

THEORY AND PRACTICE

FIFTH EDITION

ECONOMICS



OF CRIME

Daryl A. Hellman

Neil O. Alper

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**Daryl A. Hellman
Neil O. Alper**

Professors of Economics
Northeastern University

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Table: "Cost of Crime to Its Victims," by Source, taken from "The Aggregate Burden of Crime," by D. Anderson, reprinted from *Journal of Law Economics*, October 1999, University of Chicago Press.

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Printed in the United States of America
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ISBN 0-536-61358-3

BA 992371



PEARSON CUSTOM PUBLISHING
75 Arlington Street, Suite 300, Boston, MA 02116
A Pearson Education Company

Preface

This book is intended to provide an introduction to the economics of crime. As such, it can be used in a variety of ways: as a supplement to an introductory course in microeconomics, as a basic framework on which to build an advanced course in the economics of crime and some other “issues” courses, or as the primary textbook in an economics of crime course directed to an audience with a limited background in economics. Our primary intention in writing the book was to fulfill the latter purpose.

For a number of years we have been teaching an undergraduate course in the economics of crime in which a large percentage of the students are not economics majors. The course is particularly well populated by criminal justice majors. Although most of these students have had a course in the principles of economics, some have not had both micro- and macroeconomics, some had difficulty with introductory economics, and some have limited recall of, or interest in, the material encountered in their previous economics courses. For this reason we have written the book for an audience which has had only limited exposure to economics. We therefore include brief definitions of many concepts and terms (e.g., price elasticity of demand) the first time they are used in the book. The level of analysis is intended to be such that a student with no previous training in economics can comprehend the material with the help of an instructor. More sophisticated analyses or advanced issues are occasionally suggested, or contained or referenced in footnotes. Thus the material in the book can be made to challenge the more advanced student as well.

Throughout the book the emphasis is on presenting a consistent framework in which to analyze and develop public policy for dealing with the problem of crime. Public policy and social issues are emphasized, sometimes

at the expense of detailed institutional or descriptive material or more advanced theoretical constructs. The development of an economic framework for analysis and the presentation of empirical studies to support it are aimed toward policy. What are the implications of the analysis for public policy? What policy options are available? How effective would those alternatives be? What information do we need to make intelligent decisions? Our intention is to develop a few recurring themes and a way of analyzing crime in society. Our hope is that the student will come away from the course with a new perspective on crime and with a general approach to the analysis of crime and of possible ways of dealing with it which can be applied to new situations or data.

The first half of the book is devoted to developing a theoretical framework. Chapter 1 provides a brief introduction to the subject matter. Although in teaching the course we begin by devoting a substantial amount of time to a discussion of the dimensions of the crime problem, data sources, and so forth, we have abbreviated this discussion in the introductory chapter. The instructor can, of course, supplement Chapter 1 with additional current statistics and issues. Development of the theoretical framework begins in Chapter 2 with a discussion of the economic impact of criminal activity. Chapter 3 describes an economic theory of criminal behavior. Using these two chapters as a foundation, Chapter 4 discusses various aspects of the optimum allocation of resources to the criminal justice system. This is the most difficult chapter in the book for students without a background in economics. However, once Chapter 4 has been mastered, the battle has been won, and the rest of the material in the book should readily fall into place.

Chapters 5 through 9 apply the theoretical material to an analysis of various categories of crime: crimes against property, crimes against persons, crimes without victims, the markets for illegal drugs, and organized crime. The final chapter highlights some of the major themes and issues in the economics of crime.

Preparation of earlier editions of this book would have been impossible without the support and assistance of many individuals. In particular, we would like to thank several anonymous reviewers for their thoughtful and constructive comments. We would also like to thank Nasreen Akanda, Maria DaCosta, Joseph DiMartino, Gustavo Aristabal and David Walsh for their careful bibliographic work and Cheryl Noakes, Sheila Palma, Pauline Sayers, David Agdern, Jennifer Dawson and Ellen Shoner for their expeditious handling of the typing chores. Additionally we would like to thank Linda Woods and Steven

Morrison for identifying some very important material for us. Finally, a “thank you” is due to Sylvia Goldberg for overseeing all of the operations that went into the manuscript preparation for several of the earlier editions.

Daryl A. Hellman
Neil O. Alper

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1

Introduction to the Economics of Crime

Crime is a major social concern which has received increasing attention in recent years. In this book we are going to try to analyze the reasons for the crime problem and evaluate various public policies for dealing with it. While an adequate understanding of criminal behavior, as well as policy design, may require a multidisciplinary perspective, the focus of this book will be on an economic approach to understanding criminal behavior and designing effective policies for dealing with the problem of criminal activity.

To the **economist**, crime is rational behavior—a choice that is made by a person or persons in deciding how best to spend their time. In making the choice, individuals consider what they stand to gain and what they stand to lose; that is, they consider the benefits and costs of using their time in different ways—working legally, working illegally, or not working at all. One implication of this approach is that individuals have some knowledge, not necessarily perfect, of the benefits and costs associated with different actions.

Because of the assumption of rationality, economists would hypothesize that punishment deters crime. This does not mean that in every instance in which punishment increases we can expect to see crime decrease. The reason for this, as we will see in Chapter 3, is that there are other factors which also affect crime rates—other benefits and costs to the individual which must be considered. In addition, as we will also see, the concept and measurement of punishment costs is somewhat complicated. But economists would argue that, other things being equal, an increase in expected punishment costs should decrease crime.¹ Finally, of course, there may be instances in which the assumption of rationality is not appropriate, for example, in “murders of

passion.” The extent to which an economic approach is useful in analyzing such crimes is discussed in Chapter 6.

The economic model can be compared with those of other social sciences. To the sociologist, crime is deviant behavior. The deterrent effect of punishment concerns the role of sanctions in generating conformity. Much of the earlier empirical research on the question of the ability of punishment to deter crime has been done by sociologists and social psychologists, albeit with a different perspective and perhaps sometimes with different expectations regarding its effectiveness.² Sociologists or psychologists may also focus on other aspects of the role of punishment, such as the importance of the type of norm being sanctioned, the motivation behind the deviant behavior, the importance of perception of sanctions, or the impact of class, race, age, or sex on deviant behavior.³

Some of the concerns of sociologists, psychologists, political scientists, and other social scientists who study criminal behavior can be incorporated within the economic model. This is because economists argue that the gains and costs of criminal behavior include psychic elements. These psychic costs and benefits become a catchall for all kinds of psychological, sociological, and political phenomena. For example, one possible gain to a juvenile from the crime of vandalism is peer approval. The gain to a radical political activist from a bank robbery may be a chance to make claims against the political system which must regulate conflict. To the economist, these are examples of psychic gains from crime. These are not emphasized in the economic model, nor are they examined, and appropriately so; they are topics for investigation by other disciplines. But their inclusion in the economic model and their recognition in empirical work permits the establishment of links between the research of economists and that of criminologists and other social scientists interested in studying criminal behavior.⁴

Our economic analysis begins in Chapter 2 with one economic aspect of criminal activity—the economic impact of crime. This is an important part of our analysis because it will suggest what we stand to gain by reducing crime, and therefore, the amount it is worth spending on law enforcement and criminal justice. In this chapter the tools of supply and demand are introduced.

In Chapter 3 an equally important economic aspect of the analysis of crime is addressed—development of an economic explanation of criminal behavior. This is essential for the design of public policy to reduce crime, for the first step in such design must be an understanding of why crimes are committed.

The following chapters defines the problems of economic choice which are faced in the production of law enforcement and criminal justice, and

describes tools for implementing those choices. The remaining chapters apply the theoretical framework developed in the earlier chapters to an analysis of various types of criminal activity.

While the theoretical framework to be developed here is intended to be applicable to a wide variety of criminal activities, the specific analyses or examples are limited to certain categories of crime. There are a large number of activities, or behaviors, which are classified as criminal. According to the U.S. Crime Commission, there are more than 2,800 federal crimes and a much larger number of state and local ones.⁵ Some crimes involve bodily harm; others involve stealing, public morals, or government revenues; still others involve regulation of the economy or creation of hazardous conditions. Some of the newest crimes are those associated with the Internet and the World Wide Web and are known as **cybercrimes**.

The focus of this book will be on a limited number of criminal activities, although these activities represent those for which the most data are available and in which the public seems to be most interested. Specifically, the crimes analyzed are the FBI index crimes, white collar crime, “victimless” crimes, and organized crime.

FBI INDEX CRIMES

Let us begin with FBI index crimes. This term refers to eight specific offenses, and attempted offenses, which are counted by the FBI in compiling an index of serious crimes. These figures are published regularly in Uniform Crime Reports. Later we will evaluate the crime index as an indicator of the seriousness of the crime problem. For now, let us simply find out what the index crimes are.

The eight index crimes can be divided into two parts: violent crimes (sometimes referred to as crimes against persons) and property crimes. Four violent crimes are included in the index: murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault. We will briefly define each of these here. Detailed definitions are contained in the appendix to this chapter.

Murder and non-negligent manslaughter are both forms of willful homicide—the killing of one human being through the willful act of another. Criminal homicide also includes negligent manslaughter—the killing of one human being through the gross negligence of another. Negligent manslaughter, however, is not included among the index crimes. For brevity, this category of crime is sometimes called willful homicide or, more simply, homicide or murder.

Forcible rape refers to the carnal knowledge of a female, forcibly and against her will. Incidents in which physical force is not involved or the victim is under the legal age of consent are not counted in the index. While some state statutes have degenderized this crime, in the FBI counts, the victim is defined as female.

Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear. Robbery therefore involves a property crime, or theft, aggravated by the use or threat of force against a person(s). Thus, it combines elements of crimes against persons and crimes against property.

Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

Index crimes also include four crimes against property: arson, burglary, larceny-theft, and motor vehicle theft. Arson is the intentional damaging or destruction by means of fire or explosion of someone's property without consent, or of any property with intent to defraud. In 1978 the U.S. Congress mandated that arson be added to the FBI serious crime index. Previously it was not one of the index crimes. Systematic data on arson is just beginning to be available.

Burglary is the unlawful entry into a structure to commit a felony or theft, whether or not force is used. Attempted forcible entries are also counted as burglaries.

Larceny-theft is the unlawful taking, carrying, leading, or riding away of property (except motor vehicles) from the possession or constructive possession of another. Larceny, unlike burglary, does not involve unlawful entry. Larceny includes crimes such as pickpocketing, purse snatching, and shoplifting.

Motor vehicle theft is the theft or attempted theft of a motor vehicle.

These eight index offenses are also referred to as Part I offenses. In Chapter 5 we analyze index crimes against property, including robbery and white collar crimes. Chapter 6 focuses on violent crimes, or crimes against persons. The remaining chapters analyze a few other crimes which are not part of the FBI index—victimless crimes—with a chapter devoted to the markets for two illegal drugs, heroin and cocaine, and a chapter devoted to organized crime.

The most complete crime data are available for the index offenses. The FBI's uniform crime reporting (UCR) program, approved by Congress in 1930, collects, compiles, and publishes national crime statistics on offenses known to the police. Figures are published annually as part of the *Uniform Crime Reports*. Detailed information on offenses, arrests, and charges for criminal offenses is available for the index crimes. In addition, the FBI collects and

publishes figures on persons arrested and charged for a wide variety of other crimes, including "victimless" crimes. These crimes are included in what are called Part II offenses.

The FBI is in the process of introducing a redesigned UCR program, called the **National Incident-Based Reporting System (NIBRS)**, which will expand the information collected from local law enforcement agencies.⁶ The redesigned program collects information on each incident, victim, offender, arrestee, and any property involved with the crime. The crimes include the eight index crimes and 14 additional crime categories. The FBI started accepting NIBRS data in 1989, but as of 1998 only 18 state data reporting programs have been certified to provide data on their crimes. The pace of implementation is hindered by several factors including the lack of resources.

RECENT TRENDS IN THE AMOUNT OF CRIME

Using data from the *Uniform Crime Reports*, it is interesting to look at what has been happening to the number of index crime offenses over the last several years. Table 1-1 shows the total number of offenses in the United States for each of the index crimes for selected years from 1960 to 1998. It is important to realize that these figures represent only offenses known to the police either from citizen complaints or from independent police discovery. The figures, therefore, do not necessarily reflect the actual number of crimes committed.

Figures are given for seven of the offenses separately, for total property crimes excluding arson (burglary, larceny-theft, and motor vehicle theft), for total violent crimes (murder, forcible rape, robbery, and aggravated assault), and for total index crimes (the sum of the seven crimes).

As the figures clearly indicate, the number of reported offenses for all crimes increased substantially over the period from 1960 to 1980 (while not reported in the table, the trend continued through 1981). The percentage increases in each category are listed at the bottom of the table. The early 1980s was a period of decreases in reported offenses through 1984, with increases in each subsequent year through 1991. Explanations for the decrease in criminal activity include a decrease in the proportion of the population most likely to commit crimes, and changes in the certainty and the severity of punishment for criminal activity. Reasons for the increase to record levels in 1991 are unclear, but are believed to be related to increases in drug and drug-related crimes; changes in the attitudes of young people to the use of violence in dealing with conflicts; the lack of supervision at home associated with the growth of two-earner families and households headed by working women; lack of government supported social programs; and the worsening economy

TABLE 1-1
 NUMBER OF OFFENSES KNOWN TO POLICE, UNITED STATES, 1960-1998 (SELECTED YEARS)

Year	Total Crime Index*	Violent Crime	Property Crime	Murder and Non-negligent Manslaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny- Theft	Motor Vehicle Theft
1960	3,384,200	288,460	3,095,700	9,110	17,190	107,840	154,320	912,100	1,855,400	328,200
1965	4,739,400	387,390	4,352,000	9,960	23,410	138,690	215,330	1,282,500	2,572,600	496,900
1970	8,098,000	738,820	7,359,200	16,000	37,990	349,860	334,970	2,205,000	4,225,800	928,400
1975	11,256,600	1,026,280	10,230,300	20,510	56,090	464,970	484,710	3,252,100	5,977,700	1,000,500
1980	13,408,300	1,344,520	12,063,700	23,040	82,990	565,840	672,650	3,795,200	7,136,900	1,131,700
1985	12,431,400	1,328,800	11,102,600	18,980	87,670	497,870	723,250	3,073,300	6,926,400	1,102,900
1990	14,475,600	1,820,130	12,655,500	23,440	102,560	639,270	1,054,860	3,073,900	7,945,700	1,635,900
1991	14,872,900	1,911,770	12,961,100	24,700	106,590	687,730	1,092,740	3,157,200	8,142,200	1,661,700
1992	14,438,200	1,932,270	12,505,900	23,760	109,060	672,480	1,126,970	2,979,900	7,915,200	1,610,800
1993	14,144,800	1,926,020	12,218,800	24,530	106,010	659,870	1,135,610	2,834,800	7,820,900	1,563,100
1994	13,989,500	1,857,670	12,131,900	23,330	102,220	618,950	1,113,180	2,712,800	7,879,800	1,539,300
1995	13,867,100	1,798,790	12,068,400	21,600	97,460	580,550	1,099,180	2,595,000	8,000,600	1,472,700
1996	13,493,900	1,688,540	11,805,300	19,650	96,250	535,590	1,037,050	2,506,400	7,904,700	1,394,200
1997	13,194,600	1,636,100	11,558,500	18,210	96,150	498,530	1,023,200	2,460,500	7,743,800	1,354,200
1998	12,475,600	1,531,040	10,944,600	16,910	93,100	446,630	974,400	2,330,000	7,373,900	1,240,800

PERCENT CHANGE

1960-1981	+296.7	+372.1	+289.6	+147.2	+379.9	+449.8	+330.2	+314.4	+287.8	+231.4
1981-1984	-11.5	-6.5	-12.0	-17.0	+2.1	-18.2	+3.2	-21.0	-8.4	-5.1
1984-1991	+25.2	+50.1	+22.2	+32.2	+26.5	+41.8	+59.4	+5.8	+23.5	+61.0
1991-1998	-16.1	-19.9	-15.6	-31.5	-12.7	-35.1	-10.8	-26.2	-9.4	-25.3

Source: U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States, 1975* (Washington, D.C., 1976), Table 2, 49; *Uniform Crime Reports for the United States, 1986* (Washington, D.C., 1987), Table 1, 41; and *Uniform Crime Reports for the United States, 1991* (Washington, D.C., 1992), Table 1, 58; *Uniform Crime Reports for the United States, 1995* (Washington, D.C., 1996), Table 1, 58; *Crime in the United States 1998: Uniform Crime Reports* (www.fbi.gov/ucr/98cius.htm, Table 1, 64).

*Arson is excluded because sufficient data are not available to estimate totals.

of the early 1990s.⁷ Since 1991 the number of index crimes reported to the police has continually decreased. This decline, which has been across all the index crimes, is associated with a period of increased criminal justice expenditures and harsher, mandatory sentences.

The figures in Table 1-1 are somewhat misleading as indicators of changes in the seriousness of the crime problem over that period. For one thing, the population of the country increased over that time (see Table 1-2), so that even if the public were neither more nor less “criminal,” we would expect the number of crimes to increase simply because the number of potential criminals—and victims—has gone up.

To correct for this, criminal offense statistics are often reported as a crime rate (i.e., the number of reported offenses divided by the size of the population):

$$\text{Crime rate} = \frac{\text{number of crimes}}{\text{population}} \quad \frac{\#}{pp} \quad (1-1)$$

The resulting number gives the number of crimes per person, or per capita. When we are looking at national figures, because the denominator is the entire population of the country, which is a very large number, the rate is often expressed as the number of crimes per 100,000 people.

Table 1-2 contains population figures for the United States for selected years from 1960-1998 and crime rates for each of the same categories contained in Table 1-1. The figures were obtained by simply dividing the number of crimes for a particular category and a particular year (from Table 1-1) by the population for that year.

The figures in Table 1-2 present a somewhat different picture. While from Table 1-1 we see that the number of index crimes increased by 268.2 percent from 1960 to 1998, the index crime rate increased by only 144.6 percent over that period. The rate of violent crimes increased faster than the rate of crimes against property—by 252.0 percent compared to 134.6 percent. The crime rate with the largest growth is aggravated assault, with an increase of 318.7 percent. With few exceptions, the rate of crime for each category increased every year during the 1960 to 1981 period and decreased during the 1982 to 1984 period. With the exception of burglary, all the crime rates increased over the seven years starting with 1985, with all but two (murder and burglary) reaching record levels. Since 1991, the overall crime rate has decreased, as have the rates for each of the index crimes listed in Table 1-2. For all the crimes they are at their lowest levels in decades, with the murder, robbery and burglary rates not being this low since the late 1960s.

TABLE 1-2
RATE OF OFFENSES KNOWN TO POLICE, UNITED STATES, 1960-1998 (SELECTED YEARS) (RATE PER 100,000 INHABITANTS)

Year	Population	Total Crime Index*	Violent Crime	Property Crime	Murder and Manslaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny-Theft	Motor Vehicle Theft
1960	179,323,175	1,887.2	160.9	1,726.3	5.1	9.6	60.1	86.1	508.6	1,034.7	183.0
1965	193,526,000	2,449.0	200.2	2,248.8	5.1	12.1	71.7	111.3	662.7	1,329.2	256.8
1970	203,235,398	3,984.5	363.5	3,621.0	7.9	18.7	172.1	164.8	1,084.9	2,079.3	456.8
1975	213,124,000	5,281.7	481.5	4,800.2	9.6	26.3	218.2	227.4	1,525.9	2,804.8	469.4
1980	225,349,264	5,950.0	596.6	5,353.3	10.2	36.8	251.1	298.5	1,684.1	3,167.0	502.2
1985	238,740,000	5,207.1	556.6	4,650.5	7.9	37.1	208.5	302.9	1,287.3	2,901.2	462.0
1990	248,709,873	5,820.3	731.8	5,088.5	9.4	41.2	257.0	424.1	1,235.9	3,194.8	657.8
1991	252,177,000	5,897.8	758.1	5,139.7	9.8	42.3	272.7	433.3	1,252.0	3,228.8	659.0
1992	255,082,000	5,660.2	757.5	4,902.7	9.3	42.8	263.6	441.8	1,168.2	3,103.0	631.5
1993	257,908,000	5,484.4	746.8	4,737.6	9.5	41.1	255.9	440.3	1,099.2	3,032.4	606.1
1994	260,341,000	5,373.5	713.6	4,660.0	9.0	39.3	237.7	427.6	1,042.0	3,026.7	591.3
1995	262,755,000	5,277.6	684.6	4,593.0	8.2	37.1	220.9	418.3	987.6	3,044.9	560.5
1996	265,284,000	5,086.6	636.5	4,450.1	7.4	36.3	201.9	390.9	944.8	2,979.7	525.6
1997	267,637,000	4,930.0	611.3	4,318.7	6.8	35.9	186.3	382.3	919.4	2,893.4	506.0
1998	270,296,000	4,615.5	566.4	4,049.1	6.3	34.4	165.2	360.5	862.0	2,728.1	459.0
PERCENT CHANGE											
1960-1981	+27.8	+210.4	+269.4	+204.9	+92.2	+275.0	+330.4	+236.5	+224.3	+203.4	+159.4
1981-1984	+3.1	-14.1	-9.3	-14.7	-19.4	-0.8	-20.6	+0.2	-23.4	-11.1	-7.9
1984-1991	+6.8	+17.2	+40.6	+14.4	+24.1	+18.5	+32.8	+49.3	-0.9	+15.7	+50.8
1991-1998	+7.2	-21.7	-25.3	-21.2	-35.7	-18.7	-39.4	-16.8	-31.2	-15.5	-30.3

Source: U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States, 1975* (Washington, D.C., 1976), Table 2, 49; *Uniform Crime Reports for the United States, 1986* (Washington, D.C., 1987), Table 1, 41; and *Uniform Crime Reports for the United States, 1991* (Washington, D.C., 1992), Table 1, 58; *Uniform Crime Reports for the United States, 1995* (Washington, D.C., 1996), Table 1, 58; *Crime in the United States 1998: Uniform Crime Reports* (www.fbi.gov/ucr/98cius.htm, Table 1.64).

*Arson is excluded because sufficient data are not available to estimate totals.