

# FBI Statistics on Crime Criticized

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By G. A. Fitzgerald

NEW YORK—A University of Chicago sociologist says the statistical sampling methods used by the FBI until recently to compare differences in the treatment of criminals painted a seriously misleading picture of the courts' contribution to the national crime wave.

Although the figures supported a law enforcement view that much of the increase in crime during the late 1960s was caused by people the courts failed to convict, that picture was seriously flawed, according to Hans Zeisel of the University of Chicago Law School.

Biased sampling methods either inflated the reported rates of recidivism or rendered them meaningless because the FBI had no information on large numbers of the cases included in the analyses, he said in a recent interview.

High rates of rearrest for persons the courts failed to convict—higher than for persons fined, imprisoned or placed on probation—were reported annually by the FBI in

its Uniform Crime Reports between 1965 and August of last year.

In 1969, for example, the FBI reported that 92 per cent of a group acquitted of various criminal charges in 1963 had been rearrested on new charges within six years.

This compared with only 38 per cent of a similar 1963 group which had been convicted, fined and placed on probation; 63 per cent of a third group which had been convicted, sent to prison and later paroled; and 76 per cent of another group which had been convicted and served full prison terms without parole.

The bureau recently dropped the core of the analyses, a series of followup studies of "offenders" released from the federal law enforcement system in 1963 and 1965. These had appeared since 1965 in a section of the reports entitled "Careers in Crime." An FBI spokesman said there are no plans to resume the followup studies.

The spokesman said the FBI disagrees with Zeisel's criticism, but he did not say in what respect it disagrees. He said

no one presently employed by the FBI was involved in the design of the followup studies.

Another FBI official defended the studies, however, saying they were an "honest effort to look at recidivism. It may not be the best answer, but it was an answer, and at the time almost the only one available in the world."

Zeisel, an advocate of taking custody of the nation's crime statistical bureau under the Department of Justice, says the studies are evidence of incompetence.

"I don't think these people deliberately cheated, but it's an elementary error they committed," Zeisel said. The researcher's criticism of the FBI had appeared recently in the Bulletin of the Atomic Scientists and in the Journal of the American Bar Association.

"The accurate measure of crime is becoming an ever more important indicator of the country's social health," he wrote.

"It is high time that this difficult and important task be removed from the hands of an organization with vested interests in the results of the statis-

tics it gathers and be entrusted to a group of specialists whose career interests are in objectivity and accuracy."

Zeisel said the problem stems fundamentally from the unsuitability of arrest records for the purposes they were used in the FBI analyses.

This results in classifying "all people released from the system as 'offenders' even if their case had been dismissed by a court or if they had been acquitted, and calling everybody rearrested a 'repeater'—even though he may not have been convicted of a crime even once."

The FBI specifically defended the use of arrest records in the studies, however, saying that such records are the only ones presently available which can give a comprehensive national picture of crime.

But Zeisel said the bureau could have eliminated bias resulting from using a statistical base which contained too many people from crime categories for which rearrest rates were high and not enough from groups having low rearrest rates.