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ACQUISITION

Bureau of Justice Statistics Special Report

Forgery and Fraud-Related Offenses in 6 States, 1983-88

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Arrests for forgery, fraud, embezzlement, bribery, and related offenses comprised about 6% of the 3 million arrests reported by 6 States from 1983 to 1988. Voluntarily submitting data to the Offender-Based Transaction Statistics (OBTS) program, California, Minnesota, Nebraska, New York, Pennsylvania, and Virginia reported arrests for 174,767 such crimes and 1,027,792 other property felonies.

In 1983 the 6 States reported a total of 443,601 dispositions entered for felony offenses that year. In 1988, these States disposed of 555,975 cases, a 25% increase. Growth in the number of forgery and fraud-related offenses during the same years was considerably lower: the number of these offense dispositions increased 1.3%, from 28,188 in 1983 to 28,546 in 1988.

Criminals who commit forgery, fraud, counterfeiting, bribery, and embezzlement use deception for gain, abusing the trust of others. As the U.S. technology and economy have changed, the types of crimes discussed in this report have assumed even greater importance. The increased use of credit cards and computers, to cite just two elements of our modern lifestyle, may increase the likelihood of these offenses.

The Offender-Based Transaction Statistics (OBTS) program enables researchers to understand how the persons arrested for a felony progress through the justice process. We thank all the participants in OBTS, and especially the six States that provided data from 1983 to 1988, for the valuable information reported here.

Steven D. Dillingham, Ph.D.
Director

For the years 1983 to 1988, of every 100 arrests for forgery or fraud-related crimes, 89 were prosecuted, 67 were convicted of a felony or misdemeanor, and 41 received a sentence to a State prison or a local jail.

Other findings from these felony arrest data include the following:

- Of the 156,150 prosecutions for a forgery or fraud-related crime, 4 in 20 resulted in a court dismissal while 15 in 20 ended with conviction. Another 1 in 20 of the prosecutions resulted in acquittal or other dispositions that were not convictions.

- For forgery and fraud-related offenses, 28% of the convicted offenders were sentenced to probation as the most severe penalty. An additional 4% of the convictions resulted in a monetary sanction, and 4% resulted in a deferred or suspended sentence.

- For a felony that was forgery or fraud-related, the median time between an arrest and a disposition was 3 months.

- A majority of persons charged with a forgery or fraud-related crime were white, male, and under age 28. However, women and persons age 40 or older were more likely to be arrested for a forgery or fraud-related crime than for other types of property crimes.

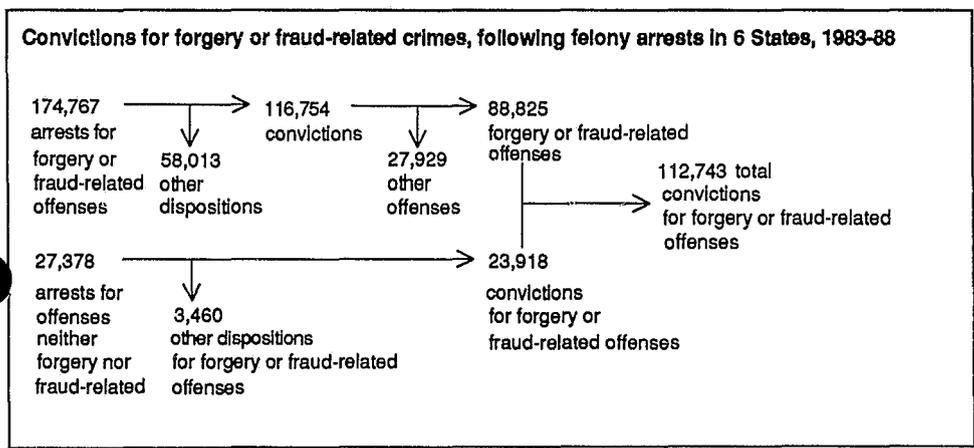


Figure 1

Introduction to OBTS

The data for this report were obtained from six States through the OBTS program. The OBTS dataset contains arrest reports for which readable fingerprints of arrested felons were submitted to the State criminal records repository. It contains data on the final dispositions of adult offenders who had been arrested for one or more felonies. Overall, about 66% of the cases were processed during the same calendar year as the arrest, 28% during 2 calendar years, and 5% during more than 2 years.

The OBTS program identifies each incident that leads to an arrest with an incident

White-collar crime and OBTS

Research on "white-collar" crime has been seriously handicapped by the absence of a uniform definition of the term and by the resultant lack of agreement on the kinds of criminal offenses that the term embraces. As a general guide to understanding white-collar crime, the term may be defined as those crimes that involve the use of an individual's position of power, influence, or trust for the purpose of illegal personal or organizational gain. Such crimes are often committed by offenders in the course of their business, profession, or occupation.*

This report provides a statistical profile of forgery and fraud-related offenses in six States; it does not provide a profile of all white-collar crimes. The offenses described in this report are nonviolent crimes committed by persons to obtain financial gain through the use of deception. Some of the offenses can be classified as white-collar, most cannot.

The OBTS dataset does not adequately identify "white-collar" crimes, as such. OBTS uses the four-digit NCIC uniform offense classification scheme, which contains more than 400 offense categories but no separate codes for white-collar offenses. Moreover, OBTS does not contain the information needed to determine the offender's position of power, influence, or trust and whether the offender used that position for illegal gain.

*For further discussion of the classification of white-collar crimes, see A.J. Reiss, Jr. and A.D. Biderman, *Data Sources on White-Collar Law-Breaking*, U.S. Department of Justice, National Institute of Justice, NCJ-072651, September 1980, and G. Geis, "White-Collar Crime, What Is It?" *Current Issues in Criminal Justice* (July 1991) 3(1):7-24.

number, which is used to condense records in multiple charge cases. When records contain more than one charge, the program collects the most serious arrest charge as well as the most serious action by the police, the prosecutor or grand jury, and the court. It also collects the sentence associated with the most serious conviction.

Forgery or fraud-related crime

Forgery or fraud-related crime is nonviolent crime for financial gain, committed by deception. Using the National Crime Information Center (NCIC) codes, the following offenses were included: forgery and counterfeiting, fraud, embezzlement, bribery, tax, and health and safety violations (drugs and food misbranding or adulteration).

As cases progress through the criminal justice process, charge modifications may occur. A person arrested on a charge can arrive at court charged with a less serious offense. Also, a person charged with more than one offense at arrest may be convicted of one of the lesser offenses. Therefore, studies of case processing need to take into account the various stages at which charge modifications can occur.

Among those with cases disposed of during 1983 to 1988, the largest number of persons charged with forgery or fraud-related offenses, 202,145, encompassed the following:

- persons arrested and charged with a forgery or fraud-related crime (174,767) and
- persons whose original charge was changed to a forgery or fraud-related crime before disposition (27,378) (figure 1).

This report focuses on those originally charged with a forgery or fraud-related felony (174,767) and the smaller number of offenders who were convicted of a

forgery or fraud-related crime, irrespective of the original charge (112,743).

Forgery or fraud-related crime, 1983 and 1988

The six States that contributed data for this study — California, Minnesota, Nebraska, New York, Pennsylvania, and Virginia — account for about 29% of the U.S. population and about 26% of the FBI Crime Index total. These States display a broad spectrum of economic and demographic diversity. The arrest data that they submitted do not represent all of the arrests made. (See *Methodology* for a discussion of coverage.)

During 1983 the 6 States disposed of 28,188 arrests of persons charged with a forgery or fraud-related felony, including 14,741 forgeries and 10,321 fraudulent activities. By 1988, that total had risen 1.3% to 28,546, including 15,470 forgeries and 11,058 cases of fraud (table 1). The 1988 number of arrests for forgery, the category that comprised over half of all disposed forgery or fraud-related offenses, had increased from 1983, as had the number of arrests for fraudulent activities. The number of arrests for related offenses, embezzlement and bribery, declined over the period.

For offenses at conviction, the number of forgery or fraud-related cases decreased from 18,178 in 1983 to 17,876 in 1988. The number of convicted forgers increased 0.5%, and the number convicted of fraud decreased 1.4%. These rates of change contrast with those for other offenses. In five of the six States from 1983 to 1986, the number of convictions overall increased 17%: a 71%-increase for drugs, a 36%-increase for public-order offenses, a 9%-increase for violent offenses, and a 2%-increase in the number of convictions for all property offenses.¹

¹*Criminal Cases in 5 States, 1983-86*, BJS Special Report, NCJ-118798, September 1989.

Table 1. Felony arrest charges and convictions for forgery or fraud-related crimes in 6 States, 1983-88

	Arrest charge			Conviction offense		
	1983	1988	Percent change, 1983-88	1983	1988	Percent change, 1983-88
Total	28,188	28,546	1.3%	18,178	17,876	-1.7%
Forgery and counterfeiting	14,741	15,470	4.9	9,504	9,553	.5
Fraud	10,321	11,058	7.1	7,432	7,326	-1.4
Embezzlement	2,228	1,166	-47.7	837	665	-20.5
Bribery	812	758	-6.7	219	211	-3.7
Other fraud related*	86	94	9.3	186	121	-34.9

*Includes health/safety (mostly drugs/food misbranding and adulteration) and tax revenue violations.

Case processing time

Within a half year of arrest, a large majority of forgery or fraud-related cases had been processed. On average, forgery or fraud-related cases, compared to other property crime cases such as burglary, took more time from arrest to disposition. Half the forgery or fraud-related cases had reached a final disposition in 3 months; half the property crime cases, in 2.5 months. For each month up to a year after arrest the system had disposed of a higher percentage of property cases than of forgery or fraud-related cases.

Months from arrest to disposition	Cumulative percent of disposed cases	
	Forgery and fraud-related offenses	Other property offenses
0	.6%	1.2%
1	22.4	31.8
2	37.7	45.0
3	49.7	55.0
4	59.3	63.7
5	66.6	70.3
6	72.1	75.5
7	76.5	79.8
8	79.7	83.0
9	82.1	85.4
10	83.9	87.2
11	85.4	88.7
12	86.5	89.8

Forgery or fraud-related crime: An overview of case processing

From 1983 to 1988 the police arrested 174,767 persons in the 6 States and charged them with a felony that was forgery or fraud-related. Another 1,027,792 persons were charged with other property crimes such as burglary, larceny or theft, motor vehicle theft, arson, or damage to property.

For every 100 persons charged with forgery or fraud-related offenses at arrest, 89 were prosecuted, 67 were convicted, 41 received sentences to incarceration, including 10 that were sentenced to a State prison, usually for more than a year (table 2). For every 100 persons arrested for other property felonies, 85 were prosecuted, 67 were convicted, and 46 received sentences to incarceration, including 10 to prison.

Although arrestees charged with forgery or fraud-related crimes were prosecuted at a slightly higher rate (89%) than were those charged with other property offenses (85%), they were less likely to go to jail or prison (41% versus 46%). The rates of conviction and imprisonment for the two offense groups were identical at 67% and 10%, respectively.

Among persons arrested for forgery or fraud-related offenses, those involved in forgery or counterfeiting were the most likely to be prosecuted (92%), convicted (73%), and sentenced to prison (13%). Embezzlers followed closely, with a 90%-likelihood of prosecution, a 71%-likelihood of conviction, and a 12%-likelihood of imprisonment. Also, of forgery or fraud-related offenders, embezzlers were the most likely to be sentenced to jail or prison. Persons arrested for fraud had lower percentages at each stage of the process, and those in the general category of "other fraud-related crimes" — health, safety, and tax-revenue violations — had the lowest probability of conviction and incarceration.

Adjudication

Of the 156,150 forgery or fraud-related arrestees prosecuted in the 6 States from 1983 to 1988, courts convicted 75% and dismissed the cases of 20% (table 3). Other dispositions without a conviction, such as acquittals and nolle prosequi, accounted for less than 6% of all prosecutions. (Nolle prosequi is notice to the court that the prosecutor will not pursue the case — in some jurisdictions following approval by the court.) Similarly, of the 878,012 persons prosecuted for other property offenses, 78% were convicted, 19% had their case dismissed from court, and 3% received other nonconvictional dispositions.

Persons charged with forgery (and counterfeiting) or embezzlement were the most likely to be convicted, 79% and 78%, respectively. The cases of 41% of the persons in court for "other forgery or fraud-related crime" were dismissed, more than twice as often as those charged with forgery or embezzlement (17% and 16%).

Table 2. Disposition of arrests for forgery or fraud-related felonies and other property felonies in 6 States, 1983-88

	Number arrested	Percent of persons arrested			
		Prosecuted	Convicted	Sentenced to incarceration	
				Incarceration	Prison
Total	174,767	89.3%	66.8%	41.0%	10.4%
Forgery and counterfeiting	94,122	92.2	73.1	47.9	12.6
Fraud	63,925	85.0	58.3	30.1	7.5
Embezzlement	11,331	90.4	70.9	55.8	11.7
Other fraud-related ^a	5,389	87.5	49.6	17.4	3.7
Other property crimes ^b	1,027,792	85.4%	66.8%	45.9%	10.4%

Note: Arrests are for felonies, but dispositions may be for less serious offenses. Detail may not add to totals because of rounding.

^aIncludes health, safety, and tax-revenue violations, as well as bribery.

^bIncludes burglary, larceny/theft, motor vehicle theft, arson, property damage, and other property offenses, excluding forgery and fraud-related crimes.

Table 3. Adjudication of arrests for forgery or fraud-related felonies in 6 States, 1983-88

Arrest felonies	Number prosecuted	Percent of persons prosecuted		
		Convicted ^a	Dismissed	Other non-conviction ^b
Total	156,150	74.8%	19.7%	5.5%
Forgery and counterfeiting	86,824	79.2	16.7	4.0
Fraud	54,366	68.5	23.2	8.3
Embezzlement	10,245	78.4	16.2	5.4
Other fraud-related ^c	4,715	56.6	41.0	2.3
Other property crimes ^d	878,012	78.2%	19.0%	2.8%

Note: Detail may not add to totals because of rounding.

^aIncludes "probation without verdict."

^bIncludes nolle prosequi.

^cIncludes health, safety, and tax-revenue violations, as well as bribery.

^dIncludes burglary, larceny or theft, motor vehicle theft, arson, property damage, and other property offenses, excluding forgery and fraud-related crimes.

The percentage of dispositions other than conviction, mostly nolle prosequi and acquittals, was highest for fraud at 8%.

Sentencing

The offense at conviction, as noted earlier, can be different from the offense originally charged at arrest. Across the 6 States, there were a total of 112,743 persons convicted of forgery or fraud-related offenses between 1983 and 1988. Among these, 88,825 had originally been arrested for a forgery or fraud-related offense and 23,918 had been arrested for other offenses, including larceny, obstructing justice, burglary, and stolen property.

Defendants convicted of forgery or fraud-related offenses, either felonies or misdemeanors, were sentenced to incarceration in 63% of the cases — to a jail (47%) or a State prison (16%) (table 4). Thirty-seven percent of those convicted of a forgery or fraud-related crime received a sentence without incarceration. Of these, 28% were sentenced to probation, with or without verdict. (*Probation without verdict* refers to a grant of probation by a court without

entering a judgment of guilty upon a defendant.)

Other sentences that included no jail or prison term were monetary sanctions (4%) and sentences such as restitution or deferred or suspended sentence (4%).

Sentence deferral refers to the postponement of the imposition of the sentencing disposition, while *sentence suspension* means that the execution of the sentence has been held in abeyance. Both deferred and suspended sentences usually are contingent upon the future good conduct of the defendant.

Embezzlers were the most likely of the convicted forgery or fraud-related offenders to be incarcerated (81%). They had a negligible chance of getting some form of monetary sanction (1%) or "other" sanction (1%).

Among convictions for specific forgery or fraud-related offenses in the six States, fraud as a whole had the lowest likelihood of a sentence to imprisonment (10%). Likewise, those convicted of fraud had a relatively high likelihood of receiving a moderate sentence such as monetary (7%) or "other" (6%) sanctions.

Table 5. Sex, race, and age of persons arrested for forgery or fraud-related felonies, 1983-88

Characteristic of arrestees	Percent arrested for forgery or fraud-related felony
Sex	
Male	64.6%
Female	35.4
Race	
White	66.0%
Black	33.3
Other	.7
Age	
19 or younger	8.4%
20-29	48.5
30-39	29.8
40 or older	13.3
Number of arrestees	202,145

Note: Data on sex, race, and age were reported for 97.2%, 93.7%, and 91.8% of 202,145 cases,

Characteristics

Most persons arrested for forgery or fraud-related crimes were male (65%) and white (66%) (table 5). Their median age was 27.5 years. The proportions of females and of persons age 40 or older were higher for forgery or fraud-related arrestees than for persons arrested or prosecuted for other property offenses.²

²Criminal Cases in 5 States, 1983-86, September 1989.

Table 4. Sentence type, by forgery or fraud-related conviction offense in 6 States, 1983-88

Conviction offense*	Number sentenced	Percent of persons sentenced							
		Total	Nonincarceration*			Incarceration			
			Total	Pro-bation	Mone-tary	Other	Total	Jail	Prison
Total	112,078	100%	36.4%	27.8%	4.3%	4.3%	63.5%	47.2%	16.3%
Forgery and counterfeiting	59,572	100	28.5	22.9	2.1	3.5	71.6	51.2	20.4
Fraud	45,502	100	47.8	35.1	7.0	5.7	52.2	41.8	10.4
Embezzlement	4,833	100	19.1	16.9	1.0	1.2	80.9	56.7	24.2
Bribery	1,311	100	54.9	34.7	13.7	6.5	44.7	28.8	15.9
Other fraud-related	860	100	59.7	34.5	19.2	6.0	40.3	38.4	1.9

Notes: The OBTS program lists 18 possible forgery or fraud-related sentencing categories, which were reduced to 5 categories based on sanction severity. Detail may not add to totals because of rounding.

*Excludes 665 convictions for which sentencing data were not available. Sentences of "probation without verdict" are imposed at the court-disposition level, not at the sentencing level. These dispositions are included in both probation and conviction counts.

The percentage of convicted forgery or fraud-related offenders in each racial group closely paralleled the distribution for convicted property offenders. Sixty-six percent of the forgery or fraud-related offenders were white, and 33% were black. The distribution for property offenders was 64% white and 36% black.³ Two percentage points or less separated whites and blacks in the probabilities of prosecution, conviction, incarceration, and sentencing to probation. The other races (American Indians, Alaskan Natives, Asians and Pacific Islanders) comprised 3% of the U.S. population but 1% of the cases in this study.

Forgery or fraud-related offenders were, on average, older than other property offenders. Although 49% of the persons arrested for or convicted of forgery or fraud-related offenses were in their twenties, 43% were age 30 or older, and 8% were age 19 or younger.

The percentage of women among those arrested for forgery or fraud-related felonies was relatively high (35%) compared to the percentages for other offense categories. Women and men had about the same probabilities of prosecution, conviction, and

³Criminal Cases in 5 States, 1983-86, September 1989.

incarceration (table 6). However, the likelihood of receiving a probation sentence was higher for women than for men, 25% to 15%. The difference in sentencing between the sexes may come from unmeasured factors like criminal history.

On the whole women sentenced to probation did have more serious offenses than men. The relative seriousness of the offenses for each sex — as measured by the ratio of misdemeanors to felonies — is shown below:

	Offenders sentenced to probation	
	Male	Female
Misdemeanor	4,869	3,368
Felony	13,298	13,843
<u>Misdemeanor</u> Felony ratio	.36	.24

For each misdemeanor conviction women had four felony convictions while men had three.

Variations among the four age groups were quite small at each stage of the process. In general, the relatively small number of teenagers who were arrested for forgery or fraud-related felonies had comparatively high likelihoods of prosecution (95%) and

conviction (75%). Their probability of being placed under probation, with or without verdict, was the highest of all age groups (22%), and their likelihood of incarceration was relatively low (42%). Persons age 40 or older had lower probabilities of conviction (69%) and incarceration (39%) than other age groups.

Seriousness and multiple charges

Every arrest with a final disposition had to be for a felony, but the prosecution, conviction, and sentencing could be for a felony, misdemeanor, or local ordinance violation. Of the total number of arrests with known court dispositions, 36,224 persons (22%) had charges reduced from a felony to a misdemeanor, and another 7,302 persons (4%) were prosecuted under city or county ordinances (table 7). Another possible indication of seriousness is the number of charges against a defendant. About 73% of the prosecutions involved a single arrest charge, 12% involved two, and 15%, three or more charges.

Table 7. Level of court-disposed offense and number of arrest charges for persons prosecuted for forgery or fraud-related offenses, 1983-88

	Prosecuted for forgery or fraud-related offense
Level of court-disposed offense^a	
Total	100.0%
Felony	74.2
Misdemeanor	21.5
Other	4.3
Number of arrest charges^b	
Total	100.0%
One	72.9
Two	12.0
Three or more	15.1
Number of persons prosecuted	183,529

Note: Data are based on 183,529 persons who were prosecuted and who were charged with or convicted of forgery or a fraud-related offense.

^a"Court-disposed offense" data were available for 92% of the prosecutions. The category "other" consists mostly of cases prosecuted under city or county ordinances.

^bData on the number of arrest charges were available for 65% of the prosecutions.

Table 6. Prosecution, conviction, and sentencing, by demographic characteristics of persons arrested for forgery or fraud-related felonies in 6 States, 1983-88

Characteristic of arrestees	Number arrested	Percent of persons arrested			
		Prosecuted	Convicted	Sentenced to	
				Incarceration	Probation
Sex					
Total	196,419	91.9%	71.1%	43.9%	18.3%
Male	126,950	90.9	68.8	44.4	14.5
Female	69,469	93.6	75.2	42.9	25.2
Race					
Total	189,497	92.6%	72.0%	44.9%	18.3%
White	125,107	92.5	72.3	44.3	18.7
Black	63,071	92.8	71.4	45.9	17.5
Other	1,319	93.8	76.5	48.8	24.1
Age					
Total	185,602	93.8%	73.9%	46.2%	18.9%
19 or younger	15,605	94.6	75.1	41.6	21.6
20-29	89,958	94.0	75.6	48.4	19.0
30-39	55,281	93.7	73.2	47.0	18.0
40 or older	24,758	92.9	68.7	38.8	18.8

Note: Data on sex, race, and age were reported for 97.2%, 93.7%, and 91.8% of 202,145 cases, respectively.

Defendants whose cases remained felonies had the lowest rate of conviction (78%), the highest rate of court dismissals (20%), and the highest rate of acquittals (2%) (table 8). As the number of arrest charges increased, defendants were more likely to be convicted and less likely to receive a court dismissal. Among cases with one arrest charge, 72% were convicted, and 20% were dismissed, compared to the respective 83% and 14% among cases with three or more arrest charges. Defendants receiving a court disposition such as nolle prosequi or acquittal comprised 8% of all defendants with a single arrest charge and 3% of those with three or more charges.

In a comparison of defendants prosecuted for felonies versus those prosecuted for misdemeanors and other fraud-related violations, those prosecuted for the less serious offenses had a higher likelihood not only of receiving a lighter sentence but also of being convicted. The disposition of 78% of the felonies and 84% of the misdemeanors was a conviction.

Among those convicted of a felony or misdemeanor or of breaking a local ordinance, felons were the most likely to receive a sentence to incarceration (68%) (table 9). Less than 2% of the felons received sentences such as monetary sanctions or other sanctions that involved no incarceration. Over 10% of those found guilty of a misdemeanor and 57% of those convicted after prosecution under city or county ordinances were assessed a fine as the most severe punishment.

The relationships between seriousness, likelihood of conviction, and likelihood of a severe punishment were reflected in sentencing for persons with a different number of charges. Those charged with more than one offense had a higher rate of conviction but, upon conviction, a less severe sentence than those charged with one offense. Over 9% of the persons with multiple charges received fines, compared to 4% of those with a single charge. The likelihood of receiving a probation sentence was highest for cases involving three or more charges (38%). Persons who faced a single arrest charge were much more likely than those arrested on multiple charges to receive a sentence to jail or prison: 69%, compared to 60% of those with two charges and 48% of those with three or more.

The apparent inverse relationship between the number of conviction charges and the probability of receiving a confinement

sentence could possibly reflect arresting behavior or plea-bargaining behavior. For example, an arrest, as opposed to a citation or other notification

to appear in court, may be more likely to occur for minor offenses when more than one minor offense is charged. At the adjudication stage, offenders charged with

Table 8. Level of court-disposed offense and number of arrest charges for persons prosecuted for forgery or fraud-related felonies, by court disposition in 6 States, 1983-88

	Number prosecuted	Percent of prosecuted cases			
		Total	Conviction	Dismissal	Other non-conviction
Level of court-disposed offense^a					
Total	168,556	100%	80.1%	18.1%	1.8%
Felony	125,030	100	78.2	19.5	2.3
Misdemeanor	36,224	100	83.5	16.2	.3
Other	7,302	100	96.4	3.5	.1
Number of arrest charges^b					
Total	118,580	100%	74.2%	18.7%	7.1%
One	86,443	100	71.8	20.3	7.9
Two	14,188	100	77.4	15.2	7.5
Three or more	17,949	100	82.9	14.1	3.1

Note: Data are based on 183,529 persons who were prosecuted and who were charged with or convicted of forgery or a fraud-related crime. Detail may not add to totals because of rounding.
^aCourt-disposed offense" data were available for 92% of the prosecutions. The category "other" consists mostly of cases prosecuted under city or county ordinances.
^bData on the number of arrest charges were available for 65% of the prosecutions.

Table 9. Level of court-disposed offense and number of arrest charges for persons convicted of forgery or fraud-related offenses, by type of sentence in 6 States, 1983-88

	Number convicted	Percent of convicted persons				
		Total	Incarceration	Probation	Monetary	Other non-incarceration
Level of court-disposed offense^a						
Total	134,298	100%	61.5%	26.6%	6.3%	5.6%
Felony	97,267	100	68.4	28.3	1.5	1.8
Misdemeanor	30,175	100	49.7	26.9	10.1	13.2
Other	6,856	100	13.9	2.0	57.0	27.1
Number of arrest charges^b						
Total	87,182	100%	64.1%	27.1%	5.4%	3.4%
One	61,777	100	68.8	24.9	3.7	2.6
Two	10,682	100	59.9	24.5	9.8	5.8
Three or more	14,733	100	47.6	38.2	9.1	5.1

Note: Data are based on 183,529 persons who were prosecuted and who were charged with or convicted of forgery or a fraud-related crime. Detail may not add to totals because of rounding.
^aData for the "level of court-disposed offense" were available for 95.5% of the convictions. The category "other" consists mostly of cases prosecuted under city or county ordinances.
^bData for the "number of arrest charges" were available for 62% of the convictions.

Table 10. Consistency in forgery and fraud-related offense charges between stages in the criminal justice process in 6 States, 1983-88

Arrest offense ^a	Court disposition offense ^a					
	Total	Forgery and counterfeiting	Fraud	Embezzlement	Bribery	Other fraud-related
Forgery and counterfeiting	100%	94.2%	5.2%	.2%	0	.4%
Fraud	100	6.5	93.1	.1	0	.3
Embezzlement	100	2.9	2.2	92.9	0	2.1
Bribery	100	.3	1.0	.1	97.9	.7
Other fraud-related felonies	100	1.5	3.8	0	0	94.7

Note: Data are based on the number of violations that were classified as forgery or fraud-related crimes through the criminal justice process (119,853).
^aThe overall degree of agreement among these 5 major categories from the arrest level to the court level is 94%.

multiple offenses may be more willing to plead guilty to a lesser offense, resulting in a lower rate of imprisonment than among those charged with a single offense.

Consistency in offense designations

The offense designation of cases could change as the cases moved from arrest, to prosecution, to a court decision. The level of consensus is the extent to which the major categories — forgery and counterfeiting, fraud, embezzlement, bribery, and "other fraud-related" crimes — were consistent throughout the criminal justice process.

From 1983 to 1988, 119,853 offenses were forgery or fraud-related both at arrest and at the court disposition. The level of consensus for a category is the number of cases that were in that category at both arrest and conviction divided by the total number of cases in the category at either arrest or conviction. Fraud and embezzlement had the lowest level of consensus, 93% (table 10). Bribery had the highest level, 98%.

Fraud and forgery were the most likely to change during the criminal justice process: fraud to forgery (7%) and forgery to fraud (5%). The overall level of consensus for the two offenses was 94%.

Methodology

Data sources and completeness

Local criminal justice agencies record arrest data and other information on fingerprint cards and disposition documents. The agencies forward the data to a State criminal information repository that updates appropriate master records. OBTS receives data from the repositories. OBTS coverage may remain incomplete within the reporting States for several reasons. Not all law enforcement agencies fingerprint all persons arrested, and some do not submit all of their fingerprint cards. Offenders sometimes surrender directly to a court and are not fingerprinted. Even when a fingerprint card is filed, the prosecutor or court may not report the final disposition.

As noted above, jurisdictions varied in the completeness of reporting. A survey of 50 States and the District of Columbia collected information to assess the quality of data in criminal record repositories at the

end of 1989. Interested readers can refer to the report *Survey of Criminal History Information Systems* (NCJ-125620, March 1991) to gain estimates of the amount and type of missing data.

BJS annually solicits State repositories to extract and submit data from their master records, following OBTS guidelines. Some States are in the process of automating their criminal-history files and cannot participate. Other States do not participate because of insufficient reporting by local agencies, criminal-history files not designed for statistical extraction, or lack of resources.

In 1990 BJS, with funding from the Bureau of Justice Assistance (BJA), initiated the Attorney General's Criminal History Record Improvement program to make systemic improvements in the quality and timeliness of State criminal-history information throughout the country. The program has a duration of 3 years and an annual budget of \$9 million. Additional resources will be made available by BJS. It is anticipated that one byproduct of this effort will be increased State participation in OBTS and general improvement in the quality and completeness of the data submitted.

To ensure comparability among States, the OBTS standards use the FBI's National Crime Information Center (NCIC) offense codes. To preserve privacy, an OBTS record uses as personal identifiers only an encrypted identification number (to permit study of repeat offenders), sex, race, and age.

OBTS data are based on the year of final disposition, not on the year of arrest. Thus, an OBTS year includes arrests that occurred in an earlier year. A final disposition refers to either a decision not to prosecute or a trial court finding, not to an appeal.

Categorizing forgery or fraud-related offenders

The convictions of persons discussed in this report can be divided into three groups:

(1) persons identified as forgery or fraud-related defendants throughout the criminal justice process, 88,825.

(2) persons arrested for a forgery or fraud-related crime but convicted of a crime that was not forgery or fraud-related, 27,929.

(3) persons initially charged with a non-forgery or fraud-related offense but convicted of a forgery or fraud-related crime, 23,918.

By definition, the scope of the conviction offense was limited to convictions for a forgery or fraud-related crime, the 112,743 convictions from the first and third subsets.

Data utilized in this report are available from the National Archive of Criminal Justice Data at the University of Michigan, 1-800-999-0950. The datasets are archived as OBTS: 8449, 8675, 8911, 9130, and 9287.

This report was written by Jacob Perez. Tom Hester edited the report, and Brian Reaves provided statistical review. Marilyn Marbrook, Jayne Pugh, and Yvonne Boston produced the report. Michael W. Agopian, Steven K. Smith, Richard W. Dodge, Allen J. Beck, Larry Greenfeld, and Steven D. Dillingham reviewed the report.

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