

DRAFT 9/17/76

CRIMINAL JUSTICE DICTIONARY -

TERMS AND DEFINITIONS PROPOSED  
FOR INTERSTATE AND NATIONAL  
DATA EXCHANGE

FIRST EDITION

1976

Report of Work Performed by

SEARCH GROUP, INC.

under Law Enforcement Assistance Administration  
Grant No. 75-SS-99-6023

36747

U.S. DEPARTMENT OF JUSTICE  
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION  
NATIONAL CRIMINAL JUSTICE INFORMATION AND STATISTICS SERVICE

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Indicators:  
Planning  
Pol. Mgmt.  
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Corporating Mgmt.  
Court Mgmt.  
ACQ Planning + Eval  
Ref. Mgmt.

Criminal Justice Dictionary: Terms and Definitions Proposed for Interstate and National Data Exchange

Abstract for Criminal Justice Reference Service

technical

This reference work contains a selection of proposed standard terms and definitions developed as the first step

*and* toward a uniform national criminal justice data terminology for collecting exchanging criminal justice information and statistics. It is primarily intended for the use of criminal justice data collectors, processors, analyzers and interpreters, particularly those who are concerned with the communication of criminal justice information between states and at the national level. MB 10/6

The recommended terminology is intended to promote the unambiguous description and communication of basic facts concerning criminal and juvenile justice processes, agencies, offenders and alleged offenders, and offenses. Each entry in the dictionary provides either a recommended prescriptive data system usage, or a description of actual usage, or both. A discussion of problems in the development and adoption of an unambiguous and consistent technical vocabulary is included.

An updated and expanded second edition of this work is planned. Potential users are urged to participate in the development of a standard national criminal justice data terminology by sending comments and suggestions to Director, National Criminal Justice Information and Statistics Service, Law Enforcement Assistance Administration, Department of Justice, Washington, D.C. 20530.

## PREFACE

This publication, the first edition of the Criminal Justice Statistical Dictionary, is a reference work developed by SEARCH Group, Incorporated, through a grant from the Law Enforcement Assistance Administration (LEAA).

This edition of the dictionary proposes standard names and definitions in selected areas of terminology needed for the communication of basic criminal justice information between states and at the national level. Its publication represents the first step in the process of arriving at a consensus on a national criminal justice statistical terminology.

The dictionary is the product of an extensive research and analysis effort guided by the SGI Criminal Justice Glossary Review Project Committee. The Committee membership, identified on the following page, is representative of both operating criminal justice agencies and statistical services. Each member is to be thanked for his generous contributions of time and effort necessary for the preparation of this document.

The project which has produced this dictionary grew out of a program initiated by LEAA in 1971 to standardize criminal justice statistical terminology. The result of that work, a glossary of criminal justice terms, was subjected to a series of critical reviews by the

National Criminal Justice Information and Statistics Services, the National Institute of Law Enforcement and Criminal Justice, other offices of the Department of Justice, and selected criminal justice organizations throughout the United States. The resulting comments, suggestions, and recommendations aided the development of this publication.

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## INTRODUCTION

The publication of the first edition of the Criminal Justice Statistical Dictionary is the first step in the development of a national standard criminal justice data terminology. The final goal is to produce a standard reference work for all collectors, processors, <sup>543</sup>analyzers and users of criminal justice statistics.

The basic similarity of penal codes and criminal justice processes throughout the fifty states makes this undertaking possible. The great expansion in the demand for information makes it necessary.

As long as most criminal justice information systems and survey efforts were small in scope and served single agency purposes, their limited interest and access almost guaranteed that their users would be professionals well acquainted with the technical language by which facts were communicated. But the last decade has seen a great increase in the numbers and kinds of information systems in operation or development and an even greater increase in the numbers and kinds of survey publications and users.

Computerized information systems are now asked to meet a wider range of operating and planning needs of law enforcement, court and correctional agencies than in the past. They are expected to transmit more information about offenders and more statistics about agency activities, between agencies,

among states, and between state and federal agencies. This information must also function as the basis for comparative analyses of crime problems and agency performance and for national summary statistics.

Information system operators, planners and statisticians have already accomplished a great deal towards standardization of data terminology. But at every junction and level in these systems, the use of the same words to denote different referents, or of different words to denote the same referent, often obstructs the flow and interpretation of facts. In some instances the nomenclature itself is unsatisfactory, or definitions adequate for data system use are not generally available.

To rectify this situation it is necessary to deliberately initiate the kind of evolutionary process that leads to the creation of an unambiguous technical vocabulary. In other fields, particularly the physical sciences, the process has occurred naturally. In some areas of criminal justice, agreement or near agreement on a standard vocabulary has been reached. But no general reference work focused on statistical usage exists. There is no standard source of terminology for describing information used by more than one agency, or by multiple purpose users such as planners. The chief purpose of the publication of this first edition

is to create the means by which evolution toward a uniform national terminology can take place.

The standard terminology proposed, in this first edition, for the exchange of statistical information between states or at the national level cannot be implemented next year or even in several years. It does not exhaustively name, define and place in classificatory relationship all the facts needed in even a minimum data reporting system intended to describe the most important aspects of the criminal justice process. Further, any given name or definition may prove to be inadequate for national purposes, and require revision.

It is also important to observe that the establishing of an unambiguous terminology does not require that each term have only one referent. While that is the ideal goal, in many cases it cannot, and need not, be reached. What is necessary is to arrive at a formal agreement that each term will be understood to have the agreed meaning in all its appearances unless a deviation is stated, and to arrive at a standard way of describing such deviations. The further development of the dictionary will require increased attention to this aspect of the terminological problems of data reporting systems.

The first edition of the Criminal Justice Statistical Dictionary is intended to be used in at least four specific ways.

First, the proposed standard terms, definitions, and conditions of use, should be regarded as test objects or prototypes to which data system operators and users can address suggestions for improvements. A chief obstacle to the development of an unambiguous national criminal justice data terminology has been the lack of any document explicitly stating standards that can serve as a focus of discussion and be explicitly accepted, rejected or modified.

Second, the entry format and logic establishes a model for data collectors and interpreters to use in selecting terms, writing explicit definitions, and stating exceptional usages, whether the terminology is intended for national or individual jurisdictional use. One of the main problems data users encounter is the simple absence of explicit definitions in many data presentations, together with the vagueness or inaccuracy of some of the definitions that are offered.

Third, insofar as the proposed prescriptive definitions of statistical terms correctly reconcile diverse usages, they may provide a basic terminology for interagency and interstate and national information exchange, and in some jurisdictions provide a basis for improved data collection and analysis. In jurisdictions where even a well-founded national standard definition does violence to reality, the standard can serve as a departure point for clarifying and communicating deviations.

Fourth, the selected terms and definitions do presently correspond with nomenclature and meaning in some actual data systems and other usage contexts. Thus the entries may be of assistance in understanding what is meant by some currently published statistics and prose texts. In this sense, the dictionary may function as a conventional reference work.

The goal of an unambiguous national terminology will not be reached until there is a national consensus regarding what words must mean, in a standard data terminology, as opposed to what they can mean in different jurisdictions. This first edition has attempted to include enough general classificatory terminology and enough examples of more detailed categories to illustrate different problems in definition and reporting conventions. It is hoped that the many thousands of creators and users of criminal justice information will regard this document as a device for bringing terminological problems into a clear focus and as an environment for rigorous discussion of preferred standard usages. It is hoped that readers will respond with facts and suggestions that will further the development of a comprehensive national criminal justice statistical language.

1. The statistical terminology, that is, statistical terms and definitions, must name and describe important referents at a significant level of detail. The background assumption is that statistics are created and analyzed to meet specific needs for information concerning the nature of crime, the efficiency and effectiveness of government agencies in dealing with crime, and the extent to which requirements of due process are met. The terminology must therefore precisely differentiate among the attributes of criminal acts, system events, and government or personal entities that are relevant to these issues. Since the relationships between decisions made at different process points are often of basic importance, the terminology must account for process sequences and alternatives.

2. Each statistical term, that is, each name for something that is countable or quantitative in nature, must be that word or phrase which can be adopted for national use with the least variation from established legal and other technical usages.

3. Each statistical term's referents, however, must include only that which is recordable and consistently encodable, which often does not coincide with that which the legal definition of a term describes.

## TECHNICAL APPROACH

A conventional dictionary must describe actual usage. In those instances where words are ambiguous, that is, capable of being understood in two or more senses, the dictionary will usually describe the features of meaning that are shared and unshared with other words, the areas in which meanings overlap. Ambiguity is treated simply as a characteristic of language and its occurrences noted.

The writing of a dictionary intended to establish a uniform national terminology for the communication of criminal justice statistical information requires an entirely different approach. The aim is to eliminate or reduce ambiguity throughout a large technical vocabulary. The chief purpose is not to describe how this kind of a language is used, but to consciously improve the existing language presently used to describe certain kinds of facts that are collected, analyzed and interpreted.

In order to make explicit what constitutes an adequate statistical terminology, a set of requirements for a national criminal justice data terminology were developed:

4. Each definition, where possible, must describe a unique statistical referent or set of referents so that exclusive categories are established. Where ambiguity cannot be eliminated, reporting conventions or other devices for consistently describing alternative meanings must be established.

5. Each term's definitions must, when necessary, account for different meanings acquired by the same term when used at different points in the criminal or juvenile justice processes.

6. All class/subclass relationships must be stated when the referent events or entities can be aggregated.

7. The entire set of terms and definitions must be as compatible as possible with the terminology of existing criminal justice information and statistics systems of national relevance.

The need to meet these requirements determined the selection of referents, definitions, and terms, that is, what should be described, how it should be described, and by what name it should be called.

Because the elements of offenses and the structure of criminal justice proceedings throughout the country are relatively uniform, there is already a substantial consensus about which facts, that is, referents, are worth describing and analyzing and a fair consensus about names for them. Thus, the selection of referents is relatively straightforward. While many important referents have not been described in this first edition, the need to describe common serious crimes, to cover such process events as arrests, convictions, and sentences, and to describe the major types of agencies is self-evident.

The application of the requirements to the writing of definitions also yields fairly consistent results. The exact wording of a given definition is often unconventional, but the relation between the basic requirements and the choice of definitional substance is usually clear. The method resembles the answering of the traditional journalists' questions concerning who, what, when, where, how and why. It is generally recognized, for example, that the definitions of the different kinds of orders to appear in court should specify who must appear, why, when it occurs in the process and who issues the order. A definition of an

agency must include at a minimum its functions -- what it does, and also when and why it does it. How much detail is needed concerning these factors is usually easily determined, because the need for distinguishing one thing from another has already been established.

The selection of terms, that is, names for referents, was found to be the most difficult part of the development of a statistical terminology. It was generally assumed that, once the decision was made regarding what was worth describing, the choice of name would be fairly obvious. Even though the relationships between words and referents are rarely one-to-one, in actual practice, and nomenclature varies more often than not, there are many selection criteria that are simple at least in principle.

"Larceny," for example, is to be preferred to "theft" as the name for the specific offense because there is frequent use of "theft" as the name for an element common to a number of offenses.

The recommendation that "summons" represent an order signed by a judicial officer, and "citation" represent a notice or order to appear in court signed by a law enforcement officer, is also based on the facts of usage. Even though the recommended usage conflicts with practice in some jurisdictions, the use of "summons" for a court order is nearly universal, while the law enforcement

notice to appear is variously and often arbitrarily named.

Conversely, several synonyms are listed as equally usable in such instances as "attorney syn lawyer syn counsel" because the different names for the identical referent are necessary in different contexts, for example, "defense attorney," but "assigned counsel."

However, as the work of organizing basic terminology into a classificatory vocabulary progressed it was found that some widely used names, especially in the area of process terminology, do not fit well into a national language intended to be both comprehensive and internally consistent. Language that is satisfactory from the viewpoint of a single agency's need for information concerning the processes it conducts, may be inadequate to account for the flow of cases and persons through the entire system.

A generally useful criminal justice statistical terminology must be able to describe and classify all significant entry and exit events, and all important intervening actions, in a single vocabulary. It must also permit alternative hierarchical classifications of events that can occur at different decision points in the system. At the same time, it must, to be successful in the long range, select names and establish data definitions in such a way that the terms will function with the same

meaning in prose contexts, including definitions of other statistical terms of related meaning. To do all this may require the invention of some new statistical terminology, or the reshaping of some common usages.

Court process terminology illustrates some of the difficulties. There is no commonly accepted generic or "cover" term for accusations filed in court, that is, complaints, informations and indictments. Technical reports analyzing court case reporting problems may take advantage of the common English language practice of naming a major class after one of the subclasses ("Xerox," for all brands of copiers). Thus, "indictment" is in fact sometimes used to mean both indictments and informations, but this solution is particularly unsuitable for terms that name categories in statistical tabulations. The dictionary therefore proposes "charging document" as a general use cover term, while recognizing that any single publication may list such formal accusations under the heading of filings in a specific court, or set of courts.

Conversely, "court disposition" is widely used as a cover term, but with different subsets. Some systems include sentences; others do not. The dictionary

therefore proposes the available term "adjudication" to represent all court decisions ending a case, excluding sentences, and "court disposition" to represent final court decisions including the sentence. The reasoning is that anything called an agency disposition connotes a final action to many information system users, and that such an important datum as the sentence should also be included in what may be regarded as one of the possible final actions of a trial court. And in turn, since "adjudications" include "dismissals," but the usage of the latter often includes prosecutor's actions, a standard terminology must narrow the meaning of "dismissal" and provide another term for prosecutorial rejection of a case without court action.

Much correctional terminology also presents problems which, when analyzed, are found to be complex problems of both nomenclature and definitions.

It is generally understood, for example, that it is difficult to define "prison." In fact, it is not difficult to describe the particular kind of facility meant by that term in a given national data presentation, because there is a general consensus concerning the relevant attributes of such facilities for most presentations. A more serious problem is that correctional facility names have firmly attached connotations which some data users

favor or disfavor. But the substitution of names that denote function, as "detention facility" for "jail," which would seem to be the obvious solution, raises other problems: A short functional name almost always fails to indicate enough important attributes. A jail, for example, is not merely a "detention facility," it is a local adult detention (pre-sentencing) and commitment (post-sentencing) facility which may also hold juveniles. "Jail" is also often used to denote facilities, such as county farms, which hold only sentenced, i.e., committed prisoners.

This edition of the dictionary does propose a basic classification system for correctional facilities, using short functional names for the various classes. However, it is much more necessary, and more possible, to reach agreement on the words and phrases used as descriptors for the basic classificatory features of facilities. Adoption of a standard descriptor list will establish both a minimum set of classification features and an unambiguous set of words and phrases for naming facility classes when clarity is more important than convenience.

The entry "correctional facility" therefore contains both a list of proposed standard facility descriptors, and a proposed basic classification system. The relative clarity and objectiveness of the descriptors, as compared with the complexity and partial arbitrariness of the classification system and its nomenclature, can be noted.

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Part of the complexity, of course, does not stem from any general characteristic of language, but rather from the fact that full application of only those descriptors seen as basic, logically yields more than a thousand types of facilities. Even though most of these combinations of features do not exist in reality, any brief correctional facility classification system will require explicit conventions for indicating exceptions or creating special subclasses, even if the standard descriptors are used to identify the exceptions or special subclasses.

Probation processes also illustrate problems of definition and nomenclature. It is not clear what features distinguish different types of supervisory or rehabilitation programs from each other, although costs vary so much that some difference in program activities must be presumed. There is also no generally used name for all the possible outcomes of probation. "Revocation," for example, is a nearly universal term for removals from probation status due to violation of conditions, but there are no commonly accepted names for the remaining types of outcomes, or the total set of probation outcomes. "Terminations," for example, a reasonable choice of name for the total set, is in fact used to represent a subset that excludes revocations. The development of a satisfactory terminology for this set of processes and outcomes will also require a larger range of research and participation than is possible in

the first stage of work towards standardization.

A general problem in correctional terminology is the substitution of terminological change for functional change. Facilities and programs are constantly renamed, apparently in the belief that name changes will cause improvements in the emotional environment of both government personnel and inmates or clients, and reduce stigmatization. The physical sciences employ precise descriptors for the objectifiable features of the materials and processes with which they are concerned. As long as correctional terminology lacks such building units, its nomenclature will continue to be inadequate for the communication of technically valid statistical information.

The examples discussed above should indicate the kinds of problems encountered in applying the principles set forth in the data system terminology requirements.

Generally, deciding what can and should be described and how to describe it does not present great difficulty. Errors result more from faulty application of principles than from defects in the principles. It is mainly in the area of selecting nomenclature that purely linguistic problems arise for which solutions are not obvious and cannot be arrived at by applying a short set of basic rules.

There are instances where there are literally no clearly suitable single words or short phrases available

in English for what must be described. The possible names may have connotations that conflict with intended statistical usage, or may have well established denotations broader or narrower than what is required. In such cases progress towards a clearer language depends not upon discovery of the most "logical" solution, but rather upon consensus alone: agreement to adopt a new term, or to alter the meaning of a familiar term, for no other reason than the need for an adequately descriptive vocabulary that is uniform across jurisdictions. Future expansion and improvement of a national standard terminology will require more explicit treatment of these problems.

## EXPLANATORY NOTES: ENTRIES

These notes briefly describe the contents and uses of the entries and the format for individual entries.

### Entries

Entry means the bold face entry term plus all the following definitional and explanatory material.

Entries are alphabetized by entry term, irrespective of spaces and punctuation. Some terms, such as "manslaughter, voluntary" are inverted in order to keep together entries that are closely related. Thus the comma signals only that the natural word order of the phrase has been reversed. If a term requires qualification in some contexts, the qualifier appears in parentheses, as in "case (court)." These are also reversals of natural word order, but the parentheses indicate that the qualifier may be omitted when the context makes it clear that, for example, "court case" and not "police case" is meant.

Each entry term is followed by an indication of the part of speech: n, noun, v, verb, adj, adjective, adv, adverb. Where exact synonyms exist, as in "attorney syn lawyer syn counsel," the entry is alphabetized by one version and the others are listed after it. If one version is preferred it is so stated in the entry.

Each entry contains, at a minimum, an entry term and a

prose definition. Where necessary, defining feature lists, recommended conditions of use, and annotations are added.

Entry term

Entry terms are of two types: statistical terms capable of uniform national usage and non-statistical, or peripheral terms. Statistical terms are marked with number signs (#).

Statistical terms are words or phrases representing quantitative concepts or basic units of count in criminal justice statistics: countable crimes, process events and entities. They are terms that can be sufficiently clearly and uniformly defined to be used in the collection and analysis of interstate and national statistical information.

Each statistical term is provided with a proposed prescriptive definition, and in some cases, prescribed conditions of use of the kind that must be observed if national usage is to be unambiguous. Some, such as "arson," "conviction," and "law enforcement agency" can be given such unvarying meanings that they, or their sub-types, can serve as units of count in data systems. Others, such as "crimes against persons" and "recidivism" describe optional aggregates of fundamental units or calculations based upon them. These can also be rigorously defined, but unambiguous use of these terms depends also upon observing certain conditions of use that specify actual presentation context. For example, when "crimes against persons" is used, the included offenses should

be prominently listed in each and every data presentation. Or when "recidivism" appears in statistical presentations, the units of count used to construct the rate or rates should be precisely and prominently described in each display of figures concerning rates.

The statistical terms have been selected on the basis of three criteria. The first is the importance of their referents, that is, the importance of that which the terms commonly describe. The second is the frequency of their actual appearance in data systems, which is evidence both of the importance of the referents and the degree of general acceptance of the term itself as a common name. The last criterion is the ability of the term to function in a technical language that must, while deviating as little as possible from established usages, enable consistent, logical classification of all significant system entry and exit events, and intervening actions.

Peripheral terms are non-statistical terms that have been given entry status for various reasons. They are provided with expository definitions, that is, descriptions of actual general usages, not recommended usages. These definitions are often ambiguous.

The peripheral terms may be terms such as "theft," that are commonly used in statistics, but should not be, because less ambiguous terms are available. They may be terms concerning which no national consensus can presently be reached, such as "child neglect." In these instances the term is made

an entry in order to describe the problem, and thus initiate the evolutionary process that should lead to eventual agreement on usage. They may be non-quantitative terms directly necessary for the understanding of statistical terms, such as "probable cause." Non-quantitative terms are given only when their special meaning is not easily obtainable from a standard dictionary.

Most statistical terms can, of course, be used without alteration of meaning to construct compound terms, such as "juvenile probation case," or "adult criminal homicide arrest." The possible patterns of such compounding, which is pervasive and necessary throughout English, are not discussed in this dictionary, except where they relate to special problems in classification or conventions concerning usage.

#### Prose definition

The prose definition for each term either prescribes an unambiguous usage for national or interstate data systems, or describes actual usage. The prescriptive definitions often do not precisely correspond with legal or operational usage. The fact that only that which is consistently recordable can function in a data system causes some of these definitional deviations.

"Arrest," for example, must reach beyond "for the purpose of holding to answer a criminal charge" to the actual registering of a specific charge because it is the latter record

which creates the arrest datum for an information system.

The meaning of "adjudication" is defined as the court decision that ends a criminal or juvenile proceeding, as opposed to the process of reaching the decision. This provides a cover term for the outcomes of such proceedings, broad enough to include both judgments and dismissals, but narrow enough to correspond with the decision point that typically generates the datum recorded for interagency information purposes. This choice enables the use of "court disposition," including both judgments and sentences, to represent the last decision data generated by a trial court.

"Citation" and "summons," for example, are narrowed in meaning for a different purpose, that of maintaining a distinction between orders signed by law enforcement officials and those signed by court officials.

"Dependent" is another example of meaning reshaped to enable consistent national usage. "Dependent" is defined as the legal status determined by adjudication, whether or not the cause of the determination is dependency (in the sense of a child simply being without care), willful neglect, or abuse -- distinctions made in some states but not all. At the same time the term is limited to the result of a formal court process, as opposed to the sense in which it is used to describe children handled by welfare agencies without court proceedings.

In no case are the prescriptive usages meant to supersede a different usage in a single agency or intra-state

data system. They are intended rather to indicate proposed standard usage in a proposed national terminology into which diverse state and local usages can be translated to permit the communication of information across state boundaries and at the federal level.

#### Defining features

Defining feature lists have been provided for those statistical terms having complex definitions. These lists repeat, sometimes with added detail, what is said in the prose definition. They describe those important shared and unshared elements of meaning of the statistical terms that are often not obvious when embedded in a lengthy sentence or clause. They are not intended to be checklists identifying everything that could fall within a given category. They emphasize those aspects of a given crime, process or entity which distinguish it from those with which it might be confused in data system contexts. By presenting these meaning elements free of grammatical context, the smallest significant differences in referents should be plainly visible for consideration.

#### Recommended conditions of use

These are rules and instructions critical to the consistent and unambiguous usage of data system terms.

Some rules pertain only to single term denotations established for the purposes of this dictionary. Typical

instructions such as "do not use citation (appear) as a synonym for summons," are of this type.

Some conditions of use relate to reporting and data display conventions. Examples are such terms as "crimes against persons" which may represent different aggregates of basic units of count, or "prosecutor," which in a national statistical terminology should always be accompanied by an indication of the level of government.

Other conditions of use do not pertain to the attempt to assign single meanings to key words or phrases, but rather to the need for consistently indicating the nearly inevitable, necessary exceptions from the preferred standard meanings of some terms. The class "criminal justice agency" and the subclasses of "correctional facility" present many problems of this type. These also illustrate the overlap of definitional and reporting system convention problems.

In this section and in the following annotation section, bold face type indicates that the terms mentioned are closely related and also defined in this dictionary, and that the user should compare the entries to insure complete understanding of the exact meaning. Not all related entries are cross-referenced in this manner, only those entries providing information that is probably essential to clear statistical usage.

The bold face emphasis is added only to the first appearance of a related term in a given entry.

### Annotation

This section contains explanations of the need for the recommended conditions of use, mention of important relationships between terms, discussion of differences between legal and data system usages, examples of what is included or excluded from the defined denotation of a key term, non-critical suggestions for use, and general comment.

There are various kinds of relationships between terms. Peripheral term entries usually define non-quantitative words or phrases that are used with special meanings in the definition of key terms, or are terms that are unacceptable alternatives to the recommended key terms. Statistical terms may have both shared and unshared defining features with other key terms, that is, contrastive relationships. These types of relationships are noted in the annotation section.

Key terms may have hierarchical relationships with other terms, that is, superordinate and subordinate inclusion relationships. These are sometimes noted in the entries, but are fully depicted in the classified lists of statistical terms.

The classified lists of terms and their accompanying explanatory notes provide a general perspective on the classificatory problems involved in the construction of a criminal justice process terminology, and also specific information on some established data classifications.

abscond (corrections) v To depart from a geographical area or jurisdiction prescribed by the conditions of one's probation or parole, without authorization.

recommended conditions of use Do not use as a synonym for escape or abscond (court).

annotation This act differs from abscond (court) or escape in that the probationer or parolee is not fleeing prosecution nor is he escaping from custody but is rather committing an act which may cause a current probation or parole status to be revoked.

abscond (court) v To intentionally absent or conceal oneself unlawfully in order to avoid a legal process.

# acquittal n A judgment of a court, based either on the verdict of a jury or a judicial officer, that the defendant is not guilty of the offense(s) for which he has been tried.

recommended conditions of use Do not use as a synonym for not guilty verdict in statistical reporting.

annotation Conviction and dismissal are the other possible adjudications (criminal). • A not guilty verdict must be accepted by the court in its judgment, and thus must result in an acquittal. Thus these terms are almost synonymous. However, guilty verdict and conviction cannot be used interchangeably.

adjudicated adj Having been the subject of completed criminal or juvenile proceedings, and convicted, or adjudicated a delinquent, status offender or dependent.

annotation "Pre-adjudicated" or "unadjudicated," and "adjudicated," are used in some entries in this dictionary to characterize correctional populations. In this context, "adjudicated" is limited to adults who have been convicted and juveniles concerning whom a juvenile court has sustained a petition. It does not include persons who have exited the system as a result of dismissal of the case, acquittal, or non-sustaining of a juvenile court petition.

# adjudication (criminal) n The judicial decision terminating a criminal proceeding by a judgment of conviction or acquittal, or a dismissal of the case.

recommended conditions of use Do not use disposition (court) as a synonym. • In criminal court adjudication statistics, indicate which cases originated in juvenile court but were subsequently transferred to a criminal court for prosecution.

annotation. In this terminology, the possible adjudications are conviction, acquittal, and dismissal. Although the term "disposition," unmodified, is often used to indicate the end of criminal proceedings, there is no uniformity in its use. It may refer to the point at which the case reaches judgment or is dismissed, or it may include the sentence in the case of conviction. Thus a presentation of court "dispositions" may describe either convictions, acquittals, and dismissals, or specific sentences, plus acquittals and dismissals. This disparity in usage creates significant difficulties in the communication of court data among jurisdictions, particularly elapsed time information. This dictionary proposes therefore the use of the term "adjudication (criminal)" for the immediate outcome of prosecution and "court disposition" for outcome descriptions which include sentences.

# adjudication (juvenile) n The juvenile court decision terminating an adjudicatory hearing, that the juvenile is either a delinquent, status offender, or dependent, or that the allegations in the petition are not sustained.

recommended conditions of use Do not include transfer to adult court as an adjudication.

annotation The decision at a transfer hearing to transfer a juvenile to criminal court for prosecution as an adult is not considered to be an adjudication in this dictionary since it is not an outcome of an adjudicatory hearing. • The possible adjudications are that a juvenile is a delinquent, a status offender, a dependent, or that the petition is not sustained, which is similar to acquittal. • An adjudication that a juvenile has committed a delinquent act is similar to a conviction in a criminal court, in that a court has made a finding that the juvenile has committed an act that could be prosecuted as a crime if he were an adult. • See adjudicated for a special usage in correctional contexts.

# adjudicatory hearing n In juvenile proceedings, the fact finding process wherein the juvenile court determines whether or not there is sufficient evidence to sustain the allegations in a petition.

defining features

- hearing by a judicial officer in a juvenile court
- concerns matters of fact
- determination whether to sustain or dismiss petition

recommended conditions of use Do not include transfer hearings or disposition hearings.

Annotation An adjudicatory hearing occurs after a petition (juvenile) has been filed and after a detention hearing (if any). If the petition is not sustained, no further formal court action is taken. If it is sustained, the next step in the proceeding is a disposition hearing to determine the most appropriate treatment or care for the juvenile. • For statistical purposes, the adjudicatory hearing ends when a finding is entered, that is, an adjudication (juvenile) is made. • An adjudicatory hearing concerning an alleged delinquent is analogous to a trial in criminal proceedings

since both proceedings determine matters of fact concerning alleged acts. An adjudication of delinquent requires proof "beyond a reasonable doubt." An adjudication of status offender requires that the "preponderance of evidence" support the allegation(s).

# adult n A person who is within the original jurisdiction of a criminal, rather than a juvenile, court because his age at the time of an alleged criminal act was above a statutorily specified limit.

annotation The assumption of jurisdiction by a criminal or juvenile court is based on the age at the time of occurrence of the alleged offense or offenses, and not the age at time of arrest or of initiation of court proceedings. • A juvenile court may waive jurisdiction and transfer the juvenile to a criminal court for prosecution as an adult. • Although the age limit varies in different states, it is most often the 18th birthday. The variation is small enough to permit nationally aggregated data to be meaningful, although individual states should note their age limit in communications with other states. • UCR defines a juvenile as anyone under eighteen years of age. • See youthful offender.

alias n Any name used for an official purpose that is different from a person's legal name.

annotation Nicknames and monikers not used on official documents are not aliases. An alias is a false name that has been substituted for a correct legal name on such documents as a driver's license or a check, or a name established for that purpose. • Criminal records often list aliases but do not usually list nicknames or monikers. • In criminal history records false names may be designated by "AKA," an abbreviation for "also known as."

# appeal n A request by either the defense or the prosecution that a case be removed from a lower court to a higher court in order for a completed trial to be reviewed by the higher court.

defining features

- request by defense or prosecution
- that a case which has reached judgment
- be reviewed by a higher court

annotation When a judgment is appealed, the court in which it was first given cannot be a party to the review process. • Appeals may be either on the record or de novo. In the latter instance, matters of fact as well as law may be reviewed. • The right to hear appeals is an important factor in distinguishing among types of courts. • Types of judicial officers are distinguished by whether their decisions in criminal or juvenile cases are subject to de novo review.

• De novo review proceedings are counted as trials in computations of court workload.

appearance n The act of coming into a court and submitting to the authority of that court.

# appearance, first syn initial appearance n The first appearance of a juvenile or adult in the court which has jurisdiction over his case.

defining features

- first appearance in court
- juvenile or adult
- court has jurisdiction over the case

annotation Various procedural steps may be taken during a first appearance. The accused may be informed of the charges against him, a plea may be entered, and bail set; or the accused may merely be informed of his rights and of the general nature of the proceedings and it may be determined whether the accused has counsel. A first appearance may include a determination of probable cause and the arraignment.

- Despite this variety, the use of "first appearance" in information systems is justified by the need to capture elapsed time information. It describes the time at which court proceedings begin, following the filing of the charging document, regardless of what the first appearance may actually entail in specific cases.
- A first appearance is often called a

"preliminary arraignment," or a "presentment," and occasionally a "magistrates preliminary hearing" or a "preliminary hearing." These terms are not recommended for purposes of interstate or national information exchange.

appellant n A person who initiates an appeal.

arraignment n The appearance of a person before a court in order that the court may inform him of the accusation(s) against him and enter his plea.

recommended conditions of use Do not use for purposes of interstate or national information exchange. Use initial plea or first appearance as appropriate.

annotation The meaning of arraignment varies widely among jurisdictions. An arraignment may extend over several appearances and in some cases may include reading formal charges, advising the defendant of his rights, appointing counsel, entering a plea and other actions. Commonly, arraignment is used to refer to the appearance of the defendant at a hearing in which he is informed of the charges against him but which does not include the entering of a plea. Because of the variation in usage, arraignment is not a recommended term for data exchange. • See rights of defendant.

# arrest n Taking a person into custody by authority of law, for the purpose of charging him with a criminal offense or for the purpose of initiating juvenile proceedings, terminating with the recording of a specific offense.

defining features

- taking into custody by placing under control by actual or potential physical restraint
- by authority of law
- specific offense(s) recorded by law enforcement agency in relation to identified adult or juvenile, by booking or other official registration

recommended conditions of use Do not count as arrests events not terminated with booking or other official registration of an offense(s). Do not use booking, citation (appear), or summons as synonyms. Include juvenile arrests where either a criminal or status offense is recorded.

annotation See probable cause and rights of defendant for legal aspects of arrest. ● This definition differs from the legal definition of the term, which

does not require that the purpose of holding to answer a criminal charge be fulfilled. Interagency and state level data systems conventionally treat arrest together with most serious offense charged as an indivisible unit of count. • UCR includes in counts of arrests those instances where a person is taken into custody on the grounds of "suspicion" and no offense is recorded.

• The definition excludes those events commonly described as "field interviews," "field interrogations," or "temporary detentions" in any location, whether or not the officer considers the person under arrest during some part of the episode. • "By authority of law" is included as a defining feature because, although the existence of the legally necessary probable cause for arrest can later be challenged, at the police level of action and reporting it must be assumed that it does exist.

# arson n The intentional destruction or attempted destruction, by fire or explosive, of the property of another, or of one's own property with the intent to defraud.

defining features

- starting a fire or causing an explosion
  - intent to destroy the property of another, or
  - intent to destroy one's own property with the intent to defraud
- or
- attempting the above act

recommended conditions of use Do not include the causing of fires or explosions with intent to kill or injure another person, or those that do kill or injure. Count those offenses under appropriate aggravated assault and criminal homicide categories.

annotation The matter of intent distinguishes arson from lesser crimes such as reckless burning and malicious mischief. ● An example of arson with intent to defraud is the destruction of property in order to collect insurance. ● Instances of arson attempted or committed

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by means of an explosive or incendiary device can also  
be counted as bombing incidents.

# assault n Unlawful intentional inflicting, or attempted or threatened inflicting, of injury upon another.

annotation Assaults are most commonly classified as aggravated assault and simple assault, with respect to their seriousness. Other special categories are assault with a deadly weapon, a subclass of aggravated assault, often codified with a special penalty range, and assault on a law enforcement officer, codified with respect to the status of the victim but irrespective of seriousness.

- The National Crime Panel reports define assault as "An unlawful physical attack by one person upon another, including both aggravated and simple assault. Excludes rape and attempted rape, as well as attacks involving theft or attempted theft, which are classified as robbery."

# assault, aggravated n Unlawful intentional causing of serious bodily injury with or without a deadly weapon, or unlawful intentional attempting or threatening of serious bodily injury or death with a deadly weapon.

defining features - UCR Part I offense

- intent
- actual infliction of serious bodily injury, or
- threat or attempt to inflict injury or death by means of a deadly weapon

annotation UCR subdivides assault into (a.) firearm, (b.) knife or cutting instrument, (c.) other dangerous weapon, and (d.) hands, fist, feet, etc. -- aggravated injury. These constitute aggravated assault. Examples of aggravated injury are broken bones, loss of teeth, internal injuries, injuries requiring stitches, and loss of consciousness. Attempted murder is included in this category by UCR. ● In UCR if no deadly weapon is used and no serious injury is inflicted, the offense is simple assault; if the assault is for the purpose of the unlawful taking of property, then the offense is robbery; if for the purpose of effecting rape, then

it is forcible rape. • The phrase "aggravated assault" is not used in many state penal codes. However, almost exactly the same distinction between the more and the less serious crime can be found in every code under different names, sometimes indicated by classification into felonies and misdemeanors. • The National Crime Panel reports define aggravated assault as "Attack with a weapon resulting in any injury and attack without a weapon resulting either in serious injury (e.g., broken bones, loss of teeth, internal injuries, loss of consciousness) or in undetermined injury requiring 2 or more days of hospitalization. Also includes attempted assault with a weapon." • Terms appearing in state codes synonymous or nearly synonymous with aggravated assault are: aggravated assault and battery, aggravated battery, assault with a deadly weapon, assault with intent to kill, assault with the intent to commit murder or manslaughter, atrocious assault, attempted murder, and felonious assault.

# assault on a law enforcement officer n A simple or aggravated assault, where the victim is a law enforcement officer engaged in the performance of his duties.

annotation This type of assault is counted by UCR and is usually distinguished in statutes by a separate penalty range. • Simple resisting of arrest where the law enforcement officer's safety is not in danger does not constitute assault on a law enforcement officer.

# assault, simple n Unlawful intentional threatening, attempted inflicting, or inflicting of less than serious bodily injury, in the absence of a deadly weapon.

defining features

- intent
- no deadly weapon
- inflicting of bodily injury less than serious, or
- attempt or threat to inflict bodily injury

annotation This offense is UCR assault category 4.e., a Part II offense. Examples of less than serious injuries are bruises, black eye, cuts, scratches, swelling or other injuries requiring no more than usual first-aid treatment. • The National Crime Panel reports define simple assault as "Attack without a weapon resulting either in minor injury (e.g., bruises, black eye, cuts, scratches, swelling) or in undetermined injury requiring less than 2 days of hospitalization. Also includes attempted assault without a weapon." • Either the use of a deadly weapon or the actual infliction of serious injury suffices to establish the more serious offense, aggravated assault.

# assault with a deadly weapon n Unlawful intentional  
inflicting, or attempted or threatened inflicting, of  
injury or death with the use of a deadly weapon.

annotation   Assault with a deadly weapon is a subtype  
of aggravated assault, often treated separately in  
statutes and data systems. It includes the UCR assault  
subclasses (a.) through (c.). See aggravated assault.

# assigned counsel n An attorney, not regularly employed by a government agency, assigned by the court to represent a particular person(s) in a particular criminal proceeding.

defining features

- a defense attorney
- assigned by the court in a particular case
- not employed by the government
- may be compensated by government fee or retainer for each case

recommended conditions of use Do not use as a synonym for public defender.

annotation An assigned counsel may be, but is not necessarily, paid by a government agency for his work on a particular case. An attorney who is regularly employed by the government to represent persons in criminal proceedings is a public defender. The third type of defense attorney is privately retained counsel.

# attorney syn lawyer syn counsel n A person trained in the law, admitted to practice before the bar of a given jurisdiction, and authorized to advise, represent, and act for other persons in legal proceedings.

annotation An attorney may represent private individuals, corporations, or the government.

backlog n The number of pending cases which exceed the capacity of the court, in that they cannot be acted upon because the court is occupied in acting upon other cases.

recommended conditions of use Specify which indicators are used to compute backlog. Do not use as a synonym for pending caseload. See case (court) and caseload (court) for further conditions and explanation.

annotation Backlog is not easily measured. Cases may be "backed up" at various stages in the judicial process, and it is often difficult to determine whether a case is waiting because of the inadequate capacity of the court or because of some other reason independent of the court. A court may have a very large pending caseload, but because it also has a very large capacity to handle cases of that type, there may be very little backlog, and each individual case may be handled with little waiting time. • Backlog may be measured by observing the interaction of filing rate, disposition rate, pending caseload, length of time from filing to disposition and other factors. A commonly used indicator of backlog is the average time from

# bombing incident n The detonation or attempted detonation of an explosive or incendiary device with willful disregard of risk to the person or property of another, or for a criminal purpose.

annotation A category of events used by the National Bomb Data Center of the FBI, but not a codified offense.

- It includes those instances of arson committed or attempted by means of an explosive or incendiary device. It does not include fake bombs or hoax devices. • The offense charged will differ according to the criminal purpose, for example, murder, extortion or arson, or according to the degree of recklessness or negligence manifested.

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filling to disposition compared with an ideal time for cases of that type. "Disposition" may be taken to mean either adjudication (criminal) or court disposition.

- Backlog, like caseload, is often studied with respect to an individual judicial officer.
- In statistical queueing theory, backlog is the total "queue length"  $(L_q)$ .

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# booking n A police administrative action officially recording an arrest and identifying the person, the place, the time, the arresting authority, and the reason for the arrest.

defining features

- description of person, place, time, arresting authority and reason for arrest (alleged offense)
- entry of these facts in an official police register

annotation An arrest is not a booking, but the latter is usually the action that must signify the completion of the arrest process in order for it to be reportable to an interagency or interstate data system. ● Finger-printing is not a necessary feature of this event. Its inclusion in the procedure is a matter of administrative need and choice.

# burglary n Unlawful entry of a structure, with or without force, with intent to commit a felony, or larceny.

defining features - UCR Part I offense

- unlawful entry of a fixed structure, including all buildings used for regular residence, industry or business, and appurtenances thereto such as a garage or tool shed, excluding such specialized structures as telephone booths and recreational vehicles not used for regular residence
  - with or without force
  - intent to commit a felony or larceny
- or
- attempting above act

annotation If a more serious felony, such as rape, is accompanied by unlawful entry, it is classified in UCR as the more serious offense, rather than as burglary.

- UCR subdivides burglary into (a.) forcible entry, (b.) unlawful entry, and (c.) attempted forcible entry. ● The National Crime Panel reports define "burglary" as "unlawful or forcible entry of a home or business, usually, but not necessarily, attended by theft. Includes attempted forcible entry." The National Crime Panel classifies burglary against

households separately from burglary against businesses. The former is also divided into forcible entry: "a form of burglary in which force is used to gain entry, (e.g., by breaking a window or slashing a screen);" unlawful entry: "a form of burglary committed by someone having no legal right to be in the premises even though force is not used;" and attempted forcible entry. The latter is divided into completed burglary and attempted burglary.

~~camp~~ /ranch/farm n Any of several types of similar confinement facilities, usually in a rural location, which contain adults or juveniles committed after adjudication.

recommended conditions of use See detention facility and correctional institution for classification.

annotation "Ranch," "camp," and "farm" are not necessarily synonyms. They may or may not be distinguishable from each other in a given jurisdiction. • Facilities known by these names should be classified according to the reason for custody and the custodial authority of the facility: Adult camps, road camps, ranches, county farms, and the like are classified as adult detention facilities, if their custodial authority is limited to persons who have received sentences of a year or less, even if they hold only committed persons. Juvenile camps, ranches and farms are classified as juvenile correctional institutions if they hold only committed persons, because length of commitment is not a classificatory feature in the proposed classification for juvenile facilities. • See correctional facility for a list of recommended standard descriptors.

case n At the level of police or prosecutorial investigation, a set of circumstances under investigation involving one or more persons; at subsequent steps in criminal proceedings, a charging document alleging the commission of one or more crimes, or a single defendant; in juvenile or correctional proceedings, a person who is the object of agency action.

recommended conditions of use Do not use "case" in interstate or national information exchange without explicit definition.

annotation The definition of "case," as indicated above, varies according to the process step and, in criminal proceedings, whether the charging document or individual defendant is the unit of count. See complaint requested (police), case (court), caseload (corrections), caseload (court) for recommended usages.

# case (court) n A single charging document under the jurisdiction of a court; or a single defendant.

recommended conditions of use Specify whether the case count is based on defendant or charging document.

- Specify whether only active cases, or both active and inactive cases are counted. • Begin a count of cases at filing. Specify whether adjudication (criminal) or court disposition is taken as endpoint.

annotation Although there are advantages to reporting with respect both to charging documents and individual criminal defendants, a defendant-based system is to be preferred in order to determine how the system is treating individuals. A judicial information system which is part of a larger system designed to trace the progress of individuals throughout all portions of the criminal justice system (an OBTS system) needs to provide defendant-based case data. • In a system based on defendants, if a single charging document names multiple defendants, then each defendant is recorded in statistical reports as a separate unit. If an individual is named as a defendant in separate charging documents, he is counted as a separate unit in each, unless the charging documents are consolidated

into a single proceeding. • A distinction is made between "active" and "inactive" cases. Inactive cases are those which cannot be acted upon and are not likely to come to trial anytime soon because, for example, the defendant is a fugitive, incompetent, in a mental hospital, etc. • For statistical purposes, a court case may be counted as disposed of either when the case reaches adjudication (criminal) or when it reaches court disposition. The case remains under the jurisdiction of the court until sentence, or longer in the case of a suspended sentence. However, there are advantages to the use of adjudication as the endpoint. In the time between conviction and sentencing, the case is effectively in the hands of the agency responsible for any presentence investigation and not under the direct control of the court. Calculations of court workload and of court time needed to dispose of cases may therefore exclude the interval from conviction to sentencing. • The distinction between defendant-based and charging document-based systems, the distinction between active and inactive cases, and the choice of adjudication or final disposition as endpoint, figure crucially in the definition of caseload (court), pending caseload, and backlog.

caseload (corrections) n The total number of clients registered with a correctional agency or agent during a specified time period, often divided into active and inactive, or supervised and unsupervised, thus distinguishing between clients with whom the agency or agent maintains contact and those with whom it does not.

annotation In the correctional context, caseload usually refers to those persons for whom a probation or parole agency has supervisorial responsibility. Persons in the custody of a confinement facility are typically not called "caseloads." However, a correctional counselor within a confinement facility is sometimes considered to have a caseload if his responsibilities are limited to a specific group of inmates.

# caseload (court) n The total number of cases filed in a given court or before a given judicial officer during a given period of time.

recommended conditions of use Specify whether the case count is based on defendant or on charging document, whether only active cases or both active and inactive cases are included, and whether adjudication (criminal) or court disposition is taken as the endpoint.

annotation Caseload (court) includes not only new cases but also the pending caseload at the beginning of the reporting period, previously terminated cases which are reopened or reinstated, and cases transferred from another court. • See case (court) for further information.

# caseload, pending n The number of cases at any given time which have been filed in a given court, or are before a given judicial officer, but have not reached disposition.

recommended conditions of use Specify whether the count of cases is based on defendant or charging document. Specify whether only active cases, or both active and inactive cases are counted. Specify whether adjudication (criminal) or court disposition is taken as the endpoint of a case. Do not use backlog as a synonym.

annotation Pending caseload is not equivalent to backlog, which is a measure of the extent to which pending caseload exceeds capacity. • See case (court) and caseload (court) for further information.

CCH n An abbreviation for "computerized criminal history."

annotation A computerized criminal history is criminal history record information concerning an identified offender or alleged offender contained in an automated file. CCH is also a common name for the program of automated files maintained by the FBI and several states for the national and state exchange of criminal history record information. A computerized criminal history does not include fingerprints, but entry of information into the automated file is contingent upon fingerprint verification of identity. The national CCH program uses the Uniform Offense Classification (UOC) and other coding structures. • The data base designs of CCH and OBTS systems are similar.

charge n A formal allegation that a specific person(s) has committed a specific offense(s).

annotation This word is frequently used in general discourse as a synonym for accusation, and also as a cover term for the various formal actions, occurring at different steps in the criminal justice process, accusing persons of offenses. More specific terms recommended in this edition for statistical use are complaint requested (police) and complaint, information, and indictment. See also arrest.

# charging document n A formal written accusation, filed in a court, alleging that a specified person(s) has committed a specific offense(s).

defining features

- formal written accusation
- specified person(s) alleged to have committed specific offense(s)
- document filed in court

annotation There are three types of charging document. A complaint is an accusation made by any person, but often by a prosecutor. An information is an accusation made by a prosecutor. An indictment is an accusation made by a grand jury. • The filing of a charging document in a court initiates criminal proceedings against the accused. • Complaints, informations and indictments are sometimes collectively spoken of as "indictments." "Charging document" is proposed to cover all three in order to eliminate ambiguity.

# check fraud n The issuance or passing of a check, draft, or money order that is legal as a formal document, signed by the legal account holder but with the foreknowledge that the bank or depository will refuse to honor it because of insufficient funds or closed account.

defining features

- issuing or passing check, draft or money order
- by legal account holder
- intent to defraud, meaning foreknowledge that funds are insufficient or account closed

annotation When the printed check is illegally created or signed by a person other than the legal account holder the offense is forgery. • Instances of check fraud are often called "NSF checks," "non-sufficient funds checks," "insufficient funds," and "bad checks."

# chief of police n A local law enforcement officer who  
is the appointed or elected head of a police department.

annotation See police department. • Examples of  
special local agencies and districts having law enforce-  
ment subunits headed by chiefs of police are bridge,  
transit and housing authorities. • See local law  
enforcement officer.

child abuse n A willful action or actions by a person causing physical harm to a child.

recommended conditions of use Count as dependents all children over whom a juvenile court has assumed jurisdiction because of child abuse.

annotation Child abuse, meaning assault upon a child, is sometimes a codified criminal offense. It may include actions that result in the withholding of food or medical care from a child. A juvenile court determination that abuse has occurred can be a reason for an adjudication of dependent.

child neglect n Willful failure by the person(s) responsible for a child's well-being to provide for adequate food, clothing, shelter, education and supervision.

recommended conditions of use Count as dependents all children over whom a juvenile court has assumed jurisdiction because of willful child neglect.

annotation Child neglect, meaning willful neglect, is sometimes a codified criminal offense. A juvenile court determination that neglect has occurred can be a reason for an adjudication of dependent.

# citation (appear) n A written order issued by a law enforcement officer directing an alleged offender to appear in a specific court at a specified time in order to answer a criminal charge.

defining features

- alleged commission of a criminal offense
- order issued by a law enforcement officer
- in lieu of arrest and booking
- requiring appearance in designated court at specific time
- to answer criminal charge

recommended conditions of use Do not use summons as a synonym. Do not include citations such as parking tickets, where the forfeiting of bail eliminates the necessity to appear in court.

annotation In some jurisdictions "summons" is used for an order signed by a law enforcement officer. For the purposes of interstate or national information exchange, it is recommended that "summons" be used to mean the order signed by a judicial officer. This is the traditional sense of summons, which should be preserved in order to

distinguish between issuing authorities. • The use of the term "citation (appear)" also serves to distinguish orders where court appearance is required from parking violations and other infractions, for which the forfeit of bail usually closes the proceeding. These notices, which could be called "citations (forfeit)" are not recorded in criminal justice information systems. • See summons, subpoena, and bench warrant for court orders requiring appearance.

# commitment n The action of a judicial officer ordering that an adjudicated and sentenced adult, or adjudicated delinquent or status offender who has been the subject of a juvenile court disposition hearing, be admitted into a correctional facility.

annotation In this terminology an adult can be committed only after he has been convicted and sentenced, or a juvenile adjudicated to be a delinquent or status offender only after a disposition hearing, whereas an adult or juvenile can be held in detention during any portion of the criminal or juvenile justice process before commitment.

# community facility syn nonconfinement facility, adult or juvenile n A correctional facility from which residents are regularly permitted to depart, unaccompanied by any official, for the purpose of daily use of community resources such as schools or treatment programs, and seeking or holding employment.

defining features

- nonconfinement facility
- regular access to schools, treatment programs or employment
- pre-adjudicated or committed adults or juveniles

recommended conditions of use Indicate level of government, and whether adult or juvenile.

annotation In this terminology correctional facilities are divided into three major groups: (1) detention facilities and (2) correctional institutions, both of which are confinement facilities, and (3) community facilities. "Community facility" includes all facilities where the residents can regularly leave during the day, unaccompanied by any official, whether or not a security rating is applicable to movement within the facility. It does not include confinement facilities where a small proportion of the inmates may leave occasionally for

work release or other furlough programs. • Facilities variously called "halfway houses," "group homes," "residential treatment centers," "juvenile homes," "shelters," and the like, which fit this definition, should be classified as community facilities. • See correctional facility for a list of recommended standard descriptors.

# complaint n A formal written accusation made by any person, often a prosecutor, and filed in a court, alleging that a specified person(s) has committed a specific offense(s).

defining features

- formal written accusation
- specified person(s) alleged to have committed specific offense(s)
- accusation made by any person
- document filed in court

annotation Complaint, information and indictment are the three types of charging document. • The filing of a charging document in a court initiates criminal proceedings against the accused. • A complaint is usually filed in misdemeanor cases or to initiate probable cause hearings in felony cases. Informations and indictments are usually used to initiate felony trials. In some jurisdictions, however, a complaint, when made by a prosecutor, has the same function as an information and can be used as an alternative to an information.

# complaint denied n The decision by a prosecutor to decline a request that he seek an indictment or file an information or complaint against a specified person(s) for a specific offense(s).

recommended conditions of use Do not use dismissal as a synonym.

annotation A decision by the court to halt further proceedings is a dismissal. • Complaint denied is one of two responses to a complaint requested (police); the other is complaint granted. • A complaint denied results in the charges being dropped and further proceedings halted. • "Complaint rejected" or "complaint declined" are used as synonyms in some data systems.

# complaint granted n The decision by a prosecutor to grant a request that he seek an indictment or file an information or complaint against a specified person(s) for a specific offense(s).

annotation Complaint granted is one of two responses to a complaint requested (police); the other is complaint denied. • "Complaint accepted" is used as a synonym in some data systems.

# complaint requested (police) n A request by a law enforcement agency that the prosecutor seek an indictment or file a complaint or information against a specified person(s) for a specific offense(s).

annotation Complaint requested (police) is the request to prosecute, whereas a complaint is a formal charging document. • The prosecutor may respond to a complaint requested with a complaint denied or a complaint granted. • The police are not the only source of requests for prosecutorial action. Citizens and governmental agencies may also request action. Requests by citizens may account for a significant portion of prosecutorial workload.

confinement facility n A correctional facility from which the inmates are not regularly permitted to depart each day unaccompanied.

recommended conditions of use Subdivide into detention facilities and correctional institutions.

annotation In this terminology correctional facilities are divided into three major groups: (1) detention facilities and, (2) correctional institutions, both of which are confinement facilities, and (3) community facilities. The distinguishing feature is behavioral: whether or not the inmates can regularly leave each day without supervision. This discrimination, which places the category boundary at the point of facility-community interaction, appears to correspond most closely with considerations of relative cost, isolation of inmates or residents' rehabilitative experience. The contrast is not described in terms of security levels, or the applicability of a security rating, because such distinctions relate to both complex physical, architectural features of buildings or areas, and complex human regulation of inmate movement, mainly within facilities. Nor are relative degrees of "restrictiveness," which are used to characterize facilities

in some statistical definitions, considered relevant, since such distinctions cannot be consistently and objectively defined at present at the national level. Thus, in this terminology, a facility with a minimum security rating is a confinement facility if the inmates cannot leave unaccompanied each day, or a community facility if they can regularly leave for short periods each day, no matter what restrictions may apply to them when they are inside the facility. • Facilities in which a small proportion of inmates participate in work release or other furlough programs are included in confinement facilities.

convict n An adult who has been found guilty of a felony and who is confined in a federal or state confinement facility.

annotation See inmate and prisoner for preferred terms.

# conviction n A judgment of a court, based either on the verdict of a jury or a judicial officer or on the guilty plea of the defendant, that the defendant is guilty of the offense(s) for which he has been tried.

recommended conditions of use Do not use as a synonym for guilty verdict in statistical reporting.

annotation Acquittal and dismissal are the other possible adjudications (criminal). • A guilty verdict may be rejected by the court in its judgment, and thus does not necessarily result in a conviction.

**CONTINUED**

**1 OF 5**

# correctional agency n A federal, state or local criminal justice agency, under a single administrative authority, of which the principal functions are the investigation, intake screening, supervision, custody, confinement, or treatment of alleged or adjudicated adult offenders, delinquents, or status offenders.

defining features

- federal, state or local criminal justice agency
- principal functions are investigation, intake screening, supervision, custody, confinement, or treatment
- of alleged or adjudicated adult offenders, or
- of alleged or adjudicated delinquents or status offenders

annotation Subtypes of correctional agency include probation agency, parole agency, and agencies that administer correctional facilities. • The classification of correctional agencies for statistical purposes requires numerous refinements and reporting conventions designed for specific data presentation purposes. The following conventions are recommended as standard national usage from which deviations

should be indicated:

1. Private agencies are excluded.
2. Agencies of which the sole function is the care of juvenile dependents are excluded.
3. A correctional agency that administers more than one correctional facility is counted as a single agency.
4. All administratively separate agencies should be classified and counted separately, even if they perform only one function. Thus a parole authority detached from the agency that administers confinement facilities is a separate agency.
5. For summary statistics, the same agency may be counted more than once, when classifying agencies by specific function. Thus a given probation agency having a broad range of responsibilities could be counted once under adult probation agencies, a second time under juvenile probation agencies, and a third time under intake units. A sheriff's department could be counted as both a law enforcement and a correctional agency, depending upon the purpose of the presentation.
6. Compound names should be used in statistical publications for single agencies which perform functions often assigned to two agencies, for example, "adult probation/parole agency."

# correctional day program n A publicly financed and operated non-residential educational or treatment program for persons required, by a judicial officer, to participate.

annotation This term is provided to account for the dispositions of persons who are not committed to correctional facilities but are required by a judicial officer to attend a day program designed for a correctional purpose. When this category is needed for data presentations, it should include all government programs specifically intended for a correctional clientele, whether or not the program is conducted in publicly or privately owned premises.

# correctional facility n A building or part thereof, set of buildings, or area enclosing a set of buildings or structures, operated by a government agency for the custody and/or treatment of adjudicated, and committed persons, or persons subject to criminal or juvenile justice proceedings.

annotation Although this term is also used in some official contexts to represent only secure institutions for adjudicated persons, such as prisons and training schools, it is here proposed as the generic name for all government facilities in which alleged or adjudicated offenders are confined or reside. Correctional facilities are not defined in this terminology as those operated by correctional agencies, because whether or not a sheriff's department, for example, which operates a jail, is designated a law enforcement agency or a correctional agency depends upon the purpose of the data presentation. • Although there is at present a lack of consensus on correctional facility nomenclature and no comprehensive, standard list of facility attributes and descriptors, there is a substantial consensus that certain features are fundamental to almost all descriptions and classifications of correctional facilities. In order to provide names and definitions for the classification features common to most statistical data presentations concerning correctional facilities, a list of these basic attributes and descriptors has been developed:

## **recommended standard descriptors for correctional facilities**

<u>primary attributes</u>	<u>standard descriptors</u>
A. intended age group	<ol style="list-style-type: none"> <li>1. adult</li> <li>2. juvenile</li> <li>3. youthful offender (indicate jurisdictional definition)</li> </ol>
B. type of custody	<ol style="list-style-type: none"> <li>1. confinement (24 hour confinement within facility)</li> <li>2. community/nonconfinement (residence with regular access to community resources and activities)</li> </ol>
C. reason for custody <sup>1</sup>	<ol style="list-style-type: none"> <li>1. detention (detained pending adjudication or commitment)</li> <li>2. commitment (by sentence or juvenile disposition)</li> <li>3. diagnosis or classification</li> <li>4. voluntary referral (subject voluntarily accepts referral to community facility by agency or court)</li> </ol>
D. custodial authority <sup>2</sup> of facility (adult)	<ol style="list-style-type: none"> <li>1. detention of 48 hours or more to sentences of a year or less</li> <li>2. sentences of more than a year</li> </ol>
custodial authority <sup>3</sup> of facility (juvenile)	<ol style="list-style-type: none"> <li>1. delinquent</li> <li>2. status offender</li> <li>3. dependent</li> </ol>
E. level of government	<ol style="list-style-type: none"> <li>1. federal</li> <li>2. state</li> <li>3. regional</li> <li>4. local</li> </ol>
F. sex	<ol style="list-style-type: none"> <li>1. male</li> <li>2. female</li> </ol>
G. number of inmates or residents	<ul style="list-style-type: none"> <li>• average daily population</li> </ul>

<sup>1</sup>Voluntary referrals are technically not in custody, but the descriptor is needed to account for the judicial status of all residents of community facilities.

<sup>2</sup>"Custodial authority of facility" defines adult correctional institutions by upper sentence limit and therefore does not require the designation of minimum sentence length customarily used in defining prisoners included in data presentations, that is, prison population characteristics.

<sup>3</sup>A facility solely intended for the care of dependents is not a correctional facility in this terminology, but the descriptor is needed to account for all residents of those juvenile facilities that contain mixed populations.

It is recommended that these standard descriptors be used to describe and classify public correctional facilities in interstate and national exchange of statistical information intended for general users.

The descriptors are intended to serve as the basic elements of official facility names, definitions and classification systems. One or more of the descriptors for each attribute may pertain to a given facility.

These mixtures, such as "youthful offender/juvenile," or "male/female," should be indicated in data presentations.

- It is important to note that this approach separates the more resolvable problem of establishing classification features, that is, descriptors, from the very difficult problem of finding acceptable, unambiguous and convenient short names for types of correctional facilities. If a consensus on the importance and suitability of these or similar descriptors can be confirmed, then unambiguous communication of statistical data concerning correctional

facilities will be possible, whether or not national agreement on short names and particular classificatory arrangements can be reached. That is, whether a given facility is for convenience called a "prison," or a "correctional institution" as is proposed in this edition, is not important as long as official communications use the basic standard descriptors, in addition to short names, when describing and classifying facilities. • There are

a number of other correctional facility attributes that are sometimes considered basic. These include security level, special youthful offender dispositions, location, available rehabilitation programs, drug involvement, actual or prescribed length of stay, age distribution, and probation or parole status of the residents in non-confinement facilities. These are treated as secondary in this edition, because of the difficulty of establishing names and category definitions consistently and reliably applicable to all jurisdictions. It is recommended that data presentations employing descriptors for these secondary attributes as classification features be accompanied by explicit definitions of their meaning in the jurisdiction(s) originating the data. In order to initiate the process of reaching a consensus on a basic correctional facility category nomenclature, and to illustrate use of the basic descriptors, the following classification system is proposed:

correctional facility

building, part of a building, or area enclosing a set of buildings or structures, operated by a government agency for the custody and/or treatment of adjudicated, and committed persons, or persons subject to criminal or juvenile justice proceedings

correctional institution,  
adult

- confinement
- committed (sentenced) adults
- custodial authority includes sentences of more than a year

Common names: "prison," "penitentiary," "federal or state correctional facility."

correctional institution,  
juvenile

- confinement
- delinquents and status offenders
- committed after a juvenile disposition hearing

Common names: "training school," "reformatory," "boy's camp."

diagnosis or classification  
center, adult or juvenile

- confinement
- unit within a correctional institution, or separate facility
- persons in custody to determine appropriate sentence, disposition, or particular institutional commitment

detention facility, adult

- confinement
- custodial authority more than 48 hours
- adults detained pending adjudication, or committed after adjudication for sentences of a year or less

Common names: "jail," "county farm," "honor farm," "work camp," "road camp."

detention facility, juvenile

- confinement
- juveniles detained pending adjudication, or mixed detained and adjudicated

Common names: "juvenile hall," "detention center," "shelter"

community syn nonconfinement  
facility, adult or juvenile

- non-confinement
- residence with regular, daily access to community activities and resources, unaccompanied by any official
- adults or juveniles detained pending adjudication or adjudicated and committed persons

Common names: "halfway house," "group home," "residential treatment center," "juvenile home," "shelter."

This choice of nomenclature and definitions corresponds with the general usage of the Advisory Commission on Standards and Goals.\* The system proposed here employs the first two descriptors for each of three attributes: type of custody, reason for custody, and custodial authority of facility, as basic classification features. Additional descriptors, such as male/female or federal/state, can be used as labels or to describe exceptions, or to create further subclasses, depending upon the purpose of the data presentation. • See the individual entries: confinement facility, detention facility, correctional institution, community facility, prison, jail, training school, diagnosis and classification center, camp/ranch/farm, residential treatment center, detention center, halfway house, group home, and shelter for further classificatory information.

\*LEAA's Office of Juvenile Justice and Delinquency Prevention has begun to develop "working definitions" of "shelter care," "juvenile detention facility," and "juvenile correction facility," for use in monitoring compliance with the statutory provisions of the Juvenile Justice and Delinquency Prevention Act of 1974. The terminology in this dictionary is not intended to be used for that purpose, which may require different names and definitions.

correctional institution n A generic name proposed in this terminology for those long-term adult confinement facilities often called "prisons," "federal or state correctional facilities," "penitentiaries," and juvenile confinement facilities called "training schools," "reformatories," "boy's ranches," and the like.

annotation In this terminology correctional facilities are divided into three major groups: (1) detention facilities, and (2) correctional institutions, both of which are confinement facilities, and (3) community facilities.

- The distinctions between adult correctional institutions and detention facilities and juvenile correctional institutions and detention facilities are not precisely parallel because length of sentence is a classificatory feature that is not applicable to juveniles. • "Correctional institution" customarily denotes a facility for the long-term confinement of sentenced adults or committed delinquents or status offenders. It is used in many national publications interchangeably with "correctional facility." However, "correctional institution" is recommended here in preference to "correctional facility" because the latter term is the only available generic name for all custodial or residential facilities operated

by government agencies, and is equally often used in that broader sense. • "Correctional institution" includes facilities where a small proportion of inmates leave occasionally for work release or other furlough programs. • Certain traditional subclassifications of this type of facility, according to security level, rural or urban location, or types of available occupational or rehabilitative programs, are not defined in this terminology because of the lack of a national consensus on classification features. When such sub-classification is necessary, explicit jurisdictional definitions should be included in the data presentation.

• See adult correctional institution and juvenile correctional institution for specific defining features and further classificatory information.

# correctional institution, adult n A confinement facility having custodial authority over adults sentenced to confinement for more than a year.

defining features

- confinement facility
- for sentenced adults
- custodial authority includes sentences of more than a year

recommended conditions of use Do not use correctional facility as a synonym. Indicate level of government. Indicate whether all or part of facility is intended for special dispositions pursuant to a youthful offender statute, or as a diagnosis or classification center.

annotation See correctional institution. ● The wording of this proposed classificatory definition differs from those in most current statistical publications concerning such facilities since it pertains to the facility as a whole, not to the possible range of population characteristics. The definition, which characterizes facilities by upper sentence limit, distinguishes the typical state or federal facility

for long-term confinement from facilities of which the custodial authority stops at sentences of a year, or less than a year. It includes facilities in which a small proportion of inmates participate in work release or other furlough programs. • Atypical facilities, such as state operated jails or locally operated prisons, are unambiguously classifiable by using the distinguishing feature of upper sentence limit and indicating the level of government. This classification does cause the facility confining prisoners with sentences of from a few months up to two or three years to be placed in the same class as the common one year to life facility. However, this misalignment also occurs in current survey publications which use lower sentence limit to define facility populations. These imperfections in basic classification structures must continue to be dealt with by footnotes or other devices for indicating deviations from general patterns. • This category includes facilities usually called "prisons," "penitentiaries," "prison camps," "prison farms," "state or federal correctional facilities" and the like. It does not include such facilities as "county farms" and "road camps," unless their custodial authority extends to sentences of more than a year. • See detention

facility. • See correctional facility for a list of recommended standard descriptors.

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correctional institution, adult

# correctional institution, juvenile n A confinement facility having custodial authority over delinquents and status offenders committed to confinement after a juvenile disposition hearing.

defining features

- confinement facility
- for delinquents and status offenders
- committed after a juvenile disposition hearing

recommended conditions of use Do not use correctional facility as a synonym. Indicate level of government.

Indicate whether all or part of facility is intended for special dispositions pursuant to a youthful offender statute, or as a diagnosis or classification center.

annotation See correctional institution. • This definition includes all juvenile facilities of which the primary function is the custody of juveniles who have been adjudicated to be delinquents or status offenders and committed to confinement by a judicial officer. It includes facilities in which a small number of inmates participate in work release or other furlough programs.  
• This class includes facilities commonly called

"training schools," "reform schools," "reformatories," and "boy's ranches," or "camps" and "farms". • The national Juvenile Justice Act of 1974 apparently uses "correctional facility" to mean "correctional institution."\* • See correctional facility for a list of recommended standard facility descriptors.

\*LEAA's Office of Juvenile Justice and Delinquency Prevention has begun to develop "working definitions" of "shelter care," "juvenile detention facility," and "juvenile correctional facility," for use in monitoring compliance with the statutory provisions of the Juvenile Justice and Delinquency Prevention Act of 1974. The terminology in this edition of the dictionary is not intended to be used for that purpose, which may require different names and definitions.

count n Each separate offense, attributed to one or more persons, as listed in a complaint, information, or indictment.

annotation A single count may name one or more persons within a single charging document and a single person may be named in one or more counts.

# counterfeiting n The manufacture or attempted manufacture of a copy or imitation of a negotiable instrument with value set by law or convention, or the possession of such a copy without authorization, with the intent to defraud by claiming the genuineness of the copy.

defining features

- model produced or issued by public agency or corporation
  - unauthorized copying of a model negotiable article or instrument
  - intent to defraud, meaning misrepresentation of genuineness of copy
- or
- attempting the above act

or

  - possession of a counterfeit

recommended conditions of use Do not include forged works of art.

annotation UCR and many statutes do not distinguish between forgery and counterfeiting. The distinction

corrections n A generic term which includes all government agencies, facilities, programs, procedures, personnel and techniques, concerned with the investigation, intake, custody, confinement, supervision, or treatment of alleged or adjudicated adult offenders, delinquents, or status offenders.

rests on the fact that a counterfeiting presupposes the prior existence of an officially issued item of value which provides a model for the perpetrator.

Examples include currency, coins, postage stamps, ration stamps, food stamps, bearer bonds, etc. This kind of model is absent in a forgery.

# court n An agency of the judicial branch of government, authorized or established by statute or constitution, and consisting of one or more judicial officers, which has the authority to decide upon controversies in law and disputed matters of fact brought before it.

defining features

- agency of judicial branch of government
- established by constitution or statute
- consisting of one or more judicial officers
- has authority to decide upon controversies of law and fact brought before it.

annotation The terms "judge" and "court" can be synonymous. The phrase "order of the court" is equivalent to "order of the judge." • In this terminology a court is an organizational unit of which the geographic jurisdiction is established by law. Sessions of the same court in different locations are not counted as separate courts. However, some statistics, for example caseload statistics, may need to be presented by court location. • This dictionary defines three major classes of court: court of limited jurisdiction, court of general

jurisdiction, and court of appellate jurisdiction. All these courts share the basic defining features. There are three unshared features used to distinguish among classes of criminal courts: extent of felony trial jurisdiction, extent of jurisdiction over appeals, and whether or not it is a court of record, as follows:

court of limited jurisdiction

1. no felony trial jurisdiction, or trial jurisdiction limited to less than all felonies
2. may or may not hear appeals
3. not necessarily a court of record

court of general jurisdiction

1. trial jurisdiction over all felonies
2. may or may not hear appeals
3. court of record

court of appellate jurisdiction

1. no criminal trial jurisdiction
2. hears appeals
3. court of record

Courts of general jurisdiction have jurisdiction to try all criminal offenses, not only felonies. It is their unlimited felony trial jurisdiction,

however, which sets them apart from courts of limited jurisdiction. In very few states are courts of limited jurisdiction empowered to try any felonies at all. In those states where they do have felony trial jurisdiction, it is restricted. In a few states, they have jurisdiction over those felonies where the penalty prescribed falls below a certain statutorily specified limit. In these cases, the courts of general jurisdiction maintain concurrent jurisdiction over those felonies which the courts of limited jurisdiction are also empowered to try.

- Courts with jurisdiction over juveniles (juvenile courts) do not fit uniquely into any one of these categories, because some are special courts which could be subsumed under courts of limited jurisdiction, but others are sessions of courts of general jurisdiction.
- The court typology and terminology of this dictionary are based on the Bureau of the Census studies, National Survey of Court Organization, 1973, and National Survey of Court Organization: 1975 Supplement to State Judicial Systems, published by the U. S. Department of Justice, Law Enforcement Assistance Administration.
- The terminology used in the various states for classes of courts is not at all uniform. Some of the most common names are

listed in the dictionary entries for the individual classes of courts. Complete lists of the terms used in the various state systems are to be found in the Survey; recent changes are noted in the 1975 Supplement.

# court of appellate jurisdiction n A court which does not try criminal cases, but which hears appeals.

defining features

- court
- no criminal trial jurisdiction
- hears appeals
- court of record

annotation The other two classes of court defined in this dictionary are: court of general jurisdiction and court of limited jurisdiction. • A court of appellate jurisdiction hears appeals from a court of general jurisdiction, and in some cases also hears appeals directly from a court of limited jurisdiction. • Courts of appellate jurisdiction include both courts of intermediate appeals and courts of last resort. A court of last resort has jurisdiction over all final appeals within a state; within the state system there is no appeal from a court of last resort. A court of intermediate appeals is limited in its appellate jurisdiction by state law or at the discretion of the court of last resort in the state, and the court of last resort may review its decisions.

Not all states have courts of intermediate appeals.

- Courts of appellate jurisdiction are commonly named "court of appeals" and "supreme court."
- In special cases a court of appellate jurisdiction may have original jurisdiction. For example, the United States Supreme Court has original jurisdiction in controversies involving two or more states.

# court of general jurisdiction n Of criminal courts, a court which has jurisdiction to try all criminal offenses, including all felonies, and which may or may not hear appeals.

defining features

- court
- trial jurisdiction over all felonies
- may or may not hear appeals
- court of record

annotation The other two classes of court defined in this dictionary are court of limited jurisdiction and court of appellate jurisdiction. • A court of general jurisdiction tries all felonies, while a court of limited jurisdiction either is limited in its jurisdiction to trying the less serious felonies, or, in most cases, has no felony trial jurisdiction.

- In some jurisdictions, a court of general jurisdiction may review the decisions of a court of limited jurisdiction. • The decisions of a court of general jurisdiction may be reviewed by a court of appellate jurisdiction. • Courts of general jurisdiction are commonly named "superior court," "district court," and circuit court." • The factual determination of

a court of general jurisdiction is final; appeals are on the record and on matters of law rather than on matters of fact. • See juvenile court for special problems of classification.

# court of limited jurisdiction n Of criminal courts, a court of which the trial jurisdiction either includes no felonies or is limited to less than all felonies, and which may or may not hear appeals.

defining features

- court
- trial jurisdiction limited to less than all felonies
- no felony trial jurisdiction, or
- may or may not hear appeals
- not necessarily a court of record

annotation The other two classes of court defined in this dictionary are: court of general jurisdiction and court of appellate jurisdiction. A court of limited jurisdiction is limited to a particular class or classes of cases, and cannot try every felony.

A court of limited jurisdiction often has jurisdiction over misdemeanor or traffic cases, over probable cause hearings in felony cases, and occasionally over felony trials where the penalty prescribed for the offense is below a statutorily specified limit.

A court of general jurisdiction has unlimited

jurisdiction to try all criminal cases, including all felonies. • In some jurisdictions a court of general jurisdiction may hear appeals from a court of limited jurisdiction, and in some cases may review decisions of a court of limited jurisdiction de novo. In other jurisdictions, appeals from a court of limited jurisdiction are made directly to a court of appellate jurisdiction, bypassing the court of general jurisdiction. • With respect to civil cases, a court of limited jurisdiction may be limited to a certain type of case, or to cases where the amount in controversy is below a statutorily specified limit. • Courts of limited jurisdiction are commonly named "city court," "county court," "municipal court," "justice court," "magistrate court," "police court," "traffic court," "domestic relations court," "family court," "probate court," and "small claims court." • See juvenile court for special problems of classification.

# credit card fraud n The use or attempted use of a credit card in order to obtain goods or services with the intent to avoid payment.

defining features

- intent to avoid payment for goods or services
  - fraudulent use of valid card by legal owner, or
  - use of valid card by unauthorized person, or
  - use of stolen, forged, revoked card
- or
- attempting the above

recommended conditions of use Do not include illegal credit card manufacture or larceny.

annotation The unlawful acquisition of a credit card is larceny. Unlawful manufacture is forgery.

# crime syn criminal offense n An act committed or omitted in violation of a law forbidding or commanding it for which an adult can be punished, upon conviction, by incarceration and other penalties or a corporation penalized, or for which a juvenile can be brought under the jurisdiction of a juvenile court and adjudicated a delinquent or transferred to adult court.

defining features

- act specifically prohibited by law, or
- failure to perform an act specifically required by law
- adult punishable by incarceration upon conviction, or
- causing a juvenile to be subject to adjudication for a delinquent act

recommended conditions of use Do not include infractions.  
Do not include status offenses.

annotation Although all authoritative legal sources specifically define all punishable acts as crimes, this definition does not correspond with actual usage. There are, for example, great numbers of traffic offenses, often called "infractions" or "violations,"

for which the only penalties are fine or loss of driving privileges. Such minor offenses are rarely, if ever, recorded in criminal justice data systems. • The major classes of crimes, in this terminology, are felonies and misdemeanors, at the level of reported crimes. At the level of arrest and judicial proceedings, where the age of the accused person may be known, they may be subdivided into felonies, misdemeanors, and delinquent acts.

# Crime Index offenses syn index crimes n A UCR  
classification that includes all Part I offenses with  
the exception of involuntary (negligent) manslaughter.

recommended conditions of use Do not use in data  
presentations without specifying the offenses included.

annotation A shared feature of all the offenses in  
this classification is specific criminal intent, a  
feature not present in involuntary (negligent) man-  
slaughter. • Index crime data is presented in the  
form of numbers, rates or percentage changes in relation  
to areas, population and periods of time to describe  
the volume, trend, and distribution of crime in the  
United States. • The subclasses of Crime Index  
offenses are described in the entry for UCR, in the  
subsection UCR offense classification.

# crimes against businesses syn business crimes syn  
commercial crimes n A summary term used by the National  
Crime Panel reports, including:

burglary (against businesses)  
robbery (against businesses)

recommended conditions of use Do not use in data  
presentations without specifying the offenses included.

annotation One of three major classes of offenses  
in the National Crime Panel reports. The other two  
are crimes against persons and crimes against households.

- Crimes against businesses do not include commercial  
larceny, such as shoplifting and employee theft.
- See National Crime Panel reports for further  
information.

# crimes against households syn household crimes n

A summary term used by the National Crime Panel reports, including:

burglary (against households)  
household larceny  
motor vehicle theft

recommended conditions of use Do not use in data presentations without specifying the offenses included.

annotation One of three major classes of offenses in the National Crime Panel reports. The other two are crimes against persons and crimes against businesses. • See National Crime Panel reports for further information.

# crimes against persons n A summary term used by UCR and the National Crime Panel reports, but with different meanings:

<u>UCR</u>	<u>National Crime Panel</u>
murder	
nonnegligent [voluntary]	forcible rape
manslaughter	robbery
negligent [involuntary]	
manslaughter	aggravated assault
forcible rape	simple assault
aggravated assault	personal larceny

recommended conditions of use Do not use in data presentations without specifying the offenses included.

annotation In the UCR system, this is one of the two subclasses of Part I offenses; the other subclass is crimes against property. • The UCR class crimes against persons should not be confused with the more frequently used UCR class crimes of violence, which includes the crime of robbery and which is limited to index crimes, thus excluding involuntary (negligent) manslaughter. • In the National Crime Panel reports, this is one of three major classes of offenses. The other two are crimes against households and crimes against businesses. • See UCR and National Crime Panel reports for further information.

# crimes against property syn property crime n A  
summary term used by UCR, both as a subclass of the  
Part I offenses and as a subclass of Crime Index  
offenses, but with different meanings:

As a subset of  
UCR Part I offenses

robbery  
burglary  
larceny-theft  
motor vehicle theft

As a subset of  
UCR Crime Index offenses

burglary  
larceny-theft  
motor vehicle theft

recommended conditions of use Do not use in data  
presentations without specifying the offenses included.

annotation One of the two major classes of Crime Index  
offenses; the other is crimes of violence. • One  
of the two major classes of Part I offenses; the other  
is crimes against persons. • The use of property  
crime as a subset of Part I offenses is less frequent  
than its use as a subset of Crime Index offenses.

• See UCR for further information.

# crimes of violence syn violent crime n A summary term used by UCR and the National Crime Panel, but with different meanings:

As a subset of  
UCR Index Crimes

murder  
nonnegligent [voluntary]  
manslaughter  
forcible rape  
aggravated assault  
robbery

As a subset of National Crime  
Panel crimes against persons

forcible rape  
aggravated assault  
simple assault  
robbery (against persons)

recommended conditions of use Do not use in data presentations without specifying the offenses included.

annotation In UCR one of the two major classes of Crime Index offenses; the other is crimes against property. • In the National Crime Panel system, crimes of violence is a subcategory of crimes against persons and excludes business robbery, which is a crime against business. See UCR and National Crime Panel reports for further information.

criminal history record information n Information collected by criminal justice agencies on individuals, consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations or other formal criminal charges, and any disposition(s) arising therefrom, sentencing, correctional supervision, and release.

annotation This definition is that used in Law Enforcement Assistance Administration regulations concerning information system planning, and security and privacy standards. This definition excludes statistical data that does not identify individuals, information that identifies a person without formal indication of criminal charges, and intelligence information or other data not a matter of public record. • Criminal history record information, as here defined, is the basic data in CCH and OBTS systems, although OBTS summary data does not identify persons. It also represents a selection of the kinds of basic facts about criminal justice processes which are the focus of this effort to develop a standard national statistical terminology. • Security and privacy policies often distinguish between "arrest record information,"

which does not include dispositions, and "criminal record information," which does include dispositions, in order to provide for different rules of processing and dissemination. This discrimination also functions in legal contexts, where "arrest record," not indicating guilt, may be contrasted with "criminal record" or "conviction record." These latter terms are not amenable to national definition, since they refer to the various kinds of specific documents and automated files maintained by specific agencies. Also, in the common usage of operating agencies, such terms as "arrest record" and "criminal record" may be used synonymously. See juvenile record and prior record.

# criminal justice agency n Any court with criminal jurisdiction and any other government agency or sub-unit, which defends indigents, or of which the principal functions or activities consist of the prevention, detection and investigation of crime; the apprehension, detention and prosecution of alleged offenders; the confinement or official correctional supervision of accused or convicted persons, or the administrative or technical support of the above functions.

defining features

- court with criminal jurisdiction, or
- federal, state or local government agency or subunit
- primarily prevents, detects, investigates crime and/or
- primarily apprehends, prosecutes, or detains alleged offenders, and/or
- primarily confines and/or supervises accused or convicted persons, or
- defends indigents, or
- primarily provides administration, planning, training, or technical support for the agencies defined above

recommended conditions of use Statistical publications should indicate whether criminal justice agencies which operate more than one facility or at more than one location are counted as a single agency or whether each facility or location is counted separately.

annotation The five major classes of criminal justice agencies defined in this edition are law enforcement agency, prosecutorial agency, public defender's office, court, and correctional agency. • Excluded are all non-government entities, such as private agencies maintaining rehabilitation programs, or private security forces; agencies of which the jurisdiction is limited solely to juveniles; and government agencies of which the law enforcement activities are incidental to their major activities, such as forestry or fish and game departments and port authorities. • However, special law enforcement subunits of non-law enforcement agencies are included. • Any information system or identifiable subunit thereof of which the principal function is to provide technical support for operating criminal justice agencies is included. • Any publicly administered office or legal aid clinic which defends indigents is included. Statistical publications or

listings of criminal justice agencies which include legal service or legal aid agencies of which the functions may be purely civil, should so indicate. • LEAA's directory, Criminal Justice Agencies, establishes nine agency categories: "enforcement agencies, courts, prosecution and legal services agencies, defender agencies, adult correctional institutions, juvenile correctional institutions, other correctional institutions, probation and parole agencies, "and "other criminal justice agencies," for administrative and support agencies. "Agencies commonly assigned to this sector are: police administrative bodies, court administrators, judicial councils, probation administration, corrections administrative offices and training, police academies, crime laboratories, programs for drug addicts and alcoholics, State planning agencies, criminal justice planning agencies, and various boards and commissions." • The "criminal justice system" is the aggregate of all operating and administrative or technical support agencies as defined above.

6

criminal proceedings n Proceedings in a court of law, undertaken to determine the guilt or innocence of an adult accused of a crime.

recommended conditions of use Do not use to include the period between judgment and sentencing.

annotation Criminal proceedings begin with the filing of a charging document and end with an adjudication (criminal). Matters not related to the determination of guilt or innocence, such as the sentence, are not included in this definition.

culpability n A state of mind on the part of one who has committed an act which makes him liable to prosecution for that act.

annotation Culpability, in this sense, is an element in all crimes. Thus the relevance of this concept to a data system terminology mainly concerned with distinguishing different crimes from each other is not immediately obvious. However, at the level of court processes the presence or absence of culpability is pivotal to judicial jurisdiction and dispositions. Persons may exit the criminal justice system, temporarily or permanently, because of a mental condition that renders them unable to stand trial, or may be found not guilty because found mentally not responsible at the time of the criminal act. • Further, the difficulty of determining culpability explains some major differences in police reporting of crimes and reporting from judicial levels. Police information at the time a charge is recorded may not be adequate to determine intent, which distinguishes criminal willful homicide from involuntary manslaughter, or the degree of negligence, which distinguishes involuntary manslaughter from purely accidental homicide. • Juvenile

proceedings at one time did not emphasize determination of culpability. Recent court decisions have required proof of culpability like that required in adult proceedings in order to justify jurisdiction, with consequent impact on the numbers and dispositions of juvenile cases. • The Model Penal Code divides culpability into four ways of acting: purposely, knowingly, recklessly and negligently. To act purposely is to consciously desire one's conduct to produce a particular result. To act knowingly is to be aware that one's conduct is almost certain to cause a certain result. To act recklessly is to be aware that one's conduct is likely to produce a given result, but to act with conscious disregard of the risk. To act negligently is to act without awareness that one's conduct is likely to cause a particular result, when one should be aware of the risk. Earlier definitions of culpability made fewer distinctions.

# defendant n A person against whom a criminal proceeding is pending.

annotation A person becomes a defendant when the charging document is filed and remains a defendant until adjudication (criminal), that is, judgment or dismissal of the case.

# defense attorney n An attorney who represents the defendant in a legal proceeding.

annotation There are three types of defense attorneys: public defender, assigned counsel, and retained counsel. If the defendant acts as his own attorney, he is acting pro se.

delinquency in Juvenile actions or conduct in violation of criminal law, and, in some contexts, status offenses.

recommended conditions of use Do not use in statistical reporting or in connection with quantified systems data. Use the specific terms delinquent acts or status offenses where applicable. Do not combine counts of these two categories of offenses.

annotation Common usage of this term frequently includes not only criminal offenses but also status offenses, and may include violations of accepted conventions of behavior, or "tendencies" to engage in such conduct. Thus it is too often used in connection with unspecified numbers of undefined juvenile offenses, or to describe police workloads that relate to street activity as opposed to arrests and charges, or to describe an unmeasured amount of misbehavior believed to be characteristic of a given population, often in the absence of any statutory definition of the misbehavior. Its use as a summary term for combined counts of delinquent acts and status offenses is especially misleading, in that the kinds of behavior so described may range from murder to truancy.

# delinquent n A juvenile who has been adjudicated by a judicial officer of a juvenile court, as having committed a delinquent act, which is an act for which an adult could be prosecuted in a criminal court.

defining features

- juvenile
- subject of completed juvenile court adjudication
- found to have committed an act for which an adult could be prosecuted in a criminal court

recommended conditions of use Do not combine counts of delinquents and status offenders in interstate or national information exchange.

annotation The other possible adjudications (juvenile) are status offender and dependent. • See status offense for a discussion of the relationship between delinquent act and status offense, and the need for separate categories. • In some jurisdictions a status offender who commits repeated status offenses can be adjudicated a delinquent. These should not be counted as delinquents in interstate or national information exchange. • Juveniles alleged, but not adjudicated, to have committed delinquent acts should be described as alleged delinquents.

# delinquent act n An act committed by a juvenile for which an adult could be prosecuted in a criminal court, but for which a juvenile can be adjudicated in a juvenile court, or prosecuted in a criminal court if the juvenile court transfers jurisdiction.

recommended conditions of use Do not combine counts of delinquent acts and status offenses. See transfer to adult court for recommended reporting conventions concerning delinquent acts prosecuted as crimes.

annotation See status offense for discussion of the relationship between delinquent act and status offense. • Although some state statutes do not distinguish between these offenses, basic court record information usually enables separate reporting. Since the range of behavior covered by both categories may extend from murder to truancy, statistical reporting should maintain separate categories.

de novo adv Anew, afresh, as if there had been no earlier decision.

recommended conditions of use In computing court workloads, include de novo review proceedings in trials.

annotation When the decision of a judicial officer is reviewed de novo, matters of fact as well as law are considered by the court; witnesses may be heard, and new evidence presented as if the case were being heard for the first time. • In some jurisdictions, some or all of the decisions of a court of limited jurisdiction can be reviewed de novo by a higher court. • If a judicial officer's decisions in criminal or juvenile cases are subject to de novo review, then he is a subjudicial officer in this terminology. • See appeal.

dependency n The legal status of a juvenile over whom a juvenile court has assumed jurisdiction because the court has found his care by parent, guardian or custodian to fall short of a legal standard of proper care.

annotation The common usage of this term may refer either to the legal status which is the result of a court finding, or to the condition of dependency or willful neglect or abuse which is the reason for the finding. See dependent for the preferred usage of the recommended statistical term.

# dependent n A juvenile over whom a juvenile court has assumed jurisdiction because the court has found his care by parent, guardian or custodian to fall short of a legal standard of proper care.

defining features

- juvenile
- court has assumed jurisdiction because of lack of proper care

recommended conditions of use Use to describe all juveniles over whom a court has assumed jurisdiction because of lack of proper care, regardless of the reason for the finding.

annotation This recommended usage separates the result of the court finding that a juvenile is dependent, in the general sense of dependent for proper care upon persons other than his parents, from the various reasons for that finding. The reasons may be unintentional neglect, where the responsible adult is mentally disabled or lacks financial resources, usually called "dependency," or willful child neglect or willful child abuse. These are inconsistently named and codified in

different jurisdictions and therefore are not easily standardized for interstate and national information exchange. • This definition includes only juveniles who have been found dependent by a judicial officer of a court. It excludes juveniles designated dependent by, for example, welfare agencies. Since to be a dependent is not an offense, it is included in this terminology only to account for juvenile court adjudications, of which the other two major types are delinquent and status offender.

detention n The legally authorized holding in confinement of a person subject to criminal or juvenile court proceedings, until the point of commitment to a correctional facility or release.

annotation "Detention" describes the custodial status (reason for custody) of persons held in confinement while awaiting the completion of judicial proceedings. See detention facility.

detention center n A government facility which provides temporary care in a physically restricting environment for juveniles in custody pending court disposition.

annotation This is the term and the definition used in the data collection questionnaire for the LEAA series, "Children in Custody." The term is variously used in different jurisdictions. Facilities known by this name should be classified as juvenile detention facilities if they fit the above description. • See correctional facility for a list of recommended standard facility descriptors.

detention facility n A generic name proposed in this terminology as a cover term for those facilities which hold adults or juveniles in confinement pending adjudication, adults sentenced for a year or less of confinement, and in some instances post-adjudicated juveniles, including facilities called "jails," "county farms," "honor farms," "work camps," "road camps," "detention centers," "shelters," "juvenile halls," and the like.

annotation In this terminology correctional facilities are divided into three major groups: (1) detention facilities and (2) correctional institutions, both of which are confinement facilities, and (3) community facilities. • The distinctions between adult and juvenile detention facilities and correctional institutions are not precisely parallel because length of sentence is a classificatory feature that is not applicable to juveniles. • See adult detention facility and juvenile detention facility for specific defining features and further classificatory information. • See correctional facility for a list of recommended standard descriptors.

# detention facility, adult n A confinement facility of which the custodial authority is 48 hours or more and in which adults can be confined before adjudication or for sentences of a year or less.

defining features

- confinement facility for adults
- custodial authority 48 hours or more
- population held pending adjudication, and/or
- committed after adjudication for sentences of a year or less

recommended conditions of use Indicate level of government.

annotation Included in this detention facility classification are adult facilities that may be intended only for committed prisoners, such as "county farms" and "work camps." These are usually part of a jail system under a single administrative authority, may at times hold some pre-adjudicated persons, and, in any event, can be separated from facilities which also regularly hold pre-adjudicated adults by the designation "post-adjudicatory only" when such further subdivision is necessary. ● See correctional facility for a list of recommended standard facility descriptors.

# detention facility, juvenile n A confinement facility having custodial authority over juveniles confined pending and after adjudication.

defining features

- confinement facility for juveniles
- population held pending adjudication, or
- mixed pre-adjudicated and adjudicated population

recommended conditions of use Indicate level of government.

annotation The juvenile detention facility classification includes only facilities limited to pre-adjudicated juveniles and facilities which hold both pre-adjudicated and committed juveniles. A local juvenile facility of which the custodial authority is limited to juveniles committed by a court after adjudication would therefore be, in this classification, a juvenile correctional institution. Other features, such as length of commitment or limits of custodial authority concerning delinquents or status offenders, can be used to further describe and classify these facilities when necessary.

- Facilities called "juvenile halls," "shelters," or "detention centers," which fit this definition, should be

classified as juvenile detention facilities\*. See correctional facility for a list of recommended standard facility descriptors.

\*LEAA's Office of Juvenile Justice and Delinquency Prevention has begun to develop "working definitions" of "shelter care," "juvenile detention facility," and "juvenile correctional facility," for use in monitoring compliance with the statutory provisions of the Juvenile Justice and Delinquency Prevention Act of 1974. The terminology in this edition of the dictionary is not intended to be used for that purpose, which may require different names and definitions.

# detention hearing n In juvenile proceedings, a hearing by a judicial officer of a juvenile court to determine whether a juvenile is to be detained, continue to be detained, or released, while juvenile proceedings are pending in his case.

defining features

- hearing by a judicial officer in juvenile court
- concerns juvenile subject to juvenile proceedings
- determination whether juvenile can be lawfully detained while proceedings are pending

annotation A detention hearing must be held to determine the lawfulness of the authority under which a juvenile is confined if he is to be held beyond some specified length of time. • If the juvenile's detention is not to be continued he is usually released to the custody of his parents or guardian, but in some jurisdictions provision is also made for the setting of bail, as in adult criminal proceedings. • In some jurisdictions, a decision to detain can only be made after a petition has been filed in juvenile court. In others, a juvenile may be detained while the intake investigation is proceeding, and before a decision has actually been made whether to file a petition. • A detention hearing decision must precede an adjudicatory hearing.

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# diagnosis or classification center n A functional unit within a correctional institution, or a separate facility, which holds persons held in custody for the purpose of determining to which correctional facility or program they should be committed.

recommended conditions of use    Include in the class correctional institutions. In summary counts of correctional facilities, count diagnosis or classification centers that are not within larger correctional institutions as separate facilities.

annotation    A sentenced adult, or a delinquent or status offender who has been the subject of a juvenile court disposition, may be held in a diagnosis or classification center to determine into which correctional institution, or part thereof, he should be placed. Or the court may place a person in a diagnosis or classification center to determine whether the sentence is appropriate. Adults may also be held while a presentence report is completed; juveniles while a predisposition report is completed. • See correctional facility for a list of recommended standard facility descriptors.

# dismissal n A decision by a judicial officer to terminate a case without a determination of guilt or innocence.

recommended conditons of use Do not use as a synonym for complaint denied in interstate and national data exchange.

annotation The decision by a prosecutor not to seek an indictment or file an information or complaint is called complaint denied rather than dismissal. • The other possible adjudications (criminal) are acquittal and conviction. • Dismissals are often classified according to whose motion initiates the action: dismissal on defendant's motion, dismissal on prosecutor's motion (nolle prosequi), or dismissal on court's own motion. The reason for dismissal may also be indicated: e.g. hung jury, lack of timely prosecution, mistrial, death of defendant, insufficient evidence. The effect of the dismissal on the possibility of subsequent prosecution may be indicated: dismissal with prejudice (precluding subsequent action on the same matter) and dismissal without prejudice (allowing subsequent action).

disposition n The action by a criminal or juvenile justice agency which signifies that a portion of the justice process is complete and jurisdiction is relinquished or transferred to another agency; or which signifies that a decision has been reached on one aspect of a case and a different aspect comes under consideration, requiring a different kind of decision.

recommended conditions of use Do not use without qualification in interstate or national information exchange.

annotation See court disposition and juvenile court disposition for specific recommended usages.

# disposition, court n The final judicial decision which terminates a criminal proceeding by a judgment of acquittal or dismissal, or which states the specific sentence in the case of a conviction.

recommended conditions of use Do not use as a synonym for adjudication (criminal). Do not use "disposition" as a synonym.

annotation In this terminology the possible court dispositions are dismissal, acquittal, and specific sentence, including suspended sentences. • Although "disposition," unmodified, is often used to indicate the end of criminal proceedings, there is no uniformity in its use. It may refer to the point at which a case reaches judgment or is dismissed, or it may include the sentence in the case of conviction. Thus a presentation of court "dispositions" may describe either convictions, acquittals, and dismissals, or specific sentences, plus acquittals and dismissals. This disparity in usage creates significant difficulties in the communication of court data, particularly of elapsed time information, among jurisdictions. This dictionary proposes therefore the use of the term adjudication (criminal) for the immediate outcome of prosecution and "court disposition" for outcome descriptions which include sentences.

# disposition hearing n A hearing in juvenile court, conducted after an adjudicatory hearing and subsequent receipt of the report of any predisposition investigation, to determine the most appropriate disposition of a juvenile who has been adjudicated a delinquent, a status offender, or a dependent.

recommended conditions of use Do not include transfer hearings.

annotation A disposition hearing occurs after an adjudicatory hearing and subsequent predisposition report, if any, and terminates with a juvenile court disposition.

# disposition, juvenile court n The decision of a juvenile court, concluding a disposition hearing, that a juvenile be committed to a correctional facility, or placed in a care or treatment program, or required to meet certain standards of conduct, or released.

recommended conditions of use Do not include transfer to adult court as a juvenile court disposition.

annotation The decision at a transfer hearing to transfer a juvenile to criminal court for prosecution as an adult is not considered to be a juvenile court disposition in this dictionary since it is not an outcome of a disposition hearing. See petition (juvenile).

- o A juvenile court disposition of a delinquent or a status offender is similar to an adult sentence in that both are decisions that may result in confinement or other restrictions on behavior. Dispositions of dependents, however, are not described as correctional commitments.
- A juvenile court disposition is not necessarily final since the disposition may include provision for review of the decision by the juvenile court at a specific later date.
- Probation and

commitment to a correctional facility are types of juvenile court dispositions. However, no subclass terminology is proposed in this edition of the dictionary because of the complexity and jurisdictional variation of juvenile court dispositions. Many jurisdictions have several types of probation, and unique categories of juvenile correctional facility or program commitments.

# diversion n The official halting or suspension, at any legal decision point after a recorded justice system entry, of formal criminal or juvenile justice proceedings against an alleged offender, and referral of that person to a treatment or care program administered by a non-justice agency, or a private agency, or no referral.

defining features

- subject alleged, on grounds sufficient to require governmental action, to have committed actions that would bring him within the jurisdiction of a criminal or juvenile court
- recorded system entry, that is, recorded arrest, police referral to juvenile intake, first appearance in court, or other recorded initial processing step
- recorded criminal or juvenile justice agency decision, at a legally defined decision point prior to adjudication, to halt or suspend further criminal or juvenile justice processing .
- referral to a treatment or care program administered by a private agency or a non-justice agency, or no referral

recommended conditions of use In interstate and national statistical data presentations identify type of criminal

or juvenile justice agency causing the diversion, the legally defined point in criminal or juvenile proceedings at which diversion occurs, and the type of private or non-justice agency or program to which the subject is diverted, if a referral is made.

annotation This definition limits diversion to that which (1) is recordable, (2) takes place after an official system entry but prior to adjudication, and (3) at least temporarily halts judicial proceedings. Actions that only "minimize penetration" without suspending judicial proceedings are not included. • The requirement that an initial recorded process step be taken is designed to exclude the frequently used procedure whereby a law enforcement officer counsels and releases a juvenile without taking any formal action. The definition also requires that diversion take place before adjudication, to avoid including such actions as probation in lieu of a sentence to confinement, suspended sentences, and the like, which may be used for purposes other than diverting the person from the system. • Diversion ordinarily refers to formal, organized efforts that offer program alternatives to continued justice system processing, but a diversion made by any official is included in this category of events if it fits the above definition. • The question

of what is the best statement of the underlying principle of diversion policies is not addressed in this entry. The definition addresses only the problem of insuring that only recordable actions, and actions that clearly constitute alternatives to adjudication or criminal or juvenile justice agency supervision, are included in statistical descriptions of diversion intended for national use.

# driving under the influence - alcohol syn drunk driving n  
The operation of any vehicle after having consumed a quantity of alcohol sufficient to potentially interfere with the ability to maintain safe operation.

annotation The offense is usually charged when a critical percentage of alcohol in the blood has been found by test within a reasonable period of time after arrest. It may be charged regardless of whether the operation of the vehicle was observed to be reckless.

• The category of the offense, whether felony or misdemeanor, may vary with the circumstances of the event, especially with whether bodily injury to another person results.

# driving under the influence - drugs n The operation of any vehicle while attention or ability is impaired through the intake of a narcotic or an incapacitating quantity of another drug.

annotation The offense may be charged whether or not the vehicle was actually observed being recklessly operated. • In the absence of objective ways to measure some forms of drug intoxication, the offense may be charged in certain jurisdictions if the suspect can be determined to be addicted to a drug.

drug law violation in The unlawful sale, transport, manufacture, cultivation, possession, or use of a controlled or prohibited drug.

annotation No drug offense terminology and classification is proposed here because offense elements and their relations to penalties vary greatly among different jurisdictions. Another major problem interfering with reliable statistical categorization is the various interpretations given to the term "drug." The states and the federal government have codified lists of controlled substances which exactly specify the drug materials falling within the scope of the law. Most are based on the Uniform Controlled Dangerous Substances Act. The various lists however do not always coincide.

- No universally accepted typology of drugs exists.

UCR collects data on arrests for drug law violations (a Part II offense) in four categories: (1) opium or cocaine and their derivatives (morphine, heroin, codeine), (2) marijuana, (3) synthetic narcotics - manufactured narcotics which can cause true drug addiction (demerol, methadones), and (4) dangerous nonnarcotic drugs (barbiturates, benzedrine). The Uniform Offense Classification of the FBI provides eight specific

categories: halucinogens (excluding marijuana),  
heroin, opium, cocaine, synthetic narcotics, marijuana,  
amphetamines, and barbiturates.

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drug law violation

# embezzlement n The misappropriation, misapplication, or illegal disposal of legally entrusted property with intent to defraud the legal owner or intended beneficiary.

defining features

- property originally entrusted to offender
- property misappropriated, misapplied, or illegally disposed of
- intent to defraud legal owner or intended beneficiary

annotation In some state codes embezzlement is treated as a form of larceny in which the property is not initially acquired unlawfully.

# escape n The unlawful departure of a lawfully confined person from a confinement facility, or from custody while being transported.

recommended conditions of use Do not use as a synonym for abscond or for fleeing arrest.

annotation Escape is a criminal offense.

# ex-offender n An offender who is no longer under the jurisdiction of any criminal justice agency.

expunge v The sealing or purging of arrest, criminal or juvenile record information.

recommended conditions of use Do not use in interstate or national information exchange.

annotation Used in some jurisdictions as a synonym for purge, in others as a synonym for seal. • In many jurisdictions a judicial officer will issue an order stating only that a record or portion of a record be "expunged," without any instructions as to precisely what is required. Such a statement could be interpreted either as an order to seal a record or as an order to purge a record.

# extortion n Unlawful obtaining or attempting to eventually obtain the property of another by the threat of eventual injury or harm to that person, or his property, or another person.

defining features

- obtaining or attempting to obtain property of another
- by threat or threats of injury or harm
- either the carrying out of the threat to injure or harm, or the taking of the demanded property, or both, not performed immediately

annotation Extortion differs from robbery in that one or both of the included actions are not imminent. If there is no threat of injury or force the offense is larceny. Kidnapping may be a means of accomplishing extortion. • In this terminology extortion does not include coerced behavior not related to the taking of property.

# felony n A criminal offense punishable by death, or by incarceration in a state or federal confinement facility for a period of which the lower limit is prescribed by statute in a given jurisdiction, typically one year or more.

defining features

- offense punishable by incarceration
- usually in a state or federal confinement facility
- lower limit of incarceration prescribed by statute in given jurisdiction
- limit usually one year or more

recommended conditions of use In statistical presentations indicate statutory time limit.

annotation One of the two major classes of crimes, the other being misdemeanors. ● The particular acts described as felonies vary among different jurisdictions, although most felonies are regarded as acts more harmful than most misdemeanors. ● However, while the felony-misdemeanor distinction does not consistently reflect differences in gravity, it is much more consistently related to differences in court processes. See court of limited jurisdiction, court of general jurisdiction, and charging document.

# filing n The commencement of criminal proceedings by entering a charging document into the official record of a court.

annotation A charging document is either a complaint, an information, or an indictment. • Filing marks the beginning of a case (court) for statistical purposes.

• Legally, "filing" means entering any document into the record of the court. However, in criminal justice summary statistics, "filing," when unqualified, usually refers to entering a charging document. Thus, in data presentations showing a flow of cases through a system, complaints, informations, and indictments are treated as subclasses of filings.

finding n The official determination of a judicial officer or administrative body regarding a disputed matter of fact or law.

# fine n The penalty imposed upon a convicted person by  
a court requiring that he pay a specified sum of money.

annotation Other penalties defined in this edition  
are prison (sentence) and jail (sentence).

# forgery n The creation or alteration of a written or printed document, which if validly executed would constitute a record of a legally binding transaction, with the intent to defraud by affirming it to be the act of an unknowing second person.

defining features

- making or altering a written or printed document record
- act is falsely attributed to an unknowing second person
- intent to illegally deprive a person of his property or legal rights

annotation See check fraud and counterfeiting for distinctions. ● Forged materials are of relevance to the legal affairs of specific persons while counterfeited materials, most typically money, have intrinsic value, set by social convention or governmental authority. ● UCR and many statutes consolidate forgery and counterfeiting.

**fraud** n An element of certain offenses, consisting of deceit or intentional misrepresentation with the aim of illegally depriving a person of his property or legal rights.

**annotation** Fraud is usually not a single codified offense. • Although certain offenses share this element, most statutes and data systems do not find it useful to create a summary category of fraudulent offenses, as the manner in which deceit is used in the commission of a criminal act significantly varies. Crimes defined in this dictionary that contain the element of fraud are check fraud, counterfeiting, forgery, embezzlement, and credit card fraud.

fugitive n A person who has concealed himself or fled a given jurisdiction in order to avoid prosecution or confinement.

annotation The meaning of this term varies in common usage and is sometimes used to mean anyone avoiding arrest for any reason. But it should not be used to describe a person who has escaped from confinement or close custody, or one who has left a jurisdiction in violation of probation or parole conditions. • See abscond.

**CONTINUED**

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group home n A nonconfining residential facility for adjudicated adults or juveniles, or those subject to criminal or juvenile proceedings, intended to reproduce as closely as possible the circumstances of family life, and at minimum providing access to community activities and resources.

recommended conditions of use Classify government facilities fitting this definition as community facilities.

annotation "Group home" is variously defined in different jurisdictions. • Most of the facilities known by this name are privately operated, though they may be financed mainly from government funds. Classification problems unique to private facilities have not been dealt with in this terminology, although most recommended standard descriptors for publicly operated facilities are also applicable to the private sector. See correctional facility for a list of recommended standard descriptors. • The data collection questionnaire for the LEAA series "Children in Custody" defines "group home" as, "Allows juveniles extensive contact with the community, such as through jobs and schools, but none or less than half are

placed there on probation or aftercare/parole."

It is distinguished from halfway house in this series  
by the percent of residents on probation or parole.

halfway house n A nonconfining residential facility for adjudicated adults or juveniles, or those subject to criminal or juvenile proceedings, intended to provide an alternative to confinement for persons not suitable for probation, or needing a period of re-adjustment to the community after confinement.

recommended conditions of use Classify government facilities fitting this definition as community facilities.

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them extensive contact with the community, such as through jobs and schools." It is distinguished from group home in this series by the percent of residents on probation or parole.

hearing n A proceeding in which arguments, witnesses,  
or evidence are heard by a judicial officer or ad-  
ministrative body.

# hearing, probable cause n A proceeding before a judicial officer in which arguments, witnesses or evidence is presented and in which it is determined whether there is sufficient cause to hold the accused for trial or the case should be dismissed.

defining features

- a proceeding before a judicial officer
- precedes a trial
- arguments, witnesses or evidence heard on probable cause
- decision made whether to hold for trial or to dismiss

recommended conditions of use Do not use "preliminary hearing" as a synonym.

annotation A probable cause hearing is often called a "preliminary hearing," "preliminary examination," or "felony preliminary" and sometimes an "examining trial." The usage of these terms is varied and inconsistent and is not recommended for information exchange. The criterion for the selection of term and definition in this instance is the need to identify a significant event that can be consistently reported

without regard for differences in process detail among states. • If the accused is discharged, the case is considered to be a dismissal and is so counted. This dismissal does not necessarily preclude reopening the case. • A decision on the question of bail is sometimes made at a probable cause hearing. It may, but need not, coincide with a first appearance or an initial plea. • A decision to hold the accused for trial is referred to as a decision to "bind over" the accused. • In many jurisdictions a probable cause hearing is held before a subjudicial officer in a court of limited jurisdiction in felony cases, and subsequent trial is held before a judge in a court of general jurisdiction.

homicide n Any killing of one person by another.

# homicide, criminal n The causing of the death of another person without justification or excuse.

annotation "Criminal homicide" is a summary term, not a codified offense. It includes murder and voluntary (nonnegligent) manslaughter, and involuntary (negligent) manslaughter. • The terminology presents many problems. In statutes the names of the subclasses of criminal homicide vary, and the elements of the offense pertaining to culpability are variously defined. Criminal homicide, in law, embraces all homicides where the perpetrator is found to have intentionally killed someone without legal justification, or to have accidentally killed someone as a consequence of reckless or grossly negligent conduct. The subclasses are usually called murder, voluntary (nonnegligent) manslaughter and involuntary (negligent) manslaughter. Vehicular manslaughter in some codes is separated from other subtypes of involuntary manslaughter, because it is easily identifiable as such and may have a special penalty range. • Two other terms often appear in penal codes to describe noncriminal homicides (sometimes called "nonculpable"): justifiable homicide and excusable homicide. These are not offenses but are rather defenses

to charges of criminal homicide. The former indicates an intentional homicide justified by law. The latter may be used to include justifiable homicides but is sometimes limited to entirely accidental homicides lacking criminal negligence or recklessness. • The UCR Handbook describes two kinds of criminal homicide: "l.a.," which includes murder and nonnegligent manslaughter, minus those found to be justified because they consisted of "the killing of a felon by a peace officer [or] a private citizen," and "l.b.," those found by police investigation to be negligent manslaughter, death caused by gross negligence. Type l.a. is treated as a single type, since the police reporting level cannot predict the prosecutorial decision to charge murder or nonnegligent manslaughter. UCR uses "murder" in some contexts to represent the entire l.a. category.

• All these offenses are Part I offenses, but negligent manslaughter is not a Crime Index offense. • The classificatory and definitional language has led to occasional confusion in the presentation of homicide data because it appears to equate "willful" with "criminal." In fact, the legal term "willful" embraces murder and voluntary manslaughter, both of which are criminal, and justifiable homicide, which is not criminal. The contrasting type of homicide, unintentional, includes

both involuntary manslaughter, which is criminal, and those entirely accidental homicides which lack any element of gross or criminal negligence, and are thus noncriminal. • The UCR Handbook defines type 1.a. as "willful (nonnegligent) killing..." even though some justifiable willful homicides are subtracted before reporting. Some other statistical publications also use "willful" when "criminal" is meant. • The following chart depicts the relations between UCR terminology and the terminology recommended in this dictionary for more general use:

equivalent terms

UCR term - for police reporting level	dictionary entry term
# criminal homicide.....	# criminal homicide
# 1.a. murder (often used as..... cover term for murder and nonnegligent manslaughter)	# murder
# 1.a. nonnegligent manslaughter.....	# voluntary manslaughter
# 1.b. negligent manslaughter..... (included in negligent.....)	# involuntary manslaughter
	# vehicular manslaughter

homicide, excusable n The intentional but justifiable causing of the death of another or the unintentional causing of the death of another by accident or mis-adventure, without gross negligence. Not a crime.

recommended conditions of use Do not use this term in national or interstate information exchange.

annotation This term is ambiguous because its statutory definition may include justifiable homicide, a type of willful homicide, but is sometimes limited to unintentional (nonwillful) homicides without gross or criminal negligence. • See criminal homicide.

homicide, justifiable n The intentional causing of the death of another in the legal performance of an official duty or in circumstances defined by law as constituting legal justification. Not a crime.

annotation Typical intentional homicides justified by duty are the execution of a death sentence, or the killing of a fleeing felon by a law enforcement officer. The other circumstances defined by law as justification most often include the major element of need to defend oneself or others against the threat of death or serious violence. • See criminal homicide.

homicide, willful n The intentional causing of the death of another person, with or without legal justification.

recommended conditions of use Do not use as a synonym for criminal homicide in any context.

annotation A summary term that includes some criminal homicides, but also justifiable homicide, which is not a crime.

# indictment n A formal written accusation made by a grand jury and filed in a court, alleging that a specified person(s) has committed a specific offense(s).

defining features

- formal written accusation
- specified person(s) alleged to have committed specific offense(s)
- accusation made by a grand jury
- document filed in court

annotation The other two types of charging document are complaint and information. • The filing of a charging document in a court initiates criminal proceedings against the accused. • An indictment, like an information, is usually used in felony cases. In some jurisdictions, all felony accusations must be by grand jury indictment, and the prosecutorial information is not an alternative. • Ordinarily, the prosecutor presents a bill of indictment to the grand jury for their consideration. If the grand jurors, of their own motion or on the information of others, take notice of an offense and request that a charging document be filed, the document is sometimes called a "presentment."

# information n A formal written accusation made by a prosecutor and filed in a court, alleging that a specified person(s) has committed a specific offense(s).

defining features

- formal written accusation
- specified person(s) alleged to have committed specific offense(s)
- accusation made by a prosecutor
- document filed in court

annotation The other two types of charging document are complaint and indictment. ● The filing of a charging document in a court initiates criminal proceedings against the accused. An information, like an indictment, is usually filed in felony cases. Not all jurisdictions make use of the information. In some, all felony accusations must be made by grand jury indictment.

# infraction n An offense punishable by fine or other penalty, but not by incarceration.

defining features

- an offense
- not punishable by incarceration
- punishable by other penalties

annotation This definition describes those offenses, such as many traffic violations, which are not punishable by incarceration, and are sometimes disposed of by administrative hearing. Some state codes define a specific, named class of offenses not punishable by incarceration; others do not. Whether or not a given state's statutes codify infractions as a separate class, such offenses are almost never recorded in criminal justice data systems. ● Infractions are also called "violations." This usage is not recommended. For purposes of information exchange "violation" should be reserved for violations of probation and parole.

# inmate n A person in custody in a confinement facility.

annotation See prisoner for a term of broader meaning, which includes both inmates and persons in custody while being transported to or between confinement facilities.

institutional capacity n. The officially stated number of inmates or residents which a correctional facility is designed to house, exclusive of extraordinary arrangements to accommodate overcrowded conditions.

annotation Measures of institutional capacities of correctional facilities often distinguish between capacity as originally designed and later modifications.

intake n The process during which a juvenile referral is received and a decision is made by an intake unit either to file a petition in juvenile court, to release the juvenile, to place him under supervision, or to refer him elsewhere.

annotation Intake is a preliminary screening process to determine whether the court should be requested to take action or whether the matter should be treated otherwise. It is normally a function of a probation department. Intake screening decisions that refer the client out of the justice system or away from the next procedural steps of court processing are now often called diversion. • The current trend is for a prosecutor to review petitions alleging delinquent acts or status offenses after the intake unit has considered the social aspects of the case but before the petition is filed in court. In the past, this prosecutorial review of the adequacy of the factual basis of the allegations was more often conducted after the petition was filed. • Intake is sometimes referred to as "probation intake" or "preliminary screening."

# intake unit n A government agency or agency subunit which receives juvenile referrals from police, other government agencies, private agencies, or persons, and screens them, resulting in closing of the case, referral to care or supervision, or filing of a petition in juvenile court.

recommended conditions of use     Include in summary counts of intake units, any government agency that performs the juvenile intake function, whether or not the function is assigned to a special unit.

annotation     The intake function can be assigned to individual personnel as in many probation departments, or to a special subunit within a probation agency, or can be performed by an agency that has no other primary function.     • The intake unit is the point of entry into the juvenile justice system. It usually operates under the authority of a juvenile court. If its personnel, who are usually probation officers, exercise judicial authority, then their decisions are considered equivalent to juvenile court decisions in this terminology.

jail n A confinement facility usually administered by a local law enforcement agency, intended for adults but sometimes also containing juveniles, which holds persons detained pending adjudication and/or persons committed after adjudication for sentences of a year or less.

recommended conditions of use Classify government facilities fitting this description as adult detention facilities, if the custodial authority of the facility is 48 hours or more.

annotation This is not a prescriptive definition. "Adult detention facility" is the statistical term proposed in this terminology for short-term adult confinement facilities because it is the only common functional name available for the similar or identical facilities commonly called "jails," "county farms," "honor farms," "work camps," and "road camps." • A "county jail" is usually administered by a sheriff's department; a "city jail" is usually administered by a city police department. • See correctional facility for a list of recommended standard facility descriptors.

# jail (sentence) n The penalty of commitment to the jurisdiction of a confinement facility system for adults, of which the custodial authority is limited to persons sentenced to a year or less of confinement.

annotation This term is proposed as the name for a sentence to a detention facility, as the latter is defined in this terminology, because the usages "jail sentence" and "prison sentence" are well established at the level of court data reporting. It includes commitments to facilities commonly called "jails," "county farms," "honor farms," "work camps," and "road camps." It excludes commitments to those relatively uncommon facilities which contain both short and long-term prisoners, which in this terminology are called "prison sentences," that is, sentences to correctional institutions. • The upper limit of sentence is used here to define the penalty of commitment of a "jail," instead of the misdemeanor/felony distinction, because of the variation in misdemeanor definitions among states. • Data presentations for which this classification is not appropriate should, where possible, use the standard descriptors for correctional facilities to describe the exceptions from the definition.

# judge n A judicial officer who has been elected or appointed to preside over a court of law, whose position has been created by statute or by constitution, and whose decisions in criminal and juvenile cases may only be reviewed by a judge of a higher court and may not be reviewed *de novo*.

defining features

- judicial officer
- decisions in criminal and juvenile cases not subject to *de novo* review
- decisions in criminal and juvenile cases only subject to review at higher court level
- authority granted by statute or constitution

annotation Judge and subjudicial officer are the two types of judicial officer in this terminology. • A judge is distinguished from a subjudicial officer in that the decision of a judge is not subject to de novo review and may be reviewed only by a judge of a higher court; whereas the decision of a subjudicial officer is subject to de novo review by a judge, sometimes by a judge at the same court level. • Some jurisdictions use the term "judge" for an officer of a court of limited

jurisdiction whose decisions are subject to de novo review. If his decisions are subject to such review, the official is not a judge in this terminology, but rather a subjudicial officer, even though he may be called a "judge" in a given jurisdiction. • Conversely, a "magistrate," "justice of the peace," or "commissioner" is a judge in this terminology if his authority derives from statute or constitution and his decisions are not subject to de novo review, even if he is not called a "judge" in a given jurisdiction.

# judgment n The statement of the decision of a court, that the defendant is convicted or acquitted of the offense(s) charged.

defining features

- statement of decision by a judicial officer
- defendant convicted or acquitted
- based on a guilty plea, or
- based on a verdict

recommended conditions of use Do not use as a synonym for verdict in statistical reporting. Do not include dismissals.

annotation The term "judgment" is often used to refer to any court decision. However, in statistical reporting it refers only to acquittals and convictions.

- The term adjudication (criminal) as defined in this dictionary, covers judgments and dismissals.
- In statistical presentations, a judgment should be described as a conviction or acquittal, rather than as guilty or not guilty, because although an acquittal must follow a verdict of not guilty, a conviction does not necessarily follow a verdict of guilty.

# judicial officer n Any person excercising judicial powers in a court of law.

annotation There are two types of judicial officer: judge and subjudicial officer. The latter type includes those probation officers who exercise judicial powers.

- A judge is distinguished from a subjudicial officer in that the decision of a judge in criminal or juvenile cases is not subject to de novo review and may only be reviewed by a judge of a higher court; whereas the decision of a subjudicial officer is always subject to de novo review by a judge, sometimes by a judge at the same court level. See de novo for further explanation.
- The authority of a judge is granted by statute or constitution. The authority of a subjudicial officer is sometimes also granted by statute or constitution, but is often granted by a judge or an administrative agency.
- Common names for judicial officers vary and do not consistently correspond to the distinction proposed here between judges and subjudicial officers. What is called a "judge" is usually, but not necessarily a judge as here defined. "Justices of the peace," "magistrates," "masters," "commissioners," "referees," "hearing officers," and "para-judicial" personnel are typically subjudicial officers, although

some jurisdictions may use these terms for what this dictionary defines as a judge. • Because of this variation in nomenclature among jurisdictions, the terms judicial officer, judge, and subjudicial officer, as defined in this dictionary, should be used for interstate and national information exchange, regardless of what a particular officer may be called within any given jurisdiction.

jurisdiction n The territory, subject matter, or person over which lawful authority may be exercised.

annotation Jurisdiction may be determined by constitutional provision or by statute.

jurisdiction, original n The lawful authority of a court or an administrative agency to hear or act upon a case from its beginning and to pass judgment on it.

# jury, grand n A body of persons who have been selected and sworn to investigate criminal activity and the conduct of public officials and to hear the evidence against an accused person(s) to determine whether there is sufficient evidence to bring that person(s) to trial.

defining features

- sworn body of persons
- can initiate investigations
- usually only prosecutor's evidence heard
- has authority to indict
- cannot render a verdict of guilty or not guilty

annotation A trial jury is distinguished from a grand jury in that a trial jury hears a case and renders a verdict of guilty or not guilty. A grand jury is asked only to decide whether there is sufficient evidence to cause a person to be brought to trial for a crime. The decision of a grand jury that there is sufficient evidence results in an indictment or "true bill."

# jury, trial syn jury, petit syn jury n A statutorily defined number of persons selected according to law and sworn to determine certain matters of fact in a criminal action and to render a verdict of guilty or not guilty.

defining features

- sworn body of persons
- number and selection criteria determined by statute
- hears all the evidence in a case
- renders verdict of guilty or not guilty

annotation A jury delivers its verdict according to the evidence presented at the trial and the judge's instructions as to the law. A trial jury's powers and duties are to determine matters of fact, not to interpret the law of the case. • The size of a trial jury is set by statute and varies from six to twelve persons depending upon jurisdiction.

# juvenile n A person subject to juvenile court proceedings because a statutorily defined event was alleged to have occurred while his age was below the statutorily specified limit of original jurisdiction of a juvenile court.

annotation Jurisdiction is determined by age at the time of the event, not at the time of judicial proceedings, and continues until the case is terminated. Thus a person may be described in a given data system as a juvenile because he is still subject to juvenile court proceedings even though his actual age may be several years over the limit. Conversely, criminal process data systems may include juveniles if the juvenile court has waived jurisdiction. • Although the age limit varies in different states, it is most often the 18th birthday. The variation is small enough to permit nationally aggregated data to be meaningful, although individual states should note their age limit in communications with other states.

• UCR defines juvenile as anyone under eighteen years of age. • See youthful offender.

# juvenile court n A cover term for courts which have original jurisdiction over persons statutorily defined as juveniles and alleged to be delinquents, status offenders or dependents.

annotation A juvenile court can be a separate court, a division of a court, or a special session of a court. Any court with juvenile jurisdiction should be included in summary counts of juvenile courts regardless of the name and organizational level of the court, and regardless of whether it also has jurisdiction over other kinds of cases. • The decisions of a probation officer exercising judicial powers are considered juvenile court decisions in this terminology. • Courts dealing with juveniles range in different states from the lowest level of courts to the highest courts of general jurisdiction. • For juvenile court processes see detention hearing, petition, adjudicatory hearing, transfer hearing, and disposition hearing.

juvenile justice agency n A government agency, or subunit thereof, of which the functions are the investigation, supervision, adjudication, care or confinement of juveniles whose conduct or condition has brought or could bring them within the jurisdiction of a juvenile court.

annotation No prescriptive definition of this term is proposed. The functions of adjudication and care or treatment of juveniles are not uniformly organized among different jurisdictions. They are sometimes assigned to special government units, but may also be carried out by agencies with adult jurisdiction, or by private organizations. What should be classified as a juvenile justice agency therefore varies greatly according to the jurisdiction and the purpose of the data presentation.

juvenile record n An official record containing, at a minimum, summary information pertaining to an identified juvenile concerning juvenile court proceedings, and, if applicable, detention and correctional processes.

annotation This term is the generic name for the type of record which is typically the subject of a statutory provision permitting or requiring sealing by court order when the juvenile reaches a certain age. The nature of the actual document(s), of course, varies from state to state. • See criminal history record information.

# kidnapping n Unlawful transportation of a person without his consent, or without the consent of his guardian, if a minor.

defining features

- unlawful transport of a person
- without his consent, or
- if a minor, without the consent of his guardian

recommended conditions of use Do not use in data reporting without indicating the reporting conventions for related offenses. Do not include unlawful confinement without transportation.

annotation Kidnappings can be divided into subclasses according to purpose, as extortion, rape, etc.

Alternatively, the major classes in a reporting system can be such other offenses as extortion and rape, in which case kidnapping can be treated as a means.

- Some states place kidnapping (unlawful transportation) and unlawful confinement within the same statute.

# larceny syn larceny-theft (UCR) n Unlawful taking or attempted taking of property, other than a motor vehicle, from the possession of another.

defining features - UCR Part I offense

- taking away property which the possessor is entitled to retain
  - excluding taking that requires unlawful entry or force
  - property in the immediate or constructive possession of another including in his vehicle, or his premises if open to the public
  - excluding taking a motor vehicle
- or
- attempting the above act

recommended conditions of use Do not use theft as a name for this offense in interstate or national information exchange.

annotation In order to obtain a conviction for larceny, intent to permanently deprive owner of property must be proven. At the police reporting level intent cannot be determined, thus this feature is omitted from the

standard definition. • The UCR definition of larceny includes such events as pocket picking, purse snatching, shoplifting, thefts from motor vehicles, theft of motor vehicle parts and accessories, theft of bicycles, theft from buildings (where there is no unlawful or forcible entry) and theft from coin operated devices or machines. • The National Crime Panel does not include larceny against businesses because of the limited documentation maintained at most commercial establishments on losses from such offenses as shoplifting and employee theft.

The National Crime Panel reports definitions and classification of larceny are:

Personal crimes of theft (Personal larceny): "Theft of property or cash, either with contact (but without force or threat of force) or without contact between victim and offender."

Personal larceny with contact: "Theft of purse, wallet or cash by stealth directly from the person of the victim, but without force or the threat of force. Also includes attempted purse snatching."

Personal larceny without contact: "Theft, without direct contact between victim and offender, of property or cash from any place other than the

victim's home or its immediate vicinity. Also includes attempted theft."

Household larceny: "Theft or attempted theft of property or cash from the home, involving neither forcible nor unlawful entry, or from its immediate vicinity."

# law enforcement agency n A federal, state, or local criminal justice agency of which the principal functions are the prevention, detection, investigation of crime, and the apprehension of alleged offenders.

defining features

- federal, state or local criminal justice agency
- primarily prevents, detects, investigates all or some categories of crimes, and
- apprehends alleged offenders

recommended conditions of use Include state highway patrols and sheriff's departments that perform any criminal law enforcement functions, whether or not those are their principal functions. Exclude prosecutorial agencies.

annotation In agency definitions "principal functions" are those to which more than half of the budget is allocated. • An organizational subunit of a larger agency is considered a law enforcement agency in this terminology if its primary activities fit the definition, irrespective of the principal functions of the larger agency. However, agencies that incidentally perform law enforcement functions, without assigning them to a

specific organizational subunit, are not law enforcement agencies. • Examples of agencies included within this definition are city police departments, sheriff's departments, publicly financed campus police departments, law enforcement subunits within federal or state regulatory agencies, and within port, bridge or transit authorities and special districts. • Examples of agencies excluded from this definition are correctional agencies, courts, and subunits thereof; agencies primarily concerned with the protection of national natural resources or people, such as forestry or fish and game departments or sanitation inspection units; and prosecutorial agencies such as the organized crime unit of the U. S. Department of Justice and the prosecutorial units of regulatory agencies. • See federal law enforcement agency, state law enforcement agency, and local law enforcement agency for further classificatory information.

# law enforcement agency, federal n A law enforcement agency which is an organizational unit, or subunit, of the Federal government.

annotation Examples of federal law enforcement agencies are the Federal Bureau of Investigation, the Secret Service, and the Bureau of Alcohol, Tobacco and Firearms. • Federal agency subunits often called law enforcement agencies, such as the organized crime unit of the U. S. Department of Justice or the enforcement unit of the Internal Revenue Service, are in this terminology classified as prosecutorial agencies because their primary purpose is to try cases in court, although many of their personnel may perform law enforcement duties. • See law enforcement agency.

# law enforcement agency, local n A law enforcement agency which is an organizational unit, or subunit, of local government.

annotation This definition includes sheriff's departments with criminal law enforcement duties, police departments, and those campus police agencies which are financed and administered by local city and community college districts. It does not include campus police which are privately financed or administered. • It includes special law enforcement units within special districts such as port and bridge authorities. It excludes sanitation districts, public health departments, and other agencies in which the law enforcement functions are not assigned to special subunits. • A local law enforcement agency may also be counted as a correctional agency if it operates a correctional facility. See correctional agency. • See law enforcement agency.

# law enforcement agency, state n A law enforcement agency which is an organizational unit, or subunit, of state government.

annotation This definition includes state police agencies, state highway patrols, state park rangers and those campus police agencies which are financed and administered by state government. It includes state agency units which guard property, if the personnel are sworn officers. • It does not include agencies such as fish and game or forestry departments of which the law enforcement duties are incidental to their main purposes, and are not assigned to a special unit. • However, a special law enforcement subunit of a regulatory or protective agency is classified as a law enforcement agency in this terminology. • See law enforcement agency.

# law enforcement officer syn peace officer syn policeman  
n An employee of a law enforcement agency who is an officer sworn to carry out law enforcement duties, or a sworn employee of a prosecutorial agency who primarily performs investigative duties.

defining features

- employee of law enforcement agency or prosecutorial agency
- sworn officer
- primary duties are the prevention, detection, investigation of crime and the apprehension of alleged offenders, or
- investigative duties in a prosecutorial agency

recommended conditions of use Include investigative personnel of prosecutorial agencies if sworn personnel. Do not include employees of courts and correctional agencies who perform law enforcement duties, or employees of non-criminal justice agencies whose law enforcement duties are incidental to their primary duties.

annotation The special law enforcement subunits of some non-criminal justice agencies, such as federal or state regulatory agencies, have been defined as criminal justice agencies in this terminology, and the sworn investigative personnel of these sub-units are counted as law enforcement officers. • The use of "peace officer" or "policeman" in interstate and national information exchange is not recommended. Although "peace officer" is usually a synonym for law enforcement officer, employees of other criminal justice agencies, or non-criminal justice agencies whose law enforcement functions are incidental to their main purposes, are also called peace officers in some jurisdictions. Examples are prison guards, parole and probation officers, court personnel, and forest rangers and game wardens, who are not law enforcement officers in this terminology. • A separate entry is given for each type of law enforcement officer by level of government because each level has a variety of subtype names and borderline cases. • See law enforcement agency.

# law enforcement officer, federal n An employee of a federal law enforcement agency who is an officer sworn to carry out law enforcement duties, or a sworn employee of a federal prosecutorial agency, who primarily performs investigative duties.

recommended conditions of use See prosecutorial agency for reporting conventions.

annotation Examples of this class are agents of the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco and Firearms, and the investigative staff of federal organized crime units and tax law enforcement units. • See law enforcement officer.

# law enforcement officer, local n An employee of a local law enforcement agency who is an officer sworn to carry out law enforcement duties, or a sworn employee of a local prosecutorial agency who primarily performs investigative duties.

recommended conditions of use See prosecutorial agency for reporting conventions. Include campus police officers who are employees of local city and community college districts.

annotation Deputy sheriffs, city police officers, and sworn personnel of law enforcement subunits of port and transit authorities are examples of this class.

• Private campus police are excluded. • See law enforcement officer.

# law enforcement officer, state n An employee of a state law enforcement agency who is an officer sworn to carry out law enforcement duties, or a sworn employee of a state prosecutorial agency who primarily performs investigative duties.

recommended conditions of use See prosecutorial agency for reporting conventions. Include those campus police officers who are employees of state university campus police and state college police agencies.

annotation Examples of this class are state police officers, state highway patrol officers, and state park police. • Private campus police are excluded. • See law enforcement officer.

level of government n The federal, state, regional, or local county or city location of administrative and major funding responsibility of a given agency.

recommended conditions of use Whether the level of government is federal, state, regional, or local county or city should be indicated in interstate and national information exchange.

# manslaughter, involuntary syn negligent manslaughter  
(UCR) n Causing the death of another by recklessness  
or gross negligence.

defining features - UCR Part I offense

- causing the death of another person
- without intent to cause death
- with gross negligence or recklessness

annotation This offense is UCR criminal homicide l.b.

- In statutes this offense is variously named and defined. Typical inclusions in some state codes are unintentionally causing death while committing a misdemeanor, committing a lawful act recklessly or negligently, negligently (not willfully) omitting to perform a lawful duty, negligently handling dangerous instruments and, sometimes, committing criminal abortion. No standard definitional formula for the amount and type of negligence or recklessness necessary to constitute involuntary manslaughter exists. Data systems must therefore accept the most nearly equivalent offenses in each state code; excepting vehicular manslaughter, which can be identified as such independent of statute.
- See culpability for contemporary definitions of "recklessly" and "negligently." • See criminal homicide.

# manslaughter, vehicular n Causing the death of another by grossly negligent operation of a motor vehicle.

defining features

- causing the death of another person
- without intent to cause death
- during grossly negligent operation of a motor vehicle

annotation Included in UCR criminal homicide l.b.

Uniform definition of this offense presents the same problems as involuntary manslaughter, of which it is a subclass. • UCR includes this offense in negligent manslaughter. It is separated in this terminology because it is often codified with a different penalty range and can easily be distinguished from other instances of involuntary manslaughter.

# manslaughter, voluntary syn nonnegligent manslaughter  
(UCR) n Intentionally causing the death of another  
with reasonable provocation.

defining features - UCR Part I offense

- intentionally causing the death of another person
- with reasonable provocation, meaning provocation  
that a reasonable person would find extreme
- victim not engaged in committing a felony

annotation Included in UCR criminal homicide l.a.

- Murder may be used as a cover term for the legally  
distinct offenses murder and voluntary manslaughter,  
because the discrimination often cannot be made at  
police reporting levels. • See criminal homicide.

# misdemeanor n An offense usually punishable by incarceration in a local confinement facility, for a period of which the upper limit is prescribed by statute in a given jurisdiction, typically limited to a year or less.

defining features

- offense punishable by incarceration
- usually in a county or city confinement facility
- upper limit of period of incarceration prescribed by statute in a given jurisdiction
- usually an upper limit of a year or less

recommended conditions of use Do not include offenses not punishable by incarceration. In statistical presentations indicate statutory time limit.

annotation One of the two major classes of crimes, the other being felonies. ● The particular acts described as misdemeanors vary among different jurisdictions, although most misdemeanors are regarded as acts less harmful than most felonies. ● However, while the felony - misdemeanor distinction does not consistently reflect differences in gravity, it is much

more consistently related to differences in court processes. See court of limited jurisdiction, court of general jurisdiction, and charging document.

Model Penal Code n A generalized modern codification  
of that which is considered basic to criminal law,  
published by the American Law Institute in 1962.

annotation The Model Penal Code differed from almost  
all state codes at the time of its publication, in that  
such matters as the general principles of liability  
and justification, formerly defined mainly in case law,  
were explicitly codified.

motion n An oral or written request made by a party to an action, before, during or after a trial, that a court issue a rule or order.

# motor vehicle theft n Unlawful taking, or attempted taking, of a motor vehicle owned by another, with the intent to deprive him of it permanently or temporarily.

defining features - UCR Part I offense

- unlawful taking, or attempted taking, of a motor vehicle, including autos and all self-propelled vehicles that travel on the surface but not on rails
  - registered or other legal owner has not given permission for perpetrator to use vehicle
  - intent to permanently or temporarily deprive owner of possession
- or
- attempting the above act

recommended conditions of use Do not use "auto theft" as a name for this offense in interstate or national information exchange.

annotation UCR distinguishes three types of motor vehicle theft: autos; trucks and buses; and other vehicles, such as snowmobiles and motorcycles. Specifically excluded are motor boats, construction equipment, farming equipment, and airplanes. • The National

Crime Panel reports definition is "Stealing or unauthorized taking of a motor vehicle, including attempts at such acts. Motor vehicles include automobiles, trucks, motorcycles and any other motorized vehicle that is legally allowed on most roads and highways."

# murder n Intentionally causing the death of another without reasonable provocation or legal justification, or causing the death of another while committing or attempting to commit another crime.

defining features - UCR Part I offense

- intentionally causing the death of another person
  - without reasonable, that is, extreme provocation
  - without legal justification, meaning victim not engaged in committing a felony
- or
- causing the death of another person
  - while perpetrator committing or attempting to commit a crime

annotation Included in UCR criminal homicide l.a.

Attempted murder is included in UCR in aggravated assault. • Murder may be used as a cover term for the legally distinct offenses murder and voluntary manslaughter, because the discrimination often cannot be made at police reporting levels. • In some states murder cannot be charged in regard to a death occurring during the perpetrator's commission or attempted commission of a crime unless that crime is a felony. See criminal homicide.

National Crime Panel reports syn National Crime Panel Survey Reports n Criminal victimization surveys conducted for the Law Enforcement Assistance Administration by the U.S. Bureau of the Census, which gauge the extent to which persons age 12 and over, households, and businesses have been victims of certain types of crime, and describe the nature of the criminal incidents and their victims.

annotation The crimes studied by the Crime Panel are those generally considered most serious by the public and which, in addition, have been demonstrated to be statistically measurable in a victimization study because they involve criminal acts with specific victims who are willing to report the circumstances of what happened to them. The selection corresponds generally to UCR Part I offenses, although criminal homicide for example, is not included because the obtaining of information from the victim is not possible.

- As of 1975, surveys have been conducted nationally and in twenty-six large cities using samples independent of the national sample. • Crimes are grouped by the National Crime Panel into three major categories: crimes against persons, crimes against households, and

crimes against businesses. Crimes against persons are further divided into crimes of violence and crimes of theft. • The Crime Panel offenses and their classification are as follows:

crimes against persons

    crimes of violence

- rape (forcible rape)
- completed rape
- attempted rape
- robbery
  - robbery and attempted robbery with injury
  - serious assault
  - minor assault
  - robbery without injury
  - attempted robbery without injury
- assault
  - aggravated assault
  - with injury
  - attempted assault with weapon
  - simple assault
  - with injury
  - attempted assault without weapon

    crimes of theft ( personal larceny)

- personal larceny with contact
  - purse snatching
  - attempted purse snatching
  - pocket picking
- personal larceny without contact

crimes against households

- burglary
- forcible entry
- unlawful entry (without force)
- attempted forcible entry
- household larceny
  - completed larceny
  - attempted larceny
- motor vehicle theft (occasionally called "auto theft")

crimes against businesses

burglary  
completed burglary  
attempted burglary  
robbery  
completed robbery  
attempted robbery

Crimes against persons and crimes of violence differ from the UCR classes of the same name. • The definitions attributed to the NCP in this dictionary are those used for the National Crime Panel reports containing national data for 1973 and 1974.

nolo contendere n A defendant's formal answer in court, to the charges in a complaint, information, or indictment, in which he states that he does not contest the charges, and which, while not an admission of guilt, subjects him to the same legal consequences as a plea of guilty.

recommended conditions of use Include answers of nolo contendere in counts of guilty pleas.

annotation Because an answer of nolo contendere and a guilty plea have the same effect, data systems customarily do not differentiate the two.

OBTS n An abbreviation for "offender-based transaction statistics."

annotation Offender-based transaction statistics are derived from information concerning law enforcement, court and corrections proceedings recorded in such a way that the system identity of the person subject to the proceedings is preserved throughout data collection and analysis. • The use of the individual offender or alleged offender as the basic unit tracked by the statistical system provides the mechanism for linking events in the different parts of the criminal justice system. The output of one agency can be linked to the input of another agency, and the flow of alleged offenders and offenders through the system can be observed over long periods of time. This capability permits study of the relationships between decisions and dispositions made at one point and decisions and dispositions made at another point in the criminal justice process. • The data elements in OBTS and CCH systems both represent criminal history record information. However, CCH system output contains personal identifiers; OBTS system output does not.

# offender syn criminal n An adult who has been convicted of a criminal offense.

defining features

- identified adult
- charged with a crime by a criminal justice agency
- convicted

recommended conditions of use Do not use alleged offender or suspect as synonyms. Do not use to describe juveniles unless they have been transferred to a criminal court, prosecuted and convicted.

annotation Juveniles adjudicated in juvenile court to have committed offenses should be described as delinquents or status offenders, according to whether the offense was a criminal act or a status offense.

# offender, alleged n A person who has been charged with a specific criminal offense(s) by a law enforcement agency or court, but has not been convicted.

defining features

- identified person
- charged with a crime by a criminal justice agency
- not convicted

recommended conditions of use Do not use suspect or offender as synonyms. Do not use to describe juveniles unless they have been transferred to a criminal court for prosecution as adults.

annotation Describe juveniles alleged, but not adjudicated, to have committed delinquent acts or status offenses as alleged delinquents or alleged status offenders.

offense n An act committed or omitted in violation of a law forbidding or commanding it.

annotation In most statistical contexts, this term is synonymous with crime as defined in this dictionary, which excludes infractions. • In broadest usage offenses include crimes, delinquent acts, status offenses and infractions.

# offenses, Part I n A class of offenses selected for use in UCR, consisting of those crimes which are most likely to be reported, which occur with sufficient frequency to provide an adequate basis for comparison, and which are serious crimes by nature and/or volume.

annotation The Part I offenses are:

1. Criminal homicide
  - a. Murder and nonnegligent [voluntary] manslaughter
  - b. Manslaughter by negligence [involuntary manslaughter]
2. Forcible rape
  - a. Rape by force
  - b. Attempted forcible rape
3. Robbery
  - a. Firearm
  - b. Knife or cutting instrument
  - c. Other dangerous weapon
  - d. Strongarm
4. Aggravated Assault
  - a. Firearm
  - b. Knife or cutting instrument
  - c. Other dangerous weapon
  - d. Hands, fist, feet, etc. -- aggravated injury
5. Burglary
  - a. Forcible entry
  - b. Unlawful entry -- no force
  - c. Attempted forcible entry
6. Larceny-theft [larceny]
7. Motor vehicle theft
  - a. Autos
  - b. Trucks and buses
  - c. Other vehicles

The various subclassifications of Part I offenses are described in the entry for UCR, in the subsection UCR offense classifications.

# offenses, Part II n A class of offenses selected for use in UCR, consisting of specific offenses and types of offenses which do not meet the criteria of frequency and/or seriousness necessary for Part I offenses.

annotation The Part II offenses are:

other assaults (simple,\* non-aggravated)  
arson\*  
forgery\* and counterfeiting\*  
fraud\*  
embezzlement\*  
stolen property; buying, receiving, possessing  
vandalism  
weapons; carrying, possessing, etc.  
prostitution and commercialized vice  
sex offenses (except forcible rape, prostitution, and  
commercialized vice)  
narcotic drug laws  
gambling  
offenses against the family and children  
driving under the influence\*  
liquor laws  
drunkenness  
disorderly conduct  
vagrancy  
all other offenses (excepting traffic law violations)  
suspicion\*  
curfew and loitering laws (juvenile violations)  
runaway\* (juveniles)

Terms marked with an asterisk (\*) are defined in this edition, though not necessarily in accord with UCR usage. • UCR does not collect reports of Part II offenses. Arrest data concerning such offenses, however, are collected and published.

parole n The status of an offender conditionally released from a confinement facility prior to the expiration of his sentence, and placed under the supervision of a parole agency.

annotation Conditions of parole frequently include requirements such as not committing another offense, abstaining from drugs and alcohol, not associating with known offenders or other specified persons, regularly reporting to a parole officer or other designated person, and/or remaining within a designated geographic area. • Violation of the conditions of parole can result in revocation of parole by a parole authority. • The length of time of parole is determined by the length of the sentence less the length of time served in a confinement facility. • Juveniles as well as adults can be placed on parole, although juvenile parole is often called "aftercare." • See release from prison for the classification of releases on parole.

# parole agency n A correctional agency, which may or may not include a parole authority, and of which the principal functions are the supervision of adults or juveniles placed on parole.

defining features

- correctional agency
- may or may not include parole authority
- supervises parolees

recommended conditions of use      Describe agencies which supervise both parolees and probationers as probation/parole agencies.

annotation    A parole agency's principal function is to supervise all persons on parole status. Such supervision typically includes making sure the parolee adheres to the conditions of his parole, regularly reports to a parole officer or other designated person, and engages in behavior appropriate to a parolee.

# parole authority n A person or a correctional agency which has the authority to release on parole adults or juveniles committed to confinement facilities, to revoke parole, and to discharge from parole.

defining features

- person or correctional agency
- may determine date a person is released on parole
- may revoke parole
- may discharge from parole

annotation Although parole discretion is usually possessed by a board or commission, in some states, the legal authority is vested in the governor. • A parole authority may or may not be administratively separate from the parole agency that supervises parolees. Typical names are "parole board," "parole commission," and "adult authority." • When the court fixes the sentence, the parole authority discretion is usually limited to granting release on parole when a certain portion of the sentence has been served in confinement, with minor variations according to the inmate's behavior. The rest of the sentence is served on parole. • In states having an indeterminate sentence statute, the parole authority determines the period of confinement within the statutory limits for a given offense, and may in some jurisdictions determine the date of discharge from parole.

# parolee n A person who has been conditionally released from a correctional institution prior to the expiration of his sentence, and placed under the supervision of a parole agency.

defining features

- person conditionally released from correctional institution
- prior to expiration of sentence
- required to meet specified standards of behavior
- under supervision of parole agency

recommended conditions of use Do not include persons released from correctional institutions without conditions and without supervision.

annotation A person released from a correctional institution without conditions and without supervision is said to be discharged. ● A parolee differs from a probationer in that a parolee has been placed on parole status either by a parole authority or by statute, after confinement, whereas a probationer has been placed on probation status by a judicial officer.

- This definition excludes persons paroled from jails and other short term confinement facilities where parole discretion is not vested in a special authority or board.

# parole violation n An act or a failure to act by a parolee which does not conform to the conditions of his parole.

recommended conditions of use Do not use as a synonym for revocation.

annotation Whereas a parole violation is an act committed by a parolee, a revocation is the action taken by a parole authority in response to that violation. A parole violation need not necessarily result in a parole revocation. • Conditions of parole, as set forth by the paroling authority, frequently include such requirements as not committing another offense, abstaining from drugs and alcohol, not associating with known offenders or other specified persons, regularly reporting to a parole officer or other designated person, and/or remaining within a designated geographic area.

penalty n The punishment annexed by law or judicial decision to the commission of a particular offense, which may be death, imprisonment, fine, or loss of civil privileges.

annotation The penalty imposed by the court upon a given person convicted of a crime(s) is called the sentence. Penalties defined in this edition are prison (sentence), jail (sentence), and fine.

person n A human being, or a group of human beings considered a legal unit, which has the lawful capacity to defend rights, incur obligations, prosecute claims, or can be prosecuted or adjudicated.

recommended conditions of use In data presentations where context does not make technical distinctions clear, adults, juveniles and corporate entities should be so labelled.

annotation Examples of a legal unit constituting a person are a state, a territory, a government, a country, a partnership, a public or private corporation, or an unincorporated association.

# petition (juvenile) n A document filed in juvenile court alleging that a juvenile is a delinquent, a status offender, or a dependent, and asking that the court assume jurisdiction over the juvenile, or asking that the juvenile be transferred to a criminal court for prosecution as an adult.

annotation Petitions may be filed by a prosecutor, by an officer of an intake unit, or by a social welfare agent or other government officer in cases of dependency. In some states private citizens may also file petitions.

- A juvenile need not have been taken into custody in order for a petition to be filed. See detention hearing.
- Filing of a petition results in an adjudicatory hearing to determine the truth of the allegations, or a transfer hearing to determine if jurisdiction should be waived, or both.
- In accounting for the flow of juveniles through the judicial system, transfers to adult court and specific adjudications (juvenile) may be outcomes of the filing of a petition. A juvenile court disposition may be an outcome of an adjudication (juvenile).

# petition not sustained n The finding by a juvenile court in an adjudicatory hearing that there is not sufficient evidence to sustain an allegation that a juvenile is a delinquent, status offender, or dependent.

annotation This type of adjudication (juvenile) corresponds to an adjudication (criminal) of acquittal or dismissal.

# plea n A defendant's formal answer in court to the charges brought against him in a complaint, information, or indictment.

annotation For statistical purposes, there are two types of pleas: not guilty plea and guilty plea. The latter includes pleas of nolo contendere. Since initial and final pleas may be different, both should be recorded.

plea bargaining n The exchange of prosecutorial and/  
or judicial concessions, commonly a lesser charge,  
the dismissal of other pending charges, a recommendation  
by the prosecutor for a reduced sentence, or a com-  
bination thereof, in return for a plea of guilty.

# plea, final n The last plea, to a given charge, entered in  
a court record by or for a defendant.

# plea, guilty n A defendant's formal answer in court, to the charges in a complaint, information, or indictment, in which he states that the charges are true and that he has committed the offense as charged, or that he does not contest the charges.

recommended conditions of use      Include pleas of  
nolo contendere.

annotation. Pleas of nolo contendere have the same legal status as guilty pleas, and data systems customarily do not differentiate between the two.

# plea, initial n The first plea, to a given charge, entered in a court record by or for a defendant.

recommended conditions of use Use to represent completed arraignments.

annotation Because there is jurisdictional variation as to what actions are included in an arraignment, or arraignment hearing, the term "arraignment" is not recommended as a statistical term. The acceptance and recording of an initial plea unambiguously indicates that the arraignment process has been completed.

# plea, not guilty n A defendant's formal answer in court,  
to the charges in a complaint, information, or indictment,  
in which he states that he is not guilty.

# police department n A local law enforcement agency directed by a chief of police or a commissioner.

recommended conditions of use Indicate whether a special district; or organized at the city, county or regional level of government.

annotation Any city, county, regional, or special district law enforcement agency which is not a sheriff's department is a police department in this terminology.

• UCR distinguishes between city police departments and town police departments. • See local law enforcement agency.

# police officer n A local law enforcement officer  
employed by a police department.

annotation See police department. • See local law  
enforcement officer.

population movement n Entries and exits of adjudicated persons, or persons subject to judicial proceedings, into or from correctional facilities or programs.

annotation. The events which are described, classified, and tabulated under the general heading of population movement statistics are variously named and defined. The choice of nomenclature and referents in different jurisdictions is not consistent. "Admissions" and "readmissions" can describe entries into a single facility or into a given correctional system. "Readmissions" can be defined as re-entries in connection with one set of criminal proceedings or as all re-entries by the same person. Statistics concerning movement in and movement out may or may not account for entries and exits of prisoners en route to other facilities and persons committed to units within facilities for diagnosis or classification. • In the current absence of a consensus on national level data requirements, there is no basis for recommending a general population movement terminology in this edition of the dictionary. • See, however, release from prison and release from detention for suggested standard terminology for these narrower ranges of population movement, where some general consensus on language has been established.

# predisposition report n The document resulting from an investigation undertaken by a probation agency or other designated authority, which has been requested by a juvenile court, into the past behavior, family background and personality of a juvenile who has been adjudicated a delinquent, a status offender, or a dependent, in order to assist the court in determining the most appropriate disposition.

annotation The investigation and report is usually made by a probation agency or special intake unit attached to a juvenile court. • A predisposition report corresponds to an adult presentence report.  
• See diagnosis or classification center.

# presentence report n The document resulting from an investigation undertaken by a probation agency or other designated authority, at the request of a criminal court, into the past behavior, family circumstances, and personality of an adult who has been convicted of a crime, in order to assist the court in determining the most appropriate sentence.

annotation A presentence investigation is usually carried out after conviction and before sentencing.

- A presentence report corresponds to a juvenile predisposition report. ● See diagnosis or classification center.

prior record n Criminal history record information concerning any law enforcement, court or correctional proceedings that have occurred before the current investigation of, or preceedings against, a person; or statistical descriptions of the criminal histories of a set of persons.

recommended conditions of use In statistical presentations indicate the process events included in the analysis.

annotation "Prior record" in operating agency and court usage usually refers to an individual's previous criminal history record in conventional computerized or other "rap sheet" form. However, statistical tabulations, of prison population characteristics for example, often provide prior record information in the form of summary numbers of individuals with "three prior arrests" or "one to three jail priors" or "one prison prior" and the like. • See criminal history record information.

prison n A confinement facility having custodial authority over adults sentenced to confinement for more than a year.

recommended conditions of use Correctional facilities fitting this description should be classified as adult correctional institutions.

annotation This is not a prescriptive definition. "Adult correctional institution" is the statistical term proposed in this terminology for long-term adult confinement facilities because it is a functional name, appropriate for the similar or identical facilities commonly called "prisons," "penitentiaries," "state reform schools," "state correctional facilities," "federal prisons," and "major correctional institutions." See correctional facility for a list of recommended standard descriptors.

# prisoner n A person in custody in a confinement facility, or in the personal custody of a criminal justice official.

annotation "Prisoner" includes both inmates and persons in custody while being transported to or between confinement facilities. However, "prisoner" is the customary name for inmates, in federal and state statistical reporting concerning confinement facilities.

# prison (sentence) n The penalty of commitment to the jurisdiction of a confinement facility system for adults, of which the custodial authority extends to persons sentenced to more than a year of confinement.

annotation This term is proposed as the name for a sentence to a correctional institution, as the latter is defined in this terminology, because the usages "prison sentence" and "jail sentence" are well established at the level of court data reporting. It includes commitments to those relatively uncommon facilities which may contain some adults sentenced to less than a year, as there is at present no separate category in national prisoner data presentations for facilities which hold both short and long-term prisoners. • The upper limit of sentence is used here to define the penalty of commitment to a "prison," instead of the felony/misdemeanor distinction because of the variation in felony definitions among states. • Data presentations for which this classification is not appropriate should, where possible, use the standard descriptors for correctional facilities to describe the exceptions from the definition.

probable cause n A set of facts and circumstances which would induce a reasonably intelligent and prudent person to believe that an accused person had committed a specific crime.

recommended conditions of use Do not use suspicion as a synonym.

annotation The existence of probable cause is required in most jurisdictions for arrest and the beginning of prosecution. Probable cause requires "reasonable grounds to believe" a specific crime has been committed by a specific person, whereas proof of guilt requires "belief beyond a reasonable doubt."

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probation n The conditional freedom granted by a judicial officer to an alleged offender, or adjudicated adult or juvenile, as long as the person meets certain conditions of behavior.

recommended conditions of use In interstate and national information exchange concerning probation decisions and probationers, indicate whether probation status was granted before adjudication or after conviction.

annotation Probation for an adjudicated person is a court ordered conditional freedom, whereas parole is a conditional freedom granted either by a parole authority or by statute after confinement. • Probation is usually a continuation of freedom previously granted by the court during court proceedings. It may be granted after conviction, but also may be granted before adjudication, as when the defendant concedes guilt, prosecution is suspended, and the subject placed on probation. • Juveniles may be placed on probation by a probation officer in lieu of the filing of a petition. • Probation may occur following a short local confinement, as when jail (sentence) is a condition of probation. • Probation may be granted when either execution or imposition of the sentence is suspended. In the former case, a violation of probation and consequent revocation may cause the sentence to be executed. In the latter, a sentence may be set and executed.

# probation agency syn probation department n A correctional agency of which the principal functions are juvenile intake, the supervision of adults and juveniles placed on probation status, and the investigation of adults or juveniles for the purpose of preparing presentence or predisposition reports to assist the court in determining the proper sentence or juvenile court disposition.

defining features

- correctional agency
- performs juvenile intake functions
- supervises persons placed on probation by a judicial officer, before or after adjudication
- investigates past behavior and circumstances of persons subject to judicial proceedings

recommended conditions of use      Describe agencies which supervise both probationers and parolees as probation/parole agencies.

annotation      Probation agencies are classified as correctional agencies because their chief functions include the supervision of adjudicated juveniles or convicted adults.      However, probation agencies organized

at local levels of government usually operate under the authority of a court, and juvenile probation officers are often considered Judicial officers. • Adult and juvenile probation agencies are often separate government units. In many states a single state agency performs both probation and parole supervision functions for adults, but juvenile probation functions are typically local and supervised by a juvenile court. • A probation agency's concern with adults is usually limited to those convicted of an offense. Its discretionary powers regarding juveniles are much greater, in that it usually administers the intake unit that can make a decision to close a case at intake, to take other actions that preclude or defer the intervention of the juvenile court, or to file a petition asking the court to assume jurisdiction over the juvenile. The juvenile concern is also broad in that the intake function and subsequent supervision and care authority may apply to dependent juveniles, especially those in custody pending court disposition.

# probationer n A person required by a court or probation agency to meet certain conditions of behavior, who may or may not be placed under the supervision of a probation agency.

annotation Although anyone whose judicial proceedings or commitment to confinement has been suspended conditionally upon good behavior is technically a probationer, data reporting systems should distinguish between those under probation agency supervision and those not supervised. • Adjudication need not be complete for an adult or juvenile to be placed on probation. • Violation of the conditions of probation may result in revocation, followed by either a court order to the probationer to serve a previously suspended sentence, or the setting and execution of a sentence by the court.

# probation officer n An employee of a probation agency whose primary duties include one or more of the probation agency functions.

recommended conditions of use Include all probation officers in summary counts of correctional agency personnel. Include juvenile probation officers who exercise judicial powers in summary counts of subjudicial officers.

annotation All probation officers are probation agency personnel, and therefore correctional agency personnel. • The intake function of a juvenile probation agency may include the exercise of judicial authority in disposing of juvenile referrals. Probation officers who exercise judicial authority are therefore also subjudicial officers.

# probation (sentence) n A court requirement that a person fulfill certain conditions of behavior and accept the supervision of a probation agency, usually in lieu of a sentence to confinement but sometimes including a jail sentence.

annotation See sentence.

# probation violation n An act or a failure to act by a probationer which does not conform to the conditions of his probation.

recommended conditions of use Do not use as a synonym for revocation.

annotation Whereas a probation violation is an act committed by a probationer, a revocation is the action taken by a court in response to that violation.

Probation revocation may result in the execution of a previously suspended sentence. • A probation violation need not necessarily result in a probation revocation. • Conditions of adult probation, as set forth by the court which granted the probation, frequently include such admonishments as not committing another offense, abstaining from drugs and alcohol, not associating with known offenders or other specified persons, regularly reporting to a probation officer or other designated person, and/or remaining within a designated geographic area.

# pro se    syn    in propria persona   adv   Acting as one's  
own defense attorney in criminal proceedings; represen-  
ting oneself.

annotation   A defendant acting pro se is seldom an  
attorney admitted to the bar.

# prosecutor n An attorney employed by a government agency or subunit whose official duty is to initiate and maintain criminal proceedings on behalf of the government against persons accused of committing criminal offenses.

recommended conditions of use In interstate and national data exchange, describe prosecuting attorneys by a term indicating the level of government plus the term "prosecutor," for example "county prosecutor."

annotation Customary names of government attorneys, such as "U.S. Attorney," "district attorney," and "state's attorney," are not recommended in this statistical terminology because nomenclature and definition vary among states. The employing level of government and the prosecutorial function are the basic classification features in statistics concerning prosecutors. Specific employing agencies can be designated where necessary. • Excluded from this category are law enforcement and probation officers who present cases in court, but only incidentally to their other duties.

# prosecutorial agency n A federal, state or local criminal justice agency of which the principal function is the prosecution of alleged offenders.

defining features

- federal, state or local criminal justice agency
- principal function is prosecution of alleged offenders

recommended conditions of use When counting agencies count prosecutorial subunits of regulatory agencies as prosecutorial agencies. When counting personnel count those who primarily prepare or try cases as prosecutors, and those who are sworn officers and who primarily investigate as law enforcement officers.

Indicate level of government.

- annotation A prosecutorial agency can contain both prosecutors and law enforcement officers. • Typical prosecutorial agencies are county district attorney offices, organized crime units in federal and state departments of justice, and prosecutorial subunits of regulatory agencies. This classification is based on the special, single major purpose of such agencies.
- The Law Enforcement Assistance Administration's agency directory and expenditure reports have a

category entitled "prosecution and legal services agencies." This category may include agencies or offices with only civil functions. Such deviations from the standard definition should be indicated.

# public defender n An attorney employed by a government agency or subdivision, whose official duty is to represent defendants unable to hire private counsel.

defining features

- a defense attorney
- assigned by the court to defend private persons unable to hire private counsel
- regularly employed by the government

recommended conditions of use Do not use as a synonym for assigned counsel.

annotation An assigned counsel is one who may be paid by the government for defending a client in a particular case but is not regularly employed by the government. • The third type of defense attorney is retained counsel.

# public defender's office n A federal, state, or local criminal justice agency or subunit of which the principal function is to represent defendants unable to hire private counsel.

defining features

- criminal justice agency
- principal function is to represent defendants unable to hire private counsel

purge (record) v The complete removal of arrest, criminal, or juvenile record information from a given records system.

recommended conditions of use Do not use as a synonym for seal.

annotation Purging differs from sealing in that sealing only transfers information from routinely available access to greatly restricted access.

- Purging does not necessarily mean the destruction of all records of a given fact. Original records that often remain after purging of a central record from a central file include precinct arrest books, other original entry records, chronological court files, and reported court opinions. ● Some jurisdictions use expunge as a synonym, but this usage is not recommended because expunge is sometimes used to mean seal or purge or both.

rape n Unlawful sexual intercourse with a female, by force or without legal or factual consent.

recommended conditions of use Use the subclasses forcible rape, statutory rape, and rape without force or consent, when possible.

annotation Historically, rape meant forcible rape as defined in this dictionary, but it is currently used in statutes as a general term for forcible rape, together with other sexual acts codified as criminal because of the victim's legal inability to give consent (usually called statutory rape), or factual inability to give consent (defined here as rape without force or consent). • The National Crime Panel reports sometimes use "rape" for forcible rape.

# rape, forcible n Sexual intercourse or attempted sexual intercourse with a female against her will, by force or threat of force.

defining features - UCR Part I offense

- sexual intercourse meaning, vaginal penetration, with a female of any age
  - against the will of the victim
  - use or threat of force
- or
- attempting the above act

recommended conditions of use See rape.

annotation The National Crime Panel reports define rape as "carnal knowledge through the use of force or the threat of force, including attempts. Statutory rape (without force) is excluded." Wives are not explicitly excluded as victims. The NCP usage is also broader in that males as well as females can be victims, and sexual assaults other than forcible sexual intercourse may be included if the victim believes he or she has been forcibly raped.

# rape, statutory n Sexual intercourse with a female who has consented in fact but is deemed, because of age, to be legally incapable of consent.

defining features

- sexual intercourse with a female
- without force or threat of force
- female has consented in fact
- female below the age of consent specified in the code of a given state

recommended conditions of use See rape.

# rape without force or consent n Sexual intercourse with a female legally of the age of consent, but who is unconscious, or whose ability to judge or control her conduct is inherently impaired by mental defect, or impaired by intoxicating substances.

defining features

- sexual intercourse with a female
- without force or threat of force
- female legally of the age of consent
- female unconscious, or
- ability to consent not present, in that ability to judge or control conduct is inherently impaired by mental defect, or impaired by intoxicating substances.

recommended conditions of use See rape.

recidivism n The repetition of criminal behavior; habitual criminality.

annotation In statistical practice, a recidivism rate may be any of a number of possible counts of instances of arrest, conviction, correctional commitment, and correctional status changes, related to counts of repetitions of these events within a given period of time. Efforts to arrive at a single standard statistical description of recidivism have been hampered by the fact that the correct referent of the term is the actual repeated criminal or delinquent behavior of a given person or group, yet the only available statistical indicators of that behavior are records of such system events as rearrests, reconvictions, and probation or parole violations or revocations. It is recognized that these data reflect agency decisions about events and may or may not closely correspond with actual criminal behavior. Different conclusions about degrees of correspondence between system decisions and actual behavior consequently produce different definitions of recidivism, that is, different judgments of which system event repetition rates best measure actual recidivism rates. This is an empirical question, and

not one of definition to be resolved solely by analysis of language usage and system logic. • Resolution has also been delayed by the limited capacities of most criminal justice statistical systems, which do not routinely make available the standardized offender-based transaction data (OBTS) which may be needed for the best measurement of recidivism. • Pending the adoption of a standard statistical description of recidivism, and the ability to implement it, it is recommended that recidivism analyses include the widest possible range of system events that can correspond with actual recidivism, and that sufficient detail on offenses charged be included to enable discrimination between degrees of gravity of offenses. The units of count should be clearly identified and the length of community exposure time of the subject population stated. • The National Advisory Commission on Criminal Justice Standards and Goals recommends a standard definition of recidivism in its volume "Corrections" (1973): "Recidivism is measured by (1) criminal acts that resulted in conviction by a court, when committed by individuals who are under correctional supervision or who have been released from correctional supervision within the previous three years, and by (2) technical violations of probation or parole in which a sentencing or paroling authority took action that resulted in an adverse change in the offender's legal status." Neither of these formulations is endorsed

as adequate for all purposes. Both limit the measure and concept of recidivism to populations which are or have been under correctional supervision. Yet the ultimate significance of data concerning the repetition of criminal behavior often depends upon the comparison of the behavior of unconfined or unsupervised offenders with the behavior of those with correctional experience. The three year exposure period, however, is probably longer than necessary. There is evidence that the likelihood of arrest or violation is significantly high for 18 months following release from confinement, but then falls sharply.

# referral to intake n In juvenile proceedings, a request by the police, parents, or other agency or person, that a juvenile intake unit take appropriate action concerning a juvenile alleged to have committed a delinquent act, status offense, or to be dependent.

defining features

- request by police or other agency, parent or other private person
- to juvenile intake unit
- concerning juvenile alleged to have committed a delinquent act, status offense or to be dependent
- that intake unit itself dispose of case, or
- file petition alleging that the juvenile is a delinquent, status offender or dependent

annotation The outcomes of a referral to intake include filing of a juvenile petition, referral to a care or supervision program, closing of the case, or diversion.

# release from detention n The authorized exit from detention of a person subject to criminal or juvenile justice proceedings.

annotation This term covers all releases of persons detained in correctional facilities pending the completion of judicial proceedings, whether or not the release is from a facility that is ordinarily characterized as a detention facility, such as a jail or juvenile hall, and irrespective of the reason for the release. It includes all releases from detention for the purpose of transfer to other facilities.

- Data presentations should state the type of facility from which the person(s) is released.

release from prison n A cover term for all lawful exits from federal or state confinement facilities primarily intended for adults serving sentences of more than a year, including all conditional and unconditional releases, deaths, and transfers to other jurisdictions, excluding escapes.

annotation Although there is no established precise classificatory terminology for all legal exits from prisons, there is general agreement on data elements in some national systems. The following terminology is suggested for the classification of all releases from prison.

release on parole	syn conditional release	release while still under jurisdiction of correctional agency, before expiration of sentence
discretionary		release date determined by parole authority
mandatory		release date determined by statute
discharge from prison	syn unconditional release	release ending all agency jurisdiction
discretionary		pardon, commutation of sentence
mandatory		expiration of sentence
temporary release		authorized, unaccompanied temporary departure for educational, employment, or other authorized purposes

transfer of jurisdiction	transfer to jurisdiction of another correctional agency or a court
death	death from homicide, suicide, or natural causes
execution	execution of sentence of death

In some systems "release on parole" represents only discretionary conditional release. It is recommended that mandatory conditional releases be included, as both types describe conditional releases with subsequent parole status.

# release on bail n The release by a judicial officer of an accused person who has been taken into custody, upon his promise to pay a certain sum of money or property if he fails to appear in court as required, which promise may or may not be secured by the deposit of an actual sum of money or property.

defining features

- release by a judicial officer
- of an arrested person who would otherwise be detained
- accused promises to appear in court as required for criminal proceedings
- accused promises to pay a sum of money if he fails to appear
- promise to pay may or may not be secured by a deposit

recommended conditions of use      Specify whether "secured" or "unsecured" bail.

annotation   The other two major types of pretrial release are release on own recognizance and release to third party.   ● Bail is usually secured not by

the deposit of the total amount to be forfeited, but by a percentage thereof. • When the accused is released on his promise to pay a certain sum, but where no money or property at all is required to be deposited in advance, this is spoken of as release on "unsecured bail" or "unsecured bond." • Release on unsecured bail differs from release on own recognizance in that release on own recognizance does not require the security of even a promised sum of money or property. In jurisdictions where release on own recognizance is not provided for, release on unsecured bail may fulfill a similar function.

# release on own recognizance n The release, by a judicial officer, of an accused person who has been taken into custody, upon his promise to appear in court as required for criminal proceedings.

defining features

- release by a judicial officer
- of an arrested person who would otherwise be detained
- accused promises to appear in court as required for criminal proceedings
- no bail, either secured or unsecured, required

recommended conditions of use Do not use as a synonym for release on bail, whether secured or unsecured.

annotation The other two major types of pretrial release are release on bail and release to third party. ● Release on own recognizance differs from release on unsecured bail in that release on own recognizance does not require the security of even a promised sum of money or property. In jurisdictions where release on own recognizance is not provided for, release on unsecured bail may fulfill a similar function. ● Release on own recognizance is often abbreviated R.O.R., or O.R.

# release, pretrial n A procedure whereby an accused person who has been taken into custody is allowed to be free before and during his trial.

annotation The three major types of pretrial release are release on bail, release on own recognizance and release to third party. • The usage of the terms "bail" and "recognizance" is quite varied. In the terminology proposed here for interstate and national information exchange, release on bail refers only to instances where a sum of money or property will be forfeited if the accused does not appear in court. In this terminology, release on own recognizance includes only releases not related to any deposit or promise to forfeit money or property.

# release to third party n The release by a judicial officer of an accused person who has been taken into custody, to a third party who promises to return the accused to court for criminal proceedings.

defining features

- release by a judicial officer
- of an arrested person who would otherwise be detained
- into the custody of a third party
- third party promises to return the accused to court as required for criminal proceedings

annotation The other two major types of pretrial release are release on bail and release on own recognizance.

residential treatment center n A government facility which serves juveniles whose behavior does not necessitate the strict confinement of a training school, often allowing them greater contact with the community.

annotation This is the term and the definition used in the data collection questionnaire for the LEAA series, "Children in Custody." This term is variously used in different jurisdictions. Facilities known by this name which do in fact regularly provide daily access to community activities and resources should be classified as juvenile community facilities. For the classification of facilities in which the inmates are confined, see correctional institution and detention facility. • See correctional facility for a list of recommended standard facility descriptors.

# retained counsel n An attorney, not employed or compensated by a government agency or subunit, nor assigned by the court, who is privately hired to represent a person(s) in a criminal proceeding.

defining features

- a defense attorney
- not assigned by the court
- not employed or compensated by the government
- privately hired to represent a person(s) in a criminal proceeding(s)

annotation The other two types of defense attorney are assigned counsel and public defender.

# revocation n An administrative act performed by a parole authority removing a person from parole, or a judicial order by a court removing a person from parole or probation, in response to a violation on the part of the parolee or probationer.

recommended conditions of use Do not use as a synonym for parole violation or probation violation. Exclude temporary suspensions of parole or probation status, pending a revocation decision.

annotation Revocation is the official action by a parole authority or a court in response to a parole or probation violation, which is an act committed by the parolee or probationer. The subject can be committed or recommitted to a confinement facility without conviction for a new offense, but only on evidence presented during a revocation hearing that he has violated his conditions of parole or probation.

Parole and probation status can usually be revoked only by the authority that granted it. • Not all violations result in revocation hearings or revocations. A court may revoke probation, order the probationer to appear in court, and re-grant probation. Usually, however, probation revocation results in commitment

to a confinement facility to serve a previously suspended sentence. Parole revocation may result in a short confinement in a local facility or return to a federal or state confinement facility.

# revocation hearing n An administrative and/or judicial hearing on the question of whether or not a person's probation or parole status should be revoked.

annotation A revocation hearing occurs as a response to a probation or parole violation. Not all probation or parole violations necessarily result in revocation hearings, and not all revocation hearings necessarily result in revocation.

rights of defendant in Those powers and privileges which are constitutionally guaranteed to every defendant.

annotation At the time of arraignment a defendant is typically informed of at least the following: the right to remain silent; the right to an attorney at all stages of the proceedings and the right to a court-appointed attorney if the defendant does not have the financial means to retain his own; the right to release on reasonable bail; the right to a speedy public trial before a jury or a judge; the right to the process of the court to subpoena and produce witnesses in the defendant's own behalf and to see, hear and question the witness appearing before the defendant; the right not to incriminate himself. Some, though not necessarily all of these, are usually read to a defendant at the time of arrest.

# robbery n The unlawful taking or attempted taking of property that is in the immediate possession of another, by force or the threat of force.

defining features - UCR Part I offense

- use or threatened use of deadly weapon, or
  - use of other means of immediately causing injury or fear
  - unlawful taking of property in the immediate possession of another
- or
- attempting above act

annotation UCR subdivides robbery into (a.) firearm, (b.) knife or cutting instrument, (c.) other dangerous weapon, and (d.) strongarm. The National Crime Panel reports define robbery as: "Theft or attempted theft, directly from a person or business, of property or cash by force or threat of force, with or without a weapon." The NCP system classifies robbery against persons separately from robbery against businesses.

Two types of the former are defined: Robbery with injury is defined as "Theft or attempted theft from a person, accompanied by an attack, either with or

without a weapon, resulting in injury. An injury is classified as resulting from a serious assault if a weapon was used in the commission of the crime or, if not, when the extent of the injury was either serious (e.g., broken bones, loss of teeth, internal injuries, loss of consciousness) or undetermined but requiring 2 or more days of hospitalization. An injury is classified as resulting from a minor assault when the extent of the injury was minor (e.g., bruises, black eye, cuts, scratches, swelling) or undetermined but requiring less than 2 days of hospitalization." Robbery without injury is defined as "Theft or attempted theft from a person, accompanied by force or the threat of force, either with or without a weapon, but not resulting in injury."

# robbery, armed n The unlawful taking or attempted taking of property that is in the immediate possession of another, by the use or threatened use of a deadly or dangerous weapon.

defining features

- use or threatened use of deadly weapon
  - unlawful taking of property in the immediate possession of another
- or
- attempting above act

annotation Armed robbery includes the UCR robbery subclasses (a.) through (c.). See robbery.

# robbery, strongarm n The unlawful taking or attempted taking of property that is in the immediate possession of another by the use or threatened use of force, without the use of a weapon.

defining features

- use or threatened use of force
  - no weapon
  - unlawful taking of property in the immediate possession of another
- or
- attempting above act

annotation Strongarm robbery consists of the UCR robbery subclass (d.). See robbery.

# runaway n A juvenile who has been adjudicated by a judicial officer of a juvenile court, as having committed the status offense of leaving the custody and home of his parents, guardians or custodians without permission and failing to return within a reasonable length of time.

recommended conditions of use Do not use to describe juveniles who have left a correctional facility without authorization.

annotation Runaways, if adjudicated, are a subclass of status offender. • Statutes defining the status offense usually specify either a length of time that the juvenile must be away, or declare habitual running away a status offense. The codification of this offense varies greatly among different states.

seal (record) v The removal, for the benefit of the subject, of arrest, criminal or juvenile record information from routinely available status to a status requiring special procedures for access.

recommended conditions of use Do not use as a synonym for purge.

annotation Seal differs from purge in that purging is the total removal of information within a given system. Sealing is typically done to prevent general access to information concerning juvenile offenses or minor offenses committed by young adults. See youthful offender. • Records may be sealed by court order or because of a statute requiring, for example, all juvenile records to be sealed when the subject reaches a certain age. • Sealing may or may not extend to information contained in precinct arrest books, other original entry records, chronological court files, and reported court opinions. • Some jurisdictions use expunge as a synonym, but this usage is not recommended because expunge is sometimes used to mean purge or seal or both.

security n The degree of restriction of inmate movement within a correctional facility, usually divided into maximum, medium and minimum levels.

annotation Security level is not solely a physical characteristic of correctional facilities but a type of custodial status of inmates, relating both to restrictive architectural features of buildings or areas and to human regulation of inmate movement within the facility. No standard definition of security levels is offered in this terminology because the defining physical and behavioral restrictive features vary greatly among jurisdictions. The proposed terminology consequently distinguishes between confinement facilities and community (or non-confinement) facilities, according to the inmate's daily access, or lack of daily access, to community activities and resources, and not according to internal restrictiveness. • Information exchange concerning security classifications should include jurisdictional definitions.

security and privacy standards n A set of principles and procedures developed to insure the security and confidentiality of criminal or juvenile record information, in order to protect the privacy of the persons identified in such records.

annotation      Typical security and privacy procedures performed by criminal justice agencies are purgung and sealing of criminal and juvenile records. The U. S. Department of Commerce, National Bureau of Standards, Technical Note 809, provides these definitions of the key terms: "Privacy is a concept which applies to individuals. In essence, it defines the degree to which an individual wishes to interact with his social environment and manifests itself in the willingness with which an individual will share information about himself with others...Confidentiality is a concept that applies to data. It describes the status accorded to data and the degree of protection that must be provided for it. It is the protection of data confidentiality that is one of the objects of Security... Security is the realization of protection for the data, the mechanisms and resources used in processing data, and the security mechanism(s) themselves [their underlining]." • Both system security and confidentiality

of data are necessary for the protection of the privacy of persons who have been subject to police and judicial proceedings, whether or not the proceedings have been completed and irrespective of the adjudication.

Procedures to insure accuracy and the right to correct personal records are also considered components of security and privacy standards. • The need for security and privacy standards has developed from problems arising from the increasing use of centralized criminal justice information systems of great size.

# sentence n The penalty imposed by a court upon a convicted person, or the court decision to suspend imposition or execution of the penalty.

annotation In this terminology, the types of sentences are death, prison, jail, probation, suspended execution of sentence, and suspended imposition of sentence.

However, these categories are not mutually exclusive, since any given jurisdiction may or may not consider an instance of suspended sentence equivalent to probation.

- When imposition or execution of a sentence is suspended, the court retains jurisdiction over the convicted person, and may set and order the execution of the penalty at a later date. • Suspended sentences are included as types of sentences in order to categorize all the decisions made at the first process point where a sentence can be pronounced. • Calculations of time elapsed between filing and sentencing should indicate whether the latter point is the first sentencing decision or the execution of the penalty. • The duration of a sentence to a confinement facility includes both time served in confinement and the subsequent period on parole, if any.

sentence, indeterminate n A statutory provision for a type of sentence to imprisonment where, after the court has determined that the convicted person shall be imprisoned, the exact length of imprisonment and parole supervision is afterwards fixed within statutory limits by a parole authority.

annotation In most jurisdictions, the court selects a particular maximum and sometimes a minimum limit for the particular person being sentenced, within a given statutory range. In others, the parole authority may set any length of period of confinement and parole within the statutory limits for the offense. The relative discretion granted by statute to the court and the parole authority varies greatly among different states. • The exact duration of the penalty is supposed to be fixed in consideration of the previous record of the convicted person, his behavior while in prison or while out on parole, the apparent prospect of reformation, and other such matters.

sentence, mandatory n A statutory requirement that a certain penalty shall be imposed and executed upon certain convicted offenders.

annotation A mandatory sentence usually requires that a convicted offender be confined for a minimum number of years in prison. A mandatory sentence is not a type of sentence, but rather a statutory requirement for a certain sentence.

sentence, suspended n The court decision postponing the pronouncing of sentence upon a convicted person, or postponing the execution of a sentence that has been pronounced by the court.

recommended conditions of use Use sentence - suspended  
imposition and sentence - suspended execution.

annotation When the court suspends a sentence, it retains jurisdiction over the person, and may later set or execute a penalty. When a sentence is suspended the person is usually placed on probation. A violation of the conditions of probation may lead to revocation of probation and return to court for re-sentencing.

# sentence - suspended execution n The court decision  
setting a penalty but postponing its execution.

# sentence - suspended imposition n The court decision  
postponing the setting of a penalty.

shelter n A confinement or community facility for the care of juveniles, usually those held pending adjudication.

annotation "Shelter" is variously defined in different jurisdictions. • No prescriptive definition is offered for this term pending the adoption of an official definition in relation to the Juvenile Justice Act of 1974\*. • Facilities known by this name are classified in the terminology proposed in this edition of the dictionary as juvenile detention facilities, or juvenile community facilities, depending upon whether the residents are confined or have regular, daily access to community activities or resources. • The data collection questionnaire for the LEAA series, "Children in Custody," defines "shelter" as, "Provides temporary care similar to that of a detention center but in a physically unrestricting environment." • See correctional facility for a list of recommended standard descriptors.

\*LEAA's Office of Juvenile Justice and Delinquency Prevention has begun to develop "working definitions" of "shelter care," "juvenile detention facility," and "juvenile correctional facility," for use in monitoring compliance with the statutory provisions of the Juvenile Justice and Delinquency Prevention Act of 1974. The terminology in this edition of the dictionary is not intended to be used for that purpose, which may require different names and definitions.

# sheriff n The elected or appointed chief officer of a county law enforcement agency, usually responsible for law enforcement in unincorporated areas, and for the operation of the county jail.

recommended conditions of use In interstate and national statistical information exchange, do not include sheriffs whose responsibilities include only civil processes.

annotation See local law enforcement officer.

# sheriff's department n A law enforcement agency organized at the county level, directed by a sheriff, which exercises its law enforcement functions at the county level, usually within unincorporated areas, and operates the county jail in most jurisdictions.

defining features

- county level, or equivalent, government agency
- primarily prevents, detects, investigates crime and/or
- apprehends alleged offenders
- usually operates a correctional facility

recommended conditions of use If a sheriff's department performs law enforcement duties, count as a local law enforcement agency. Also include in summary counts of correctional agencies if it operates a jail.

annotation Although a given sheriff's department may devote less than half of its budget to law enforcement activities, all sheriff's departments that perform any criminal law enforcement activities should be counted as law enforcement agencies in order to account for the location of police authority at the county level. A parish, for example, is equivalent in level to a county.

- Some sheriff's departments have contractual arrangements with cities or districts such that they perform law enforcement duties within incorporated areas, municipalities, or special districts. Such city and district contractual service units should not be counted as separate law enforcement agencies. • See local law enforcement agency.

# sheriff, deputy n A law enforcement officer employed by a county sheriff's department.

recommended conditions of use In interstate and national statistical information exchange, do not include sheriff's department personnel whose permanent duties are primarily custodial or concerned with civil processes.

annotation See local law enforcement officer.

speedy trial n The right of the defendant to have a prompt trial.

annotation Although the Federal Constitution and the constitutions of almost all the states provide that the accused shall enjoy the right to a speedy trial, the precise requirements are not clear. Most states and the federal government (Speedy Trial Act of 1974) have enacted statutes setting forth the time within which the defendant must be tried following the date of his arrest, his detention, his first appearance or the filing of charges in court. If the accused is not brought to trial within the specified period, the case is dismissed. Jurisdictions differ, however, on whether this dismissal constitutes a bar to subsequent prosecution for the same offense(s).

- Most statutes also provide a method for computing "excludable delay," delay not counted for the purposes of determining speedy trial. Examples of excludable delay are other proceedings concerning the defendant, such as hearing on mental competency to stand trial, pending trials on other charges, probation or parole revocation hearings, continuances granted at the request of the defendant, the absconding of the defendant and procedures necessary to obtain the presence of a confined prisoner.

# state highway patrol n A state law enforcement agency of which the principal functions consist of prevention, detection, and investigation of motor vehicle offenses, and the apprehension of traffic offenders.

recommended conditions of use Count separately from state police unless part of the same administrative and operating unit.

annotation In some states, state police functions include highway patrol; in others the state police and the state highway patrol are separate organizational units with identifiably separate functions. • See state law enforcement agency.

# state highway patrol officer n An employee of a state highway patrol who is an officer sworn to carry out law enforcement duties, primarily traffic code enforcement.

annotation See state law enforcement officer.

# state police n A state law enforcement agency whose principal functions may include maintaining statewide police communications, aiding local police in criminal investigation, police training, guarding state property, and highway patrol.

annotation In some states the duties of traffic code enforcement are performed by the state police, in others there is a separate state highway patrol. State police also perform local law enforcement functions, in some instances, in unincorporated areas or in support of local police. • See state law enforcement agency.

# state police officer n An employee of a state police agency who is an officer sworn to carry out law enforcement duties, sometimes including traffic enforcement duties.

recommended conditions of use Do not use to describe employees of separate state highway patrol agencies.

annotation Include personnel who guard state property, if sworn officers. • See state law enforcement officer.

# status offender n A juvenile who has been adjudicated by a judicial officer of a juvenile court, as having committed a status offense, which is an act or conduct which is an offense only when committed or engaged in by a juvenile.

defining features

- juvenile
- subject of completed juvenile court adjudication
- found to have committed an act or engaged in conduct which is an offense only for a juvenile

recommended conditions of use Do not combine counts of status offenders and delinquents in interstate or national information exchange.

annotation The other possible adjudications (juvenile) are delinquent and dependent. • See status offense for a discussion of the relationship between delinquent act and status offense and the need for separate categories. • In some jurisdictions a status offender who commits repeated status offenses can be adjudicated a delinquent. These should not be counted as delinquents. • Typical subclasses of status offenders are runaways and truants. • Juveniles alleged, but not adjudicated, to have committed status offenses should be described as alleged status offenders.

# status offense n An act or conduct which is declared by statute to be an offense, but only when committed or engaged in by a juvenile, and which can be adjudicated only by a juvenile court.

recommended conditions of use Do not combine counts of delinquent acts and status offenses in interstate or national information exchange.

annotation Despite the variation in statutory classification, basic court record information usually permits the differentiation of status offenses from delinquent acts for the purposes of statistical reporting. Since the range of behavior covered by both categories may extend from murder to truancy, statistical reporting should maintain separate categories.

- In the oldest juvenile codes, no distinction was made between delinquent acts and status offenses, or, respectively, criminal behavior and non-criminal behavior. The recent legislative trend has been to separate delinquents from status offenders.
- Typical status offenses are violation of curfew, running away from home, truancy, possession of an alcoholic beverage, incorrigibility, having delinquent tendencies,

leading an immoral life, and being in need of supervision. The status offender and sometimes the delinquent is called a CHINS, PINS, MINS, or JINS (child, person, minor or juvenile in need of supervision) in some jurisdictions. • The National Center for Juvenile Justice study, Juvenile Court Organization and Status Offenses: A Statutory Profile, describes the various state codifications of juvenile offenses. • "Status offense" is most frequently applied to juveniles, but the term is occasionally used when referring to adults who are charged with the status offense of being vagrant or an addict.

# subjudicial officer n A judicial officer who is invested with certain judicial powers and functions, but whose decisions in criminal and juvenile cases are subject to de novo review by a judge.

defining features

- judicial officer
- decisions in criminal and juvenile cases subject to de novo review
- decisions in criminal and juvenile cases sometimes subject to review at the same court level
- authority granted by statute, constitution, or by judge or governmental agency

annotation Subjudicial officer and judge are the two types of judicial officer in this terminology.

"Subjudicial officer" includes all presiding officers of courts of limited jurisdiction whose decisions are subject to de novo review and probation officers who exercise judicial powers. ● For purposes of interstate or national information exchange, a judge is one whose decisions are not subject to de novo review. Some jurisdictions use the term "judge" for the presiding officer of a court of limited jurisdiction whose decisions

are subject to de novo review. If his decisions are subject to such review, the official is not a judge in this terminology, but rather a subjudicial officer, even though he may be called a "judge" in a given jurisdiction.

• Subjudicial officer includes those auxiliary judicial personnel appointed by and attached to a particular court, whose decisions are subject to de novo review by the judge for whom the subjudicial officer is acting as a surrogate. Such subjudicial officers are most commonly employed in courts of general jurisdiction with heavy workloads. They are less frequently used in courts of limited or appellate jurisdiction. In general these personnel specialize in a particular type of proceeding but a single court may have more than one type of subjudicial officer, each with a different specialty. • "Justices of the peace," "magistrates," "commissioners," "masters," "referees," "hearing officers," and "parajudicial personnel" are typical names of subjudicial officers, although in some jurisdictions some of these names may occasionally be used for judges.

# subpoena n A written order issued by a judicial officer requiring a specified person to appear in a designated court at a specified time in order to serve as a witness in a case under the jurisdiction of that court, or to bring material to that court.

defining features

- order issued by judicial officer
- requiring appearance of witness in court, or
- requiring a person to bring certain material to court
- specific court and time designated

recommended conditions of use For purposes of information exchange, include only subpoenas issued by judicial officers; exclude those issued by defense attorneys or prosecutors.

annotation See citation (appear), summons and bench warrant for other orders requiring court appearance.

- A subpoena to serve as a witness is called a subpoena testificatum. A subpoena to bring material is called a subpoena duces tecum.

# summons n A written order issued by a judicial officer requiring a person accused of a criminal offense to appear in a designated court at a specified time to answer the charge(s).

defining features

- alleged commission of a criminal offense
- order issued by judicial officer
- not necessarily subsequent to an arrest
- requiring first appearance in designated court at specified time
- in order to answer criminal charge(s)

recommended conditions of use For national statistical purposes, do not count court summonses issued to jurors. Notices to appear issued by law enforcement officers, sometimes called "summonses," are not included in this category.

annotation A document issued by a law enforcement officer requiring a court appearance is, in this terminology, classified as a citation (appear).

- See subpoena, and bench warrant for other orders requiring court appearance.

suspect n A person, adult or juvenile, considered by a criminal justice agency to be one who may have committed a specific criminal offense, but who has not been arrested or charged.

- . recommended conditions of use Do not use as synonyms alleged offender or defendant, which are units of count describing persons who are or have been the subject of criminal proceedings.

suspicion n Belief that a person has committed a criminal offense, based on facts and circumstances that are not sufficient to constitute probable cause.

recommended conditions of use Do not use probable cause as a synonym.

annotation In the UCR arrest classification, suspicion, which is listed as a Part II offense, is a reason for arrest that can be treated as if it were a charge. The UCR Handbook states, "While 'suspicion' is not an offense, it is the ground for many arrests in those jurisdictions where the law permits. After examination by the police, the prisoner is either formally charged or released. Those formally charged are entered in one of the Part I or II offense classes. This class is limited to 'suspicion' arrests where persons arrested are released by the police."

theft or Larceny, or in some legal classifications, the group of offenses including larceny, and robbery, burglary, extortion, fraudulent offenses, hijacking, and other offenses sharing the element of larceny.

recommended conditions of use Use larceny in inter-state or national information exchange when the specific offense is meant.

annotation In the National Crime Panel reports, "personal crimes of theft" is a subcategory of crimes against persons and is a synonym for personal larceny.

# time served n The total time spent in confinement by a convicted adult before and after sentencing, or only the time spent in confinement after a sentence of commitment to a confinement facility.

recommended conditions of use Indicate whether total time served or post-commitment time served.

annotation Time served does not include time spent on parole or probation, or in a community facility or correctional day program.

training school n A correctional institution for juveniles adjudicated to be delinquents or status offenders and committed to confinement by a judicial officer.

recommended conditions of use Government facilities fitting this description should be classified as juvenile correctional institutions.

annotation The data collection questionnaire for the LEAA series, "Children in Custody," defines "training school" as "A specialized institution serving delinquent juveniles committed directly to it by a juvenile court or placed in it by an agency having such authority," which corresponds with general usage. • See correctional facility for a list of recommended standard facility descriptors.

# transfer hearing n A preadjudicatory hearing in juvenile court for the purpose of determining whether juvenile court jurisdiction should be retained or waived over a juvenile alleged to have committed a delinquent act(s), and whether he should be transferred to criminal court for prosecution as an adult.

recommended conditions of use Do not include in counts of adjudicatory hearings.

annotation A transfer hearing determines whether a juvenile is amenable to rehabilitation or treatment within the juvenile justice system. If the juvenile court certifies that neither the facilities nor the programs are appropriate for that juvenile, then he is transferred to criminal court for further prosecution as an adult. See transfer to adult court. After such a transfer, the prosecutor decides whether prosecution will take place. • In some jurisdictions a transfer hearing is called a "certification hearing," "waiver hearing," or "fitness hearing."

# transfer to adult court n The decision by a juvenile court, resulting from a transfer hearing, that jurisdiction over an alleged delinquent will be waived and that he should be prosecuted as an adult in a criminal court.

recommended conditions of use In criminal court adjudication statistics, indicate which cases originated in juvenile court but were subsequently transferred to criminal court for prosecution.

annotation Juvenile courts usually waive jurisdiction over alleged delinquents only when a serious felony has been alleged, and when the juvenile is near the statutory age limit between juvenile and adult. • At a transfer hearing, probable cause to believe that the juvenile committed the offense must be shown. After a transfer to adult court, the prosecutor decides whether prosecution will take place and what offense will be charged. • This action is sometimes called "waiver."

# trial n The examination of issues of fact and law in a case or controversy, beginning when the jury has been selected in a jury trial, or when the first witness is sworn, or the first evidence is introduced in a court trial, and concluding when a verdict is reached or the case is dismissed.

defining features

- examination of issues of fact and law
- begins when jury is empaneled, first witness sworn, or first evidence introduced
- concludes with verdict or dismissal

recommended conditions of use Indicate whether the unit of count is initiated trials or completed trials. In computing court workloads include de novo proceedings in counts of trials.

annotation Some states count as trials only those which end in a verdict; other states count a case as disposed of by trial when there has been progress to a certain point, such as the empaneling of the jury or the swearing of the first witness.

# trial, court syn trial, judge n A trial in which there is no jury, and in which a judicial officer determines the issues of fact and law in a case.

# trial, jury n A trial in which a jury determines the issues of fact in a case.

annotation In general, only the defense has a right to demand a jury trial. However, in the federal courts the prosecution may also demand a jury trial.

# truant n A juvenile who has been adjudicated by a judicial officer of a juvenile court, as having committed the status offense of violating a compulsory school attendance law.

annotation Truants, if adjudicated, are a subclass of status offender. • Compulsory attendance statutes may specify the number of days of absence which constitute a violation or provide a more general definition of truancy, such as habitual absence. The codification of this offense varies greatly among different states.

UCR n An abbreviation for the Federal Bureau of Investigation's uniform crime reporting program.

annotation UCR's published summary crime statistics represent all Part I offenses reported to police minus those found by police investigation to be false or baseless. The annual reports are entitled "Crime in the United States." • Many of the definitions in this dictionary are based on the definitions used in these reports as stated in the Uniform Crime Reporting Handbook, 1974. This system represents the only long-established precedent for national crime data system definitions. The use of these definitions is intended to be mandatory for participants in UCR. • This dictionary's definitions of Part I offenses have been made identical with, or translatable into, the UCR vocabulary, where possible, because UCR definitions are the most widely known national reconciliations of diverse statutory definitions of major crimes, and because they distinguish the recordable from the legal. • The UCR system is designed to record offenses reported to the police and the results of police investigations, not the later findings of a court, coroner, jury or the decision of a prosecutor. However, the fact that the

terminology to a great extent reconciles diverse statutes enables its use in data systems which relate reported crime data to prosecutorial and court data.

UCR Offense Classifications UCR divides offenses into two major categories: Part I offenses and Part II offenses. • Part I offenses are those crimes which are the most likely to be reported, which occur with sufficient frequency to provide an adequate basis for comparison, and which are serious crimes by nature and/or volume.

The Part I offenses are:

1. Criminal homicide
  - a. Murder and nonnegligent [voluntary] manslaughter
  - b. Manslaughter by negligence [involuntary manslaughter]
2. Forcible rape
  - a. Rape by force
  - b. Attempted forcible rape
3. Robbery
  - a. Firearm
  - b. Knife or cutting instrument
  - c. Other dangerous weapon
  - d. Strongarm
4. Aggravated Assault
  - a. Firearm
  - b. Knife or cutting instrument
  - c. Other dangerous weapon
  - d. Hands, fist, feet, etc. -- aggravated injury

5. Burglary
  - a. Forcible entry
  - b. Unlawful entry -- no force
  - c. Attempted forcible entry
6. Larceny-theft [Larceny]
7. Motor vehicle theft
  - a. Autos
  - b. Trucks and buses
  - c. Other vehicles

In multiple offense situations, only the offense which occurs first on the list is reported. • A subset of the Part I offenses that excludes negligent manslaughter forms the basis of the Crime Index. These offenses are called Crime Index offenses or index crimes. • Part I offenses are divided into two subclasses, crimes against persons, and crimes against property, which includes robbery. Crime Index offenses include all Part I offenses except negligent manslaughter, which does not have the feature of specific criminal intent. Crime Index offenses are divided into crimes of violence, including robbery, and crimes against property. Thus, these two pairs of subclasses are not equivalent. The following table displays the differences:

Part I offenses

crimes against persons  
murder  
nonnegligent *(voluntary)*  
manslaughter  
negligent *(involuntary)*  
manslaughter  
forcible rape  
aggravated assault

crimes against property  
robbery  
burglary  
larceny-theft *(larceny)*  
motor vehicle theft

Index offenses

crimes of violence  
murder  
nonnegligent *(voluntary)*  
manslaughter  
forcible rape  
robbery  
aggravated assault

crimes against property  
burglary  
larceny-theft *(larceny)*  
motor vehicle theft

- See National Crime Panel reports for a different offense classification system and a partly different nomenclature.
- Part II offenses are those that do not meet the Part I criteria of seriousness and/or frequency. The Part II offenses are:

other assaults (simple\*, non-aggravated)  
arson\*  
forgery\* and counterfeiting\*  
fraud\*  
embezzlement\*  
stolen property; buying, receiving, possessing  
vandalism  
weapons; carrying, possessing, etc.  
prostitution and commercialized vice  
sex offenses (except forcible rape, prostitution,  
and commercialized vice)  
narcotic drug laws  
gambling  
offenses against the family and children  
driving under the influence\*  
liquor laws  
drunkenness  
disorderly conduct

vagrancy  
all other offenses (excepting traffic law violations)  
suspicion\*  
curfew and loitering laws (juvenile violations)  
runaway\* (juveniles)

Terms marked with an asterisk (\*) are defined in this edition, though not necessarily in accord with UCR usage.

UCR Scoring System When a Part I offense comes to the attention of the police, it is counted in the class of "offenses reported or known to police," usually abbreviated "offenses reported." Those reported offenses which are determined to be false or baseless are counted as "unfounded complaints." The number of unfounded complaints is subtracted from the number of offenses reported, to yield the number of "actual offenses" or "actual offenses known" or "offenses known to police" or "offenses known." It is these "actual offenses known" which form the basis of the national reports issued annually by the FBI. • If the police succeed in establishing the identity of the offender, charging him, and turning him over for prosecution, the offense is then said to be "cleared by arrest." If the police succeed in establishing the identity of the offender and his whereabouts, but

arrest and prosecution are not possible because of some reason outside of police control, then the offense is said to be "cleared by exceptional means." Clearances by arrest and clearances by exceptional means are not separated in the reports. They are included in a single count: "offenses cleared by arrest or exceptional means." This category represents all clearances, whether the alleged offender is an adult or a juvenile. When the alleged offender is under 18 years of age, a clearance is also counted separately in the category "clearances involving persons under 18 years of age."

- In the FBI annual reports, "Crime in the United States," the category "cleared by arrest or exceptional means" is often referred to simply as "cleared by arrest." Tabulations of clearances involving juveniles, defined in UCR as anyone under 18, are often entitled "cleared by arrest of juvenile." ● In addition to counts of offenses and clearances, the UCR also collects, for each Part I offense, data on individuals arrested and on those turned over for prosecution. For Part II offenses, data are not collected on offenses and clearances, but only on arrests and prosecutions; that is, Part II data are based on offenders rather than offenses.

venue n The geographical area from which the jury is drawn and in which trial is held in a criminal action.

annotation Venue is usually the county in which the crime is alleged to have been committed.

# verdict n In criminal proceedings, the decision made by a jury in a jury trial, or by a judicial officer in a court trial, that a defendant is either guilty or not guilty of the offense(s) for which he has been tried.

defining features

- a decision by a jury in a jury trial, or
- by a judicial officer in a court trial
- that defendant is guilty, or
- that defendant is not guilty

recommended conditions of use Do not use as a synonym for judgment. Specify "jury verdict" or "judge verdict."

annotation In entering a judgment, a judicial officer has the power to reject a jury verdict of guilty, but must accept a jury verdict of not guilty. Thus a verdict of not guilty results in a judgment of acquittal, but a verdict of guilty does not necessarily result in a judgment of conviction.

# verdict, guilty n In criminal proceedings, the decision made by a jury in a jury trial, or by a judicial officer in a court trial, that the defendant is guilty of the offense(s) for which he has been tried.

defining features

- a decision by a jury in a jury trial, or
- by a judicial officer in a court trial
- that defendant is guilty

recommended conditions of use Do not use as a synonym for conviction in statistical reporting.

annotation In entering a judgment, a judicial officer has the power to reject a jury verdict of guilty. Thus a guilty verdict does not necessarily result in a judgment of conviction.

# verdict, not guilty n In criminal proceedings, the decision made by a jury in a jury trial or by a judicial officer in a court trial, that the defendant is not guilty of the offense(s) for which he has been tried.

defining features

- decision by a jury in a jury trial, or
- by a judicial officer in a court trial
- that defendant is not guilty

recommended conditions of use Do not use as a synonym for acquittal in statistical reporting.

annotation In entering a judgment, a judicial officer must accept a jury verdict of not guilty. Thus a not guilty verdict always results in a judgment of acquittal. See guilty verdict.

# victim n A person who has suffered death, physical or mental suffering, or loss of property, as the result of an actual or attempted criminal offense committed by another person.

# warrant, arrest n A document issued by a judicial officer which directs a law enforcement officer to arrest a person who has been accused of an offense.

defining features

- document issued by a judicial officer
- directing the arrest by law enforcement officer of a person accused of an offense

annotation In order for a judicial officer to issue a warrant, he must have had presented to him either a sworn complaint or evidence of probable cause.

- An arrest warrant may or may not specifically identify the person to be arrested. A warrant which does not identify a specific person is sometimes called a "John Doe" warrant.

# warrant, bench n A document issued by a judicial officer directing that a person who has failed to obey an order or notice to appear be brought before the court.

defining features

- a document issued by a judicial officer
- directing that a defendant or witness be brought before the court
- defendant or witness failed to obey previous order or notice to appear

recommended conditions of use For purposes of interstate or national information exchange do not include bench warrants issued where there has been no failure to obey, such as an order transferring the accused from jail to court for trial.

annotation The purpose of a bench warrant is to bring a person before the court who has, in disobedience to the court, failed to appear. • Summons, subpoenas and citations (appear) may result in the issuance of a bench warrant if disobeyed.

# warrant, search n A document issued by a judicial officer which directs a law enforcement officer to conduct a search for specified property or persons at a specific location, to seize the property or persons, if found, and to account for the results of the search to the issuing judicial officer.

defining features

- document issued by a judicial officer
- directing the search for and seizure of specified property or persons
- property or persons to be accounted for to issuing officer

annotation The probable cause for issuing the warrant must be specified in the search warrant.

witness n A person who directly perceives an event or thing, or who has expert knowledge relevant to a case.

annotation In the investigation of crimes, persons with indirect knowledge of the circumstances of a case may be listed as witnesses.

# youthful offender n A person, adjudicated in criminal court, who may be above the statutory age limit for juveniles but is below a specified upper age limit, for whom special correctional commitments and special record sealing procedures are made available by statute.

defining features

- person adjudicated in criminal court
- judicial proceedings began in criminal or juvenile court
- defined a youthful offender in accord with a statute stating age limits, and
- providing special correctional commitments and/or record sealing procedures

recommended conditions of use In interstate and national information exchange, statistics concerning youthful offenders should indicate the statutory age limits and authorized correctional commitments.

annotation The special correctional commitment may be to a juvenile facility, to a special section of an adult facility, or to a separate facility for the

confinement of persons between the age limits specified in the particular statute. Such provisions exist in federal law and in the laws of several states. • Many jurisdictions permit arrest and court information concerning young adults to be sealed according to the record sealing procedures that apply to juveniles.

**CONTINUED**

**4 OF 5**

#### EXPLANATORY NOTES: CLASSIFIED LISTS OF TERMS

The classified lists present the statistical terms in the dictionary, describing processes, entities and crimes, in arrangements determined by various classificatory factors.

While some of the quantitative set-subset relationships are precise and mandatory, the general order of the lists is more loosely structured.

These lists are not intended to be a complete outline of a national data reporting system nor a strict and immutable system of classification. The terminology proposed in this edition of the dictionary describes only part of a system. Further, certain problems in logical relationships between processes and outcomes have not yet been resolved. Dismissals, for example, can occur at almost any point in criminal proceedings; convictions and acquittals can occur only when proceedings are complete. Preferred ways of relating or aggregating data, in any event, depend upon the purposes of a particular data presentation.

A chief purpose of the classified lists is to avoid the necessity of repeatedly describing the same class-subclass relationships in the individual entries. By consulting these classified lists of statistical terms, the reader can see at a glance the place of any one term within the structure of the justice system and the terminology.

The lists of processes and entities are arranged generally in order of process sequence, and in groups of similar entities. There are, of course, many ways in which processes and entities could be classified or ordered. The choices here are intended to represent that ordering which is most generally relevant to an overview of the system. The lists of offense classes are arranged according to established precedents.

Set-subset relationships for the terms on these lists are indicated by indentation of the subset terms under the major set term. These sets demonstrate true summation relationships: the subordinates can be added up to give the total instances of the superordinate.

For example, the number of judgments always equals the number of convictions plus the number of acquittals. In the case of entities, some indented subsets of agencies or persons are unlikely to be added together in actual tabulations, but the members of the subset fall within the definition of the major set for classificatory purposes.

In cases where terminology has not been developed for all possible subsets, a line of five dashes stands for the missing possibilities. The total number of status offenders, for example, is more than the number of truants plus runaways.

The process lists present the process and process outcome terms roughly in the order in which a case or accused person progresses through the justice system from arrest to exit. But the listed terms establish only some of the language needed for designing a generalized flowchart. That is, only part of the necessary terminology for such a flowchart is provided in this edition. Also, the process steps cannot always be listed in an actual order; some process steps are simultaneous or have optional sequences. The process lists present terms describing major process points in fairly correct relation to each other, so as to illustrate and emphasize the importance of sequence.

Certain problems of terminology and data presentation that arise from the linear sequence aspect of criminal and correctional proceedings are also delineated by the process list. This linear aspect accounts for some terminological and classificatory decisions.

For example, while "pretrial release" is clearly a major category under which different types of releases before adjudication can be subsumed, the subordination of "suspended sentence" under "sentence" is less obvious. In one sense a suspended sentence is obviously not a type of penalty, unlike the other items within the sentence category. But it is necessary to include suspensions of penalties with penalties because they have in common the feature of being outcomes

of the same process.

"Court disposition" is an example of a process outcome category of which the subordinate terms in actual data displays may be units of count that can appear in different hierarchies. This situation is indicated on the process list by listing the repeated units of count under court disposition, but between dotted lines.

The entity lists are divided into government agencies, government personnel, and other persons. Within these broad groupings the terms are listed roughly in the order in which agencies and individuals become involved in the justice process.

The classified lists of offenses present those alternative classifications that are actually in use by the FBI's Uniform Crime Reports and LEAA's National Crime Panel Victimization Surveys. These established set and subset relationships illustrate the variety of factors upon which classification systems can be based.

The major FBI classification is a two-way breakdown into Part I and Part II offenses. These two major sets are differentiated by gravity, a factor intrinsic to crimes, and/or by frequency, a factor extrinsic to crimes. Part I offenses can be further divided into "crimes against persons" and "crimes against property." These two subsets are differentiated by the nature of the target.

Index crimes, which include all Part I offenses except

negligent manslaughter, are more often used as the major set. Index crimes are classified two ways, into "crimes of violence" and "crimes against property." These two subsets are differentiated by the nature of the act, which in the latter subset is implied by the nature of the target.

The National Crime Panel system classifies mainly by these same fundamental factors, but also differentiates targets in more detail, dividing them three ways, into persons, households, and businesses.

The UCR and NCP offense classifications all represent complete summation relationships: all the subordinates can be added up to give the total instances of the superordinates.

The list of UCR Part II offenses consists of a combination of single offenses and pre-grouped categories. There is no single basis for any uniform national classification system for these less serious and/or less frequent crimes. Some could be classified according to the same factors used for classifying Part I offenses or Index crimes, but others cannot.

## CLASSIFIED LISTS

PROCESSES: STATISTICAL ENTRY TERMS

citation (appear)	adjudication (criminal)
warrant, arrest	dismissal
warrant, search	judgment
	acquittal
	conviction
summons	
subpoena	presentence report
warrant, bench	
arrest	sentence
booking	sentence-suspended execution
diversion	sentence-suspended imposition
release, pretrial	
release on own recognition	prison (sentence)
release to third party	jail (sentence)
release on bail	probation (sentence)
	fine
	-----
release from detention	commitment
complaint requested (police)	disposition, court
	.....
complaint denied	dismissal
complaint granted	acquittal
filings	prison (sentence)
charging document	jail (sentence)
complaint	fine
information	probation (sentence)
indictment	.....
	appeal
appearance, first	case (court)
hearing, probable cause	caseload (court)
	caseload, pending
plea	release from prison
plea, not guilty	parole violation
plea, guilty	probation violation
plea, initial	revocation hearing
plea, final	revocation
trial	time served
trial, court	
trial, jury	
verdict	
verdict, not guilty	
verdict, guilty	

Continued

CLASSIFIED LISTS

juvenile only

referral to intake  
petition (juvenile)

detention hearing

adjudicatory hearing  
adjudication (juvenile)

delinquent\*

status offender\*

truant\*

runaway\*

-----  
dependent\*

petition not sustained

transfer hearing

transfer to adult court

predisposition report

disposition hearing

disposition, juvenile court

\*entities

CLASSIFIED LISTS

ENTITIES: STATISTICAL ENTRY TERMS

government units

criminal justice agency

law enforcement agency

    law enforcement agency, federal

    law enforcement agency, state

        state police

        state highway patrol

    - - - - -

    law enforcement agency, local

        sheriff's department

        police department

    - - - - -

prosecutorial agency

public defender's office

court

    court of limited jurisdiction

    court of general jurisdiction

    court of appellate jurisdiction

correctional agency

    parole agency

    parole authority

    probation agency

    - - - - -

- - - - -

jury, grand

jury, trial

intake unit

juvenile court

correctional facility

    correctional institution, adult

    correctional institution, juvenile

    diagnosis or classification center

detention facility, adult

detention facility, juvenile

community facility, adult or juvenile

correctional day program

government personnel

law enforcement officer

    law enforcement officer,  
        federal

    law enforcement officer,  
        state

        state police officer  
        state highway patrol  
            officer

    - - - - -

    law enforcement officer, loca  
        sheriff

        sheriff, deputy  
        chief of police  
            police officer

    - - - - -

attorney

    prosecutor

        defense attorney  
        public defender  
        assigned counsel  
        retained counsel

    - - - - -

pro se

judicial officer

    judge

    subjudicial officer

probation officer

other persons

adult

    juvenile

    youthful offender

offender, alleged

    defendant

    offender

victim

Continued

CLASSIFIED LISTS

other persons (cont'd)

probationer

prisoner

inmate

parolee

ex-offender

delinquent

status offender

truant

runaway

-----  
dependent

CLASSIFIED LISTS

STATISTICAL ENTRY TERMS

ADULT OFFENSES: CLASSIFICATION BY PENALTY RANGE

crime

felony

misdemeanor

infraction

JUVENILE OFFENSES

delinquent act

status offense

CLASSIFIED LISTS

OFFENSES: ALTERNATIVE CLASSIFICATIONS

UNIFORM CRIME REPORTS: GENERAL CLASSIFICATIONS  
(From Uniform Crime Reporting Handbook, 1974)

Part I Offenses

1. Criminal homicide\*a.  
a. Murder\* and nonnegligent  
    /voluntary/ manslaughter\*
- b. Manslaughter by negligence  
    /involuntary manslaughter\*/
2. Forcible rape\*a.  
a. Rape by force  
b. Attempted forcible rape
3. Robbery\*a.  
a. Firearm  
b. Knife or cutting instrument  
c. Other dangerous weapon  
d. Strongarm\*
4. Aggravated Assault\*a.  
a. Firearm  
b. Knife or cutting instrument  
c. Other dangerous weapons  
d. Hands, fist, feet, etc.  
    --aggravated injury
5. Burglary\*a.  
a. Forcible entry  
b. Unlawful entry - no force  
c. Attempted forcible entry
6. Larceny\*-theft\* [larceny]
7. Motor vehicle theft\*a.  
a. Autos  
b. Trucks and buses  
c. Other vehicles

Part II Offenses

- other assaults (simple\* non-aggravated)  
arson\*  
forgery\* and counterfeiting\*  
fraud\*  
embezzlement\*  
stolen property; buying, receiving,  
    possessing  
vandalism  
weapons; carrying, possessing, etc.  
prostitution and commercialized vice,  
sex offenses (except forcible rape,  
    prostitution, and commercialized vice)  
narcotic drug laws  
gambling  
offenses against the family and children  
driving under the influence\*  
liquor laws  
drunkenness  
disorderly conduct  
vagrancy  
all other offenses (excepting traffic  
    law violations)  
suspicion\*  
curfew and loitering laws (juvenile  
    violations)  
runaway\* (juveniles)

\* entry terms

CLASSIFIED LISTS

UNIFORM CRIME REPORTS: SUBCLASSES

Part I offense subclasses

crimes against persons

murder  
nonnegligent /voluntary/ manslaughter  
negligent /involuntary/ manslaughter  
forcible rape  
aggravated assault

crimes against property

robbery  
burglary  
larceny-theft /larceny/  
motor vehicle theft

Crime Index offense subclasses

crimes of violence

murder  
nonnegligent /voluntary/  
manslaughter  
forcible rape  
aggravated assault  
robbery

crimes against property

burglary  
larceny-theft /larceny/  
motor vehicle theft

CLASSIFIED LISTS

NATIONAL CRIME PANEL REPORTS

(From National Crime Panel reports 1973 and 1974 national data.)

Crimes against persons

crimes of violence \*

    rape /forcible rape/ \*

        completed rape

        attempted rape

    robbery\*

        robbery and attempted robbery with injury

            serious assault

            minor assault

        robbery without injury

        attempted robbery without injury

    assault \*

        aggravated assault \*

            with injury

            attempted assault with weapon

        simple assault

            with injury

            attempted assault without weapon

crimes of theft (personal larceny)

    personal larceny with contact

        purse snatching

        attempted purse snatching

        pocket picking

    personal larceny without contact

Crimes against households

burglary \*

    forcible entry

    unlawful entry (without force)

    attempted forcible entry

household larceny

    completed larceny

    attempted larceny

motor vehicle theft (occasionally called "auto theft")\*

Crimes against businesses

burglary \*

    completed burglary

    attempted burglary

robbery \*

    completed robbery

    attempted robbery

\* entry terms

## CLASSIFIED LISTS

### COMPARISON OF UCR & NCP OFFENSE SUBCLASSES

#### crimes against persons

as a subset of  
UCR Part I offenses

murder  
nonnegligent /voluntary/ manslaughter  
negligent /involuntary/ manslaughter  
forcible rape  
aggravated assault

NCP

forcible rape  
robbery (against persons)  
aggravated assault  
simple assault  
personal larceny

#### crimes of violence

as a subset of  
UCR Index crimes

murder  
nonnegligent /voluntary/ manslaughter  
forcible rape  
aggravated assault  
robbery

as a subset of  
NCP crimes against persons

forcible rape  
aggravated assault  
simple assault  
robbery (against persons)

See individual entries for comment on other differences between UCR and NCP terminology and classification systems.

### OTHER OFFENSES

Offenses defined in this edition but not specifically named and classified in the UCR Part I and Part II offense lists, nor in the NCP report lists, are:

assault on a law enforcement officer  
bombing incident  
check fraud  
credit card fraud  
escape  
extortion  
kidnapping  
manslaughter, vehicular  
rape, statutory  
rape without force or consent

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## ALPHABETICAL INDEX

The alphabetical index contains all entry terms, exact synonyms, term inversions, commonly used near-synonyms, and all other technical terms mentioned in the entries, alphabetized without regard to punctuation or spacing.

All entry terms are in bold face. All statistical terms are marked by a number sign (#). All non-entry terms are listed with a "see" reference indicating the entry in which they may be found. All phrases that appear as entry terms in inverted order are also listed in normal order with a "see" reference to the inverted version by which the entry is alphabetized.

If an indexed item appears in more than one entry, the reader is referred to the most pertinent entry, usually the entry giving the broadest perspective of the mentioned item. If an indexed item is itself an entry term and is also mentioned in other entries, only the entry term is listed since the annotation in that entry will refer the reader to the other related entries. Occasionally an indexed item contains two separate "see" references. In these cases the two referred entries are equally important.

Classificatory relationships between entries are discussed in the entries themselves, and in the classified lists, not in the index.

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    see court of limited jurisdiction

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    see offenses, Part II

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    see law enforcement agency, local

local law enforcement officer  
    see law enforcement officer, local

loitering  
    see offenses, Part II

magistrate  
    see judicial officer

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    see court of limited jurisdiction

magistrates preliminary hearing  
    see appearance, first

malicious mischief  
    see arson

mandatory conditional release  
    see release from prison

mandatory discharge  
    see release from prison

mandatory release  
    see release from prison

mandatory sentence  
    see sentence, mandatory

#manslaughter, involuntary

manslaughter, negligent  
    see manslaughter, involuntary

manslaughter, nonnegligent  
    see manslaughter, voluntary

#manslaughter, vehicular

#manslaughter, voluntary

marijuana  
    see drug law violation

master  
    see judicial officer

maximum security  
    see security

medium security  
    see security

methadone  
    see drug law violation

minimum security  
    see security

minor assault  
    see National Crime Panel reports

MINS  
    see status offense

misbehavior  
    see delinquency

mischief, malicious  
    see arson

#misdemeanor

mistrial  
    see dismissal

Model Penal Code

moniker  
    see alias

morphine  
    see drug law violation

motion

motor vehicle parts and accessories

    theft  
        see larceny

#motor vehicle theft

movement, population  
    see population movement

MPC  
    see Model Penal Code

municipal court  
    see court of limited jurisdiction

#murder

murder, attempted  
    see assault, aggravated

narcotic  
    see drug law violation  
narcotic drug laws  
    see offenses, Part II  
National Bomb Data Center  
    see bombing incident  
National Crime Panel reports  
    see National Crime Panel Survey Reports  
    see National Crime Panel reports  
NCP reports  
    see National Crime Panel reports  
neglect, child  
    see child neglect  
neglected child  
    see dependent  
negligence  
    see culpability  
negligent manslaughter  
    see manslaughter, involuntary  
nickname  
    see alias  
nolle prosequi  
    see dismissal  
nolo contendere  
nonconfinement facility  
    see community facility, adult  
        or juvenile  
nonculpable homicide  
    see homicide, justifiable  
    see homicide, excusable  
nonnegligent manslaughter  
    see manslaughter, voluntary  
non-sufficient funds checks  
    see check fraud  
not guilty plea  
    see plea, not guilty  
not guilty verdict  
    see verdict, not guilty  
NSF checks  
    see check fraud  
OBTS  
#offender  
#offender, alleged  
    offender-based transaction statistics  
        see OBTS  
offender, juvenile  
    see delinquent  
offender, status  
    see status offender  
offender, youthful  
    see youthful offender  
offense  
offense, criminal  
    see crime  
offenses, actual  
    see UCR  
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    see offenses, Part II  
offenses, Crime Index  
    see Crime Index offenses

offenses known  
    see UCR  
#offenses, Part II  
#offenses, Part I  
offenses reported  
    see UCR  
offense, status  
    see status offense  
office, public defender's  
    see public defender's office  
officer, judicial  
    see judicial officer  
officer, law enforcement  
    see law enforcement officer  
officer, peace  
    see law enforcement officer  
officer, police  
    see police officer  
officer, probation  
    see probation officer  
officer, state highway patrol  
    see state highway patrol officer  
officer, state police  
    see state police officer  
officer, subjudicial  
    see subjudicial officer  
opium  
    see drug law violation  
OR  
    see release on own recognizance  
original jurisdiction  
    see jurisdiction, original  
parajudicial personnel  
    see judicial officer  
parole  
#parole agency  
#parole authority  
parole board  
    see parole authority  
parole commission  
    see parole authority  
#parolee  
    parole revocation  
        see revocation  
#parole violation  
    Part I offenses  
        see offenses, Part I  
    Part II offenses  
        see offenses, Part II  
patrol, state highway  
    see state highway patrol  
peace officer  
    see law enforcement officer  
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    see Model Penal Code  
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pending caseload  
    see caseload, pending

penitentiary  
    see correctional institution,  
        adult

person  
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    see crimes against persons

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    see National Crime Panel reports

#petition (juvenile)

#petition not sustained

petit jury  
    see jury, trial

petty larceny  
    see larceny

PINS  
    see status offense

#plea  
plea bargaining

#plea, final

#plea, guilty

#plea, initial

#plea, not guilty

pocket picking  
    see National Crime Panel reports

police academy  
    see criminal justice agency

police administrative body  
    see criminal justice agency

police, campus  
    see law enforcement agency, state  
        see law enforcement agency, local

police chief  
    see chief of police

police complaint  
    see complaint requested (police)

police court  
    see court of limited jurisdiction

#police department

policeman  
    see law enforcement officer

#police officer  
police officer, state  
    see state police officer

police requested complaint  
    see complaint requested (police)

police, state  
    see state police

population movement

port authority  
    see law enforcement agency

pre-adjudicated  
    see adjudicated

#predisposition report.

preliminary arraignment  
    see appearance, first

preliminary examination  
    see hearing, probable cause

preliminary, felony  
    see hearing probable cause

preliminary hearing  
    see hearing, probable cause  
        see appearance, first

preliminary hearing, magistrates  
    see appearance, first

preliminary screening  
    see intake

#presentence report

presentment  
    see appearance, first  
        see indictment

pretrial release  
    see release, pretrial

prior record

prison

prison camp  
    see correctional institutional,  
        adult

#prisoner

prison farm  
    see correctional institution,  
        adult

prison, release from  
    see release from prison

#prison (sentence)

privacy  
    see security and privacy  
        standards

private attorney  
    see retained counsel

probable cause

probable cause hearing  
    see hearing, probable cause

probate court  
    see court of limited jurisdiction

probation

probation administration  
    see criminal justice agency

#probation agency

probation department  
    see probation agency

#probationer

probation intake  
    see intake

#probation officer

probation revocation  
    see revocation

#probation (sentence)

#probation violation

proceedings, criminal  
    see criminal proceedings

program, correctional day  
    see correctional day program

property crimes  
    see crimes against property

#pro se  
#prosecutor  
#prosecutorial agency  
prostitution  
    see offenses, Part II  
#public defender  
#public defender's office  
purge (record)  
purposeful  
    see culpability  
purse snatching  
    see National Crime Panel reports  
queue length  
    see backlog  
ranch  
    see camp/ranch/farm  
rape  
rape, attempted  
    see National Crime Panel reports  
rape, completed  
    see National Crime Panel reports  
#rape, forcible  
#rape, statutory  
#rape without force or consent  
rap sheet  
    see prior record  
readmission  
    see population movement  
recidivism  
reckless burning  
    see arson  
recklessness  
    see culpability  
record, arrest  
    see criminal history record  
information  
record, conviction  
    see criminal history record  
information  
record, criminal  
    see criminal history record  
information  
record, juvenile  
    see juvenile record  
record, prior  
    see prior record  
referee  
    see judicial officer  
#referral to intake  
reformatory  
    see correctional institution,  
        juvenile  
reform school  
    see correctional institution,  
        juvenile  
rejected complaint  
    see complaint denied  
#release from detention  
    see release from prison  
#release on bail  
#release on own recognizance

release on parole  
    see release from prison  
#release, pretrial  
#release to third party  
report, predisposition  
    see predisposition report  
report, presentence  
    see presentence report  
reported offenses  
    see UCR  
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    see complaint requested (police)  
residential facility, community  
    see community residential  
        facility  
residential treatment center  
resisting arrest  
    see assault on a law enforcement officer  
#retained counsel  
#revocation  
#revocation hearing  
rights of defendant  
right to speedy trial  
    see speedy trial  
road camp  
    see detention facility, adult  
#robbery  
#robbery, armed  
robbery, attempted  
    see National Crime Panel reports  
robbery, completed  
    see National Crime Panel reports  
#robbery, strongarm  
robbery with injury, attempted  
    see National Crime Panel reports  
robbery without injury  
    see National Crime Panel reports  
robbery without injury, attempted  
    see National Crime Panel reports  
ROR  
    see release on own recognizance  
#runaway  
school, reform  
    see correctional institution,  
        juvenile  
school, training  
    see training school  
screening  
    see intake  
seal (record)  
search warrant  
    see warrant, search  
secured bail  
    see release on bail  
security  
security and privacy standards  
self counsel  
    see pro se

#sentence  
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sentence, mandatory  
sentence, suspended  
#sentence-suspended execution  
#sentence-suspended imposition  
serious assault  
    see National Crime Panel reports  
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    see offenses, Part II  
sexual assault  
    see rape, forcible  
shelter  
#sheriff  
#sheriff deputy  
#sheriff's department  
shoplifting  
    see larceny  
simple assault  
    see assault, simple  
simple assault with injury  
    see National Crime Panel reports  
small claims court  
    see court of limited jurisdiction  
special district  
    see law enforcement agency  
speedy trial  
#state highway patrol  
#state highway patrol officer  
    state law enforcement agency  
        see law enforcement agency, state  
    state law enforcement officer  
        see law enforcement officer, state  
    state planning agency  
        see criminal justice agency  
#state police  
#state police officer  
    state's attorney  
        see prosecutor  
#status offender  
#status offense  
    statutory rape  
        see rape, statutory  
    stolen property  
        see offenses, Part II  
    strongarm robbery  
        see robbery, strongarm  
#subjudicial officer  
#subpoena  
#summons  
    superior court  
        see court of general jurisdiction  
    supreme court  
        see court of appellate jurisdiction  
suspect  
suspended execution sentence  
    see sentence-suspended execution

suspended imposition sentence  
    see sentence-suspended imposition  
suspended sentence  
    see sentence, suspended  
suspicion  
synthetic narcotics  
    see drug law violation  
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    see arrest  
temporary release  
    see release from prison  
temporary suspension  
    see revocation  
theft  
theft from coin operated devices or machines  
    see larceny  
theft, motor vehicle  
    see motor vehicle theft  
theft of motor vehicle parts and accessories  
    see larceny  
third party release  
    see release to third party  
#time served  
traffic court  
    see court of limited jurisdiction  
traffic violation  
    see infraction  
training school  
#transfer hearing  
transfer of jurisdiction  
    see release from prison  
#transfer to adult court  
transit authority  
    see law enforcement agency  
treatment center, community  
    see community facility, adult or juvenile  
treatment center, residential  
    see residential treatment center  
#trial  
#trial, court  
    trial, examining  
        see hearing, probable cause  
    trial, judge  
        see trial, court  
#trial, jury  
    trial jury  
        see jury, trial  
    trial, speedy  
        see speedy trial  
#truant  
true bill  
    see jury, grand  
UCR  
    UCR Offense Classifications  
        see UCR

UCR Scoring System  
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unadjudicated  
    see adjudicated

unconditional release  
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unsecured bail  
    see release on bail

unsecured bond  
    see release on bail

unsecured release on bail  
    see release, pretrial

UOC  
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U.S. Attorney  
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venue

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#verdict, guilty

#verdict, not guilty

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#victim  
    victimization survey  
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violation, drug law  
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violation, parole  
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violation, probation  
    see probation violation

violation, traffic  
    see infraction

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voluntary manslaughter  
    see manslaughter, voluntary

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waiver hearing  
    see transfer hearing

waive to adult court  
    see transfer to adult court

#warrant, arrest

#warrant, bench

warrant, John Doe  
    see warrant, arrest

#warrant, search

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    see offenses, Part II

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    see child abuse

willful homicide  
    see homicide, willful

willful neglect  
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witness

work camp  
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#youthful offender

**END**

7/20/1986