Tennessee Bureau of Investigation

Tennessee Criminal History Database Analysis

Evaluating: DUI, Rape and Robbery

2002 - 2007

Published by:

Tennessee Bureau of Investigation

Crime Statistics Unit

July 2009

Introduction

Purpose of the Study

The purpose of the study was a review of data contained in the Tennessee Bureau of Investigation Criminal History Records (CHR) system. The time frame covered by the study was 2002-2007. The study concentrated on three arrest offenses: Driving Under the Influence (DUI), Rape, and Robbery. The study focused on re-arrests for the same offense within the study period.

For the purpose of this study, any person who was arrested for the same offense for a second or subsequent time, with a re-arrest date within one to four (1 – 4) days of the original arrest date were excluded from the study. The reason for the exclusion was some offenders may have outstanding warrants served while being booked into or released from a correctional facility. We were not able to determine why the second or subsequent arrest occurred within this time frame by viewing the criminal history data supplied.

Criminal History Records Submission

Entering information into the criminal history database system is a two step process. The first step involves the submission of good quality fingerprints of the offender by the booking (local police/sheriff department or correctional facility) agency to the Tennessee Bureau of Investigation via a live scan (electronic submission) or by paper form (mailed submissions). Once submitted and accepted at the Tennessee Bureau of Investigation, the criminal history information is automatically entered or updated in the criminal history database system; and the fingerprint information is forwarded to the Federal Bureau of Investigation to complete the fingerprint submission process. Upon completion of the process, booking agencies will have the capability to check email responses via their agency live scan or request a copy of the rap sheet on mailed submission. Booking agencies are responsible for maintaining a copy of the fingerprint

card of the arrestee, along with the arrest report and acknowledgement from the Tennessee Bureau Investigation, the response was received.
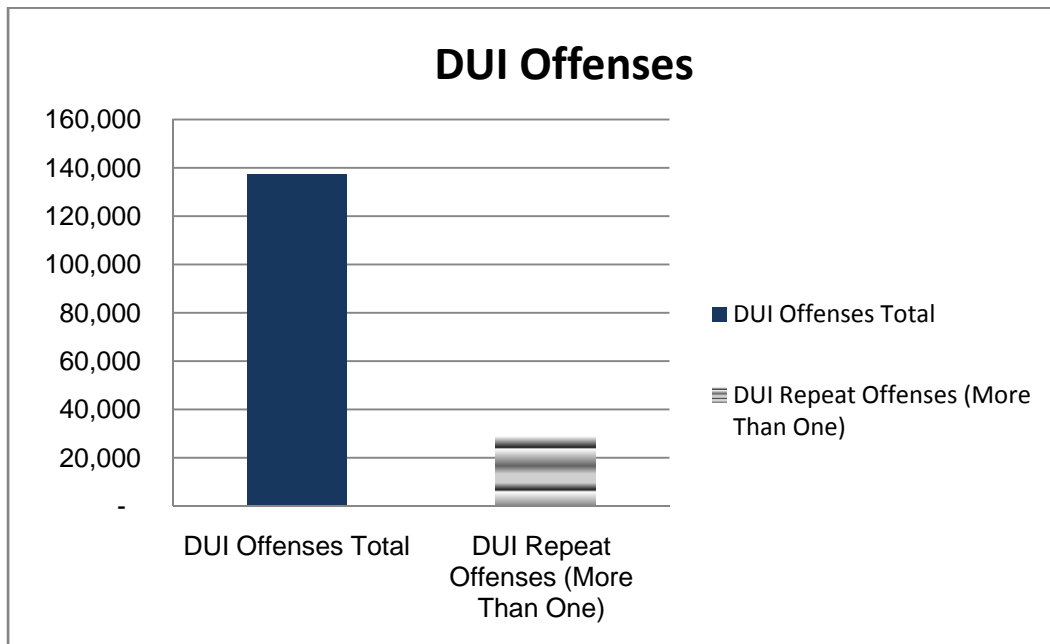
DUI Characteristics

DUI (Driving Under the Influence) is defined as "Driving under the influence of intoxicant, drug or drug producing stimulant prohibited - Alcohol concentration in blood or breath.- " [1]

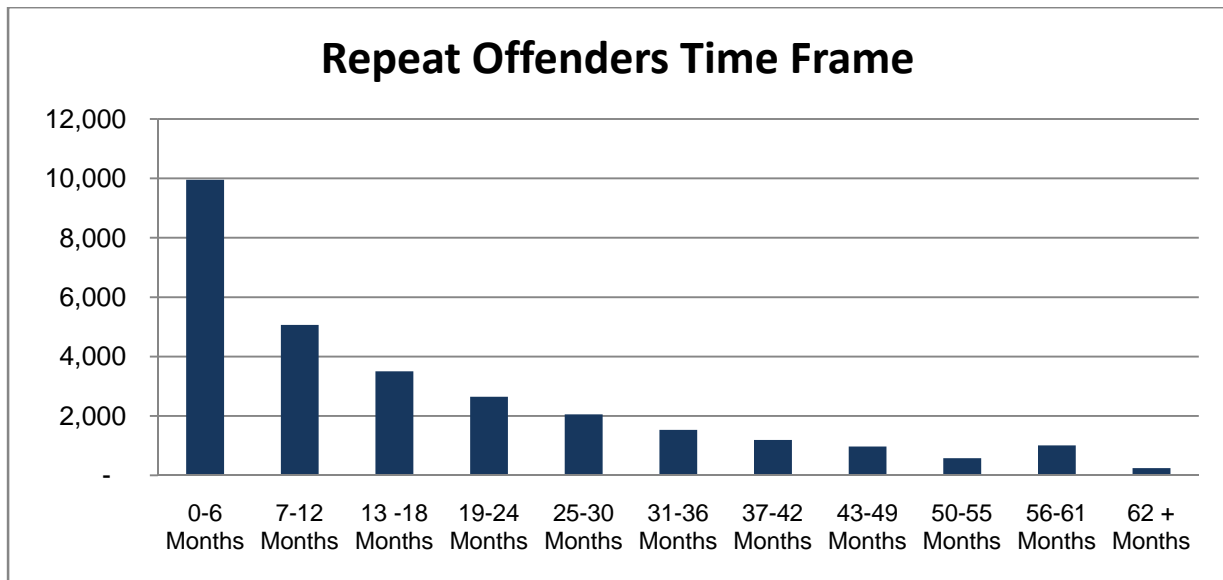During the study period (2002-2007) 137,183 offenses of DUI resulted in an arrest in the State of Tennessee.

Re-arrested Offenders

During the study period a total of 108,442 (79%) offenders were not re-arrested for the offense of DUI. A total of 21% (28,741) were re-arrested for violating the DUI law between 2002 -2007at least two times.
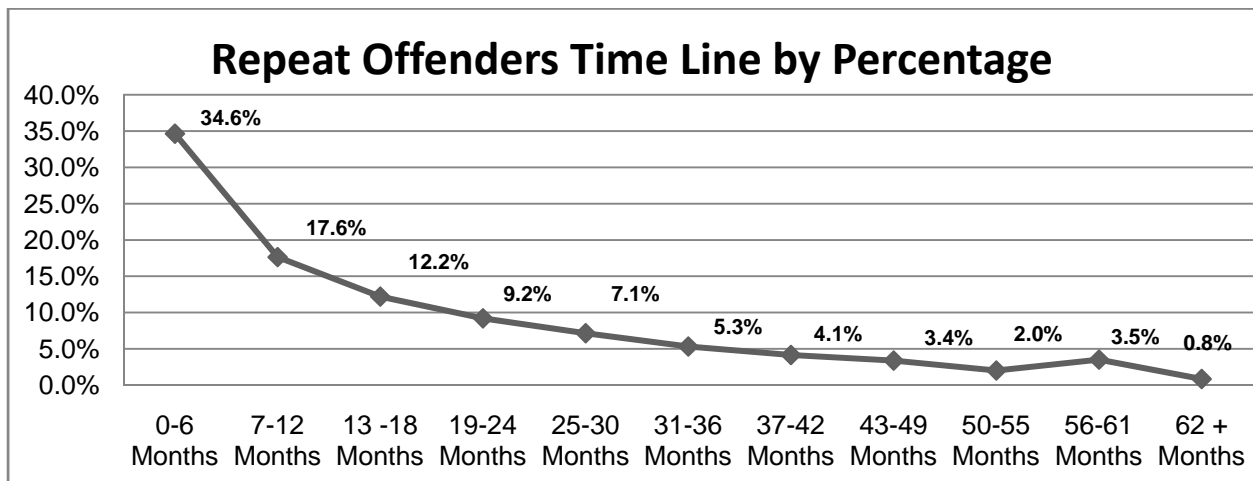

---

[1] TCA § 51-10-401

The data shows that 34.6% of the repeat offenses occurred within 0 – 6 months of the original arrest date. Over time the rates steadily declined as highlighted below. The greatest time span for re-arrest during the study is 72.3 months from the original DUI arrest date to the next arrest with the vast majority (34.6%) occuring within 0 – 6 months of their first DUI offense.

Repeat Offenders Time Frame

Time Frame	Count
0-6 Months	~9,950
7-12 Months	~5,050
13 -18 Months	~3,500
19-24 Months	~2,650
25-30 Months	~2,050
31-36 Months	~1,500
37-42 Months	~1,150
43-49 Months	~950
50-55 Months	~550
56-61 Months	~1,000
62 + Months	~250

The second most frequent time frame for re-arrest was 7 – 12 months representing 17.6% of total re-arrests. Over 50.0% of all re-arrests occurred within the 0 – 12 month time range. The least most frequent time range was 50 – 55 months representing 2.0%.

Repeat Offenders Time Line by Percentage

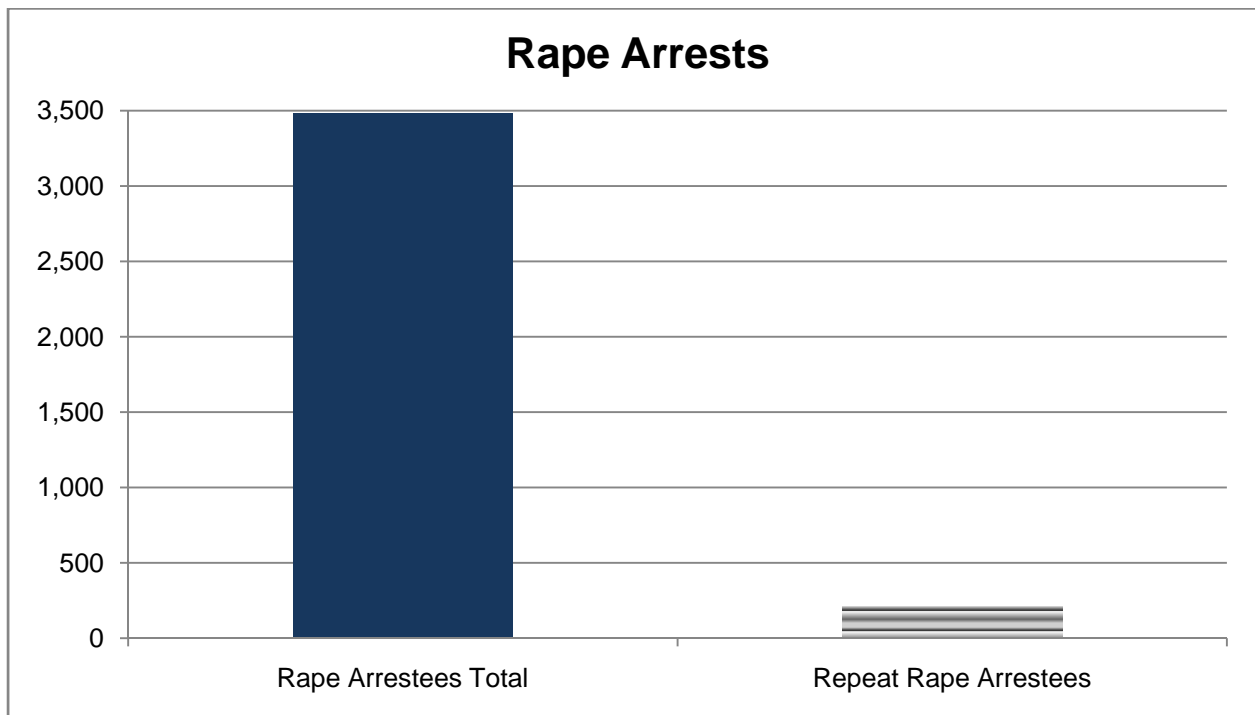| Time Frame	Percentage
0-6 Months	34.6%
7-12 Months	17.6%
13 -18 Months	12.2%
19-24 Months	9.2%
25-30 Months	7.1%
31-36 Months	5.3%
37-42 Months	4.1%
43-49 Months	3.4%
50-55 Months	2.0%
56-61 Months	3.5%
62 + Months	0.8%

Rape Characteristics

Rape is defined by TCA § 39 – 13 – 503 as:

Rape is unlawful sexual penetration of a victim by the defendant or of the defendant by a victim accompanied by any of the following circumstances:
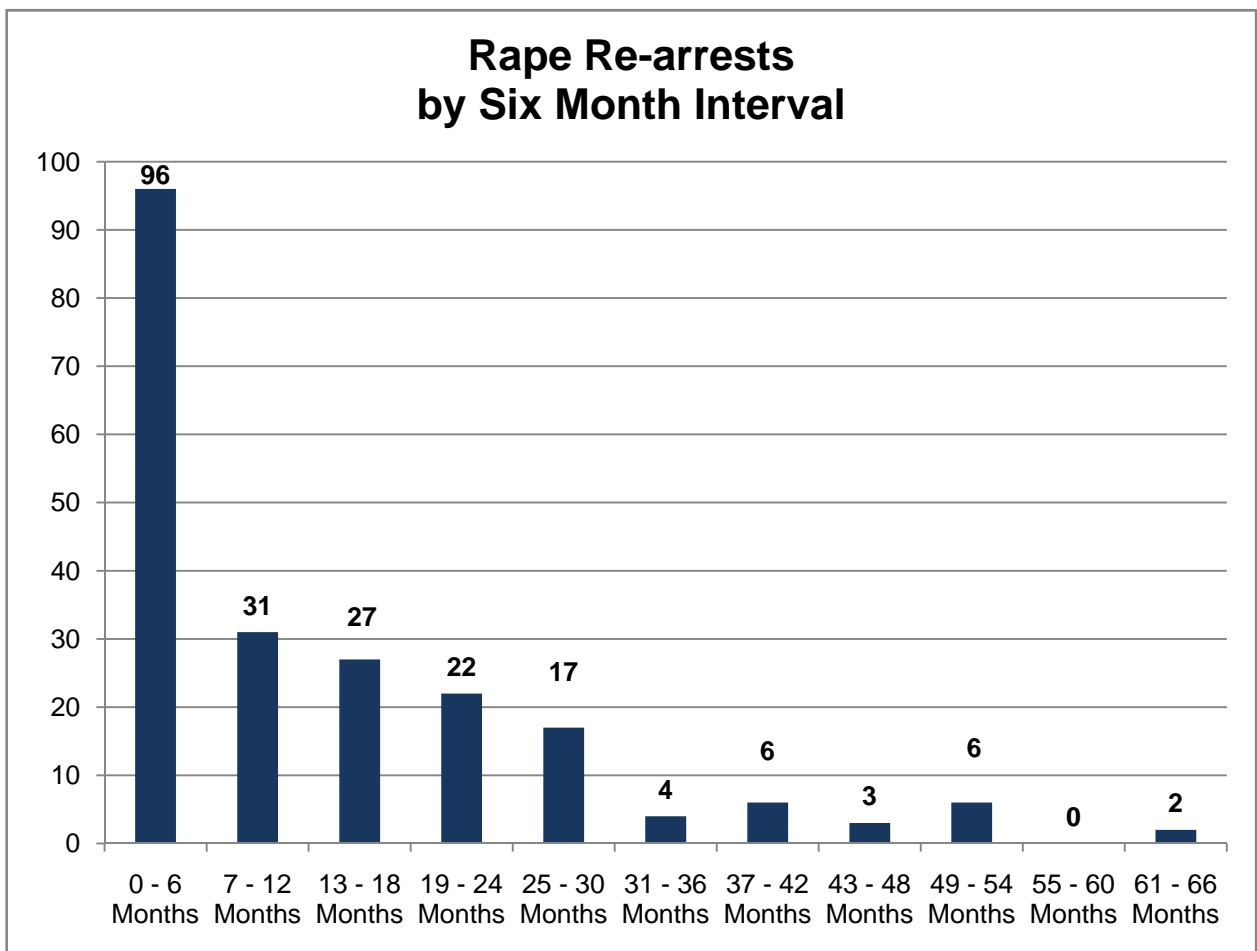
(a) Force or coercion is used to accomplish the act;

(b) The sexual penetration is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the penetration that the victim did not consent;

(c) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

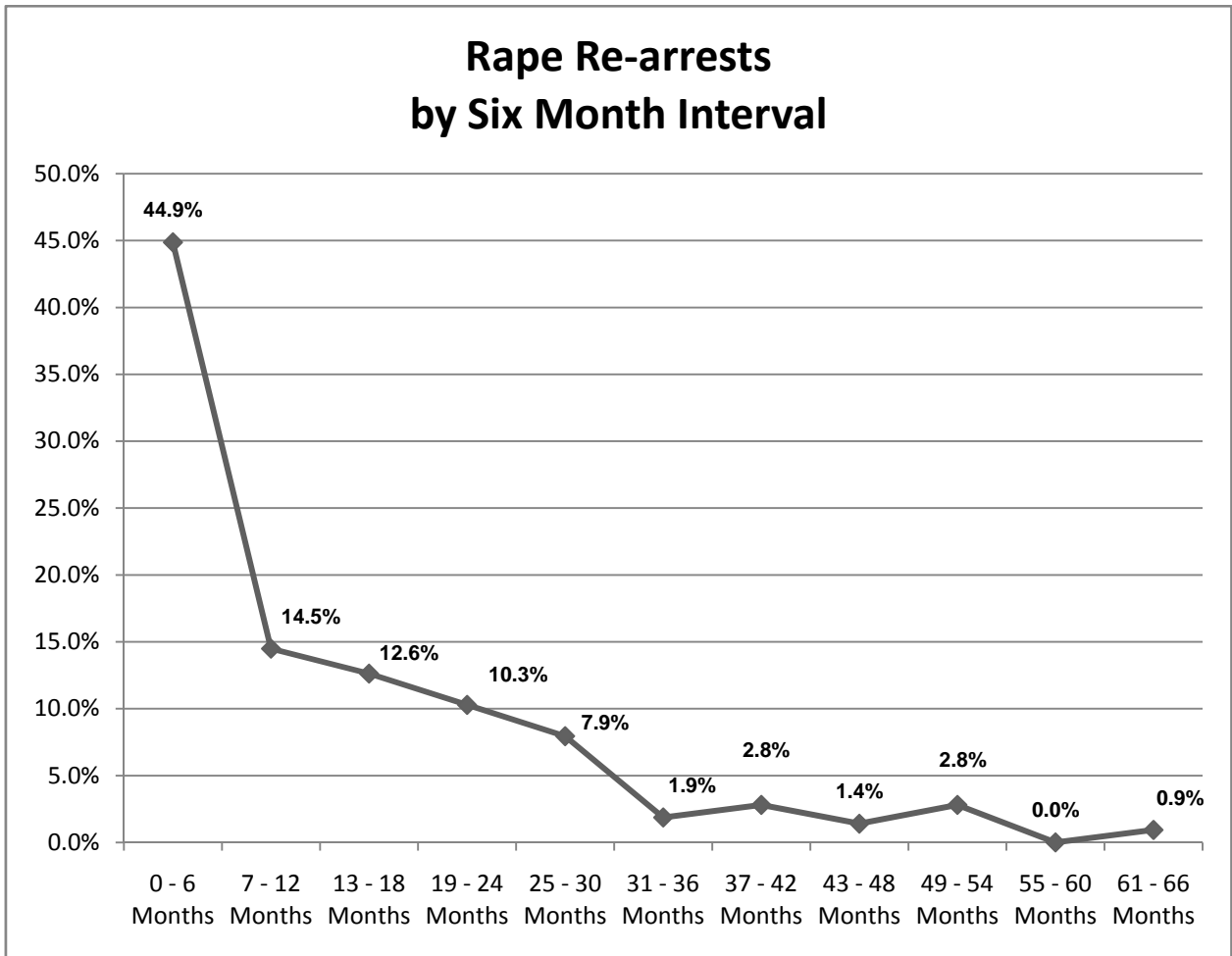(d) The sexual penetration is accomplished by fraud.

During the time period covered by the study, there were a total of 3,483 arrests for Rape. A total of 3,269 or 93.9% had one arrest for the offense of Rape. Only 214 or 6.1% were rearrested for the offense of Rape during the study period.

The data showed 96 or 44.9% of the repeat arrests occurred within 0 – 6 months of the original arrest date. Over time the rates steadily decline as illustrated by the graphs below. The longest time span for re-arrest for the offense of Rape was 61.5 months or 1,845 days. The most frequently reported time span for re-arrest for the offense of Rape was 96 or 44.9% within 0 – 6 months of their first Rape arrest.

The second most frequently reported time span was 7 – 12 months at 31 or 14.5%. The least frequently reported time span was 61 – 66 months at 2 or 0.9%. The time span of 55 – 60 months had no reported re-arrests.

Rape Re-arrests by Six Month Interval

Interval	Count
0 - 6 Months	96
7 - 12 Months	31
13 - 18 Months	27
19 - 24 Months	22
25 - 30 Months	17
31 - 36 Months	4
37 - 42 Months	6
43 - 48 Months	3
49 - 54 Months	6
55 - 60 Months	0
61 - 66 Months	2

Rape Re-arrests
by Six Month Interval

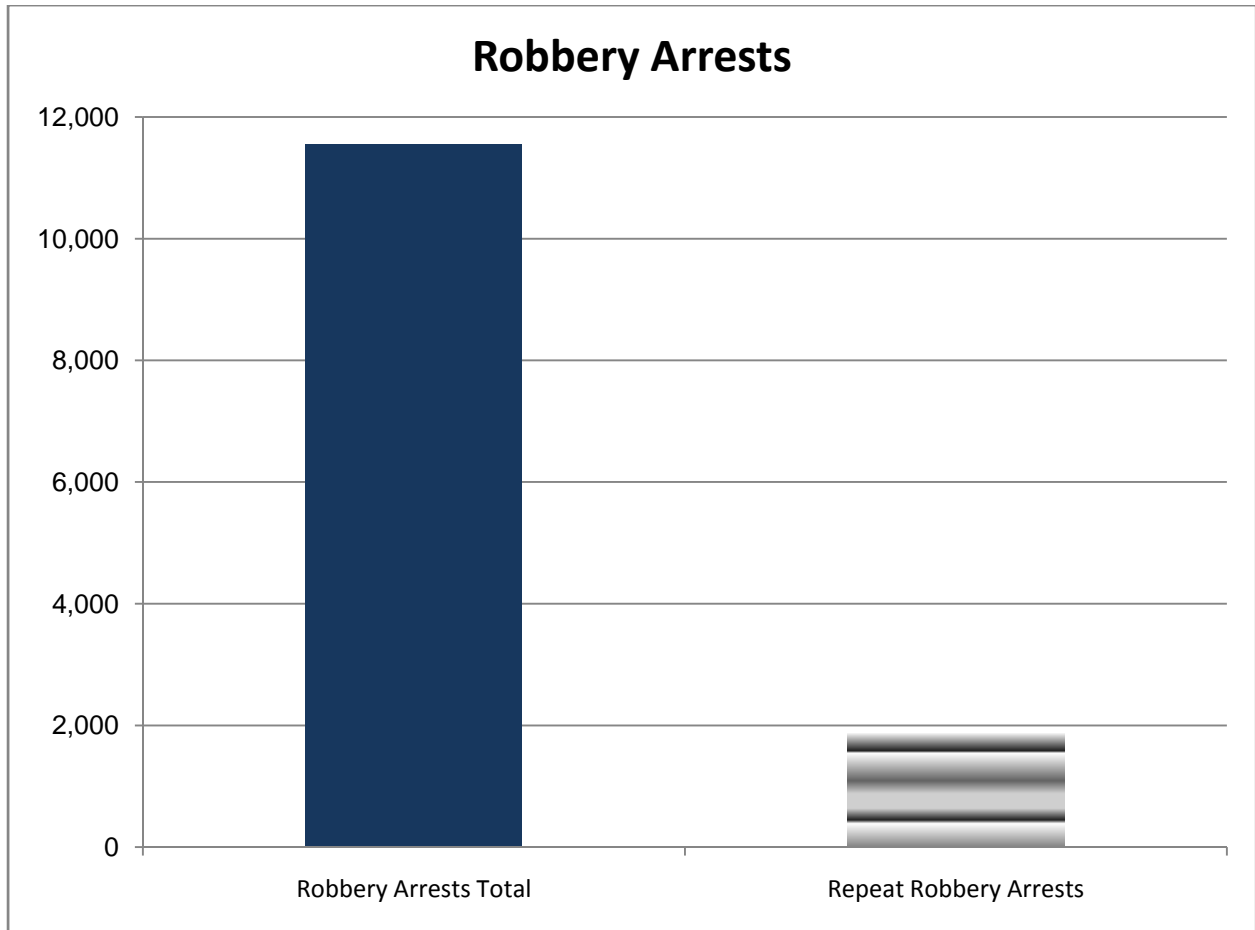| Interval	Percentage
0 - 6 Months	44.9%
7 - 12 Months	14.5%
13 - 18 Months	12.6%
19 - 24 Months	10.3%
25 - 30 Months	7.9%
31 - 36 Months	1.9%
37 - 42 Months	2.8%
43 - 48 Months	1.4%
49 - 54 Months	2.8%
55 - 60 Months	0.0%
61 - 66 Months	0.9%

Robbery Characteristics

Robbery is defined by TCA § 39 – 13 – 401 as:

Robbery is the intentional or knowing theft of property from the person of another by violence or putting the person in fear.

During the time period covered by the study, there were a total of 11,549 arrests for Robbery. A total of 9,673 or 83.8% were not rearrested for the offense of Robbery. Only 1,876 or 16.2% were rearrested for the offense of Robbery.
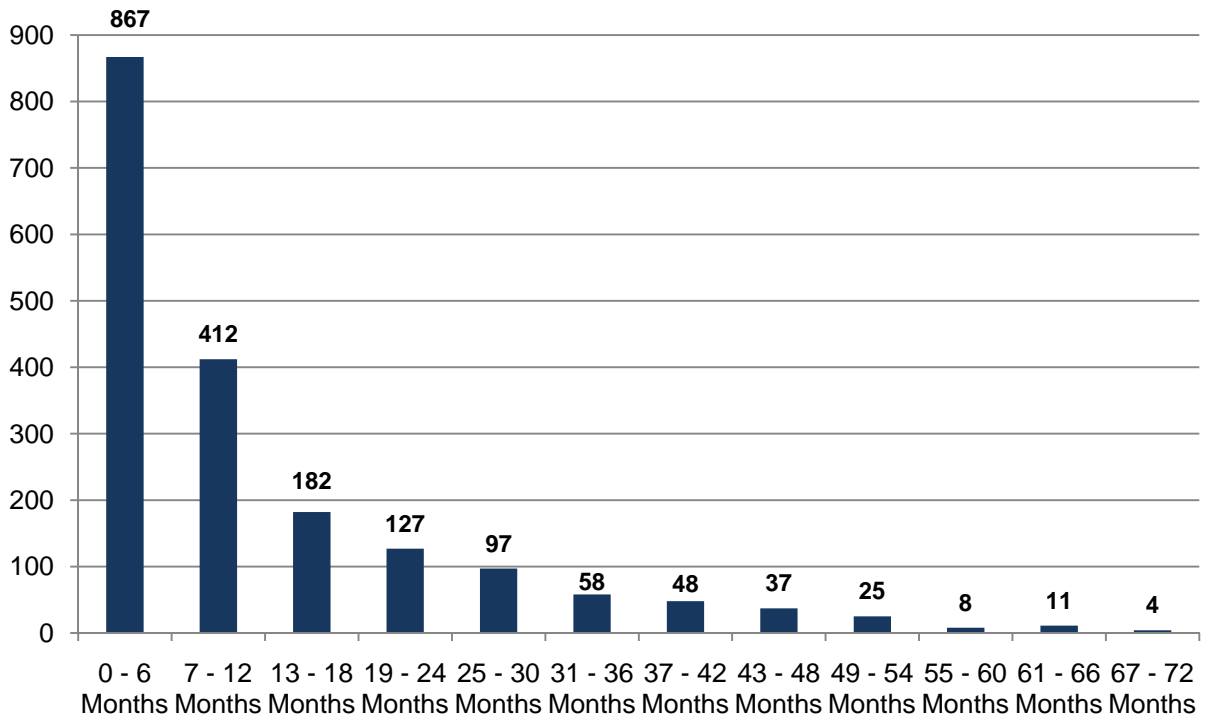
Robbery Arrests

The data showed 867 or 46.2% of the repeat arrests occurred within 0 – 6 months of the original arrest date. Over time the rates steadily decline as illustrated by the graphs below. The longest time span for re-arrest for the offense of Robbery is 70.3 months or or 2,109 days. The most frequently reported time span for re-arrest or recidivating for the offense of Robbery was 867 or 46.2% within 0 – 6 months of their first Robbery arrest.

The second most frequently reported time span was 7 – 12 months at 412 or 22.0%. The least frequently reported time span was 67 – 72 months at 4 or 0.2%.

Robbery Re-arrests
by Six Month Interval

Interval	Count
0 - 6 Months	867
7 - 12 Months	412
13 - 18 Months	182
19 - 24 Months	127
25 - 30 Months	97
31 - 36 Months	58
37 - 42 Months	48
43 - 48 Months	37
49 - 54 Months	25
55 - 60 Months	8
61 - 66 Months	11
67 - 72 Months	4

Robbery Re-arrests
by Six Month Interval

Interval	Percent
0 - 6 Months	46.2%
7 - 12 Months	22.0%
13 - 18 Months	9.7%
19 - 24 Months	6.8%
25 - 30 Months	5.2%
31 - 36 Months	3.1%
37 - 42 Months	2.6%
43 - 48 Months	2.0%
49 - 54 Months	1.3%
55 - 60 Months	0.4%
61 - 66 Months	0.6%
67 - 72 Months	0.2%