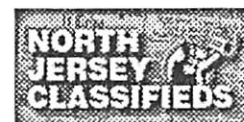
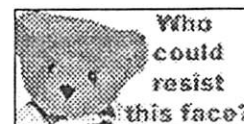


T O D A Y ' S N E W S

N.J. crime reports omit many sex cases

Tuesday, July 6, 1999



- [Home](#)
- [Page](#)
- [Top](#)
- [Stories](#)
- [The Region](#)
- [Business](#)
- [The Wire](#)
- [Columnists](#)
- [Obituaries](#)
- [Education](#)
- [Campaign Central](#)

- [State lawmakers urge redefining of sex crime](#)
- [Search state crime statistics for your town](#)

By ROBERT GEBELOFF
Staff Writer

A 15-year-old girl sits in Wanaque's Lakeland Regional High School cafeteria surrounded by classmates when an 18-year-old boy suddenly approaches and forces his hand inside her shorts. The girl has to shove and bite to break away.

Three boys are lured into a Waldwick electronics store, where a 26-year-old employee turns off a surveillance camera and assaults them. The employee is eventually sentenced to 20 years in prison.

In Bergenfield, 19 sex charges are filed against defendants, including 10 for crimes of the first degree.

But none of those incidents will be found in





the town-by-town crime reports released each year by the New Jersey State Police.



A computer analysis by The Record of police and court records for 1996 and 1997 found hundreds of sex crimes excluded from the formula that federal and state police use to calculate crime rates. In fact, the official crime statistics for 26 North Jersey communities indicate that no sex crimes occurred during that period. But The Record's study showed at least one sex crime in each of those towns.

The reason: a 70-year-old system of collecting crime data that relies on the traditional definition of rape, a holdover from the days when society largely ignored other forms of abuse.

"It's not a conspiracy by anyone to suppress data," said Michael Maxfield, a professor of criminal justice at Rutgers University in Newark. Rather, he said, "the records maintained by state police have a very narrow definition of sex crime."

The federal government gave New Jersey \$350,000 earlier this decade to broaden what is reported, records show. But pilot programs in two counties failed and nothing has been done since, state police said.

While future changes aren't out of the question, state police insist the current crime rates provide an accurate overview of community safety.

Nancy Naddeo, who runs the Uniform Crime

Reporting unit for the state police, said state police take special care to verify reports submitted by local agencies, which enhances the credibility of the numbers.

In some cities, such as Philadelphia, there have been allegations that police intentionally change their reports to keep crime figures down and make their communities appear safer.

When it comes to sex crimes, however, critics say the Uniform Crime Reporting system has a built-in bias that understates the number of sex crimes and, as a result, keeps the rate deceptively low.

To be counted as a "rape" in New Jersey, the victim has to be female and the attack has to include intercourse. In fact, attacks in which the victims are male or in which intercourse does not occur can still be considered first-degree crimes under New Jersey statutes -- but they still won't show up in the crime rate.

So while defendants aren't going free, victim's rights advocates worry the public isn't getting a true picture of the problems in their communities. In addition, law enforcement officials may be operating with an incomplete picture, they say.

"It's like we're living in Oz," said Richard Pompelio, director of the New Jersey Crime Victims Law Center. "God forbid we know the real truth about crime."

Studies have suggested that as many as one in four girls and one in seven boys suffer

some form of abuse, said Carol A. Loscalzo, supervisor of victim services at the Family and Social Service Federation in Hackensack.

Yet many people have discounted those numbers, she said, possibly because crimes against children aren't included in the crime rate.

"If there was more accuracy in reporting sexual assaults, then maybe people would begin to understand the extent of the issue and there might be less blaming of the victim," Loscalzo said.

An analysis of police and court data for 91 North Jersey municipalities found 339 rapes in police records, but 829 counts of various sex crimes in court records for one period.

Attacks against young people now make up the majority of sex crimes, and many of these don't meet the official definition because either the victims are male or because the attacks stop short of penetration.

A recent survey of state prisons by the Bureau of Justice Statistics found that the victims of two-thirds of all sex offenses were under 18 -- a fact that comes as no surprise to local experts.

"Most of the cases we handle have children as victims," said Bergen County Assistant Prosecutor Ike Gavzy, who heads the sex crimes unit.

Loscalzo said common abuse cases involve

touching and taking pictures -- far from the police definition of rape but traumatic to the victims all the same.

While New Jersey bases its definition of rape on the FBI definition used in calculating crime rates, the federal agency has long encouraged the entire justice community to switch to a more detailed system.

In the early 1990s, the FBI made \$27 million available to states for studying the deployment of a program called the National Incident Based Reporting System. That system builds its crime rates from a menu of 46 offenses in 22 categories -- far broader than the New Jersey system, which has seven categories of crime in its index. Since then, 15 states have embraced the system.

"The uniform crime reporting that takes place now really isn't accurate because of the way it counts crime. Anyone can tell you that," said Twyla Cunningham, spokeswoman for SEARCH, a non-profit organization that studies justice statistics.

New Jersey received \$350,000 from that pool and set up pilot programs in a handful of police stations in Monmouth and Middlesex counties.

But state police say the experiment failed because it required officers to spend too much time on administration and record-keeping and the results produced too many errors.

"My understanding is that it took 14 pages

for officers to write a report that they normally could do in a few sentences," Naddeo said.

The complaint is not uncommon and helps explain why 90 percent of police agencies nationwide have not switched to the new system.

To find out why most states balked at the change, federal researchers in 1996 held focus groups with local police. Financial and technical problems were among the most frequent gripes.

The federal report cited another concern that came out of the focus groups: There is a "widespread perception" among police that the new system "represents a potential public relations disaster" because it will ultimately lead to higher crime rates simply because it includes more types of crime.

This perception is grounded in reality, Loscalzo said. "I don't think the public really wants to know the extent of how many sexual assaults occur," she said.

Naddeo, however, said the primary concern in New Jersey is practicality. Having hundreds of police agencies change their records-management software would be costly and tedious, she said.

Yet the cost of the current system is the exclusion of crime, including serious sex offenses. When the state police publishes the annual "Crime in New Jersey" report, dozens of pages are devoted to town-by-town

analyses of crime, using the traditional definition of rape. These crime rates, expressed as the number of crimes per 1,000 people, are then used by everyone from the media to real estate sellers to provide a summary of community safety.

The annual crime report gives a tally of sex offenders arrested statewide. But it's not broken down by community or county, and that number is not reflected in the crime rates.

In the pages and pages of town-by-town crime rates published in 1997, state officials were able to announce a sharp decline in rapes, from 1,961 the previous year to 1,730. Arrests for other types of sex offenses, however, rose to 2,300 from 2,080.

Police agencies often use internal statistical techniques to keep tabs on various types of crime, but are not always forthcoming in making that data public, said Maxfield, the Rutgers professor.

Many of the states that adapted the new system were motivated by money, Maxfield said. They saw the federal grants for the new system as a way to rebuild ancient police computer systems without using local tax money.

Early adapters included Idaho, North Dakota, and Vermont. In all, less than 10 percent of the U.S. population lives in jurisdictions using the new system.

Virginia joined the group this year, and

Maryland is far along in its planning.

While Naddeo feels the current system provides an accurate portrayal of community safety, she acknowledges that the FBI is still trying to encourage states to change, and New Jersey may eventually have to jump on board.

"One day we may be there," she said. "It's not a dead issue. It's just a matter of finding a program that works."

FAST FACTS

WHAT GETS COUNTED: According to the state police Uniform Crime Report definition, rape is "the carnal knowledge of a female forcibly against her will" and includes attempts to rape as well as actual rapes. "Carnal" refers to genital-to-genital contact.

WHAT'S EXCLUDED: Attacks on males by males, attacks on females where there is no genital-to-genital contact, statutory rape, and other incidents of sexual misconduct are tracked, but not included in the crime rate. There were 28 different sex charges used by North Jersey police in 1996 and 1997, a Record study found, but New Jersey statutes do not use the term "rape." Instead, there is a hierarchy of sexual assault, criminal sexual contact, and lewdness charges. Many of the offenses also allow for an "aggravated" prefix to denote a more severe crime. State statutes do not require genital-to-genital

contact in the definition of sexual penetration; a person can be charged with sexual assault for incidents involving oral sex or contact with the hand or an object.

Copyright © 1999 Bergen Record Corp.

