

FIRST REPORT TO THE STATE OF MARYLAND UNDER SB 422

2013 Criminal Citations Data Analysis

MSAR # 9195 and 9230

Maryland Statistical Analysis Center,
Governor's Office of Crime Control & Prevention



September 2, 2014

On May 22, 2012 Governor Martin O'Malley signed into law Senate Bill 422/House Bill 261. This law requires all law enforcement agencies that issue criminal citations to report specific information regarding issued citations to the Maryland Statistical Center (MSAC) located in the Governor's Office of Crime Control and Prevention (GOCCP). MSAC is tasked with collaborating with the Police Training Commission and the Administrative Office of the Courts to develop a standardized data collection, analysis, and reporting process as required under the law.

METHODOLOGY

The 2014 report presents aggregate data on all eligible criminal citations that were issued by Maryland Law enforcement agencies reported to MSAC for the Calendar year (January 1, 2013-December 31, 2013). Data was submitted to MSAC at GOCCP by each department. The original data was submitted in Microsoft Excel and subsequently merged, standardized, and analyzed using IBM SPSS (Statistical Package for the Social Sciences) version 20 to formulate this report. IBM SPSS Statistics version 20 is a system package widely accepted and used by researchers and social scientists.

For the current reporting period, 79 agencies are included in the current analysis (n=27,170 issued criminal citations). The unit of analysis for this report consists of all eligible criminal citations issued by law enforcement between January 1, 2013 and December 31, 2013. *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 arresting officer and his/her assessment of the offender and the violation in question. The following 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;
- The defendant is not 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 from police departments regarding the issuance of criminal citations includes the:

- Race/ethnicity of the offender
- Gender of the offender
- Age of the offender
- Date of issuance of the citation

- Time of issuance of the citation
- County of residence
- State of residence
- Offense charged

For the purposes of this report, race/ethnicity was coded into 5 categories: Caucasian, African American, Asian, Hispanic, and Other Non-Caucasian. *Caucasian* refers to individuals that were reported by officers and/or the MVA as White, Arab, Caucasian, and Asiatic Islander. The *Other Non-Caucasian* category is comprised of multiple race/ethnicities that cannot be classified under the established categories. Gender of the offender is a dichotomous variable reflecting whether or not the offender is male or female. Age of the offender is divided into 4 categories: 18-30 yrs, 31-44 yrs, 45-60 yrs, and 61 yrs and older. Date of issuance is categorized by the calendar month in which the citation was issued. Time of issuance is categorized as either 0000-0800 hrs, 0800-1600 hrs, or 1600-2400 hrs. County of residence for offenders is based on the 23 counties in Maryland plus Baltimore City. State of residence examines whether or not offenders are in state or out of state residents. Lastly, the crime category field puts specific criminal offenses into mutually exclusive categories.

RESULTS

The county of issuance for criminal citations is displayed in **Table 1**. Over 45% of criminal citations were issued in Prince George's County or Baltimore City. Kent County and Somerset County had the lowest rate of issued criminal citations. County of Issuance was missing in 560 cases (2.1%).

	Frequency	Percent	Cumulative Percent
Allegany County	235	0.9%	0.9%
Anne Arundel County	2406	8.9%	9.8%
Baltimore City	7235	26.6%	36.4%
Baltimore County	2249	8.3%	44.7%
Calvert County	128	0.5%	45.3%
Caroline County	68	0.3%	45.6%
Carroll County	222	0.8%	46.4%
Cecil County	648	2.4%	48.8%
Charles County	706	2.6%	51.4%
Dorchester County	383	1.4%	52.8%
Frederick County	634	2.3%	55.1%
Garrett County	78	0.3%	55.4%
Harford County	418	1.5%	56.9%
Howard County	862	3.2%	60.1%
Kent County	61	0.2%	60.3%
Montgomery County	1446	5.3%	65.6%
Prince George's County	5,775	21.3%	86.9%
Queen Anne's County	117	0.4%	87.3%
Somerset County	63	0.2%	87.5%
St. Mary's County	120	0.4%	87.9%
Talbot County	341	1.3%	89.2%
Washington County	191	0.7%	89.9%
Wicomico County	617	2.3%	92.2%
Worcester County	1,607	5.9%	98.1%
Missing/Unknown	560	2.1%	100.0%
Total	27,170	100.0%	

Table 2 displays the race/ethnicity of offenders issued criminal citations. Statistics does not account for all issued criminal citations due to missing or unknown race/ethnicity in 150 cases. African Americans and Caucasians were the primary recipients of criminal citations, accounting for 56.7% and 36.6% respectively. Asians (1.1%), Hispanics (4.2%) and Other Non-Caucasians (0.9%) only accounted for approximately 6% of all criminal citations.

Table 2. Race/Ethnicity of Offenders Issued Criminal Citations			
	Frequency	Percent	Cumulative Percent
Asian	286	1.1%	1.1%
African American	15,412	56.7%	57.8%
Hispanic	1,134	4.2%	62.0%
Other Non-Caucasian	240	0.9%	62.9%
Caucasian	9,950	36.6%	99.5%
Missing/Unknown	148	0.5%	100.0%
Total	27,170	100.0%	100.0%

Chart 1 displays the gender statistics for offenders issued criminal citations. Gender information was missing or unknown in 193 cases. Seventy-six percent of citation recipients were male compared to only 23.3% who were female as males outnumbered females by more than 3 to 1.

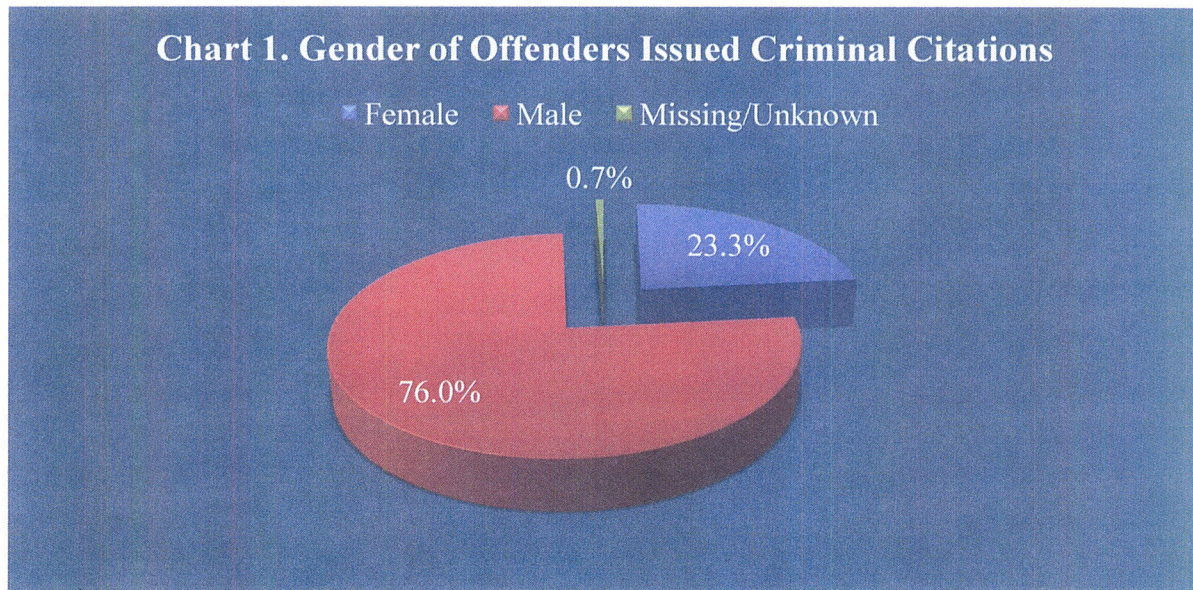


Table 3 displays the age breakdown of offenders who were issued criminal citations. Age was unknown or missing in 175 cases. A majority of criminal citations were issued to individuals 18-30 yrs (56.1%) followed by 31-44 yrs (22.7%). Criminal citations were least frequently issued to offenders 61 yrs and older (2.7%).

Table 3. Age of Offenders Issued Criminal Citations		
	Frequency	Percent
18-30 yrs	15,239	56.1%
31-44 yrs	6,170	22.7%
45-60 yrs	4,847	17.8%
61 yrs & Older	739	2.7%
Missing/unknown	175	0.6%
Total	27,170	100.0%

Chart 2 displays statistics for the state of residence for offenders who were issued criminal citations. State of residence was missing or unknown in 4,361 cases. Of those cases where a state of residence of the offender was provided, the vast majority of offenders lived in state (86.9%) versus those who lived out of state (13.1%).

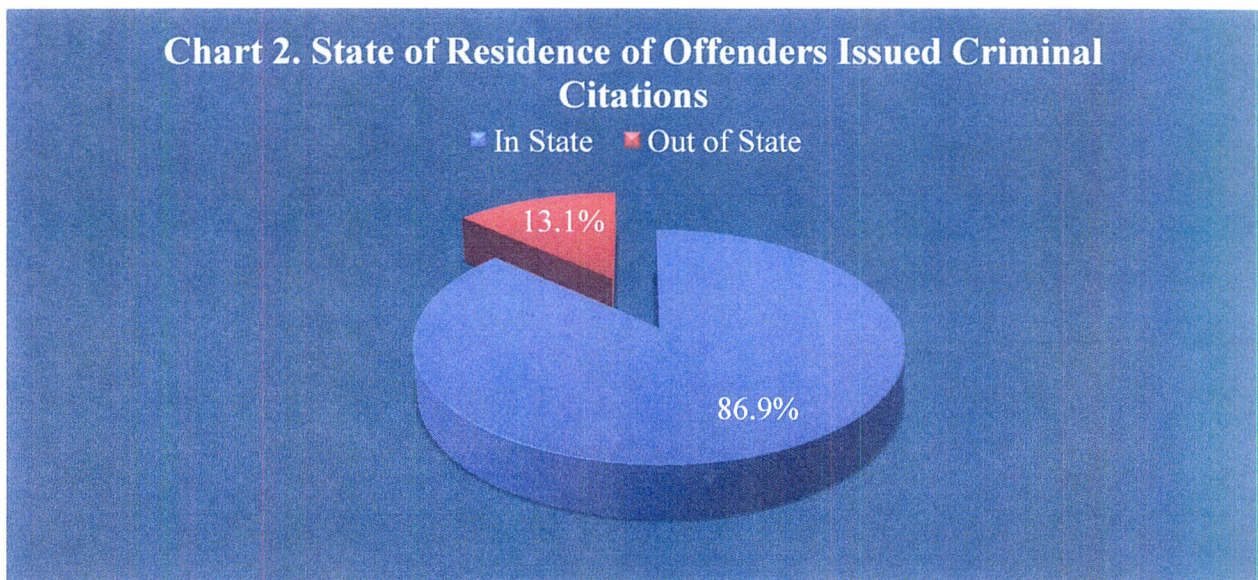


Chart 3 displays statistics regarding the time that criminal citations were issued. The data does not reflect all issued criminal citations due to missing data in 10,355 cases. Most criminal citations were issued between 1600-2400 hours (45.6%) followed by 0800-1600 hours (33.2%) and 0000-0800 hours (21.2%).

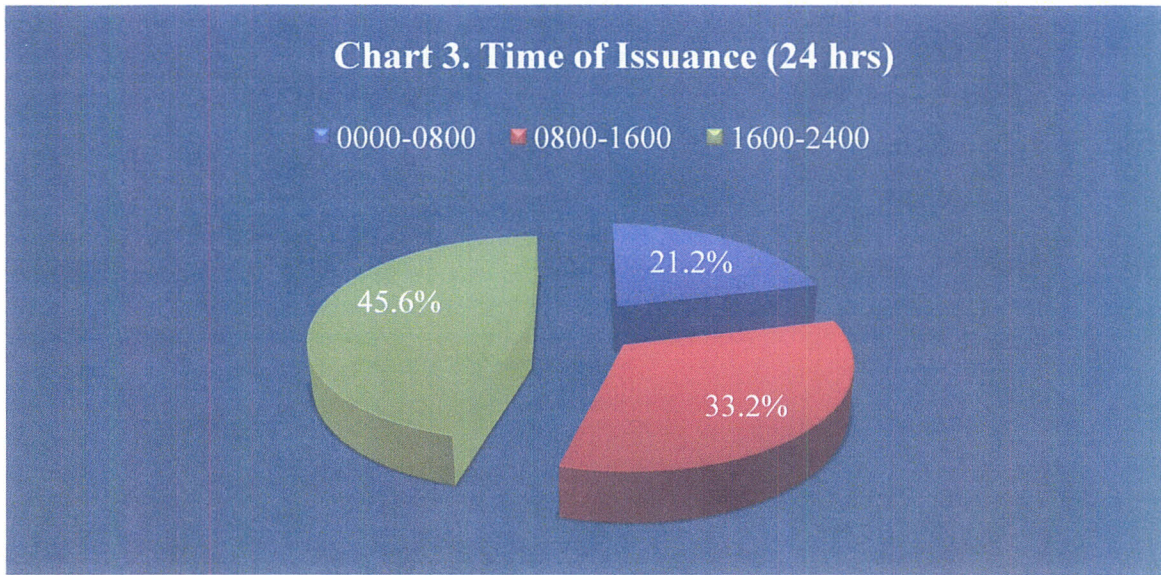


Table 4 displays statistics regarding the month that criminal citations were issued. Date of issuance was missing/unknown in 4,960 cases. Of the cases where a date was reported, the highest number of criminal citations 3,058 (13.8%) were issued in August. The lowest number of criminal citations 903 (4.1%), were issued in January.

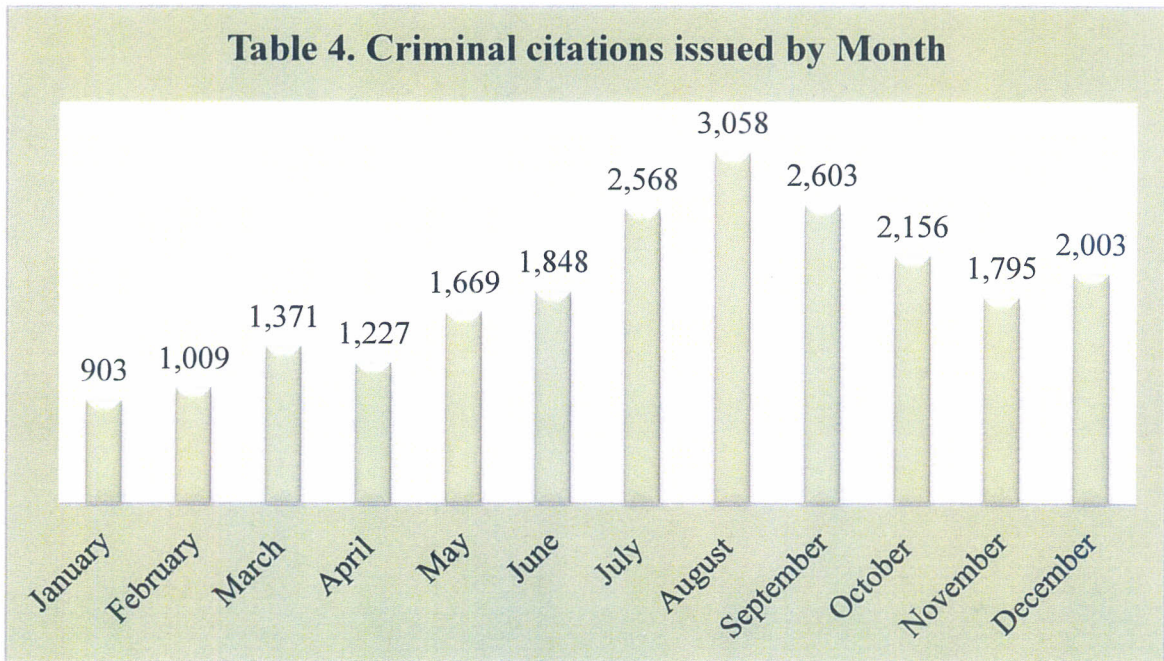


Table 5a displays the statistics for criminal citations issued by crime category. A specific crime category could be determined in 20,183 (74.2%) of incidents where a criminal citation was issued. Controlled dangerous substances (CDS) were the most cited criminal offenses (52.5%) followed by theft (17.7%) and alcohol related offenses (9.6%). Combined CDS and alcohol

related offenses account for roughly 7 out 10 criminal citations issued. Harm to a child or a minor (0.7%) and other quality of life offenses (1.8%) were the least cited criminal violation categories.

Table 5a. Citation Crime Categories		
	Frequency	Percent
Alcohol Related Offenses	1,928	9.6%
Controlled dangerous substances (CDS)	10,600	52.5%
Disturbing the peace/disorderly conduct	1,027	5.1%
Failure to obey law enforcement	291	1.4%
Fraud	476	2.4%
Harm to a child/minor	147	0.7%
Property (destruction of property, vandalism etc.)	192	1%
Theft	3,576	17.7%
Trespassing	1,491	7.4%
Other quality of life offenses (loitering, littering etc.)	372	1.8%
Unknown	83	0.4%
Total	20,183	100.0%

The literal (legal) definition for the top ten issued criminal citation offenses is displayed in **table 5b**. Combined, these ten offenses account for approximately 87% of all issued criminal citations where a specific offense was reported. Three of the top five offenses were for CDS related offenses. Two of the three CDS related offenses were for marijuana possession.

Table 5b. Top 10 Criminal Citations by their Literal Definition			
Charges	Criminal Code	Frequency	Percent
CDS: Possession –marijuana less than 10 grams	CR 5-601(a)(1)	5,812	28.8%
CDs: possess paraphernalia	CR 5-619(c)(1)	3,647	18.1%
Theft: Less than \$100	CR 7-104(3)	2,317	11.5%
Alcoholic beverage prohibited place drinking	2B 19-202	1,268	6.3%
CDS: possession of marijuana	CR 5-601(a)(1)	1,052	5.2%
Theft less than \$1,000	CR 7-104	898	4.4%
Trespassing Private Property	CR-6403	844	4.2%
Disorderly Conduct	CR 10-201(c)(2)	713	3.5%
Trespassing Posted Property	CR-6402	617	3.1%
Doing business without a traders license	BR 17-1804	454	2.2%
Total: Top 10 citations		17,622	87.3%
Total number of citations issued with a specific offense		20,183	100.0%

Table 6 displays the statistics for criminal citations issued by crime category stratified by offender's age. Across all age groups, CDS was the criminal offense that was cited the most. Offenders 18-30 years of age (55.0%) were the most likely to be cited for a CDS related offense followed by 31-44 year olds (50.1%), 45-60 year olds (48.8%), and offenders 61 year old and older (41.7%). Theft was the second most common criminal citation offense for all age groups, with offenders 61 years and older being the most likely to be cited for this crime. In comparison to the other age groups, offenders 61 years and older (16.3%) were more likely to be cited for alcohol related offenses.

Table 6. Crime Categories by Offenders Age					
	18-30 yrs	31-44 yrs	45-60 yrs	61 yrs & Older	Total
Alcohol	899 7.8%	482 11.0%	446 12.7%	87 16.3%	1,914 9.5%
CDS	6,343 55.0%	2,260 50.1%	1,708 48.8%	222 41.7%	10,532 52.5%
Disturbing the Peace/ Disorderly Conduct	433 3.8%	274 6.1%	250 7.1%	64 12.0%	1,021 5.1%
Failure to obey Law Enforcement	83 0.7%	76 1.7%	109 3.1%	20 3.8%	288 1.4%
Fraud	359 3.1%	82 1.8%	28 0.8%	2 0.4%	471 2.3%
Harm to minor	53 0.5%	68 1.5%	22 0.6%	2 0.4%	145 0.7%
Other quality of Life Offenses	267 2.3%	70 1.6%	29 0.8%	2 0.4%	368 1.8%
Property	150 1.3%	33 0.7%	7 0.2%	2 0.4%	192 1.0%
Theft	1,918 16.6%	845 18.9%	690 19.7%	107 20.1%	3,559 17.7%
Trespassing	984 8.5%	276 6.2%	198 5.7%	23 4.3%	1,481 7.4%
Unknown	56 0.5%	13 0.3%	12 0.3%	2 0.4%	83 0.4%
Total	11,543 100.0%	4,479 100.0%	3,499 100.0%	533 100.0%	20,054 100.0%

Table 7 and 8 displays statistics for the criminal citation crime categories stratified by race/ethnicity and collapsed by gender. CDS related offenses were the most cited criminal violation across all race/ethnicities. Hispanic males (55.5%) had the highest rate of CDS criminal citations followed by African Americans (54.5%), Caucasians (50.2%), Other Non-Caucasians (45.1%) and Asians (43.3%). Theft related offenses had the second highest criminal citation rate.

Asians males (26.1%) were more likely to receive a criminal citation for theft than any other race/ethnicity.

Similar to males, CDS related offenses had the highest frequency of issued criminal citations for females. African Americans (53.6%) had the highest rate of CDS criminal citations followed Hispanics (51.6%), Caucasians (50.9%), Other Non-Caucasians (45.2%), and Asians (31.7%). Theft was the second highest cited offense for Asian (24.0%), African American (17.9%), and Caucasian (17.5%) females: however, alcohol related offenses were the second most cited offenses for Hispanic females (16.9%) and Other Non-Caucasian females (14.3%).

Males and females across all race/ethnicities were least likely to be cited for other quality of life and property offenses. These offenses include, but are not limited to indecent exposure, littering, loitering, fireworks related offenses, and failure to display identification.

Table 7. Crime Categories by Offenders Race/Ethnicity (Males)

	Asian	African American	Hispanic	Other Non-Caucasian	Caucasian	Total
Alcohol	9 5.0%	836 10.2%	121 14.3%	15 9.8%	482 7.9%	1,463 9.5%
CDS	78 43.3%	4,461 54.5%	469 55.5%	69 45.1%	3,043 50.2%	8,120 52.7%
Disturbing the Peace/ Disorderly Conduct	9 5.0%	423 5.2%	49 5.8%	11 7.2%	304 5%	796 5.2%
Failure to obey Law Enforcement	11 6.1%	86 1.1%	5 0.6%	10 6.5%	121 2%	233 1.5%
Fraud	6 3.3%	141 1.7%	20 2.4%	7 4.6%	184 3%	358 2.3%
Harm to minor	5 2.8%	70 0.9%	11 1.3%	2 1.3%	31 0.5%	119 0.8%
Other quality of Life Offenses	3 1.7%	214 2.6%	0 0.0%	0 0.0%	90 1.5%	307 2.0%
Property	1 0.6%	74 0.9%	24 2.8%	2 1.3%	50 0.8%	151 0.9%
Theft	47 26.1%	1,398 17.1%	124 14.7%	31 20.3%	1,141 18.8%	2,741 17.8%
Trespassing	11 6.1%	448 5.5%	19 2.2%	6 3.9%	605 9.9%	1,089 7.1%
Unknown	0 0.0%	280 0.3%	3 0.4%	0 0.0%	13 0.2%	44 0.3%
Total	180 100.0%	8,179 100.0%	845 100.0%	153 100.0%	6,064 100.0%	15,421 100.0%

Table 8. Crime Categories by Offenders Race/Ethnicity (Females)						
	Asian	African American	Hispanic	Other Non- Caucasian	Caucasian	Total
Alcohol	4 6.3%	247 10.9%	37 16.9%	6 14.3%	161 8.1%	455 10.0%
CDS	20 31.7%	1,215 53.6%	113 51.6%	19 45.2%	1,007 50.9%	2,374 51.9%
Disturbing the Peace/ Disorderly Conduct	10 15.9%	65 2.9%	16 7.3%	5 11.9%	128 6.5%	224 4.9%
Failure to obey Law Enforcement	2 3.2%	25 1.1%	1 0.5%	0 0.0%	29 1.5%	57 1.2%
Fraud	1 1.6%	40 1.8%	7 3.2%	2 4.8%	59 3.0%	109 2.4%
Harm to minor	3 4.8%	17 0.7%	2 0.9%	1 2.4%	5 0.3%	28 0.6%
Other quality of Life Offenses	2 3.2%	52 2.3%	0 0.0%	0 0.0%	4 0.2%	58 1.3%
Property	0 0.0%	13 0.6%	6 2.7%	0 0.0%	21 1.1%	40 0.9%
Theft	15 24.0%	405 17.9%	27 12.3%	5 11.9%	346 17.5%	798 17.5%
Trespassing	5 8.0%	162 7.1%	8 3.7%	1 2.4%	214 10.8%	390 8.5%
Unknown	1 1.6%	27 1.2%	2 0.9%	3 7.1%	6 0.3%	39 0.9%
Total	63 100.0%	2,268 100.0%	219 100.0%	42 100.0%	1,980 100.0%	4,572 100.0%

DISCUSSION AND RECOMENDATIONS

Criminal citations were primarily issued to residents who lived in state (87% vs. 13%). Criminal citations were predominantly issued in the 5 largest jurisdictions in the state. Nearly half of all criminal citations issued occurred during the summer months (June - September). Further, nearly half of criminal citations were issued between 1600-2400 hours.

Descriptive statistics suggests that there is little variation in the characteristics of offenders who are issued criminal citations. The issuance of criminal citations was relatively consistent across all age groups. The most common criminal citation offenses across all age groups include CDS and theft related violations.

Across race/ethnicities and gender, CDS, theft and alcohol related offenses were the most cited offenses. African American and Hispanic males and females were the most likely to be cited for CDS related offenses compared to the other demographics. Both Asian males and females were more likely to be cited for theft related offenses than the other race/ethnicity groups. Hispanic males and females are more likely to be cited for alcohol related offenses than any other race.

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. Further, the findings in this report do not necessarily indicate a direct relationship. Therefore, drawing conclusions based on the findings contained in this report could be problematic.

The major limitation of the current study pertains to the possibility of omitted variables that may account for any differences observed in the variables of interest. The purpose of this report is to discover whether citation offenders vary in relation to their age and race/ethnicity. The current method of analysis allows for the possibility of error by neglecting confounding variables, such as offender behavior, the offenders criminal history, and other situations surrounding the incident. It is important to note that any observed differences may be the result of confounding variables and not systematic differences between the age and race/ethnicity of the offender. No definitive conclusions can be drawn from this report regarding the effect that an individual's age and race/ethnicity on the frequency or characteristics associated with the issuance or non-issuance of a criminal citation due to data limitations beyond the scope of what reporting agencies could provide. However, the Maryland Statistical Analysis Center is committed to strengthening communication with law enforcement agencies to facilitate the collection of data and improve the citation data reporting methodology moving forward.

APPENDIX A

CRIMINAL CITATIONS DATA DEFINITIONS AND FORMAT GUIDE

A. OBLIGATIONS

This legislation requires a law enforcement agency to report certain information on all criminal citations issued. MD Code Ann., Criminal Procedure., § 4-101.1.

Specifically, the law requires the following information to be reported on every criminal citation issued:

1. The assigned citation number
2. The date, location, and time of the issuance of the citation;
3. The offense charged;
4. The gender of the offender;
5. The date of birth of the offender;
6. The state and, if available, the county of residence of the offender
7. The race or ethnicity of the offender

B. PROCEDURE

The Uniform Criminal Citation form that is filled out and sent to the Courts has some of the information requested in section A. The Courts will be submitting this data to MSAC for all police agencies. There are certain variables that are not captured by the Courts so additional data must be entered electronically by each law enforcement agency through the Delta+ race based reporting module for criminal citations. This is the same application that is being used to enter race based traffic stop data. Under the “reporting” button you can click the data entry tab where you will find buttons for both “Traffic Stop Data Collection” and “Criminal Citation Data Collection” to begin entering data.

C. REPORTING REQUIREMENTS

All data entered into Delta+ is stored by the Maryland State Police (MSP) who will submit all data to the Maryland Statistical Analysis Center (MSAC) by March 1st of each year. Individual law enforcement agencies DO NOT need to submit annual data to MSAC.

Description of Fields to be Included:

1. Assigned Citation Number
 - This number must match the number on the uniform Criminal Citation form.
2. Date of the Issuance of the Citation
3. Time of the Issuance of the Citation
4. Location of the Issuance of the Citation
 - Enter the full address or approximate address with the street address or hundred block etc.
5. The County of residence of the offender (if available, Out of State or Unknown Select N/A)
6. Race or Ethnicity of the Offender (dropdown menu)
 - Asian

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- Black
- Hispanic
- White
- Other

7. Officer ID Number

- The officer ID number is the 4 digit ID Number assigned to the officer from the agency. This is commonly used when submitting information to the Court.
- If the officer is entering their own data, this will automatically be populated. If an administrator is entering data on behalf of an officer, this will be empty and need to be filled in with the issuing officer's ID Number.

The screenshot below shows what data is needed to be entered electronically.

The screenshot shows a web form titled "Criminal Citation Data Entry". The form contains the following fields and controls:

- Citation Number:** A text input field with a red "Scan" button positioned below it.
- Agency:** A dropdown menu.
- Issue Date:** A date input field with a format of / / .
- Issue Time:** A time input field with a format of : .
- Officer ID:** A text input field.
- Location:** A text input field.
- Residence County:** A dropdown menu.
- Race/Ethnicity:** A dropdown menu.
- Submit:** A blue button.
- Cancel:** A blue button.