

# CRIME IN GEORGIA: Where Are We and What Can Be Done?

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It is beyond dispute that fighting crime is one of the fundamental obligations that any government owes to its citizens. Indeed, the Constitution of the State of Georgia provides that, "Protection to person and property is the paramount duty of government and shall be impartial and complete."<sup>2</sup>

Nothing has done more to undermine trust and confidence in our public servants and public institutions than our government's failure to deal forcefully and efficiently with the greatest threat to the promise of "Life, Liberty, and the Pursuit of Happiness" provided for in our Declaration of Independence: crime. Can government "solve" our crime problem? Of course not, but it must do more.

## Defining the Problem

- A violent crime is committed against someone in this country every 17 seconds.
- Someone is murdered every 23 minutes; somebody is raped every 5 minutes.
- Someone is robbed every 51 seconds.
- Someone is assaulted every 28 seconds.
- A motor vehicle theft occurs every 20 seconds.
- A burglary occurs every 12 seconds.
- A larceny-theft occurs every 4 seconds.
- A property crime of some sort occurs every 3 seconds.<sup>3</sup>
- Since 1975, overall crime has increased 23.9% and violent crime has increased 79.3%.<sup>4</sup>
- In 1993, a total of 14.1 million crimes were committed in this country,<sup>5</sup> including 1.9 million violent crimes (13%) and 12.2 million property crimes (87%).<sup>6</sup> [See Table 1]

In 1994 in Georgia, a state with a population of fewer than 7.1 million people, there were 424,029 crimes reported, of which 47,103 were violent crimes and 376,926 were property crimes.<sup>7</sup> Among the fifty states and the District of Columbia, Georgia ranked 12th overall in per capita crime,<sup>8</sup> 19th in violent crime,<sup>9</sup> and 8th in property crimes.<sup>10</sup> While the population of Georgia grew by 79% from 1960 to 1994, crime grew by a whopping 1,113%.<sup>11</sup>

The situation is particularly bad in some of our major cities. In **Atlanta**, for instance, which has a population of 411,204, there were 14,684 violent crimes and 51,596 property crimes committed in 1994.<sup>12</sup> Even though the population in Atlanta declined by over 70,000 people since 1960, the number of murders almost tripled, there were approximately ten times as many rapes committed, and there were more than seventeen times the number of robberies reported.<sup>13</sup> In **Savannah**, where a total of 1,486 violent crimes and 10,964 property crimes were reported in 1994, the number of

Table 1.

Reported crimes and reported crime rates, 1993: Data from the Uniform Crime Reports

Type of reported crimes	Number of reported crimes (1,000's)	Reported crime rates per 1,000 persons
All index crimes	14,141	54.82
Violent crimes	1,924	7.46
Murder	24.5	.095
Rape	104	.406
Robbery	659	25.5
Assault	1,135	4.40
Property crimes	12,216	47.36
Burglary	2,384	10.99
Larceny	7,820	30.32
Motor theft	1,561	6.05

Note: Offense totals are rounded. Rates calculated based on Bureau of Census estimate for total national population in 1990: 257,908,000. Complete data for 1993 were not available for the states of Illinois and Kansas; their crime counts were estimated.

Source: *Crime in the United States, 1993* (Federal Bureau of Investigation, 1994), p. 58; *The State of Violent Crime in America* (The Council on Crime in America, January 1996), Table 2.

murders has more than doubled since 1960, the number of rapes has almost tripled, and there were over five times as many robberies reported.<sup>14</sup>

[For a complete breakdown of the FBI's 1994 statistics as they relate to Georgia, see Tables 14-20 in the appendix to this chapter].

As if these numbers were not sobering enough, the crime problem is, in all likelihood, far worse than the FBI's statistics suggest since these statistics cover only *reported* crimes. According to a 1993 survey of over 100,000 individuals and approximately 50,000 households,<sup>15</sup> U.S. residents aged 12 or older suffered a total of 43.6 million crimes, including nearly 11 million violent crimes (25%) and over 32 million property crimes (75%).<sup>16</sup> [See Table 2].

The mere fact that so many more crimes appear to have been committed than were actually reported is a troubling commentary on the public's lack of faith in the criminal justice system's ability to deal effectively with a problem that affects their personal lives in such a profound and disturbing way. In many respects, we have become numb to crime. Yet crime touches all of us. If it hasn't, it most likely will since eight out of every ten Americans can expect to be victims of violent crime at least once in their lives.<sup>17</sup>

Table 2. Criminal victimizations and victimization rates, 1993: Estimates from the redesigned National Crime Victimization Survey

Type of crime	Number of victimizations (1,000's)	Victimization rates (per 1,000 persons age 12 or older)
All crimes	43,622	----
Personal crimes(a)	11,409	53.9
Crimes of violence	10,896	51.5
Completed violence	3,226	15.3
Attempted/threatened violence	7,670	36.3
Rape/Sexual assault	485	2.3
Rape/attempted rape	313	1.5
Rape	160	.8
Attempted rape	152	.7
Sexual assault	173	.8
Robbery	1,307	6.2
Completed/property taken	826	3.9
Attempted to take property	481	2.3
Assault	9,104	43.0
Property crimes	32,213	322.4
Household burglary	5,995	60.0
Completed	4,835	48.4
Forcible entry	1,858	18.6
Unlawful entry without force	2,997	29.8
Attempted forcible entry	1,160	11.6
Motor vehicle theft	1,967	19.7
Completed	1,297	13.0
Attempted	670	6.7
Theft	24,250	242.7
Completed	23,033	230.5
Attempted	1,217	12.2

Note: These data are preliminary and may vary slightly from the final estimates. Completed violent crimes include completed rape, sexual assault, completed robbery with and without injury, aggravated assault with injury, and simple assault with minor injury. The total population age 12 or older was 209,352,860 in 1992; in 1993 it was 211,524,770. The total number of households in 1992 was 99,046,200; in 1993 it was 99,926,400.

---- Not applicable.

(a) The victimization survey cannot measure murder because of the inability to question the victim.

Personal crimes include purse snatching and pocket picking, not shown separately.

Source: *Criminal Victimization 1993* (Bureau of Justice Statistics, May 1995), p. 2; *The State of Violent Crime in America* (The Council on Crime in America, January 1996), Table 1.

## **First, the Good News**

Georgia has come a long way, particularly recently, toward mitigating its crime problems. Although still staggeringly high, the overall crime rate in Georgia dropped 1% from 1993 to 1994, and violent crime was down 5.8%.<sup>18</sup>

In the past two years, Georgia has enacted some tough new mandatory minimum sentences, the most famous being the so-called “Two Strikes, You’re Out!” law.<sup>19</sup> The number of violent offenders in Georgia’s prisons who were released for the first time dropped 40.8% from 1992 to 1994, the third largest drop in the country.<sup>20</sup> The number of Georgia prisoners rose by 20.3% in 1994, the second highest increase in the country.<sup>21</sup> In addition, the number of defendants being sentenced to more than one year in prison rose by 20.1% in 1994, the second highest increase in the country.<sup>22</sup>

Georgia now provides for pretrial detention for those accused of committing serious crimes who constitute a danger to the community, with a rebuttable presumption that certain types of arrestees pose a danger to the community.<sup>23</sup> Georgia has also enacted legislation to give the victim a voice in the criminal justice process.<sup>24</sup> In other words, Georgia has recently taken significant steps towards getting serious about its crime problems. However, there is more that it can, and should, do.

### **1. Let Children Learn: Keep Schools Safe**

One thing that can be done is to make sure that our schools are safe. While all children are given the right to attend school, it should not be an unfettered right. Any school, if it wishes to maintain any sense of order and discipline, has the right to impose common-sense limits on its students and to expect those students to abide by the rules it sets. When those rules are ignored by certain students, and when the school administrators are not given the support they need to adequately punish the transgressors, the consequences can be disastrous.

School-age children spend a lot of time thinking about crime. It is estimated that 36% of white teenagers and 54% of black teenagers spend at least some time worrying about being the victim of crime, and 31% of white teenagers and 70% of black teenagers know someone who was shot within the past five years. Many cite problems with gangs, drugs, and violence at their schools. [See [Table 3](#)].

It is also estimated that 1 out of every 9 students — and more than 1 in 3 in high-crime neighborhoods — either cut classes or stayed away from school at times because of fear.<sup>25</sup> This is simply unacceptable. If we wish to impart the necessary skills to our young people so that they will become productive, law-abiding citizens, we must keep the place where they can learn those skills — school — a safe haven from crime and fear.

Innovative solutions are needed. For instance, consideration should be given to establishing “strict discipline” reform-type schools where juvenile delinquents, students with guns, and others who disrupt the learning environment and promote fear can be sent. This would enable students who obey the rules to proceed with their education in a nurturing and safe environment. At the same time, students who don’t follow the rules can receive the special attention and discipline they need in a more restrictive environment where, hopefully, they can straighten out their lives before it is too late. Dealing effectively with troublesome juveniles who are in our schools and on the road toward a life of crime, while still providing the best possible educational opportunities for the rest of our youth, constitutes one of the greatest challenges this state has.

## 2. Deal More Effectively with Juvenile Crime

Georgia should reform its juvenile justice system. This system is failing the citizens of Georgia and, ironically, the juveniles it is supposed to “rehabilitate.” The whole system is premised on by-gone days when children did not engage in many of the types of serious criminal behavior that are common today. The system was designed to punish “youthful indiscretions” and to send a “message” to the juvenile without stigmatizing him for life. Furthermore, it used to be believed that such youths really had no control over what they were doing since they were not old enough to really know the difference between right and wrong.

Today’s young people are exposed to far more violence and barbarity than most of us could even have imagined when we were growing up. Kids today are not smoking cigarettes or drinking beer behind the school yard; they are joining gangs and dealing crack cocaine and heroin behind the school

Table 3. Teenagers and the threat of violent crime

	<u>White Teenagers</u>	<u>Black Teenagers</u>
How much of the time do you worry about being the victim of a crime?		
A lot or some of the time	36%	54%
Hardly ever or never	64%	46%
What kind of crime do you think is likely to happen to you?		
Robbery/mugging	13%	10%
Shooting	5%	27%
Assault	6%	7%
Rape	7%	2%
Other	2%	3%
Who do you think is more likely to commit that crime against you?		
Teenager you know	7%	11%
Teenager you don’t know	18%	37%
An adult	9%	4%
Do you know someone who has been shot in the past five years?		
Yes	31%	70%
What is the biggest problem where you go to school?		
Violence	19%	37%
Gangs	5%	8%
Drugs	14%	8%
Racism	8%	6%
All other	40%	23%
Are organized gangs a problem in your school?		
Yes	18%	33%

Source: *New York Times*, July 10, 1994, p. 16, based on New York Times/CBS News Poll; *The State of Violent Crime in America* (The Council on Crime in America, January 1996), Table 8.

yard, and killing others who challenge their turf or who “dis” (a street term for showing “disrespect” to someone) them. Many of these “kids” are, in reality, hardened criminals, and the current system has failed to deal with them effectively.

- Between 1985 and 1992, the rate at which males ages 14 to 17 committed murder increased by approximately 50% among whites and over 300% among blacks.<sup>26</sup>
- In 1994, 18.6% of all people arrested nationwide for a crime were under the age of 18, and 6.6% were under the age of 15.<sup>27</sup> In Georgia alone, 37,514 people under the age of 18 were arrested that year.<sup>28</sup>

Table 4. U.S. Juvenile Population, 1990 and projected 2010

	Population		Increase	
	1990	2010	Number	Percent
All juveniles	64,185,000	73,617,000	9,432,000	15%
Ages 0-4	18,874,000	20,017,000	1,143,000	6%
Ages 5-9	18,064,000	19,722,000	1,658,000	9%
Ages 10-14	17,191,000	20,724,000	3,533,000	21%
Ages 15-17	10,056,000	13,154,000	3,098,000	31%
White	51,336,000	55,280,000	3,944,000	8%
Black	9,896,000	12,475,000	2,579,000	26%
Latino	7,886,000	13,543,000	5,657,000	71%

Source: Bureau of the Census, 1993, Office of Juvenile Justice and Delinquency Prevention, 1995; *The State of Violent Crime in America* (The Council on Crime in America, January 1996), Table 6.

- Although, nationwide, the arrest rates for persons 18 years or older for violent crimes increased by 0.1% from 1993 to 1994, they increased by 6.5% for persons under 18, and 9.2% for persons under 15. As well, while the arrest rates for persons 18 and older for property offenses fell by 1.7% from 1993 to 1994, they were up 5.5% for persons under 18, and 6.3% for persons under 15.<sup>29</sup>

These disturbing statistics indicate that people are getting involved in a life of crime — many recruited into gangs — at an earlier and earlier age. This is particularly alarming when one considers that the number of juveniles (defined as a person age 17 or younger) is expected to increase significantly in the near future. [See Table 4].

**There is a real need to treat juvenile offenses seriously and to deal with those offenses firmly the first time they occur.** If juvenile crime is not dealt with strongly at the outset, today’s juvenile offender will recidivate and become tomorrow’s adult offender, and the violence will escalate.

For some, this will mean incarceration. For others, it will mean some sort of no-nonsense, treatment-type facility or the imposition of a fine or community service. Regardless, the important thing is to deal with the problem before the juvenile has the time to inculcate a criminal's value system and habits.

For many youthful offenders, the treatment that they receive in the juvenile court system is tantamount to a slap on the wrist. Gang leaders and drug dealers, knowing this, often recruit juveniles — our children — as runners and spotters for drug deals and other forms of illicit activity.

By not imposing some form of appropriate punishment the very first time a transgression occurs, our society sends the message that it is prepared to tolerate lawlessness, that the criminal justice system does not mean what it says. The “tough love” approach may well prevent an impressionable youth from embarking on a life of crime and may save the lives of future victims as well as, possibly, his own.

Another problem with the juvenile system involves gathering information and maintaining juvenile records. Although the Georgia Legislature recently amended the law to make it easier for juvenile offenders to be photographed and fingerprinted, and made it more likely that the records of juveniles who have committed particularly heinous crimes will follow them into adulthood,<sup>30</sup> it is still too easy for many juvenile offenders, especially those age 12 and under, to “wipe the slate clean” by having their records expunged, even if they committed heinous crimes such as rape and murder.

Sadly, many juveniles under 12 commit such crimes. Equally sad, many of these so-called youthful offenders commit crimes when they are adults. Under the current system, when this adult offender commits a crime, it may appear to the judge who is sentencing him that the defendant is a first-time offender, when in fact he may be an experienced criminal with a violent past.

While nobody wishes to forever tarnish a juvenile offender who truly turns over a new leaf, the juvenile offender who continues his nefarious ways into adulthood is not deserving of such forgiving treatment. **The law should be amended so that once an adult offender is convicted of a crime, his juvenile records should automatically and irrevocably be unsealed.** That way, the sentencing judge and all law enforcement personnel in the future will have a more accurate picture of the individual in question. The antisocial acts of this individual can no longer be attributed to “youthful indiscretion,” and he should be treated as the hardened criminal that he has unfortunately become.

### **3. Establish Truth in Sentencing: Adopt a Guidelines System**

Georgia should adopt a sentencing guidelines system. Except in cases involving mandatory minimum sentences, there is no “truth in sentencing” in Georgia. This is so for two reasons. First, individuals can be disparately treated for identical conduct. For example, if two individuals commit the exact same crime (and have the exact same criminal history), they can receive wildly-divergent sentences if one is sentenced by a “tough” judge and the other is sentenced by a “lenient” judge. Second, because of the existence of the Board of Pardons and Paroles, there is the ever-present possibility that a prisoner may be released after serving only a small fraction of his sentence, which, in fact, is all too often the case.<sup>31</sup>

Not only does the average prisoner serve far less than the sentence he receives, but the average prisoner serves far less than most citizens believe he should. [See Tables 5 & 6]. This, of course,

does not even take into account the surprising number of violent felons who receive probated sentences, thereby serving no jail time at all. [See Tables 7 & 8].

In Georgia, for instance, a total of 15,381 offenders were released from prison in 1995. On average, these prisoners had been sentenced to serve 5.87 years but were released after only 2.33 years, thereby having served only 39% of their sentences.<sup>32</sup> While this is an improvement over, say, 1990, when 19,643 prisoners were released after serving an average of 26% of their sentences, it is a far cry from earlier years such as 1972, when 5,374 prisoners were released after serving an average of 56% of their sentences.<sup>33</sup> Indeed, many people would probably be shocked to discover that from 1972 through 1995, over 64,000 known offenders were released from Georgia's prisons after having served, on average, only one-third of their sentences.<sup>34</sup>

The lack of "truth in sentencing" represents a fraud on the public. It is disheartening and disillusioning to the public and fosters contempt for law enforcement and the criminal justice system. When a violent felon receives a probated sentence or is paroled from prison after serving only a fraction of his sentence, and then commits another crime, the public is understandably outraged.

Study after study indicates that recidivism rates are staggeringly high. [See Tables 9-11]. One such study<sup>35</sup> recently revealed the following:

- In 1991, 45% of state prisoners had been on probation or parole at the time they committed their latest offense for which they had been convicted.
- 22% of all persons arrested for murdering a law enforcement officer from 1988 through 1992 were on probation or parole at the time of the killing.
- About half of probation violators had been on probation for less than a year when sent to prison, and half of parole violators had been on parole for 8 months or less when returned to prison.
- In virtually every category of crime, 70% or more of probationers and parolees committed additional crimes of some kind later.
- Although felony probationers and parolees are not allowed to possess firearms, 21% of probation and parole violators reported possessing a firearm within one month of the time they were arrested for violating the terms of their probation or parole.
- Based only on the offense that landed them in jail, 162,000 probation violators committed at least 6,400 murders, 7,400 rapes, 10,400 assaults, and 17,000 robberies. Likewise, based only on the offense that brought them back to prison, 156,000 parole violators committed at least 6,800 murders, 5,500 rapes, 8,800 assaults, and 22,500 robberies.<sup>36</sup>
- Probation and parole violators committed a total of 90,639 violent crimes while under community supervision.

Such recidivism rates, as well as the types of crimes being committed, indicate that many judges who issue probated sentences, and certainly the Board of Pardons and Paroles, are not very good at figuring out who has been "rehabilitated" and who is fit to live in society.

In contrast, in 1987, the United States Sentencing Commission adopted a comprehensive set of guidelines to govern sentencing for *federal* crimes. These guidelines specify a narrow sentencing range for each crime, which varies depending on the seriousness of the crime, the defendant's prior record, the type of harm caused, as well as other specified factors. Federal judges must impose sentences within the range prescribed by the guidelines, except in those few cases in which the judge believes that the facts and circumstances warrant a departure and is able to provide a valid justifica-

Table 5. Actual vs. Recommended Sentences

Offense	Actual average time served by inmates released in 1992	Average recommended time in prison (1987 survey of Americans)
Rape with no other injury	4 years, 11 months	15 years, 5 months
Assault intentional injury, treatment by doctor and hospitalization	2 years	7 years, 9 months
Burglary burglary of a home with loss of \$1,000	1 year, 10 months	4 years, 5 months
Drug trafficking cocaine sold to others for resale	1 year, 6 months	10 years, 6 months

Note: This table compares the actual time served for selected serious offenses by those released from prison in 1992 with the prison sentences recommended by a representative sample of Americans in 1987.

Source: Joseph M. Bessette, "Crime, Justice, and Punishment," *Jobs and Capital*, Winter 1995, p. 22; *The State of Violent Crime in America* (The Council on Crime in America, January 1996), Table 9.

Table 6. Time served in confinement by violent offenders released in 1992

Type of offense	Average sentence (months)	Average time served <sup>1</sup> (months)	Percent of sentence served
All violent	89	43	48%
Homicide	149	71	48%
Rape	117	65	56%
Kidnapping	104	52	50%
Robbery	95	44	46%
Sexual assault	72	35	49%
Assault	61	29	48%
Other	60	28	47%

(1) Includes jail credit and prison time.

Source: Bureau of Justice Statistics, *Prison Sentences and Time Served for Violence* (Bureau of Justice Statistics, April 1995), p. 1; *The State of Violent Crime in America* (The Council on Crime in America, January 1996), Table 16.

Table 7. Type of Felony Sentence Imposed by State Courts, 1990

	Percent of Felons Sentenced to:		
	Prison (1 year term or more)	Jail (1 year term or less)	Probation (No incarceration)
All Offenses	46	25	29
Violent Offenses	59	21	20
Murder	91	4	5
Rape	67	19	14
Robbery	73	17	10
Aggravated Assault	45	27	28
Property Offenses <sup>3,4</sup>	44	22	34
Drug Offenses	43	29	28
Weapons Offenses	38	24	38

1. Includes nonnegligent manslaughter.

2. Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

3. Includes motor vehicle theft.

4. Includes forgery and embezzlement.

Source: Patrick A. Langon and John M. Dawson, "Felony Sentences in State Court, 1990," Bureau of Justice Statistics Bulletin, March 1993, p. 3; Issue '94: The Candidate's Briefing Book (The Heritage Foundation), Chart 8, Table 4.

Table 8. Convicted violent felons not sentenced to prison, by number of conviction offenses, 1992

Most serious conviction offense	Percent of convicted felons <i>not</i> sentenced to prison for 1, 2, or 3 or more felony conviction offenses		
	One	Two	Three or more
All violent offenses	47%	31%	23%
Murder	9%	5%	3%
Rape	39%	23%	20%
Robbery	30%	21%	14%
Aggravated assault	61%	45%	38%
Other violent <sup>1</sup>	65%	51%	36%

Note: This chart reflects prison non-sentencing rates for felons based on their most serious offenses. For example, if a felon is convicted for murder, larceny and drug possession, and not sentenced to prison, he would be represented in this chart under murder (the most serious offense) with three or more offenses.

(1) Includes offenses such as negligent manslaughter, sexual assault and kidnapping.

Source: Bureau of Justice Statistics, *Felony Sentences in State Courts*, January 1995, p. 6; *The State of Violent Crime in America* (The Council on Crime in America, January 1996), Table 12.

tion for doing so. Such departures may be challenged on appeal by either the prosecution or the defense.

With the advent of the federal Sentencing Guidelines came the abolition of the federal parole system. Therefore, in the federal system, there is now “truth in sentencing” in that like-offenders receive essentially the same sentence regardless of who imposes the sentence and, under this system, prisoners must serve at least 85% of the sentence they receive. As well, only the Bureau of Prisons is given the discretion to award up to 15% “good time” credit. Hence, the inmate has some incentive to behave in prison, and the decision is left to those who have the best opportunity to observe the inmate on a daily basis and to assess whether he is deserving of this consideration.

There are those who criticize the federal Sentencing Guidelines as too harsh. This is overstating the case. The fact is that all a sentencing guideline does is establish a sentencing range for someone who is convicted of a crime. It eliminates extremes on both ends. It prevents a harsh judge from imposing a significant prison sentence on a kid who steals an ice cream cone, and it also prevents a faint-hearted judge from imposing a sentence of probation on an armed robber.

Under a sentencing guideline system, the public would have a say about how tough sentences should be. If the public believes that the permissible sentences for armed robbery are too lenient, they can call their representatives and try to get the legislature to increase the sentencing guideline range for armed robbery. If the public thinks that the sentences are too harsh, they can do the same thing to reduce the guideline range for armed robbery. The important thing is that the public would have a say. Under the current system, it does not.

Table 9. Prior conviction offense resulting in *probation* versus current offense for which imprisoned, 1991

Prior conviction offense for which they received <i>probation</i>	Number of inmates		Not convicted of new offenses while on probation	Offense committed while on probation and currently imprisoned for:			
		Total		Total	Violent	Property	Drugs
Violent	31,027	100%	27.0%	73.0%	43.0%	14.0%	10.8%
Property	66,809	100	24.6	75.4	25.9	36.7	9.0
Drugs	43,691	100	30.3	69.7	15.8	9.5	40.6

Note: Excludes 3,416 inmates for whom prior offense resulting in probation or current offense was unknown.  
Source: Robyn L. Cohen, Probation and Parole Violators in State Prison, 1991 (Bureau of Justice Statistics, August 1995), Table 9.

Table 10. Prior conviction offense resulting in *parole* versus current offense for which imprisoned, 1991

Prior conviction offense for which they received <i>parole</i>	Number of inmates		Not convicted of new offenses while on parole	Offense committed while on parole and currently imprisoned for:			
		Total		Total	Violent	Property	Drugs
Violent	50,629	100%	19.3%	80.7%	49.7%	15.3%	9.2%
Property	64,016	100	17.9	82.1	23.0	47.4	8.0
Drugs	26,502	100	22.8	77.2	12.3	14.9	45.6

Note: Excludes 1,532 inmates for whom prior offense resulting in parole or current offense was unknown.  
Source: Robyn L. Cohen, Probation and Parole Violators in State Prison, 1991 (Bureau of Justice Statistics, August 1995), Table 10.

Table 11. Status at time of prison admission, by most serious offense of State prison inmates, 1991

Most serious offense	<u>Criminal justice status at admission</u>			
	<u>Total</u>	<u>Probation violator</u>	<u>Parole violator</u>	<u>No status</u>
Violent offenses	44.3%	27.4%	29.8%	57.6%
Murder(a)	10.5	4.0	4.4	15.9
Rape	3.5	1.8	1.9	4.9
Robbery	13.8	10.5	14.5	14.9
Assault	7.4	6.4	5.6	8.6
Other violent	9.1	4.7	3.4	13.3
Property offenses	21.0	21.8	29.1	17.3
Drug offenses	18.8	18.3	15.6	20.4

Note: Excludes an estimated 4,155 inmates in 1991 for whom the offense was unknown. Detail may not add to total because of rounding.

(a) Includes nonnegligent manslaughter.

Source: Robyn L. Cohen, Probation and Parole Violators in State Prison, 1991 (Bureau of Justice Statistics, August 1995), Table 2.

With sentencing guidelines, Georgia would no longer have a system of roulette-wheel justice in which the sentence is completely dependent upon whether the criminal appears before a “liberal” judge or a “conservative” judge. And the public would know that a criminal will actually serve the sentence imposed. **In short, the major advantage of a sentencing guideline system is that it tells the truth to the citizens of Georgia about crime and punishment.** It is only by telling law-abiding citizens the truth that one can persuade them that the justice system can work and that government is on their side, not the side of the criminal.

#### 4. Crime Prevention: Can We Afford to Do What It Takes?

The answer is that we cannot afford *not* to do what it takes.

- Based on prisoner surveys conducted in two states (Wisconsin in 1990 and New Jersey in 1993), state prisoners committed a median of 12 felonies, excluding drug crimes, in the year prior to their imprisonment.<sup>37</sup> Other studies indicate that incarcerating one additional prisoner averts an average of 13 to 21 crimes per year.<sup>38</sup> Others are higher still.<sup>39</sup>
- A 1982 study by the RAND Corporation found that, while on the street, about 25% of former inmates committed more than 135 crimes per year, and about 10% committed more than 600 crimes per year.<sup>40</sup>
- A 1992 study by the Bureau of Alcohol, Tobacco, and Firearms found that criminals serving time for firearms offenses averaged 160 crimes per year before being incarcerated.<sup>41</sup>

In 1992, crime victims lost \$17.6 billion in direct costs alone. The 1.8 million crime victims that year also lost a total of 6.1 million workdays, thereby significantly decreasing our nation’s productivity. [See Tables 12 & 13]. Other studies report similar findings.<sup>42</sup>

Most of these studies calculate only direct costs such as loss of income, hospital bills, and the value of property stolen. They do not account for the myriad of indirect costs imposed by crime. Among these costs are the physical and emotional pain suffered by a victim and those who fear becoming victims; the added burden to the taxpayers in terms of paying for law enforcement to catch criminals and funding the criminal justice system to process them; the economic costs to law-abiding citizens who purchase locks, guns, and other security devices and who hire private security guards to protect their homes and their businesses; the lost opportunity costs when businesses leave or refuse to locate in marginally-safe neighborhoods; the lost opportunity costs when children refuse to attend school out of fear of drugs, guns, and gangs; and the decline in property values and the tax base when crime infests a neighborhood. These costs, while difficult to quantify, are considerable.

One such study that attempted to quantify and include some of these indirect costs concluded that crime costs its victims approximately \$450 billion annually (\$426 billion of which is attributable to violent crime). This study further reports that violent crime is responsible for 3% of all medical spending in this country; violent crime results in wage losses equal to 1% of each American's earnings; and a single rape costs its victim and society an average of \$87,000 (many times the cost of keeping a rapist incarcerated for a year).<sup>43</sup>

Another study by the National Institute of Justice found that even the highest estimate of the cost of operating an additional prison cell for a year (\$70,000) is less than half of the benefit society derives (in terms of costs avoided) from operating that cell (\$172,000).<sup>44</sup> Similarly, a study by the Brookings Institute found that imprisoning 100 typical felons costs \$2.5 million, but leaving them on the street would cost \$4.6 million.<sup>45</sup> A second Brookings study concluded that society saves \$2.80 in social costs from averted crimes for every \$1 that it spends to keep a typical prisoner locked up.<sup>46</sup>

Table 12. Total economic loss to victims of crime, 1992  
(in millions)

All crime victims	\$17,646
Victims with losses	
Personal crimes	\$4,110
Crimes of violence	\$1,362
Rape	\$33
Robbery	\$680
Assault	\$649
Crimes of personal theft	\$2,748
Larceny with contact	\$76
Larceny without contact	\$2,672
Household crimes	\$13,536
Burglary	\$3,970
Household larceny	\$1,750
Motor vehicle theft	\$7,816

Source: Patsy A. Klaus, *The Cost of Crime to Victims* (Bureau of Justice Statistics, February 1994), p.2.

Any type of “get tough” policy, especially one that incorporates mandatory sentences and sentencing guidelines, will lead, at least in the short run, to more people being locked up and for longer periods of time. This will require additional prison space and additional staff to run those prisons. These will, of course, cost money.

Innovative solutions need to be explored. Most recently, Georgia's Governor has joined others in proposing that private companies be allowed to build medium-security prisons.<sup>47</sup> This is a modest yet promising start, and he should be complimented and encouraged to do more.

Table 13.

1.8 million victims in 1992 lost 6.1 million days from work, an average of 3.4 days per crime

	Percent of all victimizations with lost time
All personal crimes	5.2
Crimes of violence	7.6
Crimes of theft	3.9
All household crimes	6.1
Burglary	5.2
Larceny	4.0
Motor vehicle theft	17.2

Source: Patsy A. Klaus, *The Cost of Crime to Victims* (Bureau of Justice Statistics, February 1994), p.2.

Although the number of privatized prison beds nationally has grown from practically zero in 1985 to almost 60,000 today, fewer than 3% of all adult prisoners are in private facilities.<sup>48</sup> **Studies have indicated that privatization efforts can result in considerable savings to the government.**<sup>49</sup> Although there are critics who contend that any savings will be at the expense of security, they have no empirical data, and few anecdotal accounts, to indicate that their fears are justified.

Nonetheless, even privately-built-and-operated prisons cost money. In these days of budgetary constraints, paying for these prisons will involve exercising one of three options:

deficit spending, cutting costs elsewhere, or raising taxes. While there is no question that it costs the taxpayers of Georgia a considerable amount of money (about \$52 per day) to keep an inmate locked up, it costs a lot more to let known criminals roam the streets. Tough choices will have to be made. However, even additional money taken from a citizen through taxes is far less traumatic than money taken from him on a dark street while he is staring down the barrel of a loaded gun.

**The fact is that prisons work.** From 1980 to 1992, the 10 states with the highest relative increase in their prison population had an average drop in their crime rates of over 20%. During this same time period, the 10 states with the smallest relative increase in their incarceration rates saw crime increase by an average of 9%.<sup>50</sup>

In 1980, Michigan instituted an early-release program. From 1981 to 1984, Michigan became one of only two states whose prison population actually declined. Between 1981 and 1986, a time in which national incarceration rates began to rise for the first time in over two decades and national crime rates finally began to fall (albeit modestly) for the first time in over two decades, Michigan's violent crime rate rose by 25%. In 1986, Michigan began a prison building effort and its incarceration rates steadily rose. By 1989, Michigan's violent crime rate had dropped 12%.<sup>51</sup>

Since 1990, Texas has increased its prison capacity from 49,000 spaces to 150,000. The per capita incarceration rate in Texas has risen to 64% above the national average. The number of convicts being paroled has dropped from 56,442 (79.4% of those considered) in 1990 to 11,469 (22.3% of those considered) in 1994. Although still high when compared to the rest of the nation, the overall crime rate in Texas has fallen by 35%, to its lowest level since 1973. The murder rate in Texas is the lowest it has been since 1966, and the burglary rate is the lowest it has been since 1968.<sup>52</sup>

Critics who cite the considerable costs of building and staffing prisons never compare them to the costs imposed on society by criminals who would have otherwise been incarcerated. Such critics also

tend to ignore the need to send a clear and unwavering message of deterrence to would-be criminals that they will be caught and incarcerated if they violate the laws of this state and the rights of its citizens. As well, many critics underestimate the benefits that many prisoners derive from various rehabilitation programs, such as substance abuse treatment programs, that are provided in prison. There is also something to be said for expressing society's desire for justice, also known as retribution, which, unfortunately, is now considered a dirty word by some.

While all of these benefits may be difficult to quantify, they are no doubt considerable. While prison may not be the perfect answer to satisfying society's needs, it remains a lot more practical and cost-effective than most of the other proposed solutions that have been offered over the years.

Critics are also likely to respond by suggesting that we should really identify and eradicate the "root causes" of crime. In response to this argument, former New York City Mayor Ed Koch once stated:

I must say that when I hear the words "root causes," I want to go to the nearest window, as Peter Finch did in *Network*, and yell, "I'm mad as hell and I'm not going to take it any more." When we find those root causes and when we find what it is that will prevent people from engaging in crime, we should put it all in a pill and force-feed those miscreants. But until then, punishment and incarceration are the only answers we have available. Those who in effect urge designer ankle bracelets for home monitoring instead of jail — so that we will know where the criminals are so we can send them their Social Security checks — generally live in Connecticut and summer in the Hamptons. They do not have to live with the consequences of their sentimentality. When their hearts bleed for criminals the rest of us can expect to find other parts of our bodies bleeding in due course. We can no longer afford the "decency" of the *New York Times* because it is decency at other people's expense.<sup>53</sup>

The "root causes" of crime are, no doubt, complex and multi-faceted, and vary among individuals and demographic groups. Such issues involve familial relationships, peer relationships, ethnic standards, community standards, school standards and policies, economic conditions, mental health, and a whole host of other factors.

It is axiomatic that the genesis of much of the crime problem lies in the breakdown of the family unit in many communities. The state cannot, and should never try to, replace the family as the institution charged with the primary responsibility for instilling proper values and good moral character into our children. Perhaps the solutions as to what must be done to repair the torn fabric of the family structure, and what the state can and should do to aid in that effort, will be found in education reform, welfare reform, or in any number of other topics that are currently being debated, and which are likely to be debated for the foreseeable future.

A lot of extremely bright people have devoted a lot of time, money, and energy searching for the answers to the "root causes" of crime. **Maybe someday, someone will find or invent the crime panacea. Nonetheless, until then, Georgia's citizens have a right to be protected.**

Prisons are a justifiable investment in any civilized society. Lawbreakers should receive and serve prison terms that are commensurate with the severity and enormity of the crimes they commit. Any government that frees violent offenders and/or recidivists early because of a lack of prison space is

failing to serve the needs of its people. Money spent catching and convicting criminals is wasted money if there are no prison spaces in which to hold them. Revolving-door justice does nothing but breed contempt and fear among the populus.

## **5. Encourage Community Programs and Community Policing**

The fact that we do not know enough about “root causes” and that we live in a time of budgetary constraints does not mean that we should not do all that we can to prevent our troubled youth from turning to a life of crime, or to stop crime before it occurs. Community-based programs can help with respect to the former, and community-based policing can help with respect to the latter.

We all know that, sadly, children are often raised in homes in which parents abuse drugs and/or their children. Many children are raised in homes in which their fathers are either not to be found or are in jail. Is there any doubt that a child raised in such an environment is more likely to drift into a life of crime than a child who is raised in a loving environment surrounded by good role models who teach self-control and self-respect? Community organizations, be they religious or otherwise, can help convert tomorrow’s hooligan into tomorrow’s scholar.

According to a recent poll conducted of 2,000 teenagers, 9 out of 10 stated that they would be willing to participate in community-based education and mentoring programs.<sup>54</sup> Fortunately, many such organizations, such as Hands-On-Atlanta, 100 Black Men of Atlanta, Boys Clubs and Girls Clubs of America, and Big Brothers/Big Sisters, exist throughout the state.

Studies have also indicated that such programs can be remarkably effective. For example, a recent study tracked 959 ten-to-16-year-olds, almost all of whom lived with a single parent, who applied to Big Brothers/Big Sisters in 1992 and 1993. Over 60% of them were boys and over 50% were minorities. Eighty percent were from low-income households and 30% had been exposed to or experienced domestic violence. Half of the applicants were accepted into the program, while the other half were placed on a waiting list. On average, the adult-youth pairs met three times a month for three to four hours over the course of a year. First-time drug use was 46% lower (along with reduced alcohol consumption), school absenteeism was 52% lower (and their grades were better), and violent behavior was 33% lower for the group that had been accepted into the program.<sup>55</sup>

**Nothing increases the likelihood that someone will act in a prudent, law-abiding manner and will work at a legitimate occupation than a sense of a better future.** Many corporations, which profit greatly from doing business in safe communities and from having workers who feel good about their employers, have been willing to contribute their financial resources and the time of their workers to ensure that such programs succeed. Public officials and business leaders should do what they can to inform the public about the existence of such programs, urge as many people as possible to participate in them, and encourage good corporate citizens to contribute their time and financial resources to such programs.

Combating crime and restoring faith in the criminal justice system begins in the streets, not in the courtroom. In light of the Rodney King and O.J. Simpson cases, and, unfortunately, some “bad cop” cases in our own back yard,<sup>56</sup> trust between the public and police officers appears to be at a low ebb. The police must take affirmative steps to restore that faith, so that members of the public will be encouraged to report crimes when they occur and to turn in criminals when they appear in their midst.

Unfortunately, this series of “bad cop” cases indicates that there is a problem that must be rectified. One obvious step is to clean house internally. **Rogue cops must be rooted out, vigorously disciplined, and, where appropriate, prosecuted to the fullest extent of the law.** As well, those who tolerate rogue cops must also be disciplined. A “code of silence” among fellow officers simply cannot be tolerated.

One suggestion would be the creation of an oversight board comprised of people outside the police department to examine the practices of those within the police department. Another suggestion would be to adopt a policy that gives real teeth to the concept of accountability: fire those who fail to adequately supervise the rogue cop. A supervisor would be far less likely to tolerate malfeasance by those serving under him in the chain of command if he knew that those committing the illegal acts were jeopardizing his job as well.

Tough times call for tough measures. If police cannot be trusted to stop criminals, rather than becoming criminals, the fight against crime will be lost and we will truly live in a lawless society.

Another step that must be taken involves re-establishing a bond between the police and the public. In most communities, police still spend most of their time in patrol cars, waiting for calls and responding as quickly as they can. Despite the best efforts of many police officers, catching the perpetrators of crime after-the-fact remains difficult. Less than half of all violent crimes, and only a small percentage of property crimes, are “cleared” by the police apprehending someone.<sup>57</sup>

Some cities, such as New York City and Houston, which historically have had huge crime problems, have started re-thinking the traditional reactive approach to crime fighting and have begun a new strategy known as community policing. Under this strategy, the police spend the majority of time out of their cars and on the streets where they are most needed. In this way, police officers develop a greater knowledge of the neighborhoods and establish a better rapport with the people in those neighborhoods.

Such programs have produced promising results. In New York, police utilize the latest computer technology to discover where crime is creating the greatest problems on a daily basis, and then flood those areas with police officers who take to the streets. These officers are also encouraged to crack down on quality-of-life crimes such as graffiti, public drinking, and panhandling (which create an atmosphere of despair and, more importantly, fear) in addition to more serious crimes. Since adopting this approach, the number of murders in New York fell approximately 25% in 1995, after having dropped 20% the year before, and violent crime in New York City is at its lowest level in over twenty years.<sup>58</sup> In Houston, where citizen patrol groups assist the police in more than 100 of the city’s worst neighborhoods, murder was down by 32%, rape by 21%, robberies by 15%, and overall violent crime by 7% in the first half of 1995 compared to the same time period the previous year.<sup>59</sup>

State and local governments should re-evaluate how their law enforcement personnel are utilized. **The traditional approach to crime fighting should, at the very least, be supplemented with more proactive community-based policing techniques.**

In any given area, most of the local police officers know where the “trouble spots” are located. Computer technology can help in that regard. Rather than waiting for a call after a crime has occurred, they should make their presence felt in those areas before a crime occurs.

A drug dealer will not ply his trade if there is a cop standing next to him on the street. When a drug dealer is dislocated, his business will suffer because his clients will, at least temporarily, be unable to locate him. Eventually, the people in that neighborhood will be emboldened to venture out of their homes, will be grateful, and may well be more cooperative with law enforcement personnel in the future.

Although community-based programs should be encouraged, and community-based policing techniques should be utilized, these will not solve the problem. There has always been crime, and there will always be crime. Just as good behavior should be encouraged and rewarded, bad behavior must be condemned and punished. The would-be criminal (and this includes many criminals who would be criminals again, if given the opportunity) must be convinced that crime does not constitute a rational occupational choice. And, if he just refuses to get the message, he must be locked up.

## **6. Dealing with the Naysayers**

There are those who argue that a conservative approach to crime fighting is tantamount to racism, whites blaming blacks for the crime problem. This is not true. Blacks do not have a monopoly on being criminals, and whites do not have a monopoly on being victims. The fact of the matter is that the overwhelming majority of violent crime is intra-racial. Approximately 68% of the violent crime committed against whites is committed by whites (only 18% is committed by blacks); and 80% of the violent crime committed against blacks is committed by blacks (only 11% is committed by whites).<sup>60</sup>

While it is true that, statistically-speaking, a disproportionate number of criminals are black, it is equally true that a disproportionate number of victims are black. Further, a 1991 study indicated that, while 7% of all U.S. households identified crime as a neighborhood problem, the percentage was far higher (17%) among black households, and higher still (23%) among central city black households.<sup>61</sup> Amazingly, self-proclaimed community leaders often defend the very people who create a sense of despair and hopelessness, which retards economic and social progress within their own communities.

Too often in polemics about crime, the victims of crime are forgotten and vicious predators are converted into martyrs for “social justice.” Criminals and victims should never be confused in any debate about crime or “social justice.” The bottom line is that there are far too many criminals and far too many victims, of both races. No racial group progresses, and everybody loses.

When it comes to crime, the best way to confound and rebut your critics is to advance sound, sensible arguments that are supported by data. Fortunately, those arguments, and the data to support them, exist. Moreover, most voters, who live daily with the reality and the fear of crime, have as much common sense as many of the so-called experts. If you advance these arguments, your constituents will appreciate what you have to say and will likely reward you with their votes.

## Appendix

### The Federal Bureau of Investigation's Crime Statistics for Georgia, 1994

Table 14. Index of Crime: State, 1994

	Rate per 100,000	
	<u>United States</u>	<u>Georgia</u>
Crime Index Total	5,374.4	6,010.3
Violent Crime	716.0	667.7
Property Crime	4,658.3	5,342.7

Source: Derived from 1994 UCR, Table 4.

Table 15. Index of Crime. State of Georgia, 1994

<u>Area</u>	<u>Population</u>	<u>Crime Index Total</u>
Metropolitan Statistical Area	4,780,950	
Area actually reporting	97.0%	321,809
Estimated totals	100.0%	330,278
Cities outside metropolitan areas	853,844	
Area actually reporting	90.1%	52,155
Estimated totals	100.0%	57,883
Rural	1,420,206	
Area actually reporting	88.4%	31,716
Estimated totals	100.0%	35,868
State total	7,055,000	424,029

Source: Derived from 1994 UCR, Table 5.

Table 16. Index of Crime. Metropolitan Statistical Areas, 1994

<u>Metropolitan Statistical Area</u>	<u>Crime Index Total</u> <u>(Rate per 100,000 inhabitants)</u>
Albany, Ga., M.S.A.	8,112.5
Athens, Ga., M.S.A.	6,984.6
Atlanta, Ga., M.S.A.	7,333.0
Augusta-Aiken, Ga.-S.C., M.S.A.	4,657.2
Columbus, Ga.-AL., M.S.A.	4,785.4
Macon, Ga., M.S.A.	6,763.7
Savannah, Ga., M.S.A.	7,033.9

Source: Derived from 1994 UCR, Table 6.

Table 17. Number of Offenses Known to the Police, Cities and Towns 10,000 and over in Population, 1994

City	Crime Index Total	Murder and Non-negligent Manslaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft
Albany	8,738	24	52	415	476	2,313	4,988	470
Alpharetta	751	--	2	2	17	90	600	40
Americus	1,107	--	1	23	8	139	905	31
Athens-Clarke Co.	7,037	6	72	218	472	1,231	4,633	405
Atlanta	66,280	191	422	5,343	8,728	12,136	30,888	8,572
Augusta	3,994	13	14	189	191	1,007	2,075	505
Bainbridge	1,223	3	4	39	102	205	833	37
Cartersville	925	1	2	18	66	207	530	101
College Park	3,837	6	19	191	252	615	2,052	702
Columbus	11,892	20	37	371	580	1,984	8,004	896
Cordele	934	1	7	22	--	195	684	25
Covington	1,191	5	8	31	80	179	820	68
Dalton	1,725	1	7	29	120	247	1,200	121
Douglas	1,382	1	20	48	148	174	930	61
Douglasville	1,455	--	5	26	100	102	1,104	118
Dublin	1,237	3	10	54	86	178	860	46
Duluth	494	--	2	4	22	111	312	43
East Point	4,179	11	17	242	183	874	2,267	585
Forest Park	2,046	1	11	92	134	254	1,324	230
Gainesville	1,927	1	8	55	75	258	1,403	127
Griffin	2,459	10	18	74	291	302	1,611	153
Hinesville	2,390	5	15	37	62	347	1,842	82
Jesup	562	--	3	4	65	202	277	11
LaGrange	2,707	--	10	67	202	460	1,811	157
Lawrenceville	1,105	1	4	12	40	138	852	58
Macon	13,275	31	96	445	389	2,304	9,051	959
Marietta	5,427	1	28	144	221	684	3,889	460
Milledgeville	1,145	6	8	22	140	158	788	23
Monroe	503	--	1	3	28	96	375	--
Moultrie	1,657	3	7	79	96	394	1,017	61
Newnan	1,011	1	5	33	40	195	657	80
Peachtree City	267	--	--	2	4	24	208	29
Perry	495	1	--	7	--	53	423	11
Riverdale	1,136	--	5	37	23	97	868	106
Rome	3,100	3	10	71	354	662	1,891	109
Roswell	2,476	--	11	42	53	375	1,823	172
St. Mary's	729	--	4	3	17	88	595	22
Savannah	12,450	29	75	865	517	2,164	7,396	1,404
Smyrna	2,849	2	21	94	68	405	1,997	262
Snellville	466	--	1	3	--	56	389	17
Statesboro	1,224	2	3	21	73	203	875	47
Thomasville	1,856	5	2	47	85	467	1,184	66
Tifton	1,290	2	4	51	106	229	855	43
Union City	1,438	2	2	58	18	133	1,039	186
Valdosta	3,363	11	30	146	259	808	1,957	152
Vidalia	815	4	7	51	107	115	490	41
Warner Robins	2,919	2	21	80	99	508	2,052	157
Waycross	1,533	1	4	34	50	172	1,248	24

Source: Derived from 1994 UCR, Table 8.

Table 18. Number of Offenses Known to the Police, Suburban Counties, 1994

County	Crime Index Total	Murder and Non-negligent Manslaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft
Barrow	588	--	3	8	24	211	296	46
Bibb	1,693	4	1	23	42	376	1,145	102
Bryan	235	--	1	2	11	52	158	11
Carroll	1,744	5	10	15	131	479	963	141
Catoosa	828	--	4	10	23	105	518	168
Chatham Police	2,967	3	29	51	167	531	1,940	246
Cherokee	1,913	6	9	13	89	212	1,236	146
Clayton Police	10,235	8	51	288	461	1,893	6,464	1,070
Cobb Police	16,248	13	121	380	620	2,898	10,707	1,509
Coweta	1,131	1	20	16	72	268	630	124
DeKalb Police	46,057	68	208	2,159	1,099	9,389	26,506	6,628
Dougherty Police	381	2	2	6	5	131	218	17
Douglas	1,893	3	3	15	64	344	1,301	163
Fayette	605	1	2	4	8	130	409	51
Forsyth	2,446	--	13	9	159	291	1,591	183
Fulton Police	9,700	11	83	299	712	2,044	5,422	1,129
Gwinnett Police	16,400	8	58	332	323	2,604	11,917	1,158
Harris	198	2	2	7	1	77	95	14
Henry Police	2,361	2	27	41	164	512	1,441	174
Houston	1,193	1	9	17	199	230	686	51
Jones	275	--	3	3	17	92	140	20
Lee	376	--	2	2	11	131	214	16
McDuffie	307	1	3	3	41	63	171	25
Newton	1,707	1	3	25	62	434	1,105	77
Oconee	471	3	2	1	19	111	309	26
Paulding	1,279	4	10	5	17	286	860	97
Peach	233	--	2	5	59	60	95	12
Richmond	6,775	19	79	325	538	1,704	3,091	1,019
Rockdale	2,241	1	10	22	436	412	1,212	148
Spalding	880	1	7	13	92	216	477	74
Twiggs	91	--	--	--	1	53	35	2
Walker	1,219	3	8	10	53	378	676	91
Walton	410	2	2	6	8	102	249	41

Source: Derived from 1994 UCR, Table 10.

Table 19. Number of Offenses Known to the Police, Rural Counties 25,000 and over in Population, 1994

County	Crime Index Total	Murder and Non-negligent Manslaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft
Floyd Police Dept.	1,321	1	5	6	79	483	699	48
Glynn Police Dept.	2,784	1	11	61	209	447	1,950	105
Hall	2,914	7	33	38	161	786	1,549	340
Liberty	442	---	3	15	19	119	257	29
Lowndes	1,291	2	9	29	34	238	908	71
Murray	405	---	---	---	7	131	241	26
Troup	316	1	4	11	45	132	71	52
Whitfield	1,389	---	8	7	72	455	714	133

Source: Derived from 1994 UCR, Table 11.

Table 20. Number of Offenses Known to the Police, Universities and Colleges, 1994

<u>University/College</u>	<u>Violent (1) Crime Total</u>	<u>Property (2) Crime Total</u>
Abraham Baldwin College	--	60
Agnes Scott College	--	23
Albany State College	1	26
Armstrong State College	--	48
Augusta College	--	48
Berry College	1	68
Brunswick College	--	24
Clark Atlanta University	20	226
Clayton State College	--	41
Columbus College	5	55
Dalton College	--	7
Emory University	9	641
Fort Valley State College	1	34
Georgia College	--	102
Georgia Institute of Technology	17	973
Georgia Southern University	4	261
Georgia State University	12	562
Kennesaw College	2	48
Medical College of Georgia	2	286
Mercer University	6	107
Middle Georgia College	--	54
North Georgia College	--	8
Savannah State College	5	131
Southern College of Technology	1	72
South Georgia College	--	24
University of Georgia	14	657
Valdosta State University	7	222
Wesleyan College	1	26
West Georgia College	1	200

(1) Violent crimes are offenses of murder, forcible rape, robbery, and aggravated assault.

(2) Property crimes are offenses of burglary, larceny-theft, and motor vehicle theft. Data are not included for the property crime of arson.

NOTE: Caution should be exercised in making any inter-campus comparisons or ranking schools, as university/college crime statistics are affected by a variety of factors such as characteristics of the surrounding community, ratio of male to female students, number of on-campus residents, accessibility of outside visitors, size of enrollment, etc.

Source: Derived from 1994 UCR, Table 9.

## Additional Information

### Per Diem Comparisons in Selected Prisons

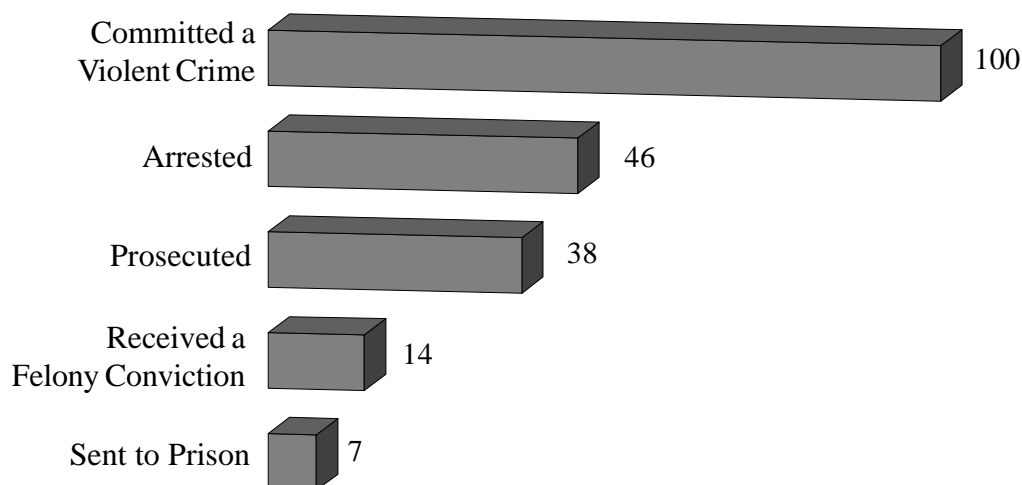
<u>Contractor</u>	<u>Location</u>	<u>Capacity</u>	<u>Security Classification</u>	<u>Per Diem Cost</u>	<u>Current Government Per Diem</u>	<u>Estimated Percent Savings</u>
CCA	Cleveland, Texas	500	A	\$35.25	\$42.53	17.1
	Grants, N. Mex.	200	A,B,C	69.75	80.00	12.8
	Santa Fe, N. Mex.	256	A,B,C	70.15	94.00	34.0
	Chattanooga, Tenn.	320	A,B,C	22.66	28.00	19.1
	Chattanooga, Tenn.	117	A,B,C	22.66	28.00	19.1
	Venus, Texas	500	A	35.25	42.53	17.1
	Winnfield, La.	610	B	26.00 *	29.50	11.9
Concepts, Inc.	Bridgeport, Tex.	100	A	34.79	42.53	18.2
Pricor	Tuscaloosa, Ala.	144	A	20.11	20.11	None
USCC	St. Mary, Ky.	500	A	26.89	28.00	4.0
	Louisville, Ky.	320	A	27.50	45.00	38.9
	Beattyville, Ky.	400	A	26.89	32.00	16.0
Wackenhut	Kyle, Texas	500	A,B	34.79	42.53	18.2
	Bridgeport, Texas	500	A,B	34.79	42.53	18.2

Abbreviations: A (minimum); B (medium); C (maximum); CCA (Corrections Corporation of America); USCC (U.S. Corrections Corporation)

\* Current per diem cost for Winnfield, La. is an estimate.

Source: "The Option of Prison Privatization: A Guide for Community Deliberations," Ammons, Campbell & Somoza, Carl Vinson Institute of Government, University of Georgia, 1992.

### Only 7 out of 100 Violent Criminals Go to Prison

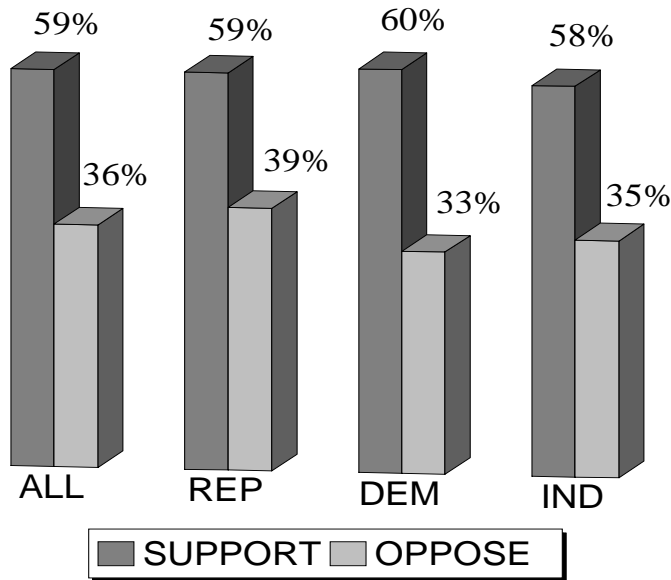


For every 100 violent crimes reported in Georgia, only 46 percent result in an arrest. After being arrested, national statistics show that there is only an 82 percent probability that the person arrested for the violent crime will be prosecuted, and only a 38 percent probability that they will subsequently be convicted of a felony. Finally, there is only a 50 percent probability that a person convicted of a felony will be sentenced to prison. **Therefore, for every 100 persons who commit a violent crime, only 7 will end up in prison.** This also assumes that every violent crime is reported, when in fact many crimes are not even reported to the police.

# What Do Georgians Think?

Results of GPPF Survey of Georgia Registered Voters Conducted December 27-29, 1994.

Six out of every ten Georgia voters say they would support increasing state taxes by 15 percent if that would ensure that dangerous criminals would serve almost all of their sentences.



## Endnotes

- 1 Mr. Malcolm is an Assistant United States Attorney for the Northern District of Georgia and a member of the Board of Governors of the Georgia Public Policy Foundation. The opinions expressed herein are those of the author and do not represent nor do they necessarily reflect the opinions of the United States Department of Justice.
- 2 Constitution of the State of Georgia, Art.1, §1, ¶2.
- 3 *Crime in the United States, 1994* (Federal Bureau of Investigation, 1995), p.4. Since 1930, the FBI has issued Uniform Crime Reports (hereinafter cited as “UCR”s), compiling statistics based on its own crime records as well as records of all crimes reported to state and local law enforcement agencies.
- 4 Derived from Table 1 of 1994 UCR.
- 5 The violent crimes in the UCR include murders and non-negligent manslaughters, forcible rapes, robberies, and aggravated assaults. The property crimes are burglaries, larcenies, motor vehicle thefts, and other thefts. It should be noted that, according to the 1994 UCR, the total number of crimes dipped slightly from 14,144,794 to 13,991,675. 1994 UCR, p.5. The percentages for violent crimes and property crimes in terms of overall crime remained unchanged. 1994 UCR, p.6. The 1993 UCR is cited above so that the totals can be compared to the statistics compiled in *Criminal Victimization 1993* (Bureau of Justice Statistics)(hereinafter cited as “NCVS”). The NCVS is an annual survey that has been conducted since 1973. The NCVS includes violent crimes (rapes, sexual assaults, robberies, and aggravated and simple assaults) and property crimes (burglaries and thefts). Significantly, the NCVS does not include murders since, obviously, murder victims cannot respond to the survey. The 1994 NCVS is currently unavailable.
- 6 This translates into 7.46 reported violent crimes per 1,000 persons and 47.3 reported property crimes per 1,000 persons.
- 7 Derived from Table 4 of the 1994 UCR.
- 8 There was an average of 6,010.3 crimes reported per 100,000 of Georgia’s citizens. The national average was 5,374.4 crimes per 100,000 people.
- 9 In Georgia, there was an average of 667.7 violent crimes reported per 100,000 people. The national average was 716.0 per 100,000 people.
- 10 In Georgia, there was an average of 5,342.7 property crimes reported per 100,000 people. The national average was 4,658.3 property crimes reported per 100,000 people.
- 11 While the population grew from 3,943,116 to 7,055,000 from 1960 to 1994, the number of crimes reported increased from 34,946 to 424,029. Derived from 1960 UCR, Table 2, and 1994 UCR, Table 4.
- 12 1994 UCR, Table 6.
- 13 The number of murders rose from 67 to 191; the number of rapes rose from 44 to 422; and, the number of robberies rose from 308 to 5,343. Derived from 1960 UCR, Table 38, and 1994 UCR, Table 6.
- 14 The number of murders rose from 14 to 29; the number of rapes rose from 26 to 75; and, the number of robberies rose from 156 to 865. Ibid.
- 15 1993 NCVS, p.2.
- 16 This translates into 51.5 violent victimizations per 1,000 persons and 322 property crimes per 1,000 persons.
- 17 William J. Bennett, *The Index of Leading Cultural Indicators* (Washington, D.C.: Empower America, The Heritage Foundation, and The Free Congress Foundation, 1993), p.3; *Lifetime Likelihood of Victimization* (Bureau of Justice Statistics, March 1987).
- 18 While the population of Georgia rose from 6,917,000 to 7,055,000, the number of crimes reported dropped from 428,367 to 424,029, and the number of violent crimes dropped from 50,019 to 47,103. While the one percent drop is in line with national statistics, which reported an overall drop of 1.1% for this same time period, Georgia’s rate of decrease in violent crime exceeded the national average, which was 3.2% for this same period. 1994 UCR, Table 4 and pp. 5,10.
- 19 Georgia Code Sections 17-10-6.1 and 17-10-7.
- 20 The number of first-time prison releasees dropped from 2,397 to 1,420 during this time period. Allen J. Beck and Lawrence A. Greenfeld, *Violent Offenders in State Prison: Sentences and Time Served* (Bureau of Justice Statistics, July 1995), Table 1. When the statistics include releasees from boot camps and prisoners and probationers who had previously been revoked, in addition to prison committees being released for the first time, however, the news is less bright. Although the total number of violent offenders being released from Georgia’s prisons dropped from 3,261 in 1992 to 2,207 in 1994, the number rebounded to 2,737 in 1995. *Length of Stay and Sentence Length Report to Attorney General Michael Bowers*, Georgia Department of Corrections (February 1996), p.1.
- 21 The number of prisoners in Georgia rose from 27,783 to 33,425 during this time period. Allen J. Beck and Darrell K. Gillard, *Prisoners in 1994* (Bureau of Justice Statistics, August 1995), Table 2.

- 22 The number of defendants being sentenced to more than one year rose from 27,079 to 32,523 during this time period. Ibid.
- 23 Georgia Code Section 17-6-1.
- 24 Georgia Code Sections 17-10-1.1 and 17-10-1.2.
- 25 This poll was of 2,000 teenagers and was conducted by Louis Harris & Associates. "Fear of violence engulfs teenagers, study reveals," The Atlanta Journal-Constitution, January 12, 1996, p.B6.
- 26 Alfred Blumenstein, "Prisons," in James Q. Wilson and Joan R. Petersilia, eds., *Crime* (Institute for Contemporary Studies, 1995), pp.397-419.
- 27 A total of 2,209,675 arrestees were under the age of 18, and a total of 780,979 arrestees were under the age of 15. 1994 UCR, Table 41.
- 28 Of these, 2,262 were arrested for violent crimes, and 11,386 were arrested for property crimes. 1994 UCR, Table 68.
- 29 1994 UCR, Table 36.
- 30 See 1995 amendments to Georgia Code Sections 15-11-28 (conduct of juvenile hearings), 15-11-60 (photographing and fingerprinting of juvenile offenders), and 15-11-61 (sealing of records).
- 31 There may be some reading this Chapter who are unfamiliar with the terms "parolee" and "probationer" and may not be aware of the differences between them. A "parolee" describes somebody who has been convicted of a crime, sentenced by a judge to serve a jail term, and has been released from jail after serving only a portion of that sentence by the Board of Pardon and Paroles. A "probationer" describes somebody who has been convicted of a crime, but who receives a "probated" sentence by the judge in which he is released back into the community. Both parolees and probationers are expected to abide by specific terms and conditions, such as not committing another crime, and can be incarcerated if they do not abide by those conditions.
- 32 *Length of Stay and Sentence Length Report to Attorney General Michael Bowers*, p.10. The numbers were only slightly better for violent offenders, where 2,737 inmates, who had been sentenced to an average sentence of 8.31 years, were released after having served an average of 3.71 years, a mere 44% of the sentences they had received. Ibid., p.1.
- 33 Ibid., p.10.
- 34 Ibid.
- 35 Robyn L. Cohen, *Probation and Parole Violators in State Prisons, 1991* (Bureau of Justice Statistics, August 1995).
- 36 These numbers do not include offenses committed by parolees and probationers but for which they were not apprehended and convicted.
- 37 John J. DiIulio, Jr. and Anne Morrison Piehl, "Does Prison Pay?," The Brookings Review, Fall 1991, pp.28-356 (Wisconsin data); Anne Morrison Piehl and John J. DiIulio, Jr., "Does Prison Pay? Revisited," The Brookings Review, Winter 1995 (New Jersey data).
- 38 Steven D. Levitt, *The Effects of Prison Population Size on Crime Rates: Evidence from Prison Crowding Litigation* (National Bureau of Economic Research, February 1995), p.25; Thomas Marvell and Carlisle Moody, *Prison Population Growth and Crime Reduction*, Journal of Quantitative Criminology, 1994, p.136.
- 39 Jan M. Chaikan and Marcia R. Chaikan, *Varieties of Criminal Behavior* (Santa Monica: RAND Corporation, August 1982)(hereinafter cited as "Chaikan and Chaikan"), p.215 (estimating that the average former state inmate commits between 187 and 287 crimes per year, excluding drug deals).
- 40 Ibid., p.215.
- 41 *Protecting America: The Effectiveness of Federal Armed Career Criminal Statutes* (Bureau of Alcohol, Tobacco and Firearms, May 1991), p.27.
- 42 Chaikan and Chaikan; Morgan O. Reynolds, *Why Does Crime Pay?* (National Center for Policy Analysis, Policy Backgrounder No.123, December 8, 1992), pp.8-9.; David P. Cavanaugh and Mark A.R. Kleiman, *A Cost Benefit Analysis of Prison Cell Construction and Alternative Sanctions* (BOTEC Analysis Corporation, 1990).
- 43 Ted R. Miller, et al., *Crime in the United States: Victim Costs and Consequences* (Final Report to the National Institute of Justice, May 1995), p.1.
- 44 Cavanaugh and Kleiman, p.26. Yet another study estimates that, while it costs society an average of \$25,000 a year to incarcerate a career criminal, it costs society \$430,000 a year not to do so. *1992 Update: Why Does Crime Pay?* (National Center for Policy Analysis, December 8, 1992).
- 45 DiIulio and Piehl, *Does Prison Pay?*, p.34.
- 46 Piehl and DiIulio, *Does Prison Pay? Revisited*.
- 47 "Prison plan has critics," The Atlanta Journal-Constitution, January 10, 1996, p.B1.
- 48 "Making Crime Pay," The Atlanta Journal-Constitution, February 8, 1996, p.E1.

- 49 Kelly McCutchen, *Why Georgia Should Consider Prison Privatization*, Commentary (Georgia Public Policy Foundation, October 1994); Kelly McCutchen, *Why Georgia Should Consider Prison Privatization II*, Commentary (Georgia Public Policy Foundation, February 1995); William D. Eggers, *Designing a Comprehensive State-level Privatization Program* (The Georgia Public Policy Foundation/The Reason Foundation, 1995).
- 50 *The Case for More Incarceration* (U.S. Department of Justice, October 28, 1992), pp.4-5; Michael K. Block and Steven J. Twist, *Lessons from the Eighties: Incarceration Works*, Commonsense (National Policy Forum, Spring 1994), p.77.
- 51 Block and Twist, p.78.
- 52 Morgan O. Reynolds, *Crime and Punishment in Texas: Update* (National Center for Policy Analysis, January 1996), pp. 1-4.
- 53 Ed Koch, Blacks, Jews, Liberals, and Crime, *National Review*, May 16, 1994, p. 36.
- 54 "Fear of violence engulfs teenagers, study reveals," *The Atlanta Journal-Constitution*, January 12, 1996, p.B6.
- 55 Joseph P. Tierney and Jean Baldwin Grossman with Nancy L. Resch, *Making A Difference: An Impact Study of Big Brothers/Big Sisters* (Philadelphia: Public/Private Ventures, November 1995). *The State of Violent Crime in America* (The Council on Crime in America, January 1996), pp. 2-3.
- 56 See "Hats off to good cops," *The Atlanta Journal-Constitution*, September 9, 1995, p.A16; "Officer guilty of stealing," *The Atlanta Journal-Constitution*, December 14, 1995, p.D1; "Cop tied to scandal fired fatal shots in '93," *The Atlanta Journal-Constitution*, September 14, 1995. p.B1; "Grand jury to weigh shootout cases," *The Atlanta Journal-Constitution*, February 7, 1996, p.C2.
- 57 Only 43.5% of all violent crimes and only 17.7% of property crimes are "cleared" by arresting the alleged perpetrator, which is not to say that the alleged perpetrator is ultimately prosecuted and convicted, much less sentenced to jail. The national arrest statistics are somewhat higher for some crimes such as murder (64%) and rape (51.4%). 1994 UCR, Table 25.
- 58 "Will crime wave goodbye?," *The Economist*, January 6, 1996, pp.19-20.
- 59 *The State of Violent Crime in America* (The Council on Crime in America, January 1996), p.57.
- 60 *Criminal Victimization 1993* (Bureau of Justice Statistics), Tables 42 and 48; *The State of Violent Crime in America* (The Council on Crime in America, January 1996), pp. 11-12.
- 61 Carol J. DeFrances and Steven K. Smith, *Crime and Neighborhoods* (Bureau of Justice Statistics, June 1994).