

SECOND REPORT TO THE STATE OF MARYLAND UNDER SB 422/HB 261
2014 Criminal Citations Data Analysis
MSAR # 9195 and 9230

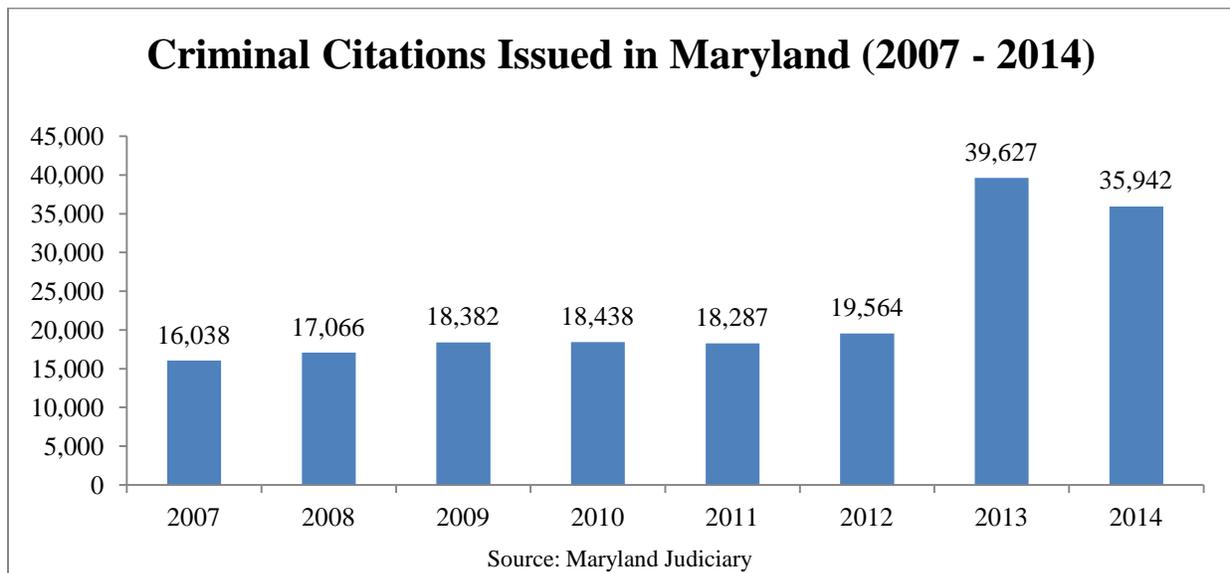
Maryland Statistical Analysis Center,
Governor's Office of Crime Control & Prevention



November 13, 2015

In 2012, the Maryland General Assembly passed Senate Bill 422/House Bill 261. 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 Center located in the Governor’s Office of Crime Control and Prevention. This data only includes information submitted by law enforcement agencies and does not coincide with criminal citation data from the Administrative Office of the Courts. The Maryland Statistical Analysis 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. As depicted by the graph below, the number of criminal citations issued by law enforcement officers in Maryland has nearly doubled each year since this law took effect on January 1, 2013.



METHODOLOGY

The 2015 report presents aggregate data on all eligible criminal citations that were issued by Maryland Law enforcement agencies in the 2014 calendar year. Data was submitted to Maryland Statistical Analysis Center by each police 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.

The unit of analysis for this report consists of all eligible criminal citations issued by law enforcement between January 1, 2014 and December 31, 2014. *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. 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

For the current reporting period, a total of 22,597 criminal citations were issued by 67 law enforcement agencies. The county of issuance for criminal citations is displayed in **Table 1**. The 5 largest counties in the state (Anne Arundel County, Baltimore City, Baltimore County, Montgomery County, and Prince George’s County) accounted for nearly 2/3 (65.4%) of all criminal citations issued in the state. Kent County and Caroline County had the fewest criminal citations issued. County of Issuance was missing in 23 cases (0.1%).

Table 1. County of Criminal Citation Issuance		
	Frequency	Percent
Allegany County	172	0.8%
Anne Arundel County	2,694	11.9%
Baltimore City	3,858	17.1%
Baltimore County	2,046	9.1%
Calvert County	144	0.6%
Caroline County	26	0.1%
Carroll County	152	0.7%
Cecil County	686	3.0%
Charles County	1,126	5.0%
Dorchester County	371	1.6%
Frederick County	688	3.0%
Garrett County	224	1.0%
Harford County	350	1.5%
Howard County	850	3.8%
Kent County	49	0.2%
Montgomery County	1,054	4.7%
Prince George's County	5,101	22.6%
Queen Anne's County	92	0.4%
Somerset County	74	0.3%
St. Mary's County	84	0.4%
Talbot County	190	0.8%
Washington County	264	1.2%
Wicomico County	716	3.2%
Worcester County	1,563	6.9%
Missing/Unknown	23	0.1%
Total	22,597	100.0%

Table 2 displays the race/ethnicity of offenders issued criminal citations. This table does not account for all issued criminal citations due to missing or unknown race/ethnicity in 108 cases. African Americans and Caucasians were the primary recipients of criminal citations, accounting for 53.4% and 38.9% respectively. Asians (1.4%), Hispanics (4.7%) and Other Non-Caucasians (1.1%) only accounted for approximately 7% of all criminal citations.

Table 2. Race/Ethnicity of Offenders Issued Criminal Citations			
	Frequency	Percent	Cumulative Percent
Asian	325	1.4%	1.4%
African American	12,076	53.4%	54.8%
Hispanic	1,060	4.7%	59.5%
Other Non-Caucasian	240	1.1%	60.6%
Caucasian	8,788	38.9%	99.5%
Missing/Unknown	108	0.5%	100.0%
Total	22,597	100.0%	100.0%

Chart 1 displays the gender statistics for offenders issued criminal citations. Gender information was missing or unknown in 154 cases. Nearly 75% of citation recipients were males and the remaining 25% were females.

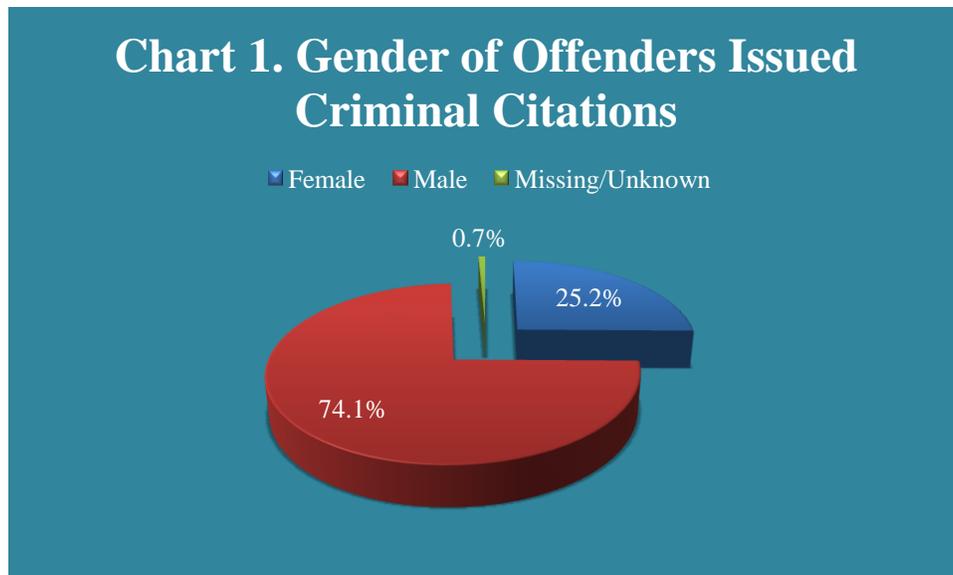


Table 3 displays the age breakdown of offenders who were issued criminal citations. Age was unknown or missing in 108 cases. A majority of criminal citations were issued to individuals 18-30 yrs (58.5%) followed by 31-44 yrs (22.4%). Criminal citations were least frequently issued to offenders 61 yrs and older (2.7%).

Table 3. Age of Offenders Issued Criminal Citations		
	Frequency	Percent
17 & Younger	8	0.0%
18-30 yrs	13,225	58.5%
31-44 yrs	5,058	22.4%
45-60 yrs	3,605	16.0%
61 yrs & Older	601	2.7%
Missing/unknown	100	0.4%
Total	22,597	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 82 cases. Of those cases where a state of residence of the offender was provided, the vast majority of offenders lived in state (88.0%) versus those who lived out of state (12.0%).

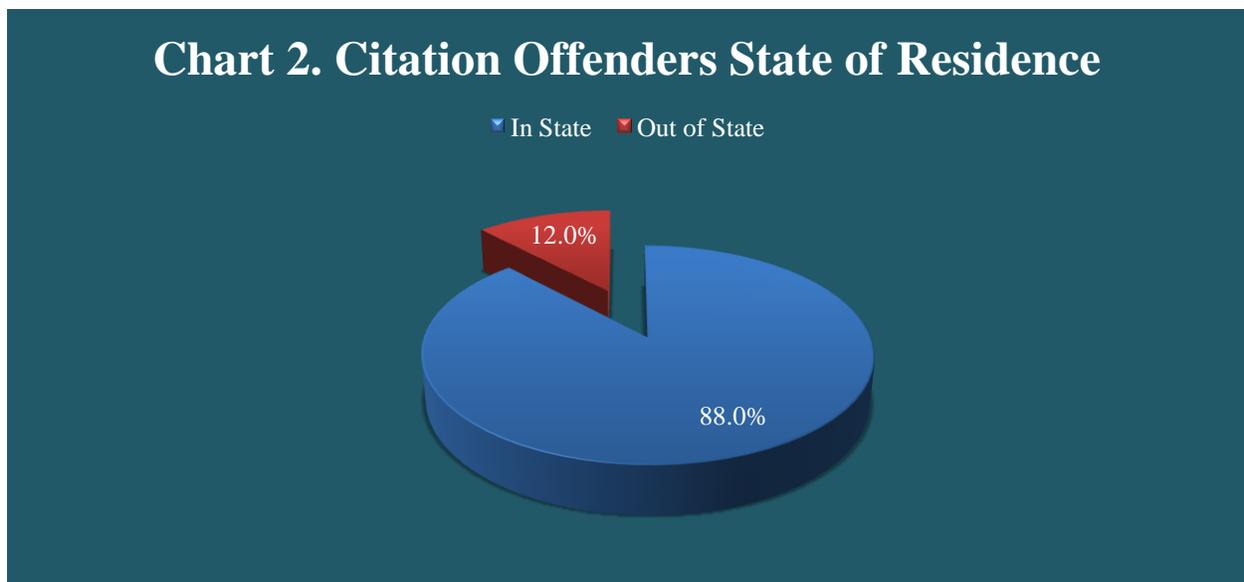


Chart 3 displays statistics regarding the time that criminal citations were issued. The data does not reflect all issued criminal citations due to missing time data in 2,940 cases. Most criminal citations were issued between 1600-2400 hours (43.9%) followed by 0800-1600 hours (34.6%) and 0000-0800 hours (21.4%).

Chart 3. Time of Issuance (24 hrs.)

0000-0800 0800-1600 1600-2400

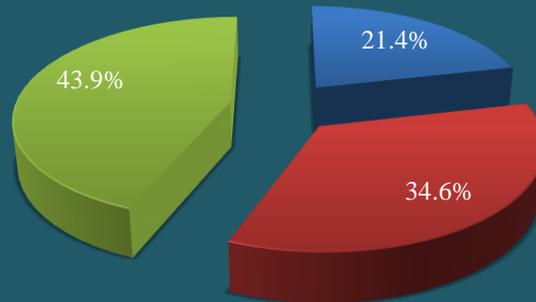


Table 4a displays the statistics for criminal citations issued by crime category. A specific crime category could be determined in 19,670 (87.0%) of incidents where a criminal citation was issued. Controlled dangerous substances (CDS) were the most cited criminal offenses (55.9%) followed by theft (17.1%) and alcohol related offenses (7.9%). Combined CDS and alcohol related offenses account for nearly 2/3 of criminal citations issued. Harm to a child or a minor (0.7%), property offenses (0.7%) and failure to appear (0.1%) were the least cited criminal violation categories.

Table 4a. Citation Crime Categories		
	Frequency	Percent
Alcohol Related Offenses	1,553	7.9%
Controlled dangerous substances (CDS)	10,986	55.9%
Disturbing the peace/disorderly conduct	890	4.5%
Failure to Appear	22	0.1%
Failure to obey law enforcement	408	2.1%
Fraud	436	2.2%
Harm to a child/minor	142	0.7%
Property (destruction of property, vandalism etc.)	142	0.7%
Theft	3,360	17.1%
Trespassing	1,219	6.2%
Other quality of life offenses (loitering, littering etc.)	512	2.6%
Total	19,670	100.0%

The literal (legal) definition for the top ten issued criminal citation offenses is displayed in **table 4b**. Combined, these ten offenses account for 7/8 (87.5%) 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 4b. 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)	6,161	31.3%
CDs: possess paraphernalia	CR 5-619(c)(1)	3,556	18.1%
Theft: Less than \$100	CR 7-104(3)	2,252	11.4%
CDS: possession of marijuana	CR 5-601(a)(1)	1,154	5.9%
Theft less than \$1,000	CR 7-104	1,085	5.5%
Disorderly Conduct	CR 10-201(c)(2)	755	3.8%
Alcoholic beverage prohibited place drinking	2B 19-202	637	3.2%
Trespassing Private Property	CR-6403	608	3.1%
Trespassing Posted Property	CR-6402	576	2.9%
Doing business without a traders license	BR 17-1804	435	2.2%
Total: Top 10 citations		17,219	87.5%
Total number of citations issued with a specific offense		19,670	100.0%

Table 5 displays the statistics for criminal citations issued by crime category stratified by offender’s age. The crime category was unknown in 2,927 cases and the age was unknown in 79 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 (69.1% for ages 18-30, 44.3% for ages 31-44, 24.5% for ages 45-60, and 24.1% for persons 61 and older). The opposite trend could be found for criminal citations issued for theft as older individuals were more likely to be cited for this crime (28.7% for persons 61 & older, 25.2% for ages 45-60, 19.7% for ages 31-44, and 13.7% for ages 18-30). The number of criminal citations issued for quality of life offenses (disorderly conduct + other quality of life offenses + trespassing) was also more prevalent for older individuals (23.6% for persons ages 45-60 and 21.9% for persons 61 and older compared to 9.5% for persons ages 18-30 and 15.8% for persons ages 31-44).

Table 5. Crime Categories by Offenders Age						
	Under 18	18-30	31-44	45-60	61 & Older	Total
Alcohol	0 0.0%	515 4.3%	512 11.7%	464 16.0%	56 11.8%	1,547 7.9%
CDS	5 71.4%	8,187 69.1%	1,936 44.3%	708 24.5%	114 24.1%	10,950 55.9%
Disturbing the Peace/ Disorderly Conduct	0 0.0%	493 4.2%	219 5.0%	152 5.3%	19 4.0%	883 4.5%
Failure to Appear	0 0.0%	7 0.1%	5 0.1%	5 0.2%	0 0.0%	17 0.1%
Failure to obey Law Enforcement	0 0.0%	220 1.9%	107 2.4%	68 2.4%	11 2.3%	406 2.1%
Fraud	0 0.0%	31 0.3%	152 3.5%	208 7.2%	43 9.1%	434 2.2%
Harm to minor	0 0.0%	52 0.4%	75 1.7%	10 0.3%	5 1.1%	142 0.7%
Other quality of Life Offenses	0 0.0%	100 0.8%	159 3.6%	215 7.4%	37 7.8%	511 2.6%
Property	0 0.0%	89 0.8%	33 0.8%	14 0.5%	5 1.1%	141 0.7%
Theft	2 28.6%	1,619 13.7%	860 19.7%	732 25.3%	136 28.7%	3,349 17.1%
Trespassing	0 0.0%	533 4.5%	314 7.2%	316 10.9%	48 10.1%	1,211 6.2%
Total	7 100.0%	11,486 100.0%	4,372 100.0%	2,892 100.0%	533 100.0%	19,591 100.0%

Table 6 and 7 displays statistics for the criminal citation crime categories stratified by race/ethnicity and collapsed by gender. The crime category was unknown in 2,927 cases and the gender or race was missing or unknown in 197 cases which were all excluded from this analysis. CDS related offenses were the most cited criminal violations across all race/ethnicities and gender. Overall, males were cited more frequent for CDS possession (59.5% compared to 46.2%) and alcohol violations (9.8% vs. 2.6%) than females. On the other hand, females were cited more frequently than males for theft (31.7% compared to 11.9%).

African American males (60.3%) and Caucasian males (62.3%) were cited more frequently for CDS possession than Asian (44.9%) or Hispanic males (34.1%). Hispanic males were cited more often for alcohol violations (33.1%) than other males including African Americans (10.9%), Caucasians (5.3%), Other Non-Caucasians (4.1%) and Asians (4.0%). Asians males (26.3%) were more likely to receive a criminal citation for other quality of life offenses than any other race/ethnicity. Other quality of life offense can include, but are not limited to, indecent exposure, littering, loitering, fireworks related offenses, and failure to display identification.

Similar to males, CDS related offenses had the highest frequency of issued criminal citations for females but this was not true for all race/ethnicities. Caucasian females (49.7%) had the highest rate of CDS criminal citations followed by African Americans (45.0%), Other Non-Caucasians (33.3%), Hispanics (31.2%) and Asians (19.7%). On the other hand, Hispanic females were cited more often for theft (42.4%) followed by Other Non-Caucasians (36.4%), African Americans (33.2%), Caucasians (29.5%) and Asian females (19.7%). Similar to males, Asian females (31.8%) were more likely to receive a criminal citation for other quality of life offenses than any other race/ethnicity.

Table 6. Crime Categories by Offenders Race/Ethnicity (Males)

	Asian	African American	Hispanic	Other Non-Caucasian	Caucasian	Total
Alcohol	8 4.0%	867 10.9%	240 33.1%	7 4.1%	279 5.3%	1,401 9.8%
CDS	89 44.9%	4,820 60.3%	247 34.1%	95 55.9%	3,287 62.3%	8,538 59.5%
Disturbing the Peace/ Disorderly Conduct	2 1.0%	359 4.5%	38 5.2%	3 1.8%	222 4.2%	624 4.3%
Failure to Appear	0 0.0%	9 0.1%	0 0.0%	0 0.0%	4 0.1%	13 0.1%
Failure to obey Law Enforcement	1 0.5%	203 2.5%	9 1.2%	4 2.4%	71 1.3%	288 2.0%
Fraud	29 14.6%	37 0.5%	20 2.8%	22 12.9%	186 3.5%	294 2.0%
Harm to minor	1 0.5%	12 0.2%	3 0.4%	1 0.6%	14 0.3%	31 0.2%
Other quality of Life Offenses	52 26.3%	78 1.0%	28 3.9%	17 10.0%	186 3.5%	361 2.5%
Property	2 1.0%	46 0.6%	4 0.6%	0 0.0%	57 1.1%	109 0.8%
Theft	9 4.5%	954 11.9%	58 8.0%	11 6.5%	675 12.8%	1,707 11.9%
Trespassing	5 2.5%	603 7.5%	77 10.6%	10 5.9%	296 5.6%	991 6.9%
Total	198 100.0%	7,988 100.0%	724 100.0%	170 100.0%	5,277 100.0%	14,357 100.0%

Table 7. Crime Categories by Offenders Race/Ethnicity (Females)						
	Asian	African American	Hispanic	Other Non- Caucasian	Caucasian	Total
Alcohol	0 0.0%	90 3.6%	7 3.8%	0 0.0%	35 1.5%	132 2.6%
CDS	13 19.7%	1,137 45.0%	58 31.2%	11 33.3%	1,146 49.7%	2,365 46.2%
Disturbing the Peace/ Disorderly Conduct	2 3.0%	155 6.1%	2 1.1%	2 6.1%	83 3.6%	244 4.8%
Failure to Appear	0 0.0%	3 0.1%	0 0.0%	0 0.0%	1 0.0%	4 0.1%
Failure to obey Law Enforcement	0 0.0%	67 2.7%	2 1.1%	0 0.0%	41 1.8%	110 2.1%
Fraud	15 22.7%	18 0.7%	7 3.8%	4 12.1%	94 4.1%	138 2.7%
Harm to minor	1 1.5%	75 3.0%	8 4.3%	0 0.0%	26 1.1%	110 2.1%
Other quality of Life Offenses	21 31.8%	24 1.0%	9 4.8%	2 6.1%	88 3.8%	144 2.8%
Property	0 0.0%	18 0.7%	4 2.2%	0 0.0%	10 0.4%	32 0.6%
Theft	13 19.7%	838 33.2%	79 42.5%	12 36.4%	679 29.5%	1,621 31.7%
Trespassing	1 1.5%	100 4.0%	10 5.4%	2 6.1%	101 4.4%	214 4.2%
Total	66 100.0%	2,525 100.0%	186 100.0%	33 100.0%	2,304 100.0%	5,114 100.0%

DISCUSSION AND RECOMENDATIONS

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. It is also 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.

Due to unexpected technical issues encountered by reporting agencies, there were nearly 7,000 citations where at least 4 of the 8 required data elements were missing. The common elements missing in these cases included the gender of the offender, age of the offender, state of residence, and the offense charged. As a result, data on these additional 7,000 cases was excluded from the analysis in this report. The Maryland Statistical Analysis Center will work to rectify this issue for future reporting years.