# CRIME AND DELINQUENCY IN CALIFORNIA, 2000

# ADVANCE RELEASE

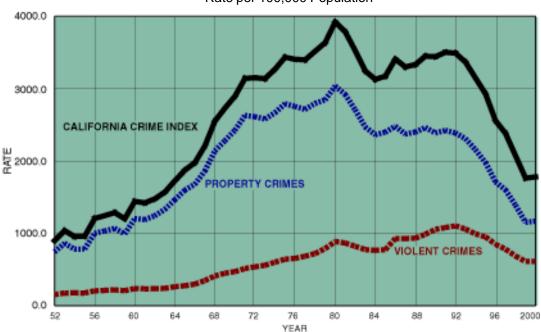
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## **CALIFORNIA CRIME INDEX, 1952-2000**

By Category Rate per 100,000 Population



### From 1999 to 2000:

- The California Crime Index (CCI) offenses rate increased 1.0 percent.
- The violent crime rate remained constant.
- The property crime rate increased 1.5 percent.

Crime and Delinquency in California, 2000, Advance Release is published by the Department of Justice in order to provide annual 2000 criminal justice data as soon as possible. Information about crimes, arrests, and adult felony arrest dispositions is included.

This publication contains data reported to the Department of Justice for the calendar year 2000. It compares rates for the periods 1999 and 2000. Since 1980 marked a high point for the California Crime Index (CCI), rates for the periods 1980 and 2000 are also compared. The more extensive report, *Crime and Delinquency in California, 2000,* will be published later this year.

Data depicting crime in California have been published continuously for 48 years. The first publication, *Crime in California*, was issued in 1953 and depicted data for the 1952 calendar year.

### CRIMES, 1980, 1995-2000

#### FBI AND CALIFORNIA CRIME INDEXES

Number, Rate per 100,000 Population, and Percent Change

|                          | FBI       | California |         | Vio      | olent crime | es          |                    | Pi      | operty crime |         |          |        |
|--------------------------|-----------|------------|---------|----------|-------------|-------------|--------------------|---------|--------------|---------|----------|--------|
| Crime                    |           | Crime      | A       |          |             |             |                    | Motor   |              |         |          |        |
|                          | Index     | Index      |         |          | Forcible    |             | vated              |         |              | vehicle | Larceny- |        |
| Year(s)                  | total     | total      | Total   | Homicide | rape        | Robbery     | assault1           | Total   | Burglary     | theft   | theft    | Arson  |
| 2000                     | 1,279,758 | 613,788    | 210,492 | 2,074    | 9,785       | 60,243      | 138,390            | 403,296 | 222,247      | 181,049 | 651,564  | 14,406 |
| 1999                     | 1,276,264 | 600,167    | 207,874 | 2,006    | 9,443       | 60,027      | 136,398            | 392,293 | 223,828      | 168,465 | 661,643  | 14,454 |
| 1998                     | 1,432,062 | 694,015    | 229,766 | 2,170    | 9,777       | 68,752      | 149,067            | 464,249 | 268,847      | 195,402 | 723,733  | 14,314 |
| 1997                     | 1,584,441 | 784,831    | 257,409 | 2,579    | 10,182      | 81,413      | 163,235            | 527,422 | 298,882      | 228,540 | 783,735  | 15,875 |
| 1996                     | 1,675,435 | 828,649    | 274,675 | 2,910    | 10,238      | 94,137      | 167,390            | 553,974 | 311,778      | 242,196 | 828,838  | 17,948 |
| 1995 <sup>a</sup>        | 1,858,063 | 939,132    | 304,998 | 3,530    | 10,550      | 104,581     | 186,337            | 634,134 | 353,817      | 280,317 | 901,826  | 17,105 |
| 1980                     | 1,866,863 | 928,297    | 209,903 | 3,405    | 13,661      | 90,282      | 102,555            | 718,394 | 543,846      | 174,548 | 910,120  | 28,446 |
| Percent change in number |           |            |         |          |             |             |                    |         |              |         |          |        |
| 1999 to 2000             | 0.3       | 2.3        | 1.3     | 3.4      | 3.6         | 0.4         | 1.5                | 2.8     | -0.7         | 7.5     | -1.5     | -0.3   |
| 1998 to 1999             | -10.9     | -13.5      | -9.5    | -7.6     | -3.4        | -12.7       | -8.5               | -15.5   | -16.7        | -13.8   | -8.6     | 1.0    |
| 1997 to 1998             | -9.6      | -11.6      | -10.7   | -15.9    | -4.0        | -15.6       | -8.7               | -12.0   | -10.0        | -14.5   | -7.7     | -9.8   |
| 1996 to 1997             | -5.4      | -5.3       | -6.3    | -11.4    | 5           | -13.5       | -2.5               | -4.8    | -4.1         | -5.6    | -5.4     | -11.6  |
| 1995 to 1996             | -9.8      | -11.8      | -9.9    | -17.6    | -3.0        | -10.0       | -10.2              | -12.6   | -11.9        | -13.6   | -8.1     | 4.9    |
| 1995 to 2000             | -31.1     | -34.6      | -31.0   | -41.2    | -7.3        | -42.4       | -25.7              | -36.4   | -37.2        | -35.4   | -27.8    | -15.8  |
| 1980 to 2000             | -31.4     | -33.9      | .3      | -39.1    | -28.4       | -33.3       | 34.9               | -43.9   | -59.1        | 3.7     | -28.4    | -49.4  |
|                          | 1         | П          | I       | R        | ate per 10  | 0,000 popul | ation <sup>2</sup> |         |              |         | 11       |        |
| 2000                     | 3,711.6   | 1,780.1    | 610.5   | 6.0      | 28.4        | 174.7       | 401.4              | 1,169.7 | 644.6        | 525.1   | 1,889.7  | 41.8   |
| 1999                     | 3,749.7   | 1,763.3    | 610.7   | 5.9      | 27.7        | 176.4       | 400.7              | 1,152.6 | 657.6        | 495.0   | 1,944.0  | 42.5   |
| 1998                     | 4,275.6   | 2,072.1    | 686.0   | 6.5      | 29.2        | 205.3       | 445.1              | 1,386.1 | 802.7        | 583.4   | 2,160.8  | 42.7   |
| 1997                     | 4,807.6   | 2,381.4    | 781.0   | 7.8      | 30.9        | 247.0       | 495.3              | 1,600.3 | 906.9        | 693.4   | 2,378.1  | 48.2   |
| 1996                     | 5,173.8   | 2,558.9    | 848.2   | 9.0      | 31.6        | 290.7       | 516.9              | 1,710.7 | 962.8        | 747.9   | 2,559.5  | 55.4   |
| 1995                     | 5,795.0   | 2,929.0    | 951.2   | 11.0     | 32.9        | 326.2       | 581.2              | 1,977.8 | 1,103.5      | 874.3   | 2,812.7  | 53.3   |
| 1980                     | 7,887.7   | 3,922.1    | 886.9   | 14.4     | 57.7        | 381.4       | 433.3              | 3,035.3 | 2,297.8      | 737.5   | 3,845.3  | 120.2  |
| Percent change in rate   |           |            |         |          |             |             |                    |         |              |         |          |        |
| 1999 to 2000             | -1.0      | 1.0        | 0.0     | 1.7      | 2.5         | -1.0        | 0.2                | 1.5     | -2.0         | 6.1     | -2.8     | -1.6   |
| 1998 to 1999             | -12.3     | -14.9      | -11.0   | -9.2     | -5.1        | -14.1       | -10.0              | -16.8   | -18.1        | -15.2   | -10.0    | -0.5   |
| 1997 to 1998             | -11.1     | -13.0      | -12.2   | -16.7    | -5.5        | -16.9       | -10.1              | -13.4   | -11.5        | -15.9   | -9.1     | -11.4  |
| 1996 to 1997             | -7.1      | -6.9       | -7.9    | -13.3    | -2.2        | -15.0       | -4.2               | -6.5    | -5.8         | -7.3    | -7.1     | -13.0  |
| 1995 to 1996             | -10.7     | -12.6      | -10.8   | -18.2    | -4.0        | -10.9       | -11.1              | -13.5   | -12.8        | -14.5   | -9.0     | 3.9    |
| 1995 to 2000             | -36.0     | -39.2      | -35.8   | -45.5    | -13.7       | -46.4       | -30.9              | -40.9   | -41.6        | -39.9   | -32.8    | -21.6  |
| 1980 to 2000             | -52.9     | -54.6      | -31.2   | -58.3    | -50.8       | -54.2       | -7.4               | -61.5   | -71.9        | -28.8   | -50.9    | -65.2  |

Source: Uniform Crime Reporting (UCR) Program.

Note: Rates calculated from the total population may not add to subtotals because of rounding.

- From 1999 to 2000, reported CCI offenses increased 1.0 percent in rate per 100,000 population. The CCI offenses have decreased 54.6 percent in rate since 1980.
- From 1999 to 2000, there was no change in the violent crime rate. The violent crime rate decreased 31.2 percent since 1980.
- From 1999 to 2000, the property crime rate increased 1.5 percent. The property crime rate decreased 61.5 percent since 1980.

<sup>&</sup>lt;sup>a</sup> Includes estimated annual data provided by the Oakland Police Department.

<sup>&</sup>lt;sup>1</sup> The volume of aggravated assault offenses was influenced by a 1986 law change which required reporting domestic violence as criminal conduct. <sup>2</sup> Rates are based on annual population estimates provided by the Demographic Research Unit, California Department of Finance.

#### ARRESTS, 1980, 1995-2000

Number, Rate per 100,000 Population, and Percent Change

|                          |           |           |          | Law violations |               |                |                           |         |          |             |         |          | Status             |
|--------------------------|-----------|-----------|----------|----------------|---------------|----------------|---------------------------|---------|----------|-------------|---------|----------|--------------------|
|                          | Total     |           |          |                | Total         |                | Felony                    |         |          | Misdemeanor |         |          | Status<br>offenses |
| Year(s)                  | Total     | Adult     | Juvenile | Total          | Adult         | Juvenile       | Total                     | Adult   | Juvenile | Total       | Adult   | Juvenile | Juvenile           |
| 2000                     | 1,424,893 | 1,181,803 | 243,090  | 1,385,361      | 1,181,803     | 203,558        | 459,632                   | 395,743 | 63,889   | 925,729     | 786,060 | 139,669  | 39,532             |
| 1999                     | 1,496,459 | 1,238,334 | 258,125  | 1,453,720      | 1,238,334     | 215,386        | 467,936                   | 399,433 | 68,503   | 985,784     | 838,901 | 146,883  | 42,739             |
| 1998                     | 1,571,724 | 1,301,765 | 269,959  | 1,531,917      | 1,301,765     | 230,152        | 508,257                   | 432,153 | 76,104   | 1,023,660   | 869,612 | 154,048  | 39,807             |
| 1997                     | 1,620,381 | 1,343,861 | 276,520  | 1,580,746      | 1,343,861     | 236,885        | 547,550                   | 464,802 | 82,748   | 1,033,196   | 879,059 | 154,137  | 39,635             |
| 1996                     | 1,622,535 | 1,348,340 | 274,195  | 1,585,442      | 1,348,340     | 237,102        | 533,989                   | 448,349 | 85,640   | 1,051,453   | 899,991 | 151,462  | 37,093             |
| 1995ª                    | 1,656,379 | 1,394,732 | 261,647  | 1,624,207      | 1,394,732     | 229,475        | 570,803                   | 482,887 | 87,916   | 1,053,404   | 911,845 | 141,559  | 32,172             |
| 1980                     | 1,542,850 | 1,260,324 | 282,526  | 1,512,454      | 1,260,324     | 252,130        | 372,190                   | 274,814 | 97,376   | 1,140,264   | 985,510 | 154,754  | 30,396             |
| Percent change in number |           |           |          |                |               |                |                           |         |          |             |         |          |                    |
| 1999 to 2000             | -4.8      | -4.6      | -5.8     | -4.7           | -4.6          | -5.5           | -1.8                      | -0.9    | -6.7     | -6.1        | -6.3    | -4.9     | -7.5               |
| 1998 to 1999             | -4.8      | -4.9      | -4.4     | -5.1           | -4.9          | -6.4           | -7.9                      | -7.6    | -10.0    | -3.7        | -3.5    | -4.7     | 7.4                |
| 1997 to 1998             | -3.0      | -3.1      | -2.4     | -3.1           | -3.1          | -2.8           | -7.2                      | -7.0    | -8.0     | -0.9        | -1.1    | -0.1     | 0.4                |
| 1996 to 1997             | -0.1      | -0.3      | 8.0      | -0.3           | -0.3          | -0.1           | 2.5                       | 3.7     | -3.4     | -1.7        | -2.3    | 1.8      | 6.9                |
| 1995 to 1996             | -2.0      | -3.3      | 4.8      | -2.4           | -3.3          | 3.3            | -6.4                      | -7.2    | -2.6     | -0.2        | -1.3    | 7.0      | 15.3               |
| 1995 to 2000             | -14.0     | -15.3     | -7.1     | -14.7          | -15.3         | -11.3          | -19.5                     | -18.0   | -27.3    | -12.1       | -13.8   | -1.3     | 22.9               |
| 1980 to 2000             | -7.6      | -6.2      | -14.0    | -8.4           | -6.2          | -19.3          | 23.5                      | 44.0    | -34.4    | -18.8       | -20.2   | -9.7     | 30.1               |
|                          |           |           | -        |                | Rate per 100  | ),000 total po | pulation <sup>2</sup>     |         |          |             |         |          |                    |
| 2000                     | 4,132.5   | 3,427.5   | 705.0    | 4,017.9        | 3,427.5       | 590.4          | 1,333.0                   | 1,147.7 | 185.3    | 2,684.8     | 2,279.8 | 405.1    | 114.7              |
| 1999                     | 4,396.7   | 3,638.3   | 758.4    | 4,271.1        | 3,638.3       | 632.8          | 1,374.8                   | 1,173.6 | 201.3    | 2,896.3     | 2,464.7 | 431.6    | 125.6              |
| 1998                     | 4,692.6   | 3,886.6   | 806.0    | 4,573.7        | 3,886.6       | 687.1          | 1,517.5                   | 1,290.2 | 227.2    | 3,056.2     | 2,596.3 | 459.9    | 118.8              |
| 1997                     | 4,916.7   | 4,077.6   | 839.0    | 4,796.4        | 4,077.6       | 718.8          | 1,661.4                   | 1,410.3 | 251.1    | 3,135.0     | 2,667.3 | 467.7    | 120.3              |
| 1996                     | 5,010.5   | 4,163.7   | 846.7    | 4,895.9        | 4,163.7       | 732.2          | 1,649.0                   | 1,384.5 | 264.5    | 3,246.9     | 2,779.2 | 467.7    | 114.5              |
| 1995                     | 5,166.0   | 4,350.0   | 816.0    | 5,065.7        | 4,350.0       | 715.7          | 1,780.3                   | 1,506.1 | 274.2    | 3,285.4     | 2,843.9 | 441.5    | 100.3              |
| 1980                     | 6,518.7   | 5,325.0   | 1,193.7  | 6,390.3        | 5,325.0       | 1,065.3        | 1,572.5                   | 1,161.1 | 411.4    | 4,817.7     | 4,163.9 | 653.8    | 128.4              |
|                          |           |           | -        | R              | ate per 100,  | 000 populati   | on at risk <sup>2,3</sup> |         |          | 1           |         | 1        |                    |
| 2000                     | 5,437.7   | 5,323.8   | 6,068.7  | 5,286.8        | 5,323.8       | 5,081.8        | 1,754.1                   | 1,782.8 | 1,595.0  | 3,532.8     | 3,541.1 | 3,486.8  | 986.9              |
| 1999                     | 5,820.1   | 5,666.1   | 6,692.9  | 5,653.9        | 5,666.1       | 5,584.7        | 1,819.9                   | 1,827.6 | 1,776.2  | 3,834.0     | 3,838.5 | 3,808.5  | 1,108.2            |
| 1998                     | 6,221.4   | 6,055.2   | 7,170.4  | 6,063.9        | 6,055.2       | 6,113.1        | 2,011.9                   | 2,010.2 | 2,021.4  | 4,052.0     | 4,045.1 | 4,091.7  | 1,057.3            |
| 1997                     | 6,290.2   | 6,126.6   | 7,228.4  | 6,136.3        | 6,126.6       | 6,192.3        | 2,125.6                   | 2,119.0 | 2,163.1  | 4,010.8     | 4,007.6 | 4,029.2  | 1,036.1            |
| 1996                     | 6,349.4   | 6,177.8   | 7,354.0  | 6,204.2        | 6,177.8       | 6,359.2        | 2,089.6                   | 2,054.2 | 2,296.9  | 4,114.6     | 4,123.5 | 4,062.3  | 994.8              |
| 1995                     | 6,593.1   | 6,485.4   | 7,233.9  | 6,465.1        | 6,485.4       | 6,344.4        | 2,272.1                   | 2,245.4 | 2,430.7  | 4,193.0     | 4,240.0 | 3,913.8  | 889.5              |
| 1980                     | 8,196.1   | 7,987.4   | 9,277.8  | 8,034.6        | 7,987.4       | 8,279.6        | 1,977.2                   | 1,741.6 | 3,197.7  | 6,057.4     | 6,245.7 | 5,081.9  | 998.2              |
|                          |           |           |          |                | hange in rate | e per 100,00   | 0 population              | at risk |          |             |         |          |                    |
| 1999 to 2000             | -6.6      | -6.0      | -9.3     | -6.5           | -6.0          | -9.0           | -3.6                      | -2.5    | -10.2    | -7.9        | -7.7    | -8.4     | -10.9              |
| 1998 to 1999             | -6.5      | -6.4      | -6.7     | -6.8           | -6.4          | -8.6           | -9.5                      | -9.1    | -12.1    | -5.4        | -5.1    | -6.9     | 4.8                |
| 1997 to 1998             | -1.1      | -1.2      | 8        | -1.2           | -1.2          | -1.3           | -5.3                      | -5.1    | -6.6     | 1.0         | 0.9     | 1.6      | 2.0                |
| 1996 to 1997             | -0.9      | -0.8      | -1.7     | -1.1           | -0.8          | -2.6           | 1.7                       | 3.2     | -5.8     | -2.5        | -2.8    | -0.8     | 4.2                |
| 1995 to 1996             | -3.7      | -4.7      | 1.7      | -4.0           | -4.7          | 0.2            | -8.0                      | -8.5    | -5.5     | -1.9        | -2.7    | 3.8      | 11.8               |
| 1995 to 2000             | -17.5     | -17.9     | -16.1    | -18.2          | -17.9         | -19.9          | -22.8                     | -20.6   | -34.4    | -15.7       | -16.5   | -10.9    | 10.9               |
| 1980 to 2000             | -33.7     | -33.3     | -34.6    | -34.2          | -33.3         | -38.6          | -11.3                     | 2.4     | -50.1    | -41.7       | -43.3   | -31.4    | -1.1               |

Source: Monthly Arrest and Citation Register (MACR) system.

Note: Rates calculated from the total population may not add to subtotals or total because of rounding.

- From 1999 to 2000, total arrests decreased 6.6 percent in rate per 100,000 population at risk. Total arrests have decreased 33.7 percent in rate since 1980.
- From 1999 to 2000, felony arrests decreased 3.6 percent in rate per 100,000 population at risk. Felony arrests have decreased 11.3 percent in rate since 1980.
- From 1999 to 2000, misdemeanor arrests decreased 7.9 percent in rate. Misdemeanor arrests have decreased 41.7 percent in rate since 1980.

<sup>&</sup>lt;sup>a</sup> Includes estimated annual data for the Bakersfield Police Department and the Oakland Police Department.

<sup>1</sup> Status offenses include truancy, incorrigibility, running away, and curfew violations. These offenses can only be committed or engaged in by a juvenile.

<sup>&</sup>lt;sup>2</sup> Rates are based on annual population estimates provided by the Demographic Research Unit, California Department of Finance.

<sup>3</sup> These rates are based on the population at risk for each year. The categories are: total (10-69 years of age), adult (18-69 years of age), and juvenile (10-17 years of age).

# ADULT FELONY ARREST DISPOSITIONS

#### **ADULT FELONY ARREST DISPOSITIONS, 1994-1999**

By Type of Disposition and Sentence

| Type of disposition             | 1994    |         | 1995    |         | 1996    |         | 1997    |         | 1998    |         | 1999ª   |         |
|---------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| and sentence                    | Number  | Percent |
| Total                           | 342,321 | 100.0   | 345,125 | 100.0   | 328,168 | 100.0   | 326,768 | 100.0   | 314,483 | 100.0   | 278,715 | 100.0   |
| Law enforcement releases        | 16,713  | 4.9     | 15,100  | 4.4     | 12,802  | 3.9     | 14,289  | 4.4     | 13,880  | 4.4     | 9,616   | 3.5     |
| Total complaints denied         | 44,791  | 13.1    | 45,877  | 13.3    | 47,941  | 14.6    | 47,829  | 14.6    | 42,763  | 13.6    | 40,217  | 14.4    |
| Single complaints               | 40,882  | 11.9    | 41,865  | 12.1    | 44,280  | 13.5    | 44,671  | 13.7    | 39,948  | 12.7    | 38,193  | 13.7    |
| Combined cases                  | 1,218   | 0.4     | 1,436   | 0.4     | 1,371   | 0.4     | 459     | 0.1     | 274     | 0.1     | 260     | 0.1     |
| Petitions to revoke probation   | 2,691   | 0.8     | 2,576   | 0.7     | 2,290   | 0.7     | 2,699   | 0.8     | 2,541   | 0.8     | 1,764   | 0.6     |
| Complaints filed                | 280,817 | 82.0    | 284,148 | 82.3    | 267,425 | 81.5    | 264,650 | 81.0    | 257,840 | 82.0    | 228,882 | 82.1    |
| Court dispositions              | 280,817 | 82.0    | 284,148 | 82.3    | 267,425 | 81.5    | 264,650 | 81.0    | 257,840 | 82.0    | 228,882 | 82.1    |
| Dismissed                       | 36,417  | 10.6    | 36,616  | 10.6    | 33,358  | 10.2    | 35,579  | 10.9    | 35,002  | 11.1    | 31,334  | 11.2    |
| Diversions dismissed            | 7,970   | 2.3     | 8,563   | 2.5     | 9,467   | 2.9     | 6,480   | 2.0     | 4,117   | 1.3     | 3,961   | 1.4     |
| Acquitted                       | 721     | 0.2     | 659     | 0.2     | 741     | 0.2     | 783     | 0.2     | 747     | 0.2     | 709     | 0.3     |
| Convicted                       | 235,709 | 68.9    | 238,310 | 69.1    | 223,859 | 68.2    | 221,808 | 67.9    | 217,974 | 69.3    | 192,878 | 69.2    |
| Sentence                        |         |         |         |         |         |         |         |         |         |         |         |         |
| Death                           | 21      | 0.0     | 38      | 0.0     | 40      | 0.0     | 40      | 0.0     | 32      | 0.0     | 42      | 0.0     |
| PrisonCalifornia Rehabilitation | 42,388  | 12.4    | 44,659  | 12.9    | 47,243  | 14.4    | 46,850  | 14.3    | 46,284  | 14.7    | 42,464  | 15.2    |
| Center                          | 1,753   | 0.5     | 1,526   | 0.4     | 952     | 0.3     | 820     | 0.3     | 675     | 0.2     | 603     | 0.2     |
| Youth Authority                 | 115     | 0.0     | 62      | 0.0     | 49      | 0.0     | 20      | 0.0     | 8       | 0.0     | 10      | 0.0     |
| Probation                       | 21,252  | 6.2     | 21,358  | 6.2     | 19,770  | 6.0     | 19,003  | 5.8     | 18,885  | 6.0     | 15,788  | 5.7     |
| Probation with jail             | 156,752 | 45.8    | 158,133 | 45.8    | 145,367 | 44.3    | 144,365 | 44.2    | 141,206 | 44.9    | 124,927 | 44.8    |
| Jail                            | 12,055  | 3.5     | 10,772  | 3.1     | 8,930   | 2.7     | 8,458   | 2.6     | 8,261   | 2.6     | 6,531   | 2.3     |
| Fine                            | 1,093   | 0.3     | 1,378   | 0.4     | 1,232   | 0.4     | 1,477   | 0.5     | 1,661   | 0.5     | 1,494   | 0.5     |
| Other <sup>1</sup>              | 280     | 0.1     | 384     | 0.1     | 276     | 0.1     | 775     | 0.2     | 962     | 0.3     | 1,019   | 0.4     |

Source: Offender-Based Transaction Statistics (OBTS) System.

Notes: Percents may not add to subtotals or 100.0 because of rounding.

As a percentage of reported adult felony arrest dispositions:

- Law enforcement releases decreased from 4.4 percent in 1998 to 3.5 percent in 1999.
- Total complaints denied increased from 13.6 percent in 1998 to 14.4 percent in 1999.
- Dismissals and acquittals increased from 12.6 percent in 1998 to 12.9 percent in 1999.
- Convictions decreased from 69.3 percent in 1998 to 69.2 percent in 1999.

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<sup>&</sup>lt;sup>a</sup>The final 1999 OBTS data file was closed out in May 2001. Preliminary data for calendar year 2000 may be available in July 2001.

<sup>&</sup>lt;sup>1</sup>The "other" category includes no sentence given, sentence suspended, and sentence stayed.