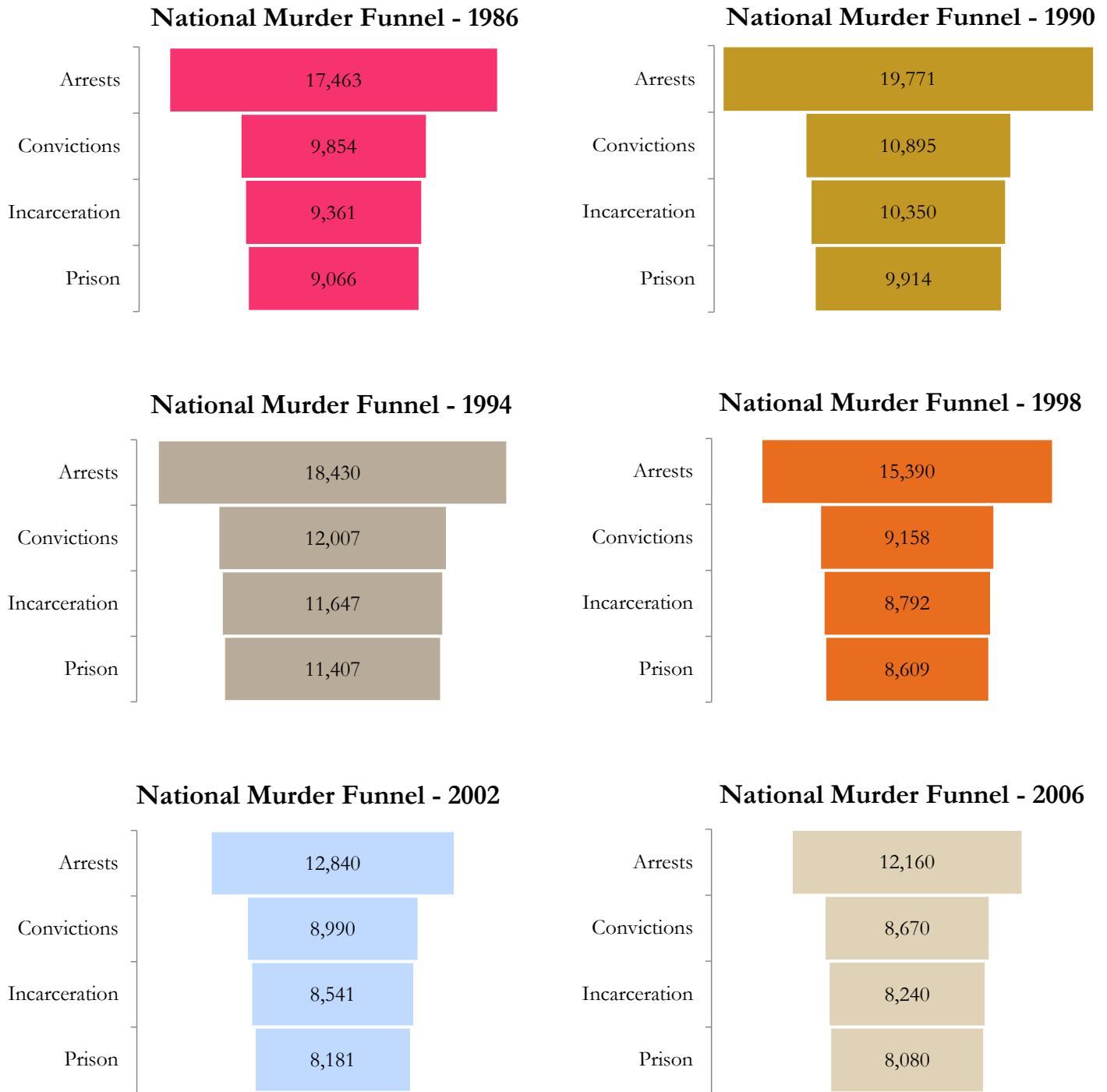


Over the 20-year span, we observe a consistency in the thickness of these funnels, indicating that most incidents result in arrest, most arrests in convictions, and most convictions in imprisonment. Between 1986 and 2006, incidents decreased 17%, with a drop of 27% between 1990 and 2006.

Source: See Appendix

Note: Incidents refer to the number of crimes reported to local law enforcement, whatever the age of the offender. Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



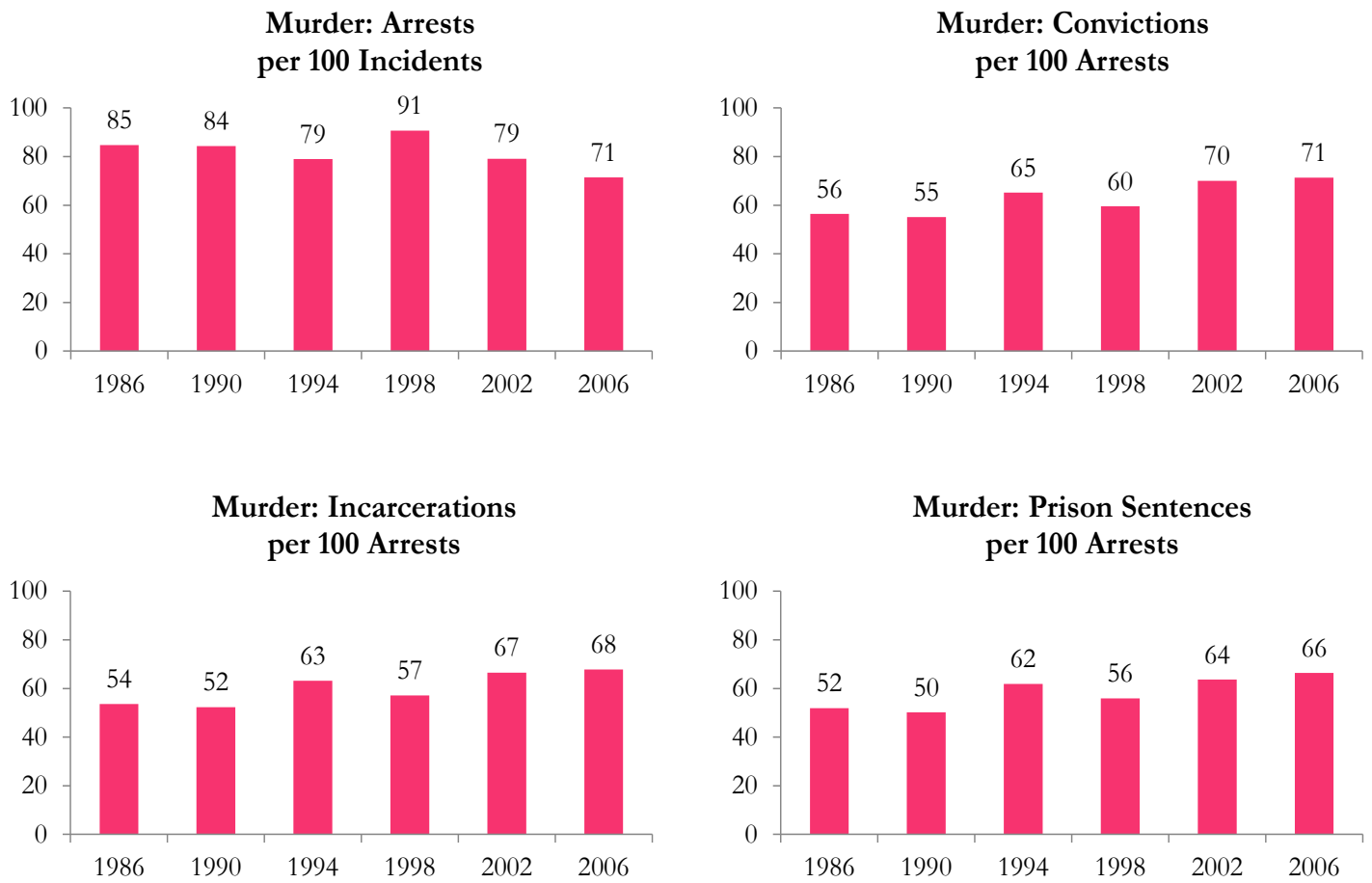


Despite the omission of the incident data, the funnel thickness remains relatively consistent over the 20-year period. A substantial majority of arrests result in convictions and nearly all convictions result in a prison sentence. The relatively few convictions that result in no incarceration may have been to “nonnegligent manslaughter” (such as a “heat of passion” killing), which is included in the definition of murder in these data.

Source: See Appendix

Note: Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.

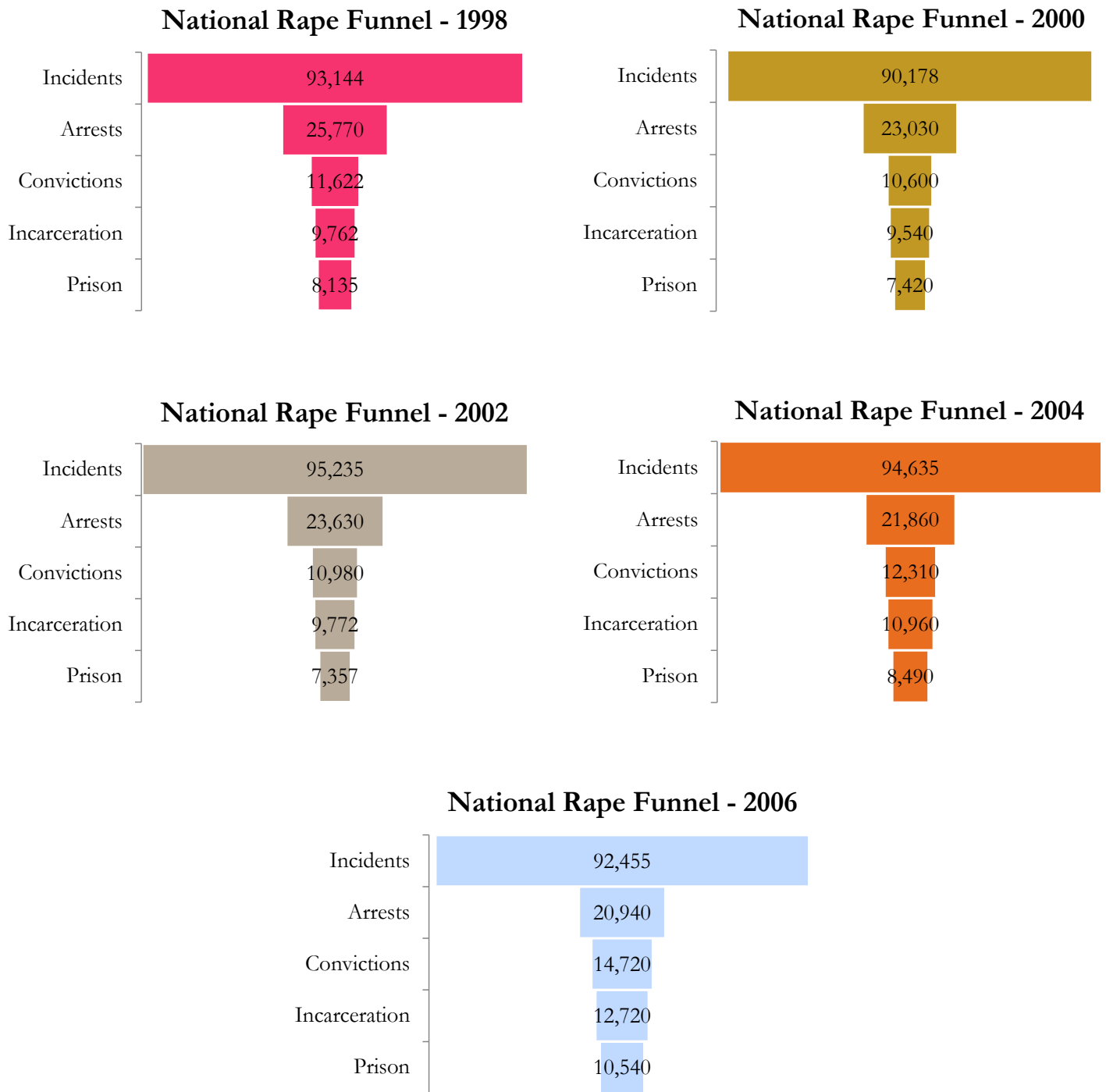




Comparing these ratios to those for other crimes shows that the more serious the crime, the more likely the offender is to be arrested and punished. Notably, even though arrests per murder incident decrease over the time period, convictions, incarcerations, and prison sentences per arrest all increase, indicating a toughening of the system once an alleged offender is in custody.

Source: See Appendix

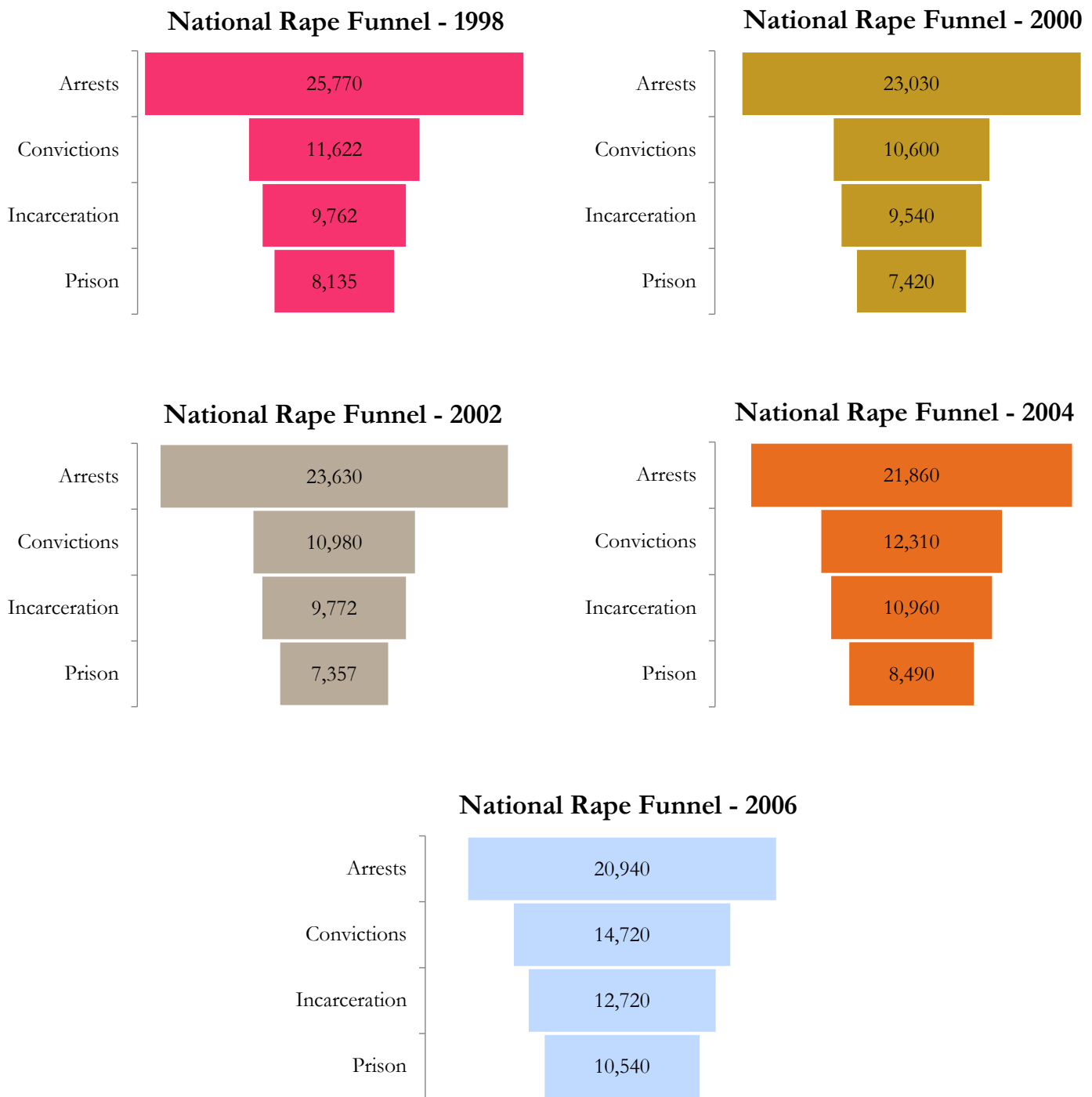
Note: Incidents refer to the number of crimes reported to local law enforcement, whatever the age of the offender. Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



Although the number of rapes reported to police was fairly constant between 1998 and 2006, prison sentences in 2006 were 30% higher than in 1998 and 43% higher than in 2002.

Source: See Appendix

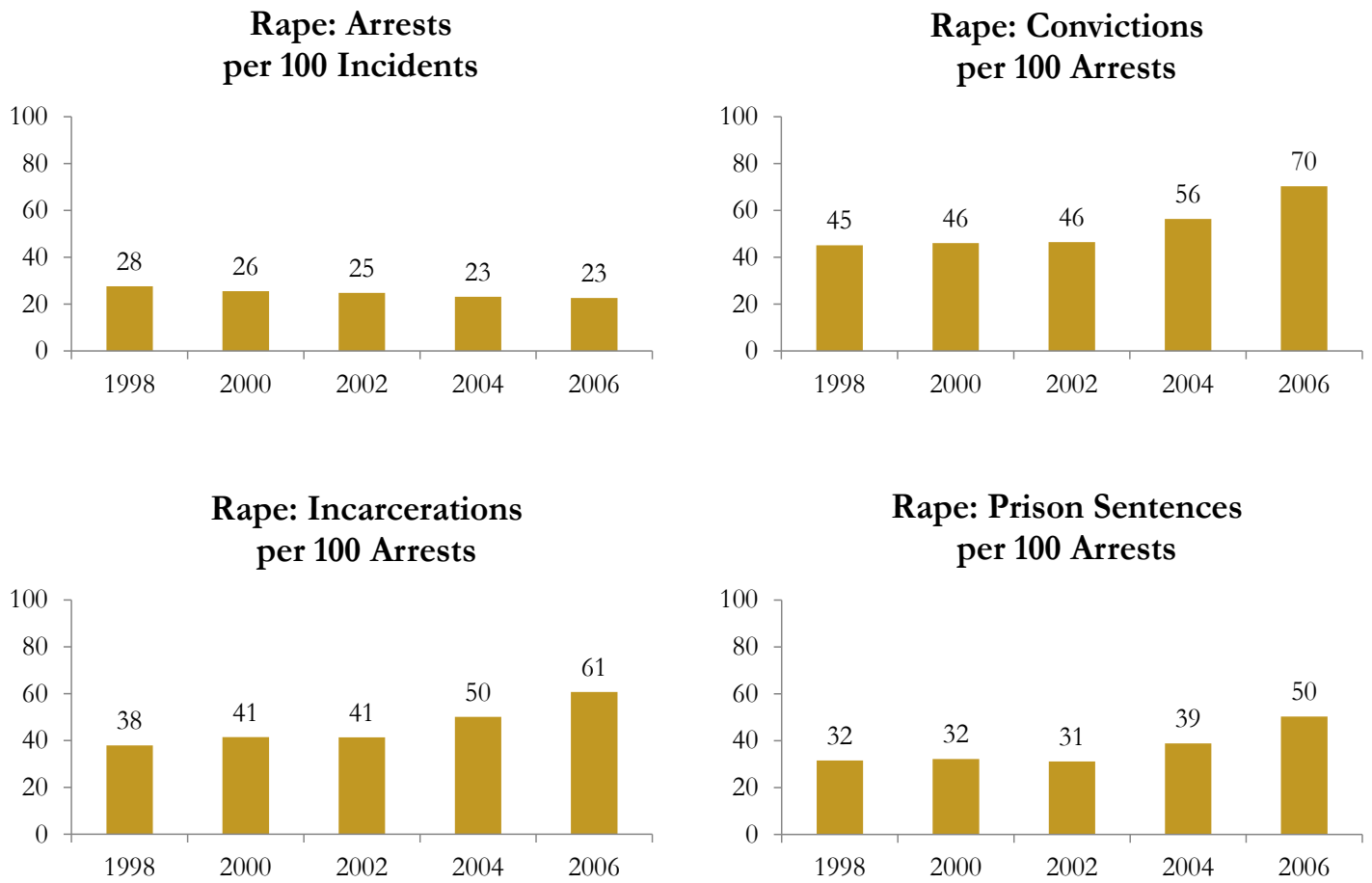
Note: Due to a definition change by the Bureau of Justice Statistics in 1998, we are only able to examine the rape funnels from that year onward. Incidents refer to the number of crimes reported to local law enforcement, whatever the age of the offender. Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



Even with the omission of the incident data, the funnels demonstrate the significant drop-off from arrests to convictions. The considerable thickening of the funnels over time demonstrate a toughening of the criminal justice system's response to rape.

Source: See Appendix

Note: Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



Although the proportion of reported rapes that resulted in an arrest dropped during the 8-year period, convictions, incarcerations, and prison sentences all increased considerably.

Source: See Appendix

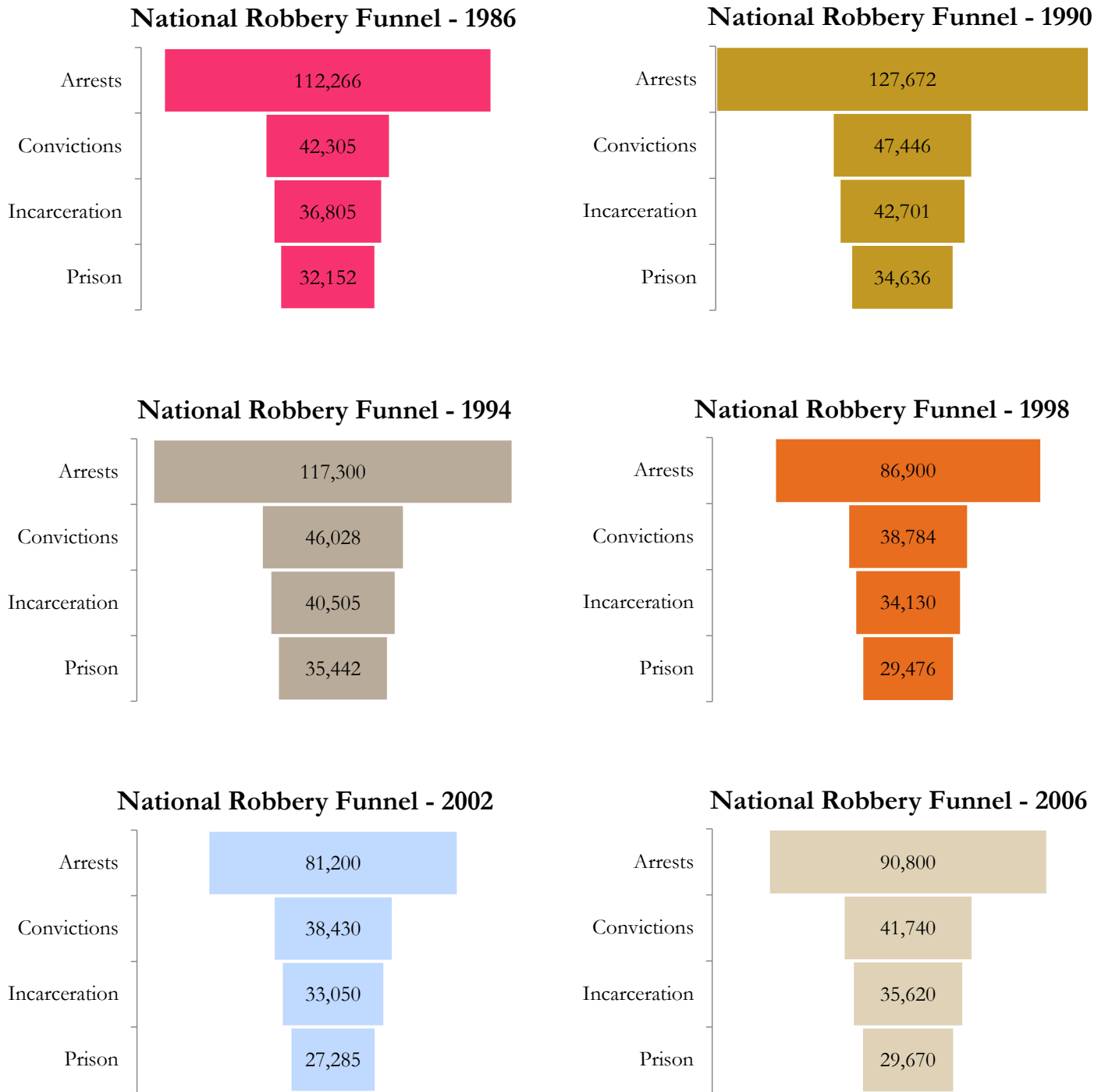
Note: Incidents refer to the number of crimes reported to local law enforcement, whatever the age of the offender. Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



Similar to the rape funnels, the robbery funnels demonstrate a significant drop-off from incidents to arrests. Despite this, the bottom three tiers maintain a similar shape, indicating relative system toughness once an arrest has been made.

Source: See Appendix

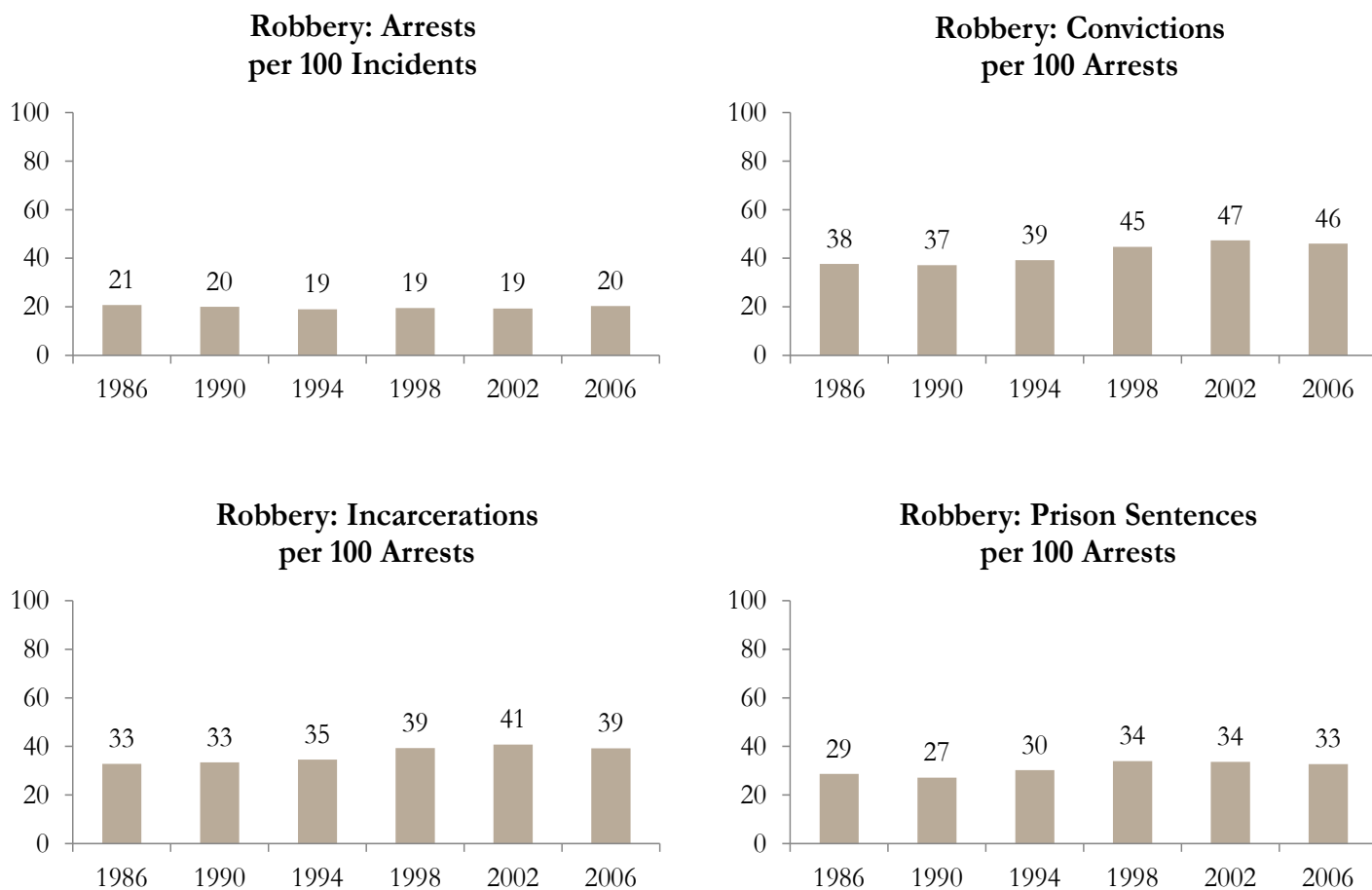
Note: Incidents refer to the number of crimes reported to local law enforcement, whatever the age of the offender. Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



With the omission of the incident data, it is easier to observe the large drop-off from arrests to convictions. Yet, it is also clear that the vast majority of convictions result in incarceration, and the vast majority of incarceration sentences are to state prison.

Source: See Appendix

Note: Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.

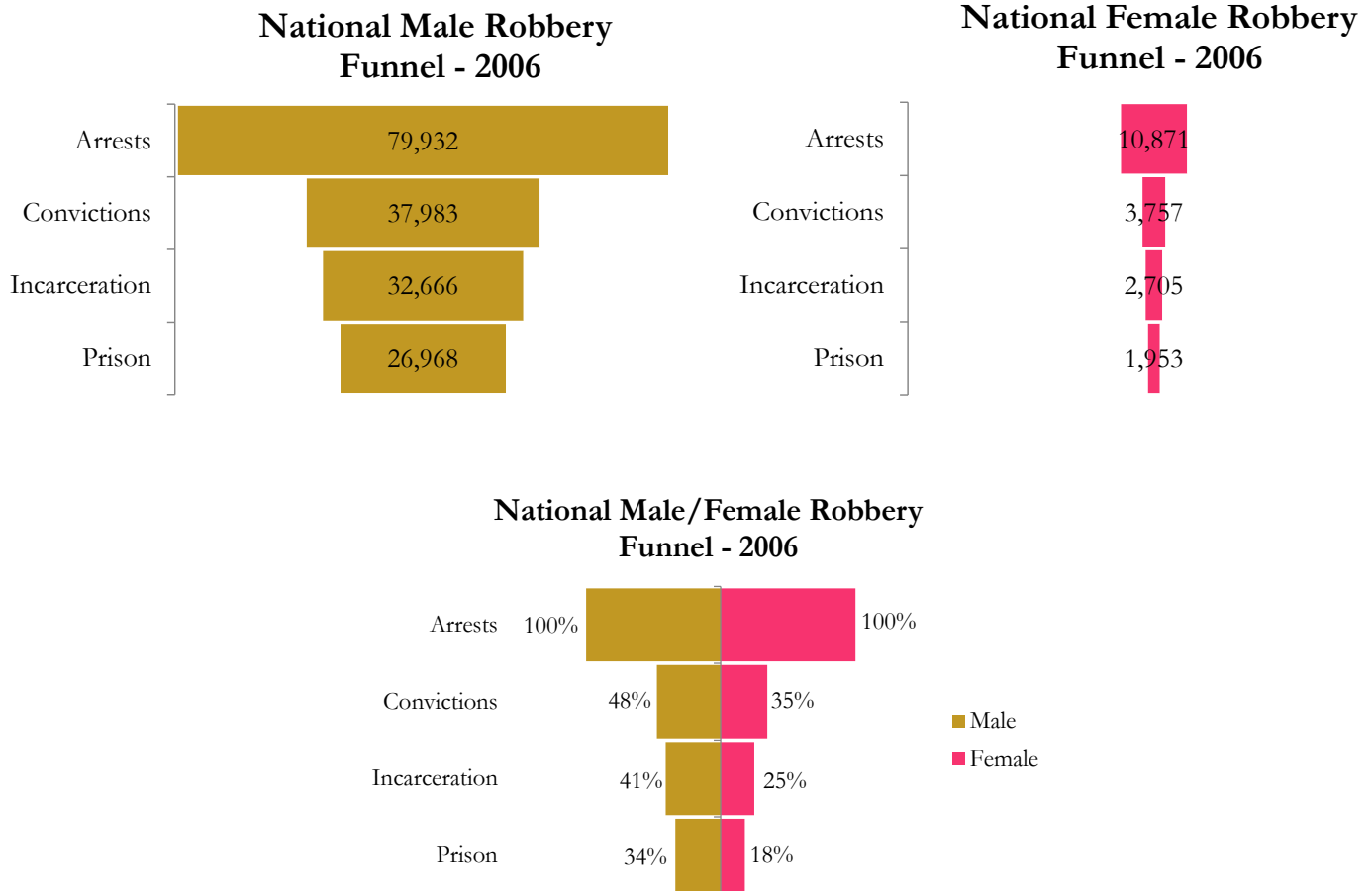


Although the proportion of robberies that resulted in an arrest was fairly constant over the 20-year period, convictions, incarcerations, and prison sentences per arrest all increased, indicating a toughening of the criminal justice system for those arrested for robbery.

Source: See Appendix

Note: Incidents refer to the number of crimes reported to local law enforcement, whatever the age of the offender. Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



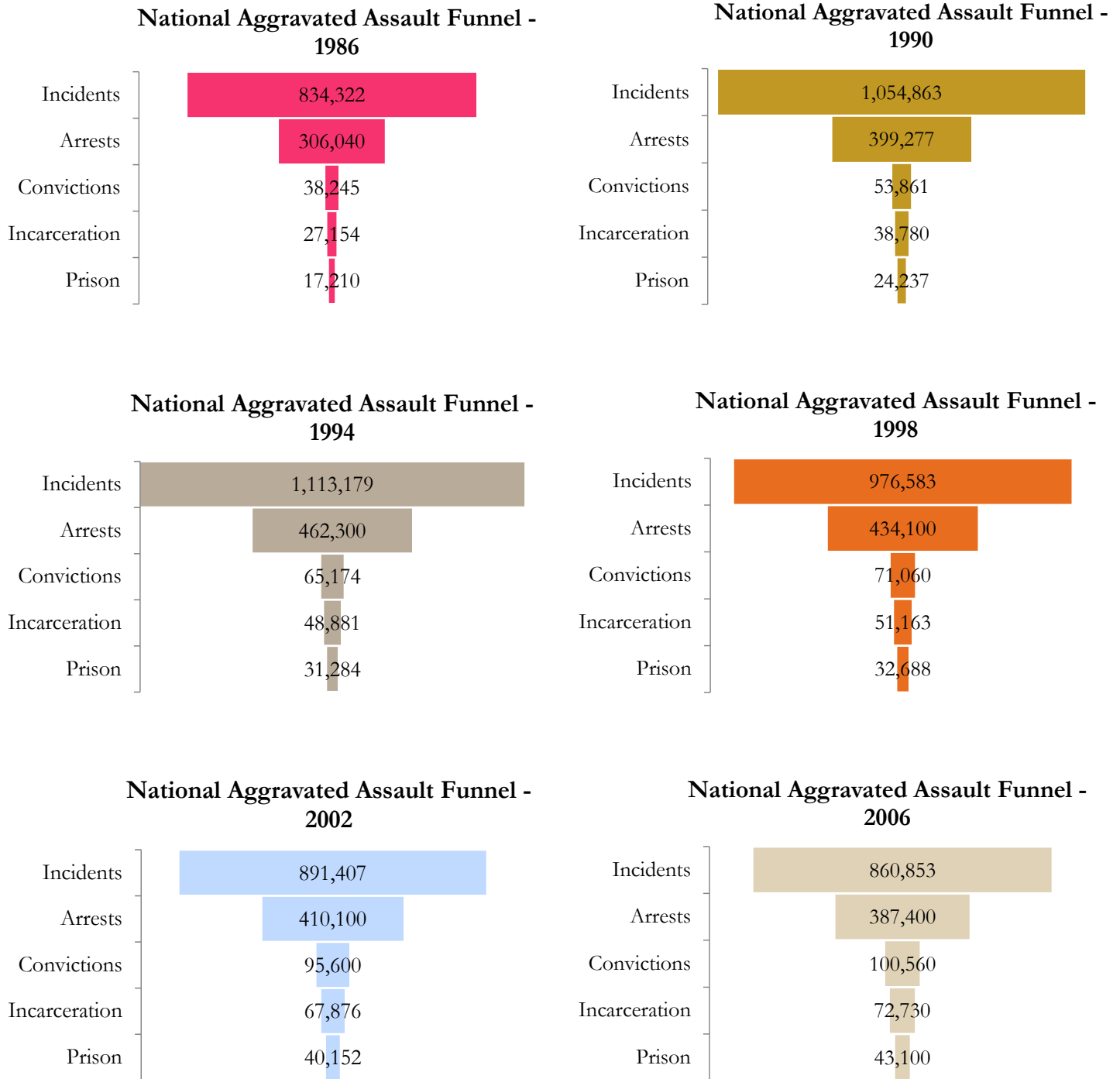


The individual male and female funnels reflect the gaping gender disparity for the crime of robbery. This male/female comparison demonstrates that women commit far fewer robberies than men (12% vs. 88%), and once arrested are less likely to be convicted or incarcerated.

Source: See Appendix

Note: Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data. Also, because "Easy Access to FBI Arrest Statistics" does not include gender data for the national estimates, we have estimated gender data using the ratio of reported arrests to the FBI's estimate of all national arrests, combined with FBI published data on reported adult arrests (see Appendix).

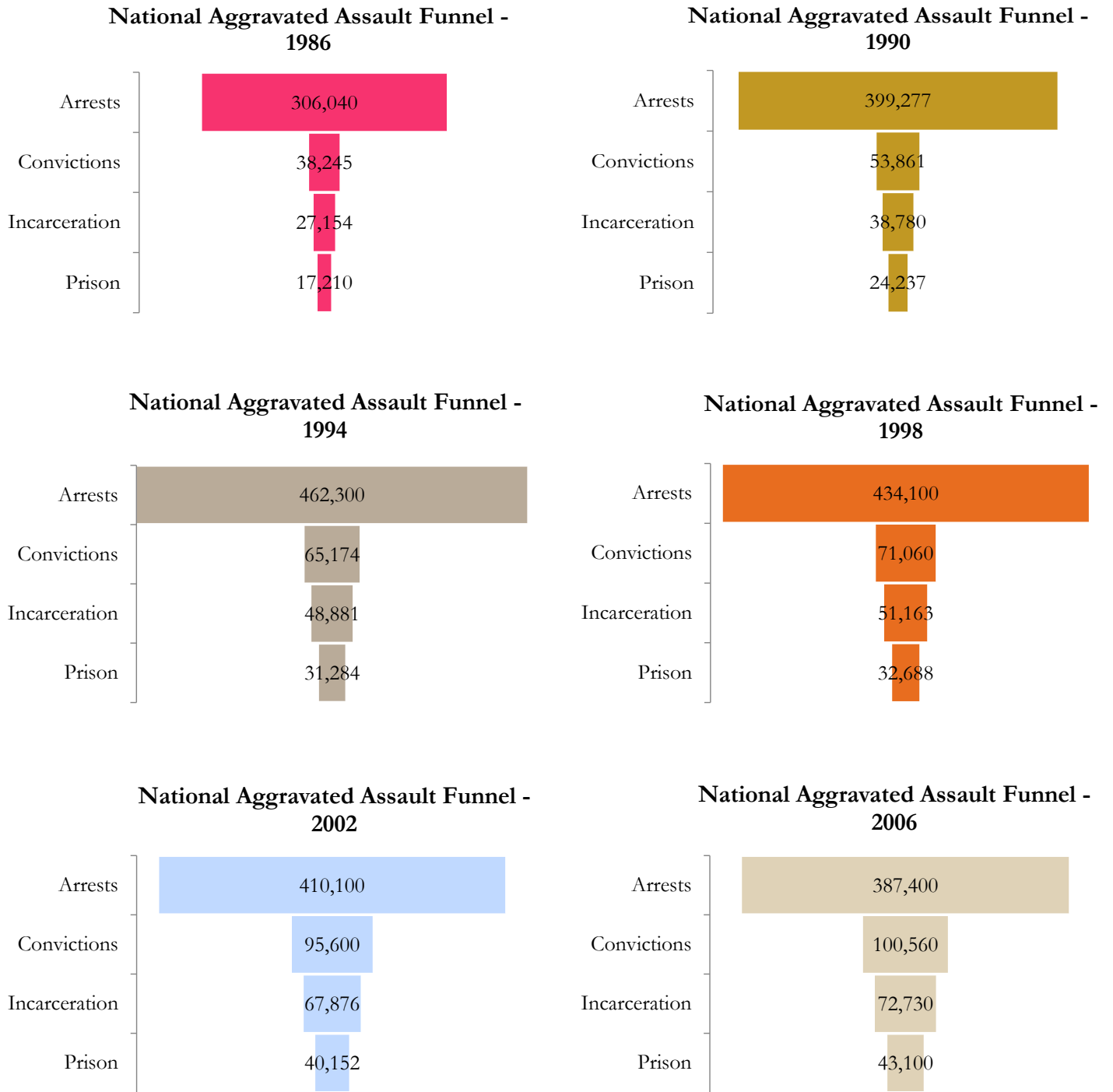
FIGURE 11, AGGRAVATED ASSAULT FUNNELS BASED ON INCIDENTS, 1986-2006 15



Compared to the funnels for other violent crimes, aggravated assault shows a much more dramatic drop-off from incidents and arrests to punishment. Nonetheless, the trend shows a substantial toughening of the system over the 20-year period. With only 3% more aggravated assaults reported by the police in 2006 than in 1986, there were almost three times as many convictions in 2006, and about two and one-half times as many offenders incarcerated and imprisoned.

Source: See Appendix

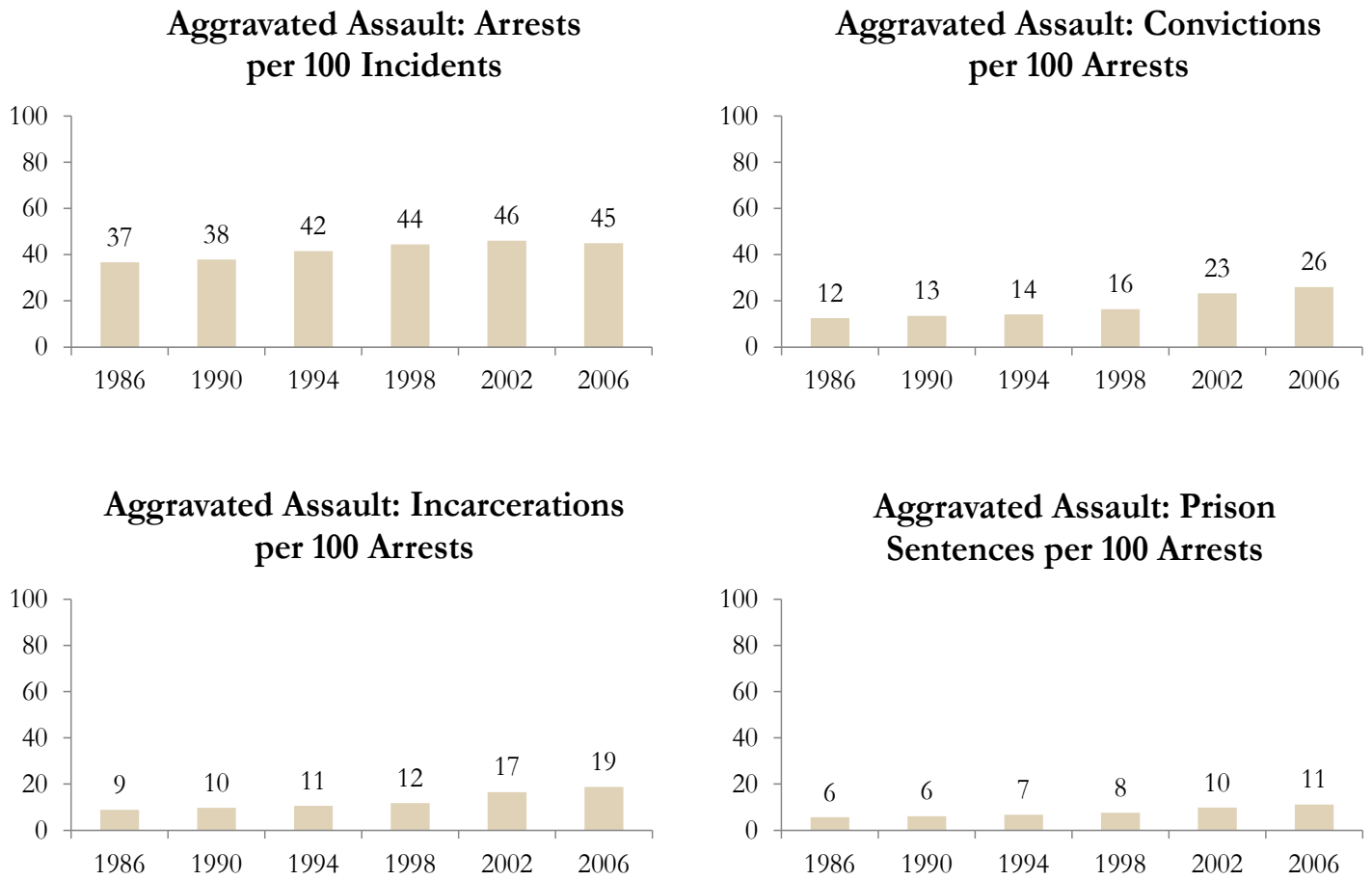
Note: Incidents refer to the number of crimes reported to local law enforcement, whatever the age of the offender. Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



Although only a small fraction of arrests for the felony of aggravated assault result in a felony conviction (with many likely leading to a conviction for simple assault, a misdemeanor), the likelihood of a felony conviction increased substantially over the 20-year period.

Source: See Appendix

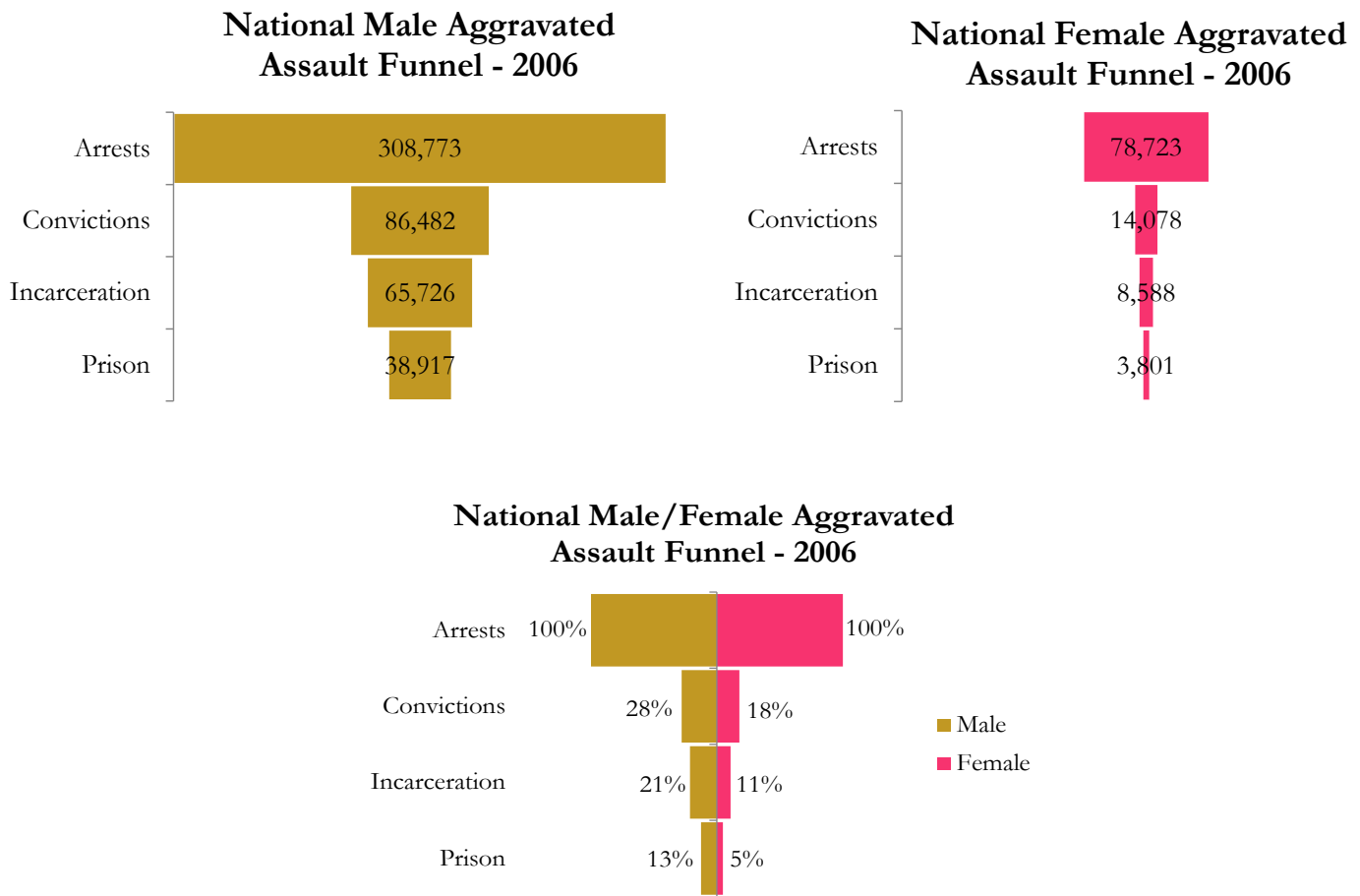
Note: Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



As these graphs demonstrate, by every measure there has been a considerable toughening of the criminal justice system's response to the crime of aggravated assault over the 20-year period. Even so, by the end of the period only about one in ten of those arrested for this felony ended up receiving a sentence to state prison.

Source: See Appendix

Note: Incidents refer to the number of crimes reported to local law enforcement, whatever the age of the offender. Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



As with the gender comparison for robbery, the funnels for aggravated assault indicate remarkable disparities between male and female criminal behavior (with men responsible for 80% of the arrests) and also the apparent greater leniency of the criminal justice system toward females arrested for aggravated assault.

Source: See Appendix

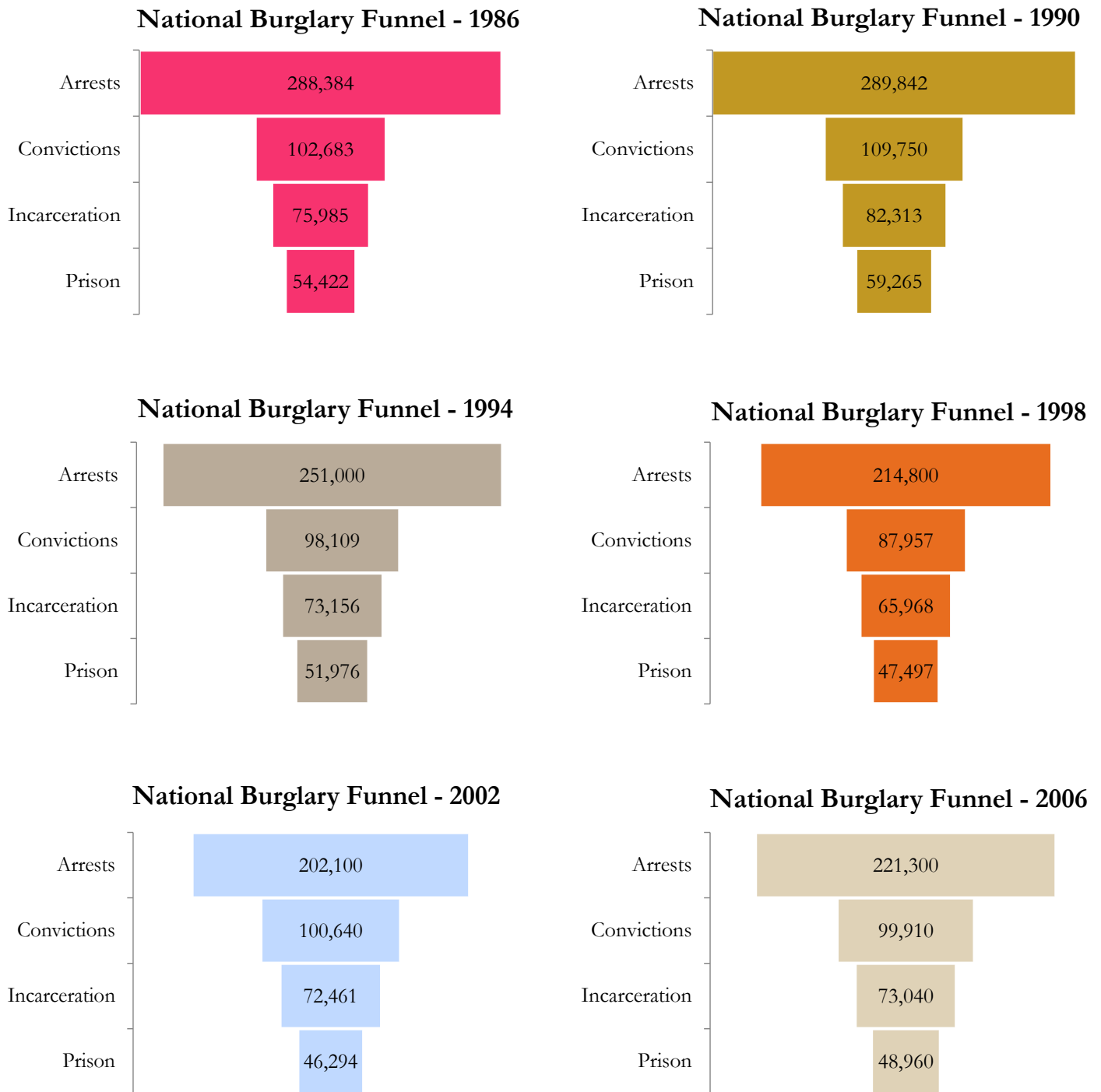
Note: Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data. Also, because “Easy Access to FBI Arrest Statistics” does not include gender data for the national estimates, we have estimated gender data using the ratio of reported arrests to the FBI’s estimate of all national arrests, combined with FBI published data on reported adult arrests (see Appendix).



The burglary funnels show a sharp contrast between incidents and punishment, with only a very small fraction of burglaries resulting in a conviction or incarceration sentence. Yet there is also evidence of a toughening of the system over time: while incidents decreased 33% between 1986 and 2006, convictions were down only 3% and incarceration sentences down only 4%.

Source: See Appendix

Note: Incidents refer to the number of crimes reported to local law enforcement, whatever the age of the offender. Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.

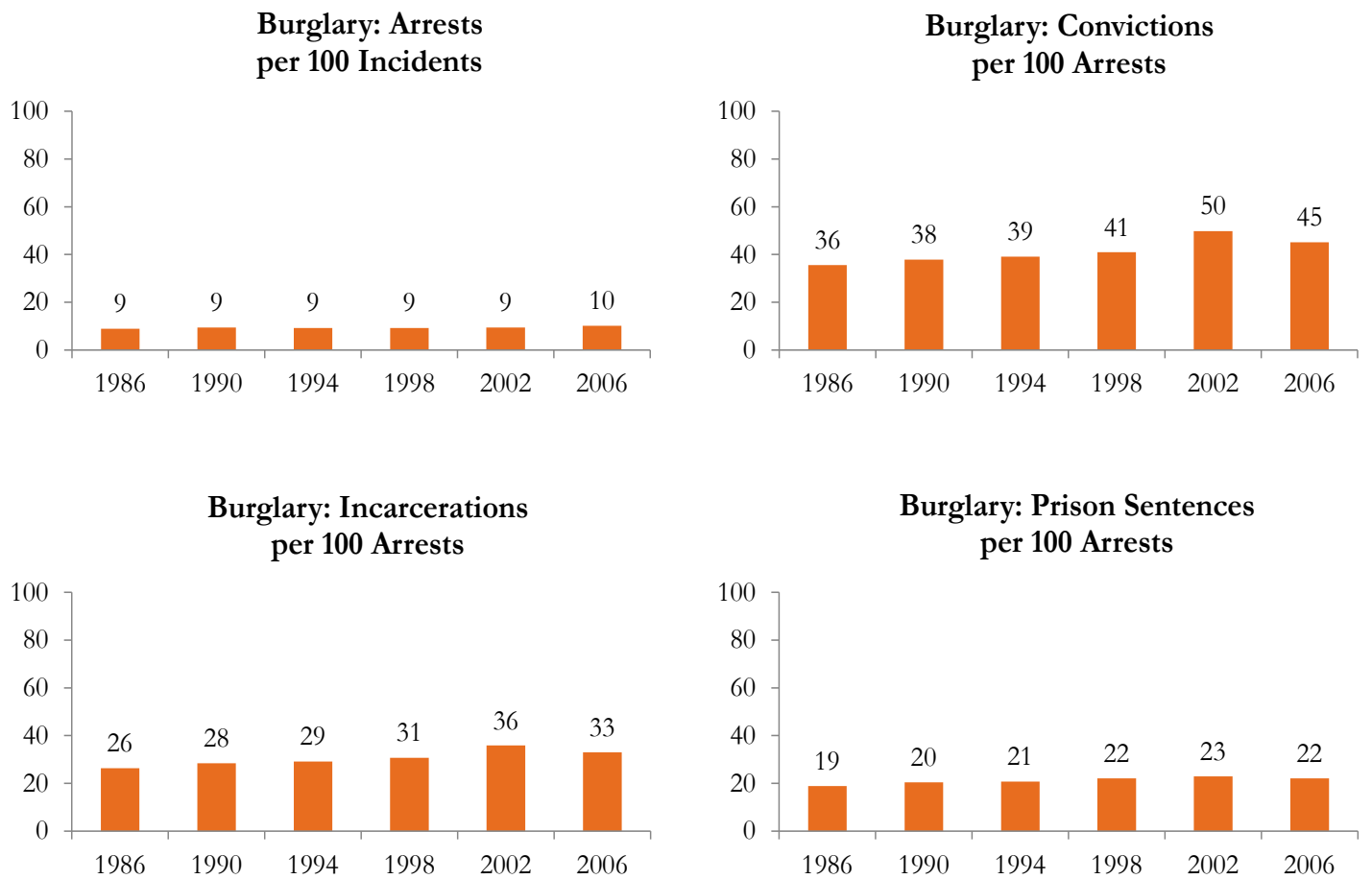


The basic shape of these funnels is fairly consistent, showing no major changes in the treatment of burglary by the criminal justice system during the 20-year period.

Source: See Appendix

Note: Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.

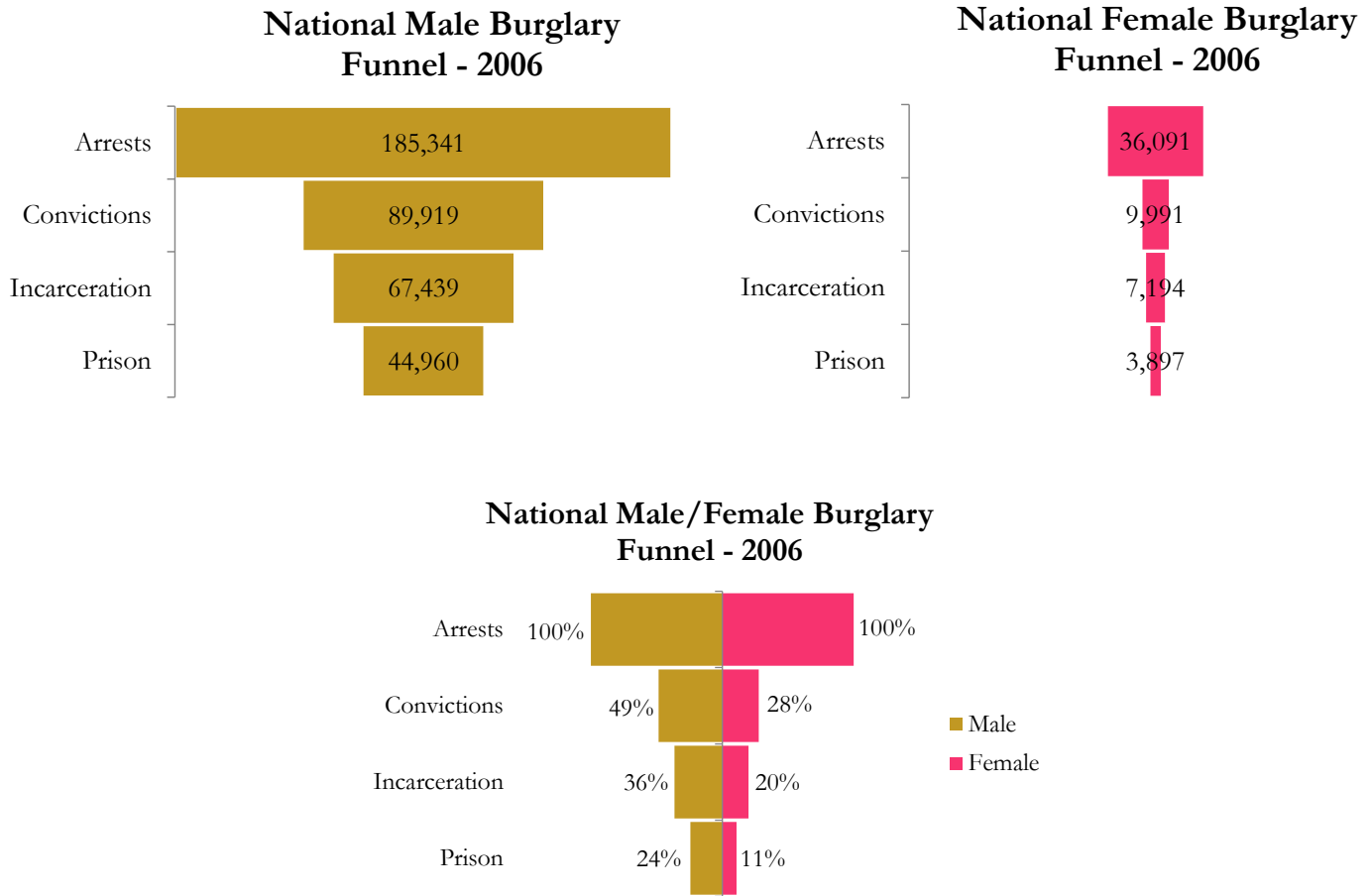




Although the likelihood of arrest for burglary remained fairly constant over the 20-year period, convictions and incarcerations per arrest increased significantly, while sentences to state prison increased at a lower rate.

Source: See Appendix

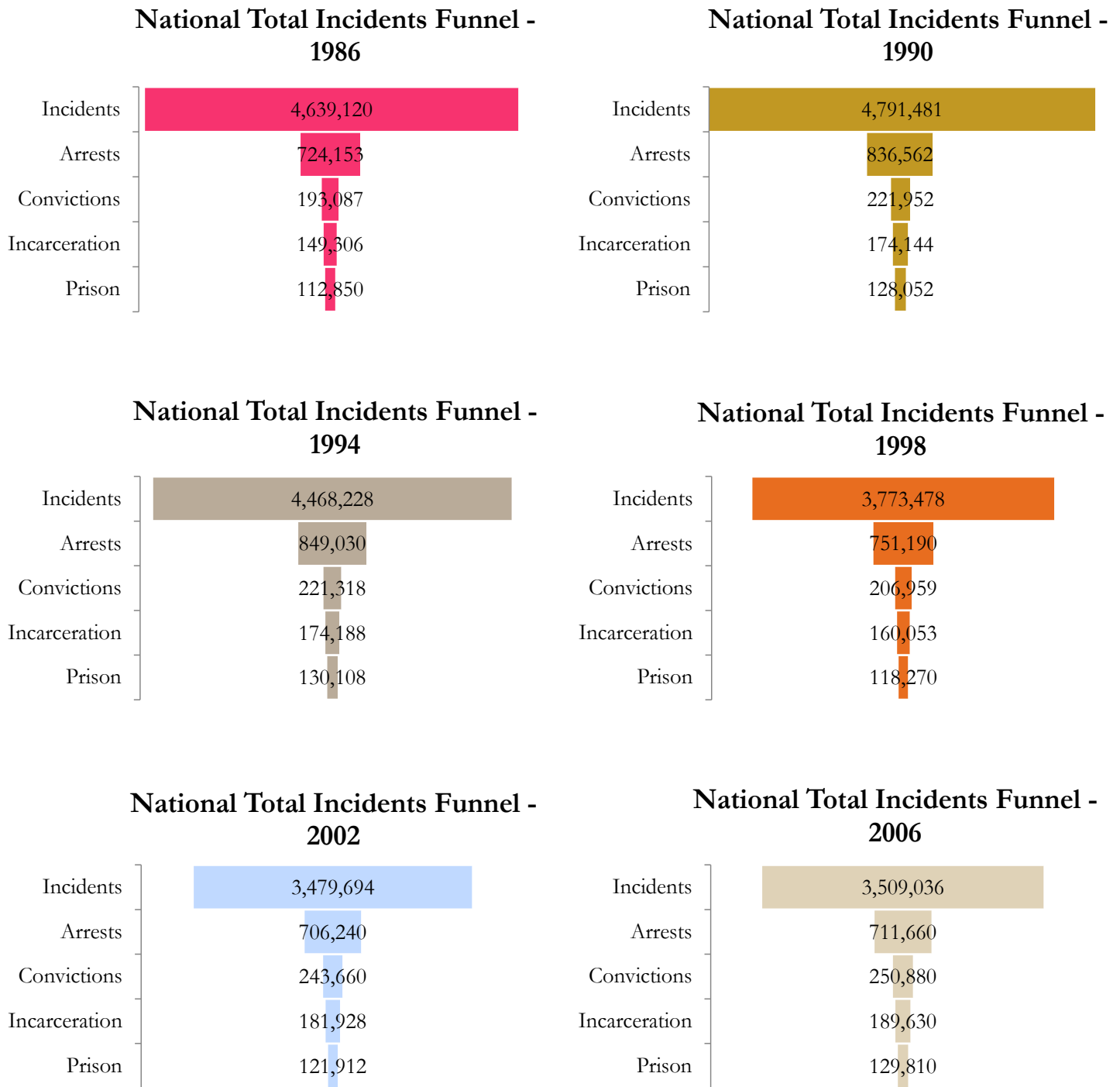
Note: Incidents refer to the number of crimes reported to local law enforcement, whatever the age of the offender. Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



As with the pattern for robbery and aggravated assault, females commit far fewer crimes than men (16% vs. 84%) and once arrested are considerably less likely to be convicted or incarcerated.

Source: See Appendix

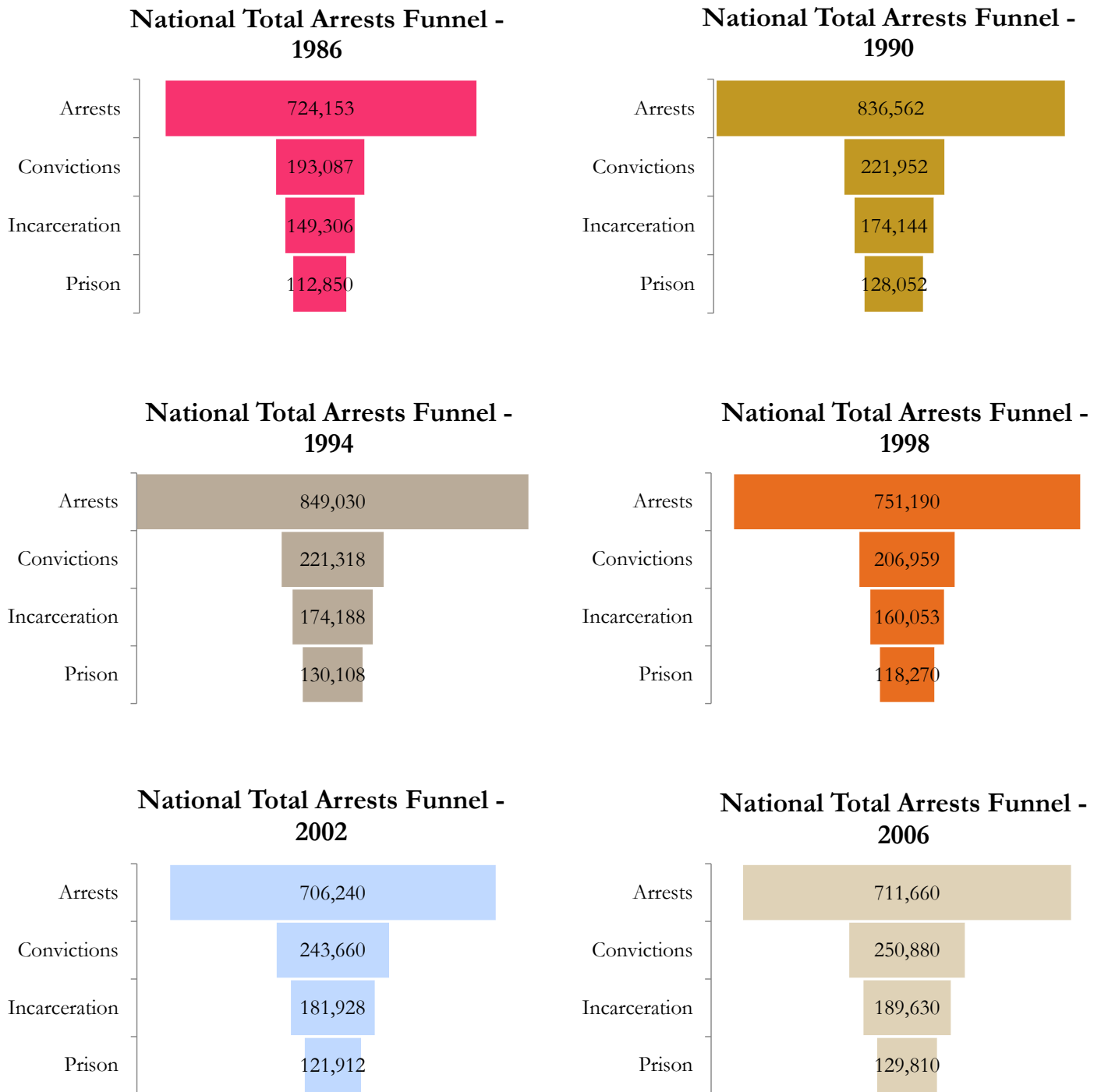
Note: Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data. Also, because "Easy Access to FBI Arrest Statistics" does not include gender data for the national estimates, we have estimated gender data using the ratio of reported arrests to the FBI's estimate of all national arrests, combined with FBI published data on reported adult arrests (see Appendix).



Although there were 24% fewer incidents of murder, rape, robbery, aggravated assault, and burglary reported in 2006 compared to 1986, there were at the end of the period 30% more convictions for these crimes, 27% more incarceration sentences, and 15% more prison sentences. This is powerful evidence of a toughening of the criminal justice system for these five very serious crimes.

Source: See Appendix

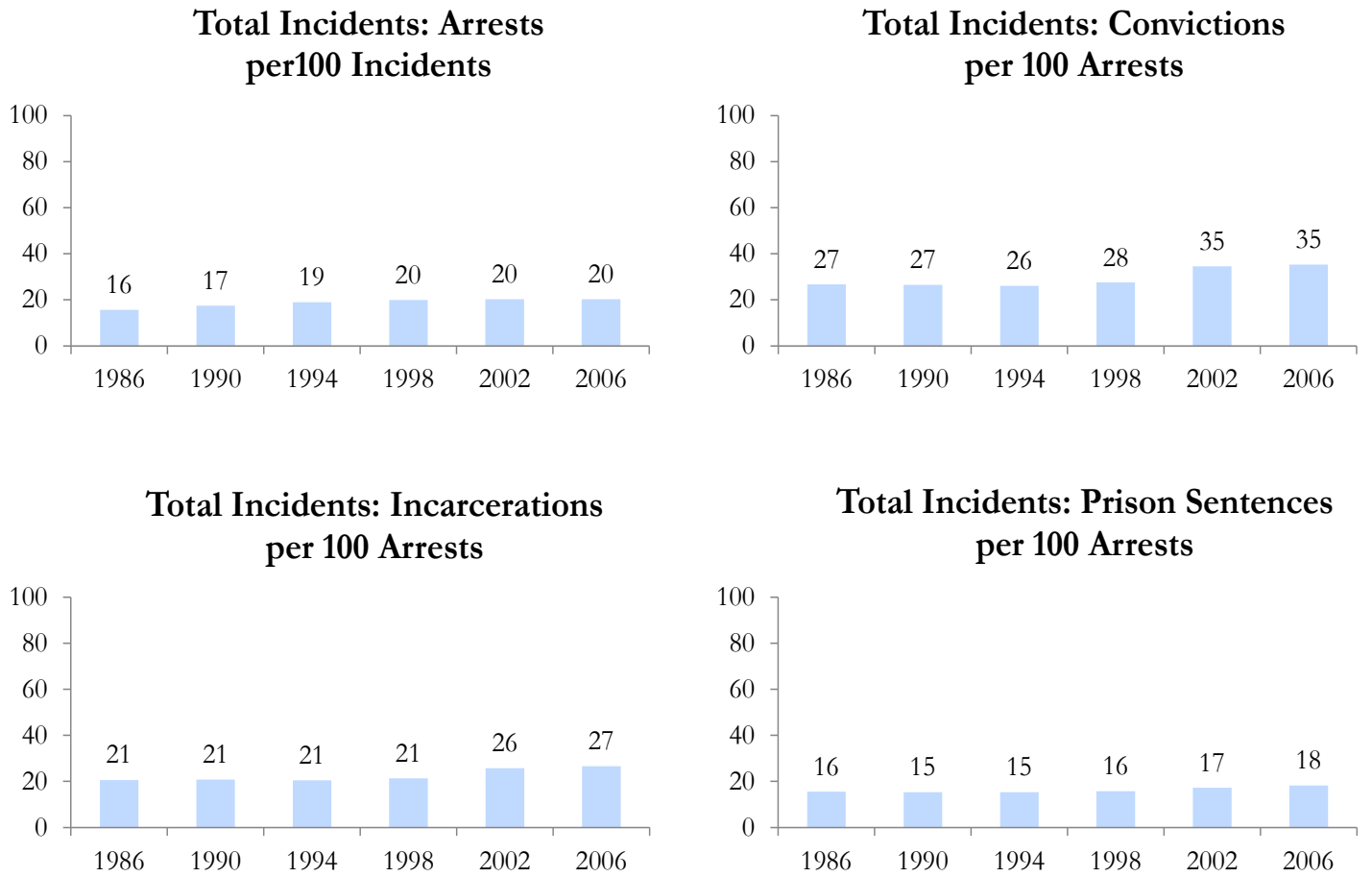
Note: Incidents refer to the number of crimes reported to local law enforcement, whatever the age of the offender. Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



Even though arrests for these five serious crimes dropped 16% between the peak year of 1994 and 2006, convictions were up 13% and incarceration sentences were up 9%.

Source: See Appendix

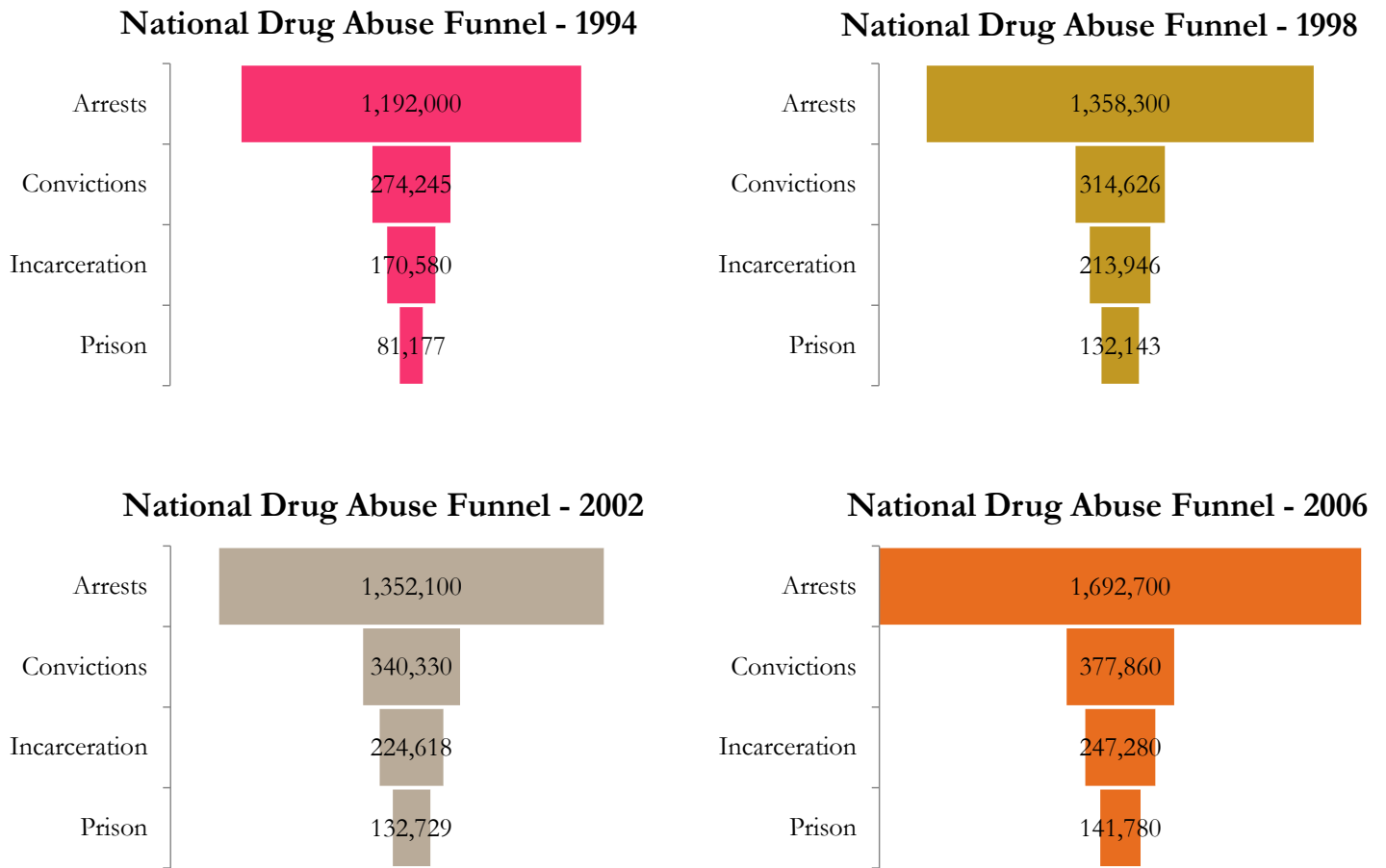
Note: Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



By each of these measures there has been a significant toughening of the criminal justice system over the 20-year period, with prison sentences increasing at the lowest rate.

Source: See Appendix

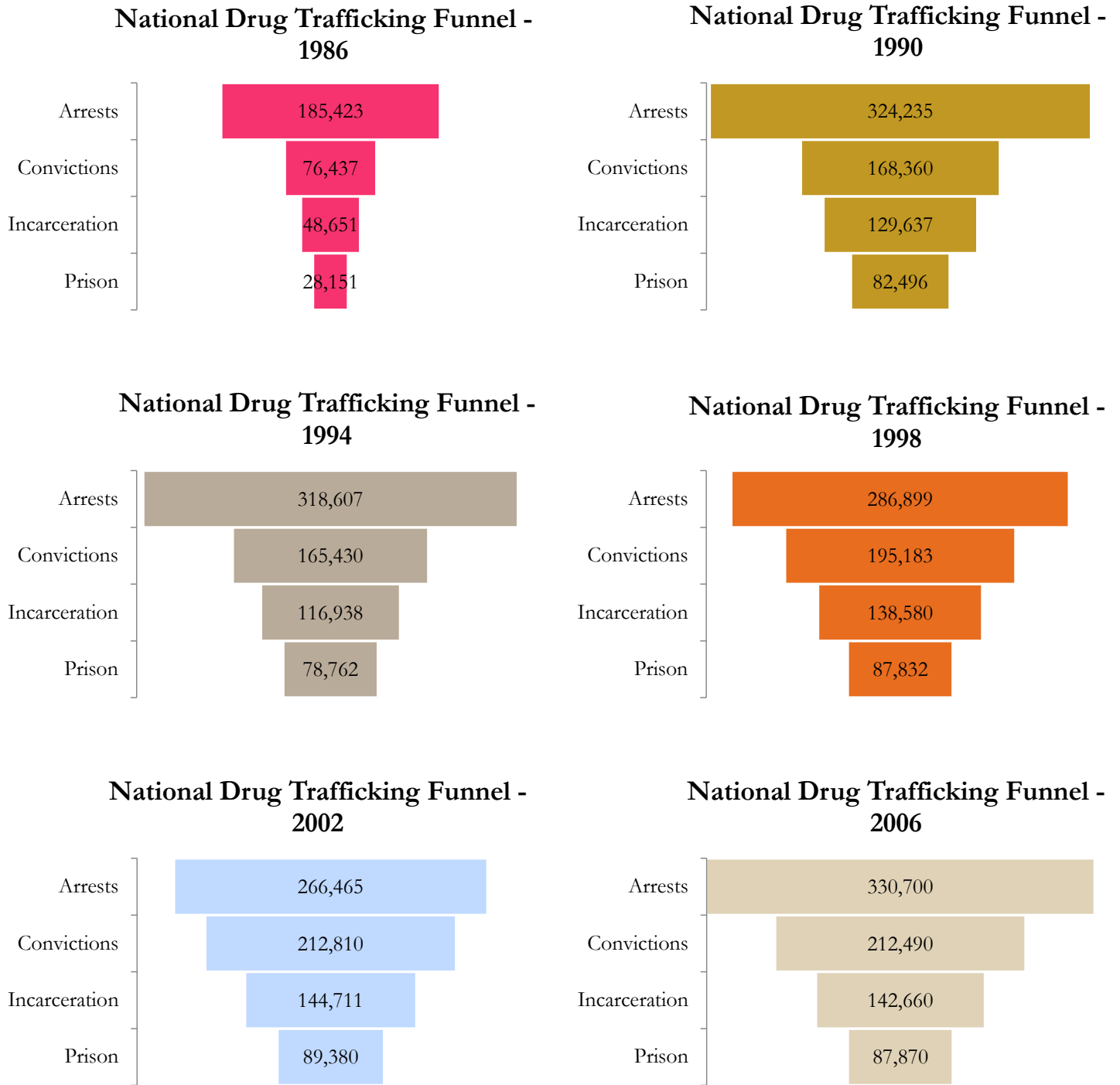
Note: Incidents refer to the number of crimes reported to local law enforcement, whatever the age of the offender. Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



In the twelve years between 1994 and 2006, arrests for drug abuse violations (which include possession, trafficking, sale, manufacture, etc.) increased 42%, with convictions increasing 38%, incarceration sentences 45%, and prison sentences 75%.

Source: See Appendix

Note: Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



Over the 20-year period, arrests for drug trafficking (which includes sale and manufacture) increased 78%, with convictions up 178%, incarceration sentences up 193%, and sentences to prison up 212%.

Source: See Appendix

Note: Arrests, convictions, incarceration, and prison refer to actions taken against adults with respect to felony charges. Misdemeanor and other non-felony charges are not reflected in the data.



## APPENDIX

**Incident Data for Figures 1, 4, 7, 11, 15, 19***Data Building Tool for All Years*

Federal Bureau of Investigation, Uniform Crime Reporting Statistics, Customized Table-Building Tool, Estimated Crime in the United States-Total, available at: <http://www.ucrdatatool.gov/Search/Crime/State/RunCrimeStateby-State.cfm>. Accessed April 2014.

*Individual Reports*

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