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# **The California Crime Spike**

## **An Analysis of the Preliminary 2012 Data**

*Kent S. Scheidegger*  
Criminal Justice Legal Foundation

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The Criminal Justice Legal Foundation is a non-profit, public interest law organization dedicated to upholding the rights of crime victims and improving public safety. Founded in 1982, the CJLF is the only public interest legal group in the United States focused exclusively on crime and law enforcement.

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# **The California Crime Spike**

## **An Analysis of the Preliminary 2012 Data**

*by Kent S. Scheidegger*  
Criminal Justice Legal Foundation

### **Introduction**

On May 6, 2013, the Federal Bureau of Investigation released its preliminary statistics on crime in the United States (FBI, 2013a). These preliminary statistics provide a first look at changes in crime in the first full year following enactment of the California Criminal Justice Realignment Act, AB 109 of 2011.

The Realignment bill is arguably the most dramatic change in criminal justice policy in the history of the state. The bill was enacted by the California Legislature in April 2011 within hours of its introduction with little debate and no chance for public input (Petersilia & Snyder, 2013). The law shifts a large portion of California's convicted felons from the state's overcrowded prisons to the counties' overcrowded jails. The inevitable result is that many convicts will be released after serving less time than the sentencing court determined was appropriate for the crime and the defendant's criminal record, either because the realigned prisoners themselves are released or because they displace prisoners who would have been held in jail under the pre-Realignment system.

The question of whether Realignment will cause an increase in crime has been extremely controversial. In the federal court litigation over health care in prisons, experts for the prisoners testified and the three-judge panel found that the prison population could be reduced without endangering public safety (*Plata v. Schwarzenegger*, 2010). That finding was hotly disputed by law enforcement and victims' rights groups. The question of whether the reduction of the state prison population through Realignment has come at the cost of increased crime is a question of the greatest importance.

To shed some light on this question, the Criminal Justice Legal Foundation examined the FBI's preliminary statistics to compare the data from California, to the extent they are available, with the overall national data. This report presents that comparison.

## Data and Methods

The FBI's Uniform Crime Reports track crimes known to the police in eight categories. There are four categories of violent crime: murder (including voluntary manslaughter), forcible rape, robbery, and aggravated assault. There are also four categories of property crime: burglary, larceny-theft, motor vehicle theft, and arson.

The preliminary statistics release includes only a brief description of results and four Excel spreadsheets (FBI, 2013b). The release gives totals for the country as a whole, four geographic regions, and cities over 100,000 population, but not for states.

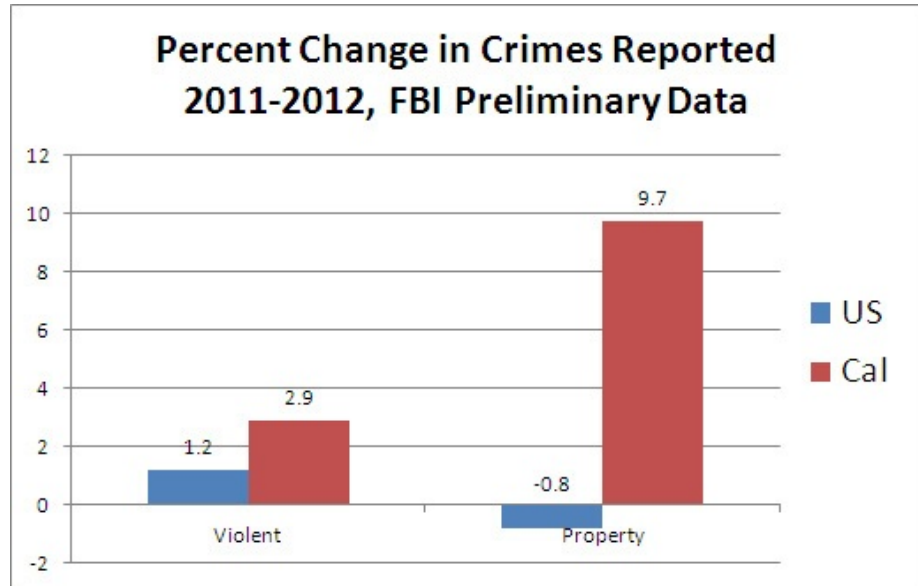
Although no California statewide figures are available from the preliminary release, we can add the numbers from the cities listed. These are the cities "with a resident population of 100,000 and over and that provided 12 months of complete data for 2012" (FBI, 2013b). The total population of these cities is 18,370,841, which is a little less than half of the estimated total California population of 38,041,430 (U.S. Census Bureau, 2012).

The crime rates of the state's medium and large cities are, of course, not representative of the state as a whole. However, this study examines year-to-year changes in crimes rather than crime rates, so the rural/urban difference will cancel out unless the extent of the difference changed markedly between 2011 and 2012. Table 1 in the FBI report shows national differences by city size and between metropolitan and nonmetropolitan counties. While there are some differences, most of them are not large, and they do not follow a consistent pattern.

The data provided by the FBI in this release are numbers of offenses, not crime rates (e.g., crimes per 100,000 population). Again, for the comparison purposes of this report, this is not a cause for concern. The 67 cities reported by the FBI had a collective 1.02% increase in population between 2011 and 2012, while the nation as a whole had a 0.75% increase (U.S. Census Bureau, 2012). The quarter percent difference is insignificant in relation to the differences in changes in crimes committed.

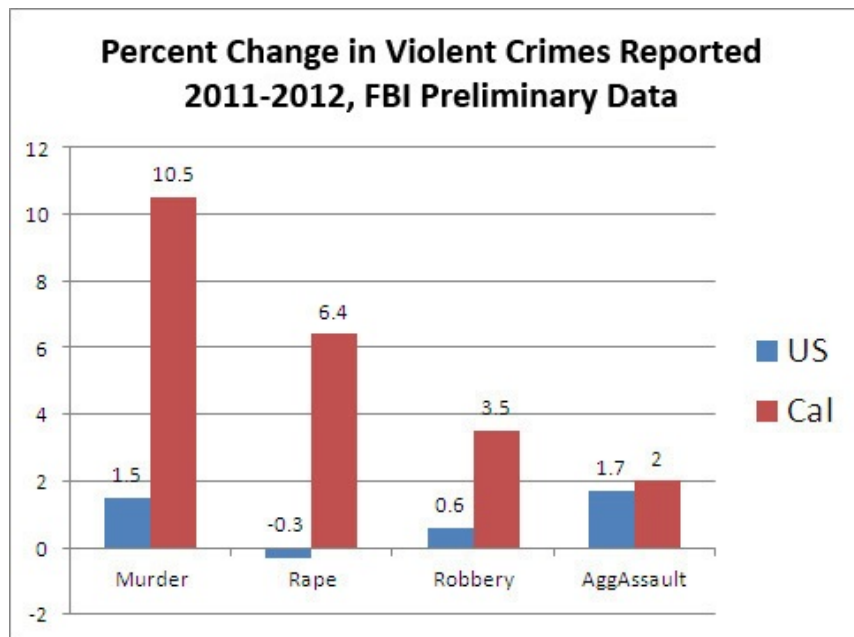
The method used to calculate the changes in crimes is straightforward. The numbers of crimes in each category were summed for the 67 California cities reported by the FBI for 2011 and 2012 from the FBI's Table 4, and the change was computed as a percentage of the 2011 total. The national percentage changes are taken from the first line of the FBI's Table 1.

**Results:**



**Figure 1: Comparative Changes in Violent and Property Crime Totals**

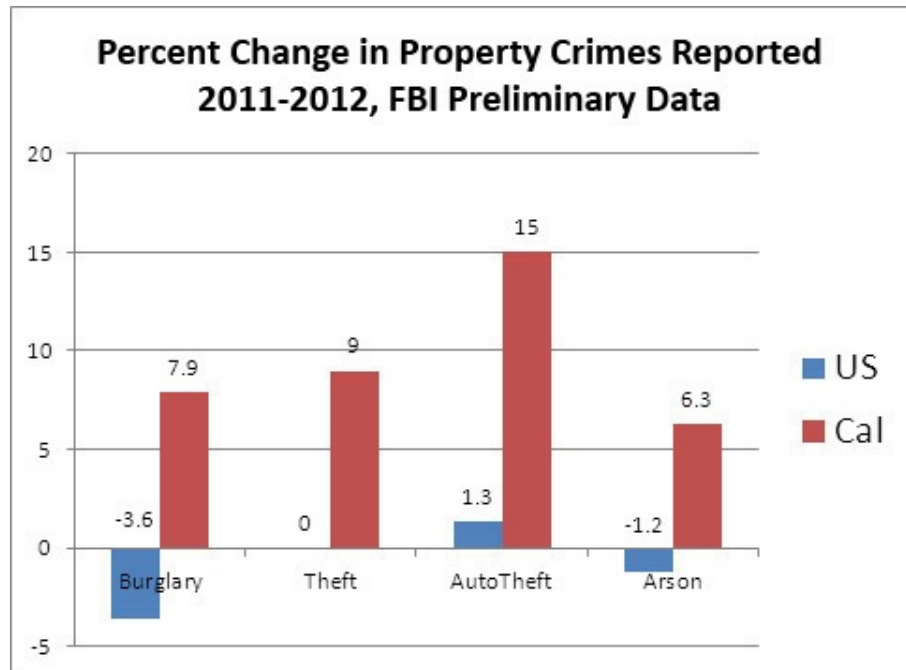
Figure 1 shows the changes in the totals for the violent and property crime categories. The 67 California cities had a 2.9% increase in violent crime, compared to a lesser 1.2% increase for the nation as a whole. For property crimes, the difference is much more dramatic. While the nation as a whole saw a slight 0.8% drop in property crimes, California cities saw a staggering 9.7% leap in a single year.



**Figure 2: Comparative Changes in Violent Crimes**

The violent crime picture gets worse when examined more closely, as shown in Figure 2. The FBI's index is not weighted by severity of offense. It just counts numbers of crimes. Because less severe crimes occur in greater numbers, crime indexes tend to be dominated by the least severe crime included in the index. The overall violent crime index is mostly an index of aggravated assault and robbery, with little effect from the rates of murder and rape.

Looking at the crimes individually, we see that there is little difference in the change in aggravated assaults between the California cities and the national total. For the more severe violent offenses, though, there is a stark difference. Rapes declined slightly for the nation but jumped 6.4% for the California cities. Murders rose only 1.5% nationally but 10.5% in the California cities.



**Figure 3: Comparative Changes in Property Crimes**

The national/California differences are even greater for property crimes, with large differences in every category. The nation saw drops in burglary and arson, virtually no change in the main theft category, and only a small 1.3% increase in auto theft. The California cities saw large increases across the board.

## **Discussion:**

The increases in California crime rates shown by these data are alarming. They are greater than the corresponding national figures in every category, and they are substantially greater for every crime except aggravated assault.

The toll of human suffering from increases in murder and rape is obvious and requires no discussion. The first duty of government is to protect people from such horrific crimes.

Increases in property crime are also matters of grave concern. Proponents of Realignment have emphasized that “violent offenders” remain sentenced to state prison, with the implication that mere property offenses are not a major concern. They are. The crime of auto theft is a severe blow to persons of modest income who cannot afford comprehensive insurance, need their cars to get to work, and cannot afford to replace them. It is a “regressive” crime that falls much harder on regular working folks than it does on the ivory tower elitists who brush off property crime as a minor concern. And auto theft is up a staggering 15% in the California cities reported.

Burglary of a residence is categorized as a property crime, but it is actually a crime of psychological violence. Invasion of a person’s home is a violation that is often much worse than any economic loss from the crime (Maguire, 1980). There is much concern that too many people live behind bars in California. Indeed, drive through a low-income neighborhood and look at the windows. You see lots of bars. Protecting people against this much-feared crime is an essential duty of government.

We have made enormous progress against crime in the last 20 years. The total crime index in 2011 was half of the 1991 peak and back where it was in 1971 (Maguire, 2012). The increases documented in this report raise the alarming prospect that the decline is not merely over, but that a reversal and a return to high crime rates is already underway—in California, not the nation as a whole.

These data do not, by themselves, definitively prove that Realignment is the culprit. The data themselves are subject to revision. They are incomplete, and the full data will not be available for several more months. In addition, crime is a complex social phenomenon, and it is dangerous to jump to a conclusion that any one factor is the cause of an observed change.

That said, it is difficult to see any other reason for a sharp divergence between California and national trends in 2012. Economically, “things are tough all over” as the whole country makes the agonizingly slow climb out of the depths of the Great

Recession. Realignment appears to be the only sudden change in the relevant time period that is unique to California and that is plausibly related to crime rates.

## **Conclusion:**

The FBI's preliminary data for 2012 show that California's large and medium-sized cities had sharply higher crime rates over 2011, while national rates were largely flat. Realignment is a plausible reason for this alarming development, although it is not possible at this time to definitively rule out other causes. The relation between Realignment and increases in crime warrants close attention and further study as more data become available.

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