



# **2016 Criminal Citations Data Analysis**

## **Fourth Annual Report to the State of Maryland Under Chapters 504 and 505 (2012)**

**Larry Hogan**  
Governor

**Boyd K. Rutherford**  
Lt. Governor

**V. Glenn Fueston, Jr.**  
Executive Director  
Governor's Office of Crime Control & Prevention

Submitted by:  
Governor's Office of Crime Control & Prevention

Contact: Jeffrey Zuback  
410-697-9298 | [jeffrey.zuback@maryland.gov](mailto:jeffrey.zuback@maryland.gov)

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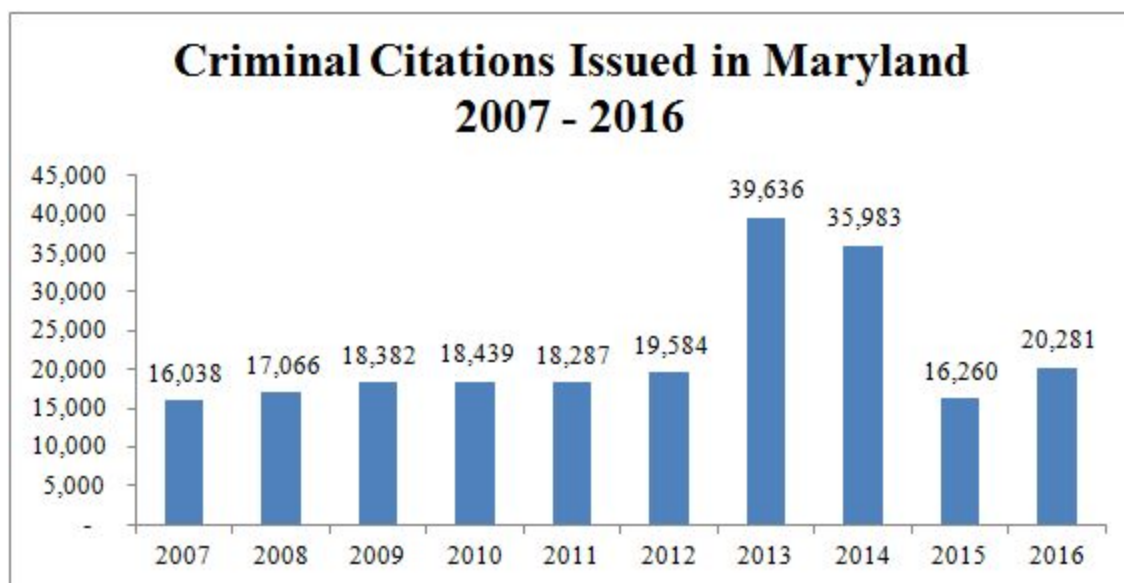
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## INTRODUCTION

In 2012, the Maryland General Assembly passed Senate Bill 422/House Bill 261 (Chapters 504 and 505). The law mandates that, if the defendant meets certain criteria, a law enforcement officer may charge a defendant by a Uniform Criminal Citation for certain criminal offenses in lieu of making an arrest or making an arrest and issuing a criminal citation in lieu of continued custody. In total, this legislation added roughly 350 offenses in which law enforcement could issue a criminal citation in lieu of custody or continued custody.

Another component of this law requires all law enforcement agencies that issue criminal citations to report specific information regarding issued citations to the Maryland Statistical Analysis Center ("The Center") located in the Governor's Office of Crime Control and Prevention. This data only includes information submitted by law enforcement agencies to the Administrative Office of the Courts. The Center collaborated with the Police Training Commission and the Administrative Office of the Courts and developed a standardized data collection, analysis, and reporting process. As depicted by the graph below, the number of criminal citations issued by law enforcement officers in Maryland nearly doubled in the first year since this law took effect on January 1, 2013, and then took a sharp decrease with the passage of the SB 517 in 2015 (Use and Possession of Marijuana and Drug Paraphernalia) which made the possession of less than 10 grams of marijuana and possession or use of any marijuana paraphernalia a civil offense.<sup>1</sup> The issuance of criminal citations then increased by 25% from 2015 to 2016.



<sup>1</sup> Criminal citations issued for CDS (controlled dangerous substances) offenses (mostly marijuana related offenses) represented nearly 53% of criminal citations issued in 2013 and 56% of criminal citations issued in 2014.

## METHODOLOGY

The 2017 report presents aggregate data on all eligible criminal citations that were issued by Maryland law enforcement agencies in the 2016 calendar year. Data was obtained directly from the Administrative Office of the Courts. The original data was submitted in Microsoft Excel and subsequently merged, standardized, and analyzed using IBM SPSS (Statistical Package for the Social Sciences) version 21 to formulate this report. IBM SPSS Statistics version 21 is a system package widely accepted and used by researchers and social scientists.

The unit of analysis for this report consists of all eligible criminal citations issued by law enforcement between January 1, 2016 and December 31, 2016. Eligible criminal citations refer to misdemeanors and violations of local ordinances. A law enforcement officer may issue a citation in lieu of making an arrest. The decision to issue a citation or make an arrest is at the discretion of the officer on the scene and his/her assessment of the offender and the violation in question. The following may play a role in an officer's decision to arrest or issue a citation:

- The officer's satisfaction with the defendant's evidence of identity;
- The officer believes the defendant will comply with the citation;
- Whether or not the defendant is a threat to society;
- The defendant is not subject to arrest due to another pending charge as a result of the same incident;
- The defendant complies with all lawful orders given by the officer.

The relevant information required by law from police departments regarding the issuance of criminal citations includes the following:

Information	Units of Measure
Race/ethnicity of the offender	Asian, Black, Hispanic, Other, White
Gender of driver	Male, female
Age of the offender	17 and younger, 18-29, 30-44, 45-60, 61 and older
Date of the issuance of the citation	Month
Time of Issuance	0000 - 0800, 0800 - 1600, 1600 - 2400
Offender county of residence	County
Offender state of residence	In state, out of state
Offense Charged	Crime category, and charge legal definition

## RESULTS

Between January 1, 2016 and December 31, 2016, a total of **20,281** criminal citations were issued in Maryland. A total of 16,924 criminal citations could be matched up to one of 103 law enforcement agencies, the remainder did not have an agency code assigned. The county of issuance for criminal citations is displayed in **Table 1**. The top five counties that issued the most criminal citations were Montgomery, Anne Arundel, Prince George's, Baltimore County, and Baltimore City, which accounted for 64% of all criminal citations issued in the state. The fewest criminal citations were issued in Kent, Queen Anne's, Garrett, Caroline, and Somerset Counties. The county of issuance could not be determined in 5.7% of cases due to the data provided.

<b>Table 1. County of Criminal Citation Issuance</b>		
	<b>Frequency</b>	<b>Percent</b>
Allegany County	507	3.0%
Anne Arundel County	2,471	14.6%
Baltimore City	977	5.8%
Baltimore County	1040	6.1%
Calvert County	223	1.3%
Caroline County	87	0.5%
Carroll County	105	0.6%
Cecil County	431	2.5%
Charles County	519	3.1%
Dorchester County	172	1.0%
Frederick County	837	4.9%
Garrett County	76	0.4%
Harford County	359	2.1%
Howard County	231	1.4%
Kent County	9	0.1%
Montgomery County	4,830	28.5%
Prince George's County	1,463	8.6%
Queen Anne's County	32	0.2%
Somerset County	101	0.6%
St. Mary's County	266	1.6%
Talbot County	130	0.8%
Washington County	187	1.1%
Wicomico County	401	2.4%
Worcester County	501	3.0%
Missing/Unknown	969	5.7%
<b>Total</b>	<b>16,924</b>	<b>100.0%</b>

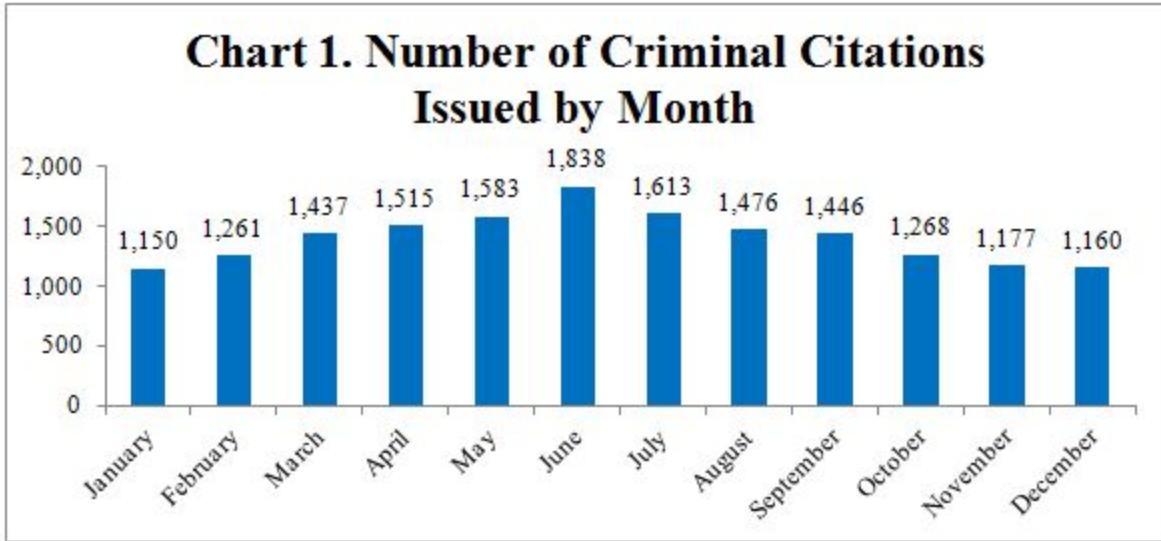
**Table 2** displays the race of offenders issued criminal citations. The race was missing or unknown in 1,115 cases. Over 91% of all criminal citations were issued on White or Black individuals (47.7% and 43.5% respectively). **Table 3** displays the gender statistics for offenders issued criminal citations. Gender information was missing or unknown in 129 cases. Criminal citations were issued more frequently for male offenders (71.2%) than female offenders (28.1%). **Table 4** displays the age of offenders who were issued criminal citations. Age was unknown or missing in 2 cases. A majority of criminal citations were issued to individuals 18-29 years of age (41.8%) followed by 30-44 years of age (29.3%), and 45-60 years of age (24.3%). Criminal citations were least frequently issued to offenders 17 years and younger (0.1%).

<b>Table 2. Race of Offenders Issued Criminal Citations</b>		
	<b>Frequency</b>	<b>Percent</b>
Asian	268	1.6%
Black	7,367	43.5%
Other	97	0.6%
White	8,077	47.7%
Missing/Unknown	1,115	6.6%
<b>Total</b>	<b>16,924</b>	<b>100.0%</b>

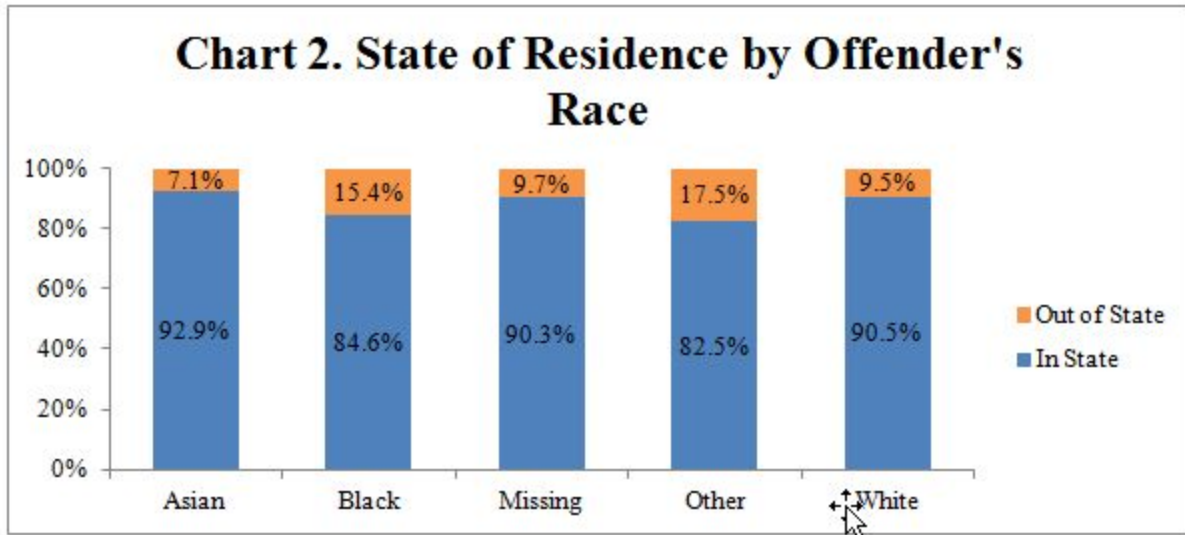
<b>Table 3. Sex of Offenders Issued Criminal Citations</b>		
	<b>Frequency</b>	<b>Percent</b>
Female	4,749	28.1%
Male	12,046	71.2%
Missing/Unknown	129	0.8%
<b>Total</b>	<b>16,924</b>	<b>100.0%</b>

<b>Table 4. Age of Offenders Issued Criminal Citations</b>		
	<b>Frequency</b>	<b>Percent</b>
17 & younger	12	0.1%
18-29 years of age	7,073	41.8%
30-44 years of age	4,960	29.3%
45-60 years of age	4,105	24.3%
61 & older	772	4.6%
Missing/Unknown	2	0.0%
<b>Total</b>	<b>16,924</b>	<b>100.0%</b>

**Chart 1** displays statistics regarding the month that criminal citations were issued by law enforcement. The pattern of citations being issued mirrors seasonal patterns with more issued in the warmer summer months than the colder winter months. The three months with the most issued criminal citations were May, June, and July.



**Chart 2** displays statistics for the state of residence for offenders who were issued criminal citations. The vast majority of offenders lived in state (87.9%) regardless of race or gender (89.2% for females vs. 87.5% for males).

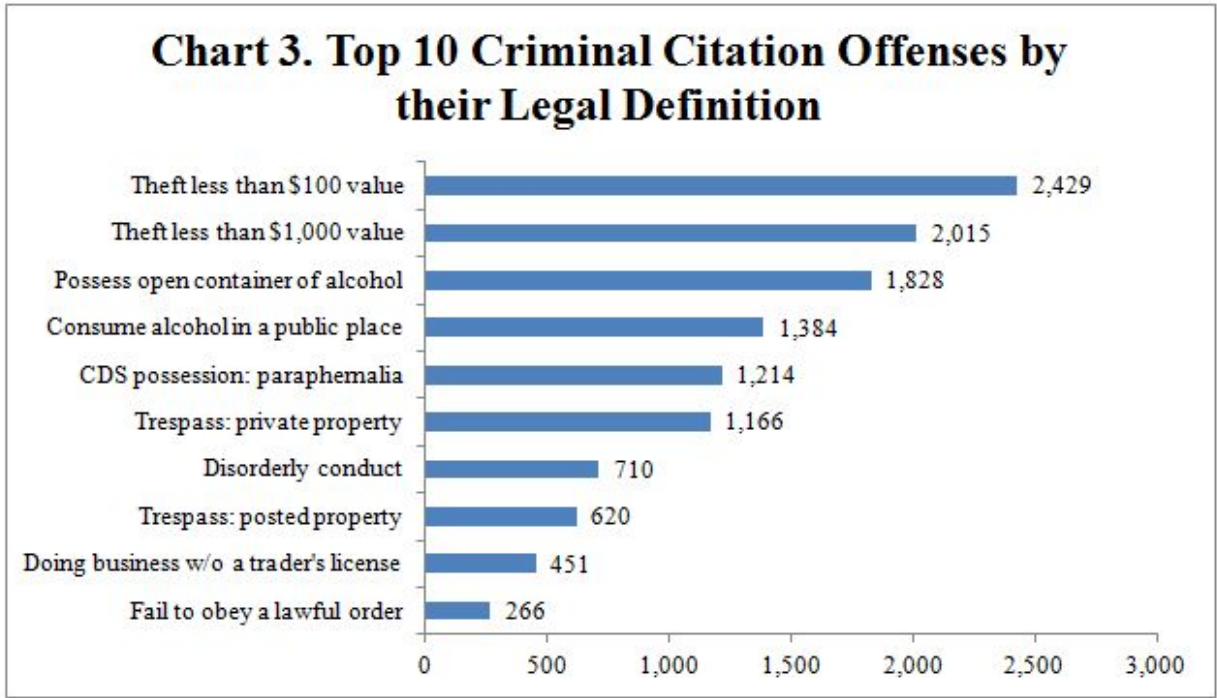


**Table 5** displays the statistics for criminal citations issued by crime category. A specific crime category could be determined in 16,449 (97.2%) of incidents where a criminal citation was issued. Theft was the most cited criminal offense (26.7%) followed by alcohol related offenses (20.2%), trespassing (11.1%), and controlled dangerous substance violations (10.6%). Failure to appear (0.02%), fraud (0.3%), and harm to a child or a minor (1.0%) were the least cited criminal violation categories.

<b>Table 5. Citation Crime Categories</b>		
	<b>Frequency</b>	<b>Percent</b>
Alcohol related offenses	3,411	20.2%
Business offenses (sale w/o trader's license etc.)	1,139	6.7%
Controlled dangerous substances (CDS)	1,798	10.6%
Disturbing the peace/disorderly conduct	858	5.1%
Failure to appear	4	0.02%
Failure to obey law enforcement (obstruction, resisting arrest etc.)	356	2.1%
Fraud	50	0.3%
Harm to a child/minor (confine unattended child)	166	1.0%
Malicious destruction of property	254	1.5%
Other criminal offenses (animal control, littering, failure to pay etc.)	919	5.4%
Other quality of life offenses (indecent exposure, panhandling etc.)	1,092	6.5%
Theft	4,520	26.7%
Trespassing	1,882	11.1%
Missing/unknown	475	2.8%
<b>Total</b>	<b>16,924</b>	<b>100.0%</b>

The legal definition and criminal code reference for the top ten issued criminal citation offenses are displayed in **Chart 3**. Combined, these ten offenses account for 81% of all issued criminal citations where a specific offense was reported. The top two offenses were theft related offenses, and two of the top ten offenses were for trespassing.





**Tables 6 and 7** display statistics for the criminal citation crime categories stratified by race and collapsed by gender. The crime category was unknown in 475 cases and gender or race was missing in 1,115 cases which were excluded from this analysis. There was some variation in the issuance of criminal citations by crime category for males and females as well as different races. Alcohol related offenses were the most cited criminal violations for males (24.6%) and theft was the most cited offense for females (47.7%). Overall, males were cited more frequently for alcohol related offenses (24.6% compared to 9.4%) and trespassing (12.6% vs. 8.4%) as well as other criminal or quality of life offenses (15.0% compared to 4.8%). On the other hand, females were cited more frequently than males for theft (47.7% compared to 20.4%).

White females were more likely to be cited for controlled dangerous substances offenses than other races at 17.2% while Asian males and females were the most likely to be cited for business related offenses (31.7% and 25.8% respectively). Black males (22.9%) and Black females (54.2%) were the most likely to be cited for theft.

<b>Table 6. Crime Categories by Offender's Race/Ethnicity (Males)</b>					
	<b>Asian</b>	<b>Black</b>	<b>Other</b>	<b>White</b>	<b>Total</b>
Alcohol	30	1,417	7	1,221	<b>2,908</b>
	18.0%	26.6%	10.8%	23.0%	<b>24.6%</b>
Business offenses	53	133	12	508	<b>706</b>
	31.7%	2.5%	18.5%	9.6%	<b>6.5%</b>
Controlled Dangerous Substances (CDS)	9	442	16	691	<b>1,158</b>
	5.4%	8.3%	24.6%	13.0%	<b>10.6%</b>
Disorderly Conduct/disturbing the peace	2	278	3	315	<b>598</b>
	1.2%	5.2%	4.6%	5.9%	<b>5.5%</b>
Failure to appear	0	3	0	1	<b>4</b>
	0.0%	0.1%	0.0%	0.0%	<b>0.0%</b>
Failure to obey law enforcement	1	142	2	117	<b>262</b>
	0.6%	2.7%	3.1%	2.2%	<b>2.4%</b>
Fraud	0	9	0	24	<b>33</b>
	0.0%	0.2%	0.0%	0.5%	<b>0.3%</b>
Harm to a child/minor	1	16	0	12	<b>29</b>
	0.6%	0.3%	0.0%	0.2%	<b>0.3%</b>
Malicious destruction of property	2	70	3	109	<b>184</b>
	1.2%	1.3%	4.6%	2.1%	<b>1.7%</b>
Other criminal	5	574	8	150	<b>737</b>
	3.0%	10.8%	12.3%	2.8%	<b>6.8%</b>
Other quality of life offenses	15	313	0	568	<b>896</b>
	9.0%	5.9%	0.0%	10.7%	<b>8.2%</b>
Theft	25	1,220	4	968	<b>2,217</b>
	15.0%	22.9%	6.2%	18.2%	<b>20.4%</b>
Trespassing	24	713	10	628	<b>1,375</b>
	14.4%	13.4%	15.4%	11.8%	<b>12.6%</b>
<b>Total</b>	<b>167</b>	<b>5,330</b>	<b>65</b>	<b>5,312</b>	<b>10,874</b>
	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

<b>Table 7. Crime Categories by Offender's Race/Ethnicity (Females)</b>					
	<b>Asian</b>	<b>Black</b>	<b>Other</b>	<b>White</b>	<b>Total</b>
Alcohol	8	199	0	213	<b>420</b>
	8.2%	10.6%	0.0%	8.6%	<b>9.4%</b>
Business offenses	25	81	0	218	<b>324</b>
	25.8%	4.3%	0.0%	8.8%	<b>7.3%</b>
Controlled Dangerous Substances (CDS)	7	102	1	424	<b>534</b>
	7.2%	5.4%	6.3%	17.2%	<b>12.0%</b>
Disorderly Conduct/disturbing the peace	1	109	0	88	<b>198</b>
	1.0%	5.8%	0.0%	3.6%	<b>4.4%</b>
Failure to obey law enforcement	0	35	3	36	<b>74</b>
	0.0%	1.9%	18.8%	1.5%	<b>1.7%</b>
Fraud	0	2	0	13	<b>15</b>
	0.0%	0.1%	0.0%	0.5%	<b>0.3%</b>
Harm to a child/minor	2	74	1	43	<b>120</b>
	2.1%	3.9%	6.3%	1.7%	<b>2.7%</b>
Malicious destruction of property	1	31	0	28	<b>60</b>
	1.0%	1.6%	0.0%	1.1%	<b>1.3%</b>
Other criminal	2	96	0	33	<b>131</b>
	2.1%	5.1%	0.0%	1.3%	<b>2.9%</b>
Other quality of life offenses	0	20	0	64	<b>84</b>
	0.0%	1.1%	0.0%	2.6%	<b>1.9%</b>
Theft	41	1,018	5	1,065	<b>2,129</b>
	42.3%	54.2%	31.3%	43.1%	<b>47.7%</b>
Trespassing	10	112	6	246	<b>374</b>
	10.3%	6.0%	37.5%	10.0%	<b>8.4%</b>
<b>Total</b>	<b>97</b>	<b>1,879</b>	<b>16</b>	<b>2,471</b>	<b>4,463</b>
	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

**Table 8** displays the statistics for criminal citations issued by crime category stratified by offender's age. The crime category was unknown in 475 cases and the age was unknown in 2 cases which were all excluded from this analysis. The number of criminal citations issued for CDS possession was more common for younger offenders than older offenders (13.8% for ages 18-29, 10.9% for ages 30-44, 6.7% for ages 45-60, and 7.1% for persons 61 and older). A similar trend was also found with number of criminal citations issued for theft (32.6% for individuals 18-29 vs. 19.1% issued for individuals 61 and older). Offenders ages 45-60 were the most likely to be cited for alcohol related offense (31.9%) compared to other age groupings. The issuance of

criminal citations for business related offenses was positively correlated to age (18.8% for individuals 61 & older compared to 1.8% for individuals 18-29 and 8.3% for those 30-44).

<b>Table 8. Crime Categories by Offender's Age</b>						
	<b>&lt; 18</b>	<b>18-29</b>	<b>30-44</b>	<b>45-60</b>	<b>61+</b>	<b>Total</b>
Alcohol	2	933	1,028	1,264	183	<b>3,411</b>
	16.7%	13.6%	21.1%	31.9%	24.6%	<b>20.7%</b>
Business offenses	0	127	405	467	140	<b>1,139</b>
	0.0%	1.9%	8.3%	11.8%	18.8%	<b>6.9%</b>
Controlled Dangerous Substances (CDS)	1	948	530	265	53	<b>1,798</b>
	8.3%	13.8%	10.9%	6.7%	7.1%	<b>10.9%</b>
Disorderly Conduct/disturbing the peace	0	456	228	153	21	<b>858</b>
	0.0%	6.7%	4.7%	3.9%	2.8%	<b>5.2%</b>
Failure to appear	0	1	3	0	0	<b>4</b>
	0.0%	0.0%	0.1%	0.0%	0.0%	<b>0.0%</b>
Failure to obey law enforcement	0	169	101	71	15	<b>356</b>
	0.0%	2.5%	2.1%	1.8%	2.0%	<b>2.2%</b>
Fraud	0	40	6	2	2	<b>50</b>
	0.0%	0.6%	0.1%	0.1%	0.3%	<b>0.3%</b>
Harm to a child/minor	0	71	77	14	4	<b>166</b>
	0.0%	1.0%	1.6%	0.4%	0.5%	<b>1.0%</b>
Malicious destruction of property	0	150	66	33	5	<b>254</b>
	0.0%	2.2%	1.4%	0.8%	0.7%	<b>1.5%</b>
Other criminal	1	566	207	114	31	<b>919</b>
	8.3%	8.3%	4.3%	2.9%	4.2%	<b>5.6%</b>
Other quality of life offenses	1	419	357	268	47	<b>1,092</b>
	8.3%	6.1%	7.3%	6.8%	6.3%	<b>6.6%</b>
Theft	5	2,231	1,299	843	142	<b>4,520</b>
	41.7%	32.6%	26.7%	21.2%	19.1%	<b>27.5%</b>
Trespassing	2	743	563	474	100	<b>1,882</b>
	16.7%	10.8%	11.6%	11.9%	13.5%	<b>11.4%</b>
<b>Total</b>	<b>12</b>	<b>6,854</b>	<b>4,870</b>	<b>3,968</b>	<b>743</b>	<b>16,449</b>
	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

## **DISCUSSION AND RECOMMENDATIONS**

While these findings have been drawn from the available data, conclusions regarding the relationships between age and race/ethnicity and criminal citations should be cautiously interpreted and carefully utilized. Furthermore, the findings in this report do not necessarily indicate a direct relationship. It is important to note that observed variations among offenders due to age, gender, and race/ethnicity may be the result of confounding variables not captured by law enforcement agencies pursuant to SB 422/HB 261. Therefore, drawing conclusions based on the findings contained in this report could be problematic.

Ethnicity data was not included in this report. There is a place for ethnicity in the MDEC system but it is not a required field. There are also some inconsistencies in how ethnicity is reported by law enforcement on the citation form. The Governor's Office of Crime Control & Prevention is currently working to help the State of Maryland identify a uniform method for collecting and analyzing data on the racial, gender, and ethnic identity of juveniles and adults cited, detained, arrested, or charged by state or local agencies.