

**An Analysis of the Oregon Computerized Criminal History Records by the
Oregon Criminal Justice Commission
Statistical Analysis Center**

By

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Executive Summary

Oregon Criminal History Records were analyzed for purposes of developing additional measures of recidivism and to evaluate the informational content. Data were obtained based on arrests from 1998 forward to mid-2004. The number of offenders arrested each year ranged from 74,201 to 79,850. Relatively few juvenile records are in the files. The most frequent age at arrest was 21 years of age.

The frequency of arrests and convictions were compiled for the year 2001 and categorized into five types of crime. The numbers of arrest to convictions look much different by crime type: person, property, driving, drug, and other.

There were just over a quarter of a million (255,460) arrests on two or more charges during this period of time. About half of the second charges were of the same type as the first, although for the all other category it was 37.4 percent.

Overall 45% of these offenders had a second arrest and the average days between the first and second arrest was about one year. Rearrests within a three-year time frame were examined by crime type. Drug crimes have the highest rate of rearrest within three years.

In 2003, there were 39,995 court dispositions for 21,520 offenders. There were 11,279 felony convictions, one or more charges, and 10,241 misdemeanor convictions (based on the first conviction where there was more than one charge).

The recidivism rate of persons convicted of a misdemeanor was examined for those initially arrested in the years 1998, 1999, and 2000, where the misdemeanor charge of conviction was the first count. Persons arrested in 1998 and convicted of a property crime had a reconviction rate of 52.2%. The felony/misdemeanor classification was ignored for the second conviction. However, the misdemeanor recidivism rates were lower in 1999 and lower again for those arrested in 2000. Offenders convicted of a misdemeanor as their first charge of conviction peaked in the year 2001 at 25,211 convictions and dropped to 12,998 convictions in the year 2003. Misdemeanor convictions in 2003 were only 40% of what they were in the year 2001. Apparently the decrease was due to budget reductions in 2003.

In 2003 there were 4,516 felony offenders with more than a 12 month prison sentence and with 11,099 felony convictions. Offenders sentenced to more than

12 months had an average of 4.4 prior arrests and 8.4 arrest charges in the preceding six years (1998 through 2003).

Two groups were created from those convicted in 1998, 1999 and 2000: those that were reconvicted within three years and those that were not reconvicted within three years. Reconviction of any crime, felony or misdemeanor was 36.9%. The average age at arrest, not rounded down, of those reconvicted was younger than those not reconvicted within the three years -- 31.6 years versus 33.5 years of age. Males were reconvicted at higher rates than females. Place of birth was also examined. Offenders born in Oregon made up a greater percentage of the reconvicted than not.

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Overview

The State of Oregon maintains records of criminal history much in the same manner as the US Department of Justice Federal Bureau of Investigation (FBI). The FBI has maintained a centralized collection of crimes and identification information backed by fingerprint records since 1907.¹ In Oregon the criminal history records were automated in the early 1970s. The Oregon criminal history records system is housed in the Oregon Department of State Police along with the Identification Section which does manual research and matching of the data and fingerprints.

Oregon adopted a sentencing guidelines system in 1989. The guidelines establish presumptive sentences for felonies committed on or after November 1, 1989. The penalties are based on the relative seriousness of the current crime(s) of conviction and the offender's criminal history, taking into account both the number and severity of prior convictions. Under the guidelines, the offender's criminal history classification is based on the number and severity of prior felony and class-A misdemeanor convictions.

According to Oregon Administrative Rules, the felony sentencing courts are to include the Criminal History Worksheet along with the Sentencing Report. The worksheet data, which contains all prior felony and "A" misdemeanor convictions, has been used to answer questions about the frequency of prior convictions.

The Oregon Criminal Justice Commission is charged by statute with the responsibility to make recommendations on assessing the effectiveness of correctional programs, devices, and sanctions in reducing future criminal conduct. The state criminal history records are the only practical way to determine if future criminal conduct occurs. However, the criminal history record system was designed this to provide offender information on one individual at a time.

¹ <http://www.fbi.gov/libref/historic/history/lawless.htm>

Summary statistics for the Oregon Computerized Criminal History (CCH) files are found below In Table 1. There are four files that can be linked by a unique offender number. The files are identification, arrest, court disposition and custody. Arrest charges include multiple charges at an arrest as well as multiple arrests by the same offender (total 1,023,857). Crimes for which criminal history data are to be collected include all felonies and misdemeanor crimes involving drugs or sex. Statutes mandate crimes for which information is to be submitted, although jurisdictions may elect to submit records for additional crimes.

Offenders in this table is the number of unique persons that are arrested in any year, and each offender may have been arrested on more than one occasion. The records of arrest may be tracked by a fingerprint card number. The fingerprint card may be submitted manually or electronically. The fingerprint card contains the name, date of birth, and charges by Oregon Revised Statute number. Some records of an arrest are duplicated.

Table 1 Oregon CCH Arrest and Disposition File Statistics by Year

YEAR	1998	1999	2000	2001	2002	2003
Arrest Charges	163,382	164,432	174,176	174,709	171,365	175,793
Offenders	74,201	77,854	79,850	78,706	77,310	77,873
Dispositions	147,226	151,921	162,307	162,155	144,398	108,487

Methodology

Criminal history data was obtained from the Oregon State Police for all Oregon arrests from 1998 to August 28, 2004 and the subsequent disposition and custody information. The data did not include name, state identification number or other personal identifiers. The Oregon State Police substituted a unique number for identification of the offender. The data is in four files arrest, court disposition, custody, and identification. Charges at arrest are cited as Oregon Revised Statute and do not include statute extensions. A text literal of the crime and disposition are included. Parole and probation violations were recorded in the arrest files. Violations were excluded from this analysis.

Age at Arrest

The criminal history records in this file show a total of 903,826 arrests (on one or more charges). The age at arrest is shown in Figure 1. Juveniles (0-17) accounted for 1.7% of all arrests; 12.2% were younger than 21. The most frequent age was 21; and the midpoint (median) was between 30 and 31 years of

age. It is noted that the distribution flattens out a bit for the 30 to 40 year olds. This distribution is different from the general population for Oregon according to the US Census² for the year 2000 as seen in

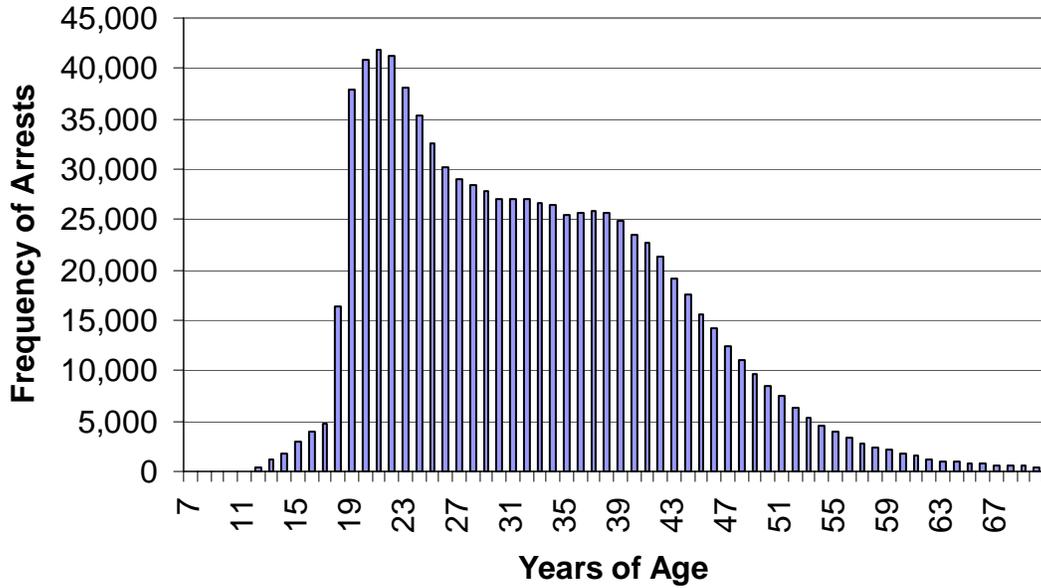


Figure 1 Arrests by Age

Of the juvenile dispositions, 60.9% were waived to the “Jurisdiction of Juvenile Court”. In 2001, juveniles, at sentencing, accounted for 0.77% of the felony Sentencing Reports maintained by the Criminal Justice Commission.

²

http://factfinder.census.gov/servlet/QTTable?_bm=n&_lang=en&qr_name=DEC_2000_SF1_U_D P1&ds_name=DEC_2000_SF1_U&geo_id=04000US41

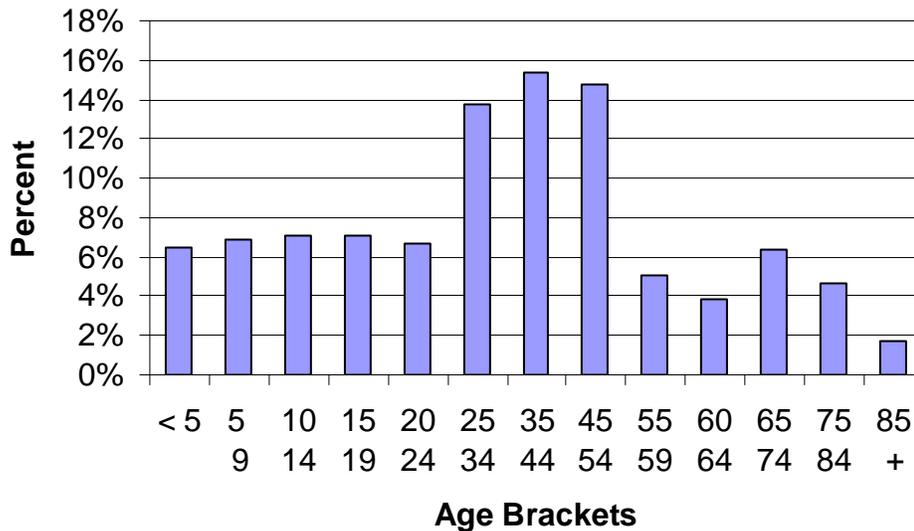


Figure 2 Distribution of Oregon Population 2000 Census

Juveniles are underrepresented in the arrest files of the CCH compared to the Oregon Uniform Crime Reporting program (OUCR). In 2001, the OUCR reported 169,147 arrest incidents (one offense counted at each arrest) and 21.7% of these were juveniles.

Arrests and Convictions in 2001

Excluding arrests for probation and parole violations there were 71,854 arrests and 42,197 convictions in 2001 on one or more charges. The charges were categorized as: person, property, driving, drug, and other. These crimes categories are defined for the felonies at <http://www.ocjc.state.or.us/reportsb/crimelist.php>. The “other” type of crime category contained more convictions than arrests. This category includes crimes of failing to appear and attempts to commit a crime.

The ratio of arrest to convictions varies widely by crime type as can be seen in Figure 3. Driving crimes are the most frequent type of crime. DUI³ is generally a misdemeanor but can be a felony if the offender has three prior DUI convictions.

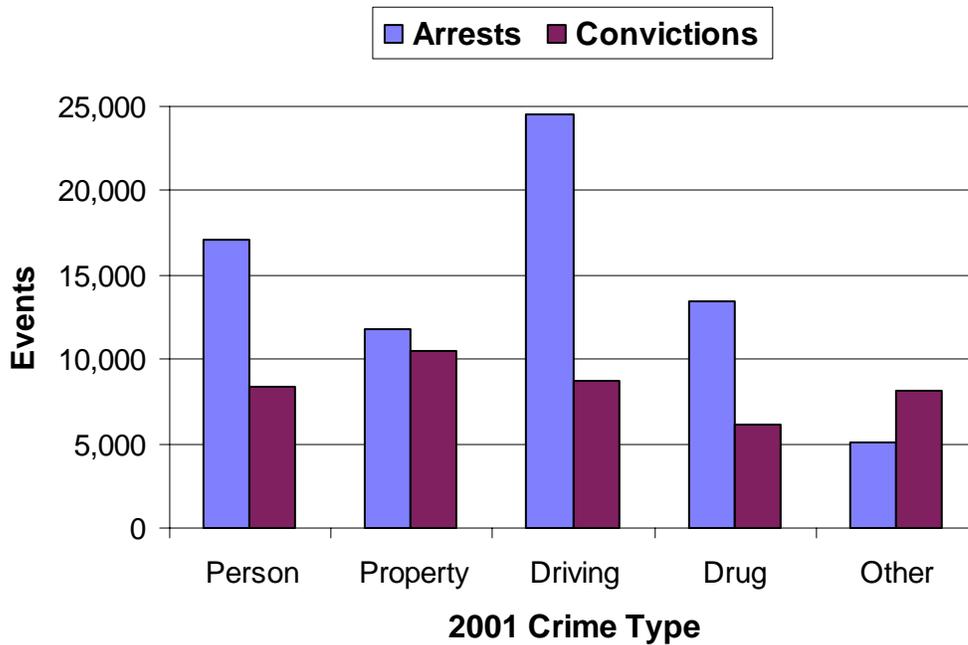


Figure 3 Type of Crime at Arrest and Conviction 2001.

Crime Type of Co-occurring charges at arrest

There are 255,460 arrests with two or more arrest charges. Most of the second charges were of the same type as the first arrest charge.

³ Driving Under the Influence

Table 2 Frequency of First and Second Crime Type of Charges

First	Second	Number	Percent
Drug	Drug	18,084	45.6%
Drug	Property	8,143	20.5%
Drug	Other	7,274	18.3%
Drug	Person	3,130	7.9%
Drug	Driving	3,025	7.6%
Total		39,656	100%

Table 3 Frequency of First and Second Crime Type of Charges

First	Second	Number	Percent
Driving	Driving	21,749	46.8%
Driving	Person	7,969	17.2%
Driving	Other	7,263	15.6%
Driving	Property	5,869	12.6%
Driving	Drug	3,585	7.7%
Total		46,435	100%

Table 4 Frequency of First and Second Crime Type of Charges

First	Second	Number	Percent
Property	Property	36,747	54.6%
Property	Other	12,346	18.3%
Property	Person	8,239	12.2%
Property	Drug	5,373	8.0%
Property	Driving	4,577	6.8%
Total		67,282	100%

Table 5 Frequency of First and Second Crime Type of Charges

First	Second	Number	Percent
Person	Person	30,277	53.7%
Person	Other	10,356	18.4%
Person	Property	9,200	16.3%
Person	Driving	3,929	7.0%
Person	Drug	2,601	4.6%
Total		56,363	100%

Table 6 Frequency of First and Second Crime Type of Charges

First	Second	Number	Percent
Other	Other	16,866	37.4%
Other	Property	10,833	24.0%
Other	Person	8,486	18.8%
Other	Drug	4,507	10.0%
Other	Driving	4,435	9.8%
Total		45,127	100%

Rates of Rearrests

Rearrest were defined as the same offender having a subsequent arrest at a later date. Arrest one is the first occurrence of an arrest, as found for years 1998

through 2003. Arrest two is the second arrest for the same person within this time frame on a subsequent date. The results, shown in Table 7, are the numbers of first and second arrests by crime type, percentage, and average days between the arrests. Overall 45% of the offenders in this file had more than one arrest on different dates. Arrests classified as drug crimes had the highest percentage of subsequent arrests at 45.5% overall. The Other crime type had the second highest rate of subsequent arrest at 44.8%. Included in this category are Felon in Possession of a Firearm and Failure to Appear.

Table 7 Rearrests by Crime Type

Crime Type	Drug	Driving	Person	Property	Other
Arrest 1	37,772	94,297	64,461	34,166	9,867
Arrest 2	17,196	28,754	22,208	14,157	4,427
Percent	45.5%	30.4%	34.4%	41.4%	44.8%
Ave Days Between	336 Days	419 Days	410 Days	346 Days	373 Days

Rearrests within a three-year time frame by year

Arrest data was examined for rearrests within a three-year time frame. This more closely resembles a traditional measure of recidivism. In order to exclude subsequent arrests that may have been related to the first arrest, a minimum of thirty days was required as well as a maximum of less than 1096 days (three years).

Table 8 Rearrests by Crime Type within Three Years by Year

		Crime Type				
Year	Arrests	Drug	Driving	Person	Property	Other
1998	Arrest 1	8,907	19,700	14,320	7,641	2,891
	Arrest 2	4,247	7,080	5,453	3,486	1,394
	Percent	47.7%	35.9%	38.1%	45.6%	48.2%
1999	Arrest 1	9,565	21,469	14,726	7,854	2,822
	Arrest 2	4,562	7,461	5,340	3,345	1,241
	Percent	47.7%	34.8%	36.3%	42.6%	44.0%
2000	Arrest 1	10,322	21,193	15,010	8,063	3,062
	Arrest 2	4,863	7,051	5,303	3,453	1,349
	Percent	47.1%	33.3%	35.3%	42.8%	44.1%

Court Dispositions 2003.

Court dispositions from the 2003 arrests show 39,995 dispositions for 21,520 offenders. The disposition of a conviction was a felony crime for 11,279 arrests (11,085 with valid felony ORS numbers) and a misdemeanor for 10,241 charges at arrest. These are based on count one of the charges of conviction.

The percent distribution of the crime types for the felony convictions are compared to distributions of the felony guidelines sentencing reports in Table 9 below. The two separate sources are reasonably close.

Table 9 Percent Distributions of Felony Convictions by Crime Type

Crime Type	CCH Dispositions	Sentencing Guidelines Reports
Driving	3.6%	4.6%
Drug	29.3%	36.9%
Other	14.4%	8.1%
Person	23.6%	21.7%
Property	29.1%	28.6%
Grand Total	100.0%	100.0%

In all the years data there were 40 different types of disposition with “dismissed” being the most frequent (38.8%) followed by “convicted-felony” (19.9%), then “convicted-misdemeanor” (16.7%) and then by “no complaint filed” (10.1%).

Misdemeanor Reconviction Recidivism

The recidivism rates of persons convicted of a misdemeanor were examined for those arrested in the years 1998, 1999, and 2000. The misdemeanor charge of conviction was the first charge of conviction. Crimes were classified into crime type as above. Jail time, if any, was added to a three-year time frame from the date of disposition to the date of arrest that resulted in a conviction in order to look at three years. Probation was ignored. The felony/misdemeanor classification was also ignored at the second conviction.

Table 10 Misdemeanor Recidivism within a Three-Year Time Period by Crime Type

Year	Conviction	Misdemeanor Crime Type					
		Drug	Driving	Person	Property	Other	Total
1998	Conviction 1	145	6,161	4,512	4,025	3,679	18,551
	Conviction 2	64	2,818	1,992	2,100	1,776	8,763
	Percent	44.1%	45.7%	44.1%	52.2%	48.3%	47.2%
1999	Conviction 1	173	7,037	4,452	4,056	4,068	19,800
	Conviction 2	59	3,164	1,625	1,858	1,773	8,481
	Percent	34.1%	45.0%	36.5%	45.8%	43.6%	42.8%
2000	Conviction 1	195	7,424	4,864	4,337	4,422	21,285
	Conviction 2	39	2,385	1,273	1,433	1,362	6,498
	Percent	20.0%	32.1%	29.2%	33.0%	30.8%	30.5%

Misdemeanor recidivism rates in Table 10 appear to show substantial lowering by the third year. But in 2003 both state and local governments were experiencing a severe budget crunch. Some trial courts went to a four-day

workweek and some District Attorneys declared that they were not going to prosecute lower level crimes. This resulted in a severe reduction in the number of misdemeanor convictions overall. The misdemeanor convictions by year were counted by the first crime of conviction, and could include more than one misdemeanor offender conviction event per year.

The counts of misdemeanor offender convictions are shown in Table 11. Offenders convicted of a misdemeanor as their first charge of conviction peaked in 2001 at 25,211 convictions and dropped to 12,998 convictions in 2003, only 40% of what they were in 2001.

**Table 11
Misdemeanor
Convictions By Year**

Year	Convictions
1998	21,849
1999	22,912
2000	24,889
2001	25,211
2002	21,586
2003	12,998

Prior Arrests and Convictions of Felons Sentenced to Prison

Offenders convicted of a felony in 2003 and sentenced to more than twelve months of prison were identified. There were 4,516 felony offenders with 11,099 felony convictions. These offenders had an average of 2.4 conviction dispositions. Offenders sentenced to more than 12 months had an average of 4.4 arrests and 8.4 arrest charges in the preceding six years (1998 through 2003). The arrests and charge counts includes the instant arrest for their current conviction. The frequency distribution of prior arrest is shown in Figure 4. The arrest for the instant conviction could not be found on less than two percent. About 11% were first offenders and 20% had one prior arrest according to this data.

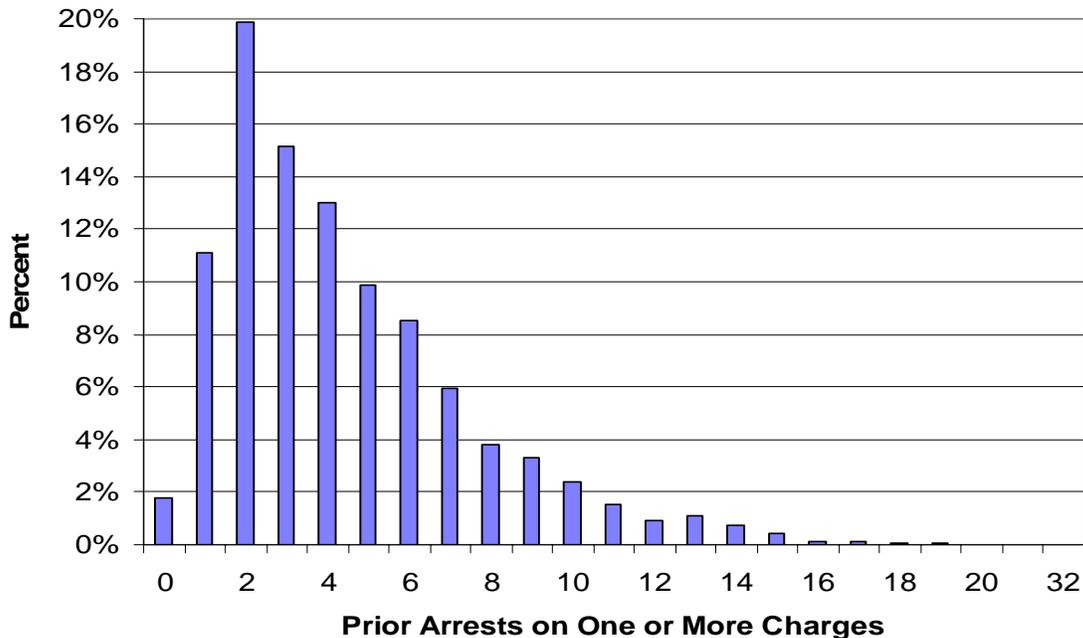


Figure 4 Prior Arrests of Convicted Offenders Sentenced to More than 12 Months Prison in 2003

Demographic Characteristic of Offenders Reconvicted

The available demographic characteristics were examined of those who were reconvicted of any crime within a three year time frame and compared to those not reconvicted. The time frame included any period of incarceration as determined from an incarceration sentence length. Offenders convicted of the more serious crimes such as murder were not included because their release was outside of the data. The offender data is age, sex, race, and place of birth. Generally the differences between persons reconvicted and not reconvicted are small.

Reconviction of any crime, felony or misdemeanor was 36.9% for those initially convicted in 1998, 1999, or 2000. The average age, not rounded down, of those reconvicted was younger than those not reconvicted within the three years -- 31.6 years versus 33.5 years of age.

Males were reconvicted at higher rates than females, shown in Table 12 below.

Characteristics by race show some differences. Asians were less likely to be reconvicted. While blacks were more likely to be reconvicted.

Place of birth was also examined. Offenders who were born in Oregon made up a greater percentage of the group who were reconvicted than not as can be seen in Figure 4. Offenders born in Mexico (MM) were less likely to be reconvicted.

Table 12 Gender and Recidivism (Reconviction within Three Years)

Gender	Reconvicted		Not Reconvicted		Total
	Frequency	Percent	Frequency	Percent	
Males	23,949	38.5%	38,295	61.5%	62,244
Females	4,751	30.6%	10,791	69.4%	15,542

Table 13 Race and Recidivism (Reconviction within Three Years)

Race	Reconvicted		Not Reconvicted		Total
	Frequency	Percent	Frequency	Percent	
Asian	180	25.1%	536	74.9%	716
Black	1,733	43.9%	2,211	56.1%	3944
Indian Am.	585	45.3%	705	54.7%	1290
Unknown	5	25.0%	15	75.0%	20
White	26,197	36.5%	45,619	63.5%	71816
Total	28,700	36.9%	49,086	63.1%	77786

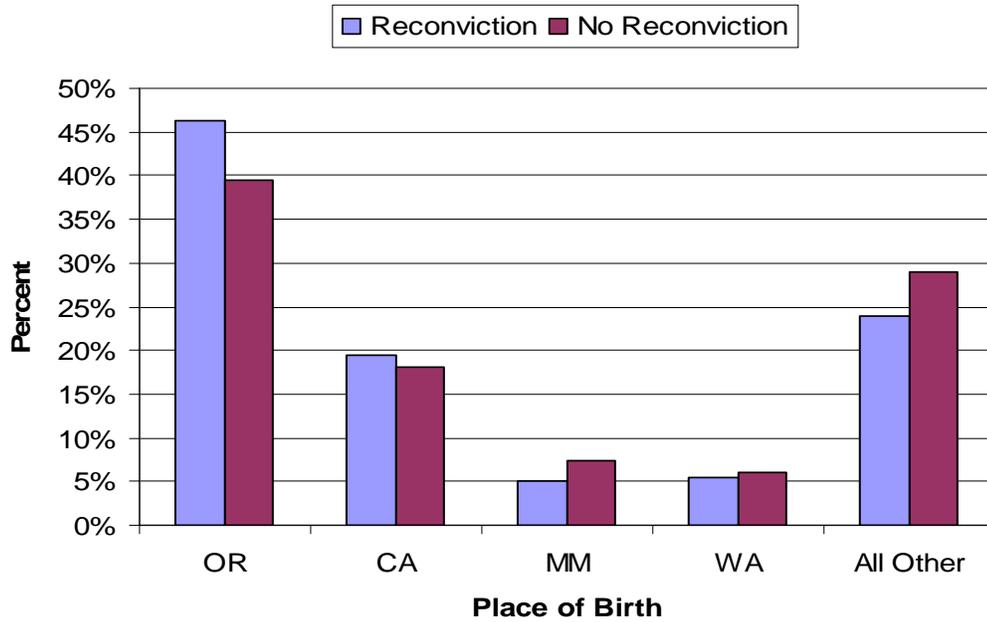


Figure 5 Place of Birth of Offenders Reconvicted and Not Reconvicted Within Three Years of their Release Date Where Incarcerated

Offenders convicted of drug and property crime were more often reconvicted of another crime than the other crime types.

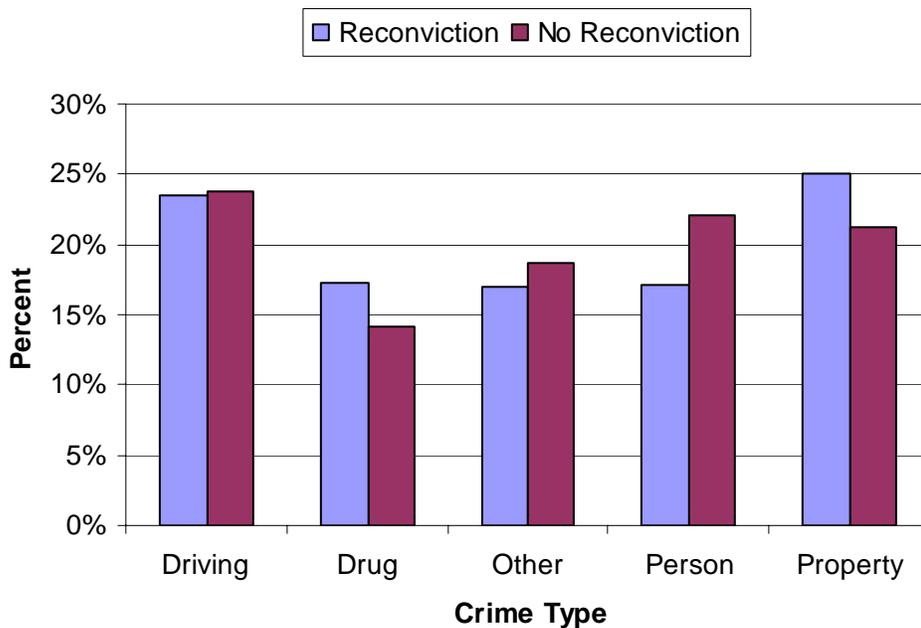


Figure 6 Crime Types of Offenders Reconvicted and Not Reconvicted.