

CRIMINAL JUSTICE GLOSSARY

ACQUITTAL: a judgment of a court, based either on the verdict of a jury or a judicial officer, that the defendant is not guilty of the offense(s) for which he or she was tried.

ADJUDICATION: the formal hearing and settling of a case by judicial procedure.

ADULT: a person 18 years of age or older.

AGGRAVATED ASSAULT: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm (UCR definition).

ARREST: ". . . taking a person into custody, in a case and in the manner authorized by law. An arrest may be made by a peace officer or by a private person" (California Penal Code section 834).

ARREST RATE: the number of arrests per 100,000 population. See computational formulas in Appendix 2 for further explanation.

ARSON: any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc. (UCR definition).

AUTOMATED CRIMINAL HISTORY SYSTEM (ACHS): a centralized, automated system containing criminal history summary information on persons arrested and fingerprinted in California.

AVERAGE DAILY JAIL POPULATION: the average number of inmates housed in a local facility per day. The number includes inmates housed in single cells, double cells, dormitories (multiple occupancy cells), disabled housing, disciplinary segregation, and administrative segregation. The values reported are based upon each facility's "early morning" count. See Type I, II, III, and IV Facilities.

BURGLARY: the unlawful entry of a structure to commit a felony or a theft. Attempted burglary is included (UCR definition).

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION (CDCR): the state agency that operates all state adult prisons and juvenile facilities, oversees a variety of community correctional facilities and other important

correctional facility responsibilities, and supervises all adult and juvenile parolees during their reentry into society.

CALIFORNIA REHABILITATION CENTER (CRC): an institution operated by the California Department of Corrections and Rehabilitation that is designated for the treatment of persons addicted to narcotics or in imminent danger of addiction. Commitment to the facility is by civil procedure only.

CASELOAD: the total number of clients or cases on probation or under supervision with a given agency.

CHARGE: a formal allegation that a specific person has committed a specific offense.

CITATION: a written order, issued by the police for a violation, to appear before a magistrate or probation officer at a later date.

CIVIL COMMITMENT: a type of commitment in which criminal proceedings are suspended while a defendant undergoes treatment at the California Rehabilitation Center (CRC) as a narcotic addict.

CLEARANCE: an offense is "cleared by arrest" or solved for crime reporting purposes when at least one person is arrested, charged with the commission of an offense, and turned over to a court for prosecution. Although no physical arrest is made, a clearance by arrest can be claimed when an offender is a person under 18 years of age and is cited to appear in juvenile court or before other juvenile authorities. An offense can also be "cleared exceptionally" for crime reporting purposes when an investigation has definitely established the identity of an offender; enough information exists to support an arrest; and the exact location of an offender is known but, for some reason, law enforcement cannot take the offender into custody.

CLEARANCE RATE: method used to determine the percentage of crimes cleared. The rate is based on the number of crimes reported.

COMBINED CASES: cases deferred or rejected by the prosecutor and combined with other counts or cases.

COMMITMENT: a warrant, order, or process by which the court directs a judicial officer to take a person to a correctional facility.

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COMPLAINT: a verified written accusation, filed by a prosecuting attorney with a local criminal court, which charges one or more persons with the commission of one or more offenses.

CONTROLLED SUBSTANCE: a drug, substance, or immediate precursor that is included in Schedules I through V inclusive, as set forth in Health and Safety Code sections 11054 through 11058. These would include heroin, marijuana, amphetamines, barbiturates, and psychedelics.

CONVICTION: a judgment, based either on the verdict of a jury or a judicial officer or on the guilty plea of the defendant, that the defendant is guilty.

CORRECTIONS: those agencies or facilities concerned with the custody, confinement, supervision, or treatment of alleged or adjudicated offenders.

CORRECTIONS STANDARDS AUTHORITY (CSA): the division within the CDCR that develops and maintains standards for the construction and operation of local jail and juvenile detention facilities (formerly the Board of Corrections).

COURT: an agency of the judicial branch of government, authorized or established by statute or constitution, having one or more judicial officers on its staff. A court has the authority to decide upon controversies in law and disputed matters of fact brought before it. Because of court consolidation there is no longer a distinction between lower court and superior court.

CRC: see California Rehabilitation Center.

CRIME: ". . . an act committed or omitted in violation of a law forbidding or commanding it. . ." (California Penal Code section 15).

CRIME RATE: the number of reported crimes per 100,000 general population. See computational formulas in Appendix 2 for further explanation.

CRIMINAL COMMITMENT: a type of commitment that results when a defendant is sentenced to an adult prison or juvenile facility overseen by the California Department of Corrections and Rehabilitation.

DEFENDANT: a person against whom a criminal proceeding is pending.

DEFERRED PAROLE REVOCATION: action taken by a prosecutor to revoke the

parole status of an offender to return the subject to state prison in lieu of filing new charges.

DELINQUENT ACTS: those acts described under Welfare and Institutions Code section 602 that involve violations by a juvenile of any law or ordinance defining crime, or the violation of a court order of the juvenile court.

DISMISSAL: a decision by a judicial officer to terminate a case without a determination of guilt or innocence.

DISPOSITION – COURT: an action taken as the result of an appearance in court by a defendant. Examples are: adults – dismissed, acquitted, or convicted and sentenced; juveniles – dismissed, transferred, remanded to adult court, placed on probation, or sentenced to a CDCR youth facility.

DISPOSITION – LAW ENFORCEMENT: an action taken as the result of an arrest. Examples of police dispositions are: adults - released by law enforcement, referred to another jurisdiction, or a misdemeanor or felony complaint sought; juveniles - handled within the department, referred to another agency, or referred to the probation department or juvenile court.

DISPOSITION – PROSECUTOR: an action taken as the result of complaints requested by the arresting agency. Dispositions include granting a misdemeanor or a felony complaint, or denying a complaint for such reasons as lack of corpus, lack of sufficient evidence, interest of justice, complainant refuses to testify, witness unavailable, inadmissible search, deferred parole revocation, prefiling deferral, and other.

DIVERSION: a disposition of a criminal defendant either before adjudication or following adjudication but prior to sentencing, in which the court directs the defendant to participate in a work, educational, or rehabilitation program.

DIVERSION DISMISSED: criminal charges dismissed after the successful completion of a diversion program.

DIVISION OF JUVENILE JUSTICE: the division of the CDCR that has jurisdiction over and maintains institutions as correctional schools for the reception of wards of the juvenile court and other persons committed from criminal courts. (Formerly the California Youth Authority.)

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DRUGS: see Controlled Substance.

FELONY: a crime that is punishable with death or by imprisonment in the state prison (California Penal Code sections 17 and 18).

FILING: a document filed with the court clerk by a prosecuting attorney alleging that a person committed or attempted to commit a crime.

FINE: the penalty imposed upon a convicted person by a court requiring the payment of a specified sum of money.

FORCIBLE RAPE: the carnal knowledge of a female forcibly and against her will. Assaults or attempts to commit rape by force or threat of force are included (UCR definition).

GRANT: the act of placing an adult on probation.

GUILTY PLEA: a defendant's formal answer in open court to charges in a complaint, indictment, or information stating that the charges are true and that he or she has committed the offense(s) as charged.

HOMICIDE: the willful (nonnegligent) killing of one human being by another. Murder and nonnegligent manslaughter are included (UCR definition).

INFRACTION: an offense punishable by fine or other penalty, but not by incarceration.

JAIL: a county or city facility for incarceration of sentenced and unsentenced persons. See Type I, II, III, and IV Facilities.

JURISDICTION: the territory, subject matter, or person over which lawful authority may be exercised.

JUVENILE: a person under the age of 18.

LARCENY-THEFT: the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another (except embezzlement, fraud, forgery, and worthless checks) (UCR definition).

LOCAL SUPERVISION: local correctional agencies provide confinement, rehabilitation, and probation services for those sentenced to their care and also

house persons awaiting trial or sentencing.

MISDEMEANOR: a crime punishable by imprisonment in a county jail for up to one year.

MONTHLY ARREST AND CITATION REGISTER (MACR): a reporting system used to collect information on adult and juvenile arrests and citations by police and sheriffs' departments. This register contains data on arrest offenses, arrestee characteristics (age, gender, and race/ethnic group), and law enforcement dispositions.

MOTOR VEHICLE THEFT: the theft or attempted theft of a motor vehicle (UCR definition).

NOT AGGRAVATED (SIMPLE) ASSAULT: assaults and attempted assaults where no weapon is used and which do not result in serious or aggravated injury to the victim (UCR definition).

OFFENDER-BASED TRANSACTION STATISTICS (OBTS): a system designed to collect statistical information on final dispositions of adult felony arrests received at various levels within the criminal justice system.

OFFENSE: the charged offense is the crime for which the defendant was arrested or filed on by the district attorney. The convicted offense is the offense the defendant was convicted of or pleaded guilty to in court. The sustained offense is the offense for which the juvenile court sustains a petition.

OUTPATIENT: a period of supervision following release from the California Rehabilitation Center (CRC).

PAROLE: an added period of control following release from prison (California Penal Code section 3000(a)).

PAROLE VIOLATION: violation of one or more of the conditions of parole or an illegal act for which parole is revoked rather than proceeding with criminal prosecution. See Deferred Parole Revocation.

PC (PENAL CODE): the California Penal Code contains statutes that define criminal offenses and specify corresponding punishments along with criminal justice system mandates and procedures.

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PETITION TO REVOKE PROBATION: action taken by a prosecutor to revoke the probation status of an offender to return the subject to county jail or state prison.

POPULATION AT RISK: that portion of the total population who, because of like characteristics to the specific study group, are considered "at risk." For example, if one were studying juvenile arrestees, all persons between 10 and 17 years of age would constitute the at-risk population.

PRE-FILING DEFERRAL: action taken by a prosecutor to defer the filing of felony charges against a first-time offender who committed a less serious felony. A case is filed but there is no further disposition until the subject completes a diversionary program (e.g., support group, rehabilitation program).

PRISON: a state correctional facility where persons are confined following conviction for a felony offense.

PROBATION: a judicial requirement that a person fulfill certain conditions of behavior in lieu of a sentence to confinement. See Straight Probation.

PROBATION WITH JAIL: a type of disposition given upon conviction that imposes a jail term as a condition of probation.

PROPERTY CRIMES: crimes against property. This category includes burglary, motor vehicle theft, and larceny-theft over \$400.

PROPERTY OFFENSES: felony arrest offenses for crimes against property. This category includes burglary; theft; motor vehicle theft; forgery, check, and access card offenses; and arson.

PROSECUTOR: an attorney employed by a governmental agency whose official duty is to initiate and maintain criminal proceedings on behalf of the government against persons accused of committing criminal offenses.

PUNISHMENT: penalty imposed for wrongdoing; punishment varies by type of crime committed (see Felony, Misdemeanor, and Infraction).

RATE: a comparison of a number of events to a population.

REMOVAL: a case removed from an active caseload and no longer under the

supervision of the probation department or a case not removed but escalated to a more advanced level of supervision.

REVOCACTION: cancellation or suspension of parole or probation.

REVOKE: to withdraw, repeal, or cancel probation or parole for an adult.

ROBBERY: 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 (UCR definition).

SENTENCE: the penalty imposed by a court upon a convicted person.

STATE INSTITUTION: a facility for housing defendants who are under the jurisdiction of state correctional or treatment programs.

STATE SUPERVISION: the state correctional system provides confinement, rehabilitation, and parole services. The principal provider of these services for adults is the California Department of Corrections and Rehabilitation (CDCR), which includes the California Rehabilitation Center (CRC). Based on special circumstances, some adult offenders are placed in the CDCR's youth facilities and the California Department of Mental Health.

STATUS OFFENSE: an act or conduct, described by Welfare and Institutions Code section 601, which is declared by statute to be an offense but only when committed or engaged in by a juvenile and which can be adjudicated only in juvenile court.

STRAIGHT PROBATION: probation granted to adults without condition or stipulation that the defendant serve time in jail as a condition of probation.

SUBSEQUENT DISPOSITION: a judicial decision or sentence given at the time of a court return.

SUBSEQUENT GRANT: a subsequent grant of probation in the same court for an adult still on probation for the initial grant.

SUMMARY DATA SYSTEM: a data collection method based on the sum of the number of events or counts that occur in a specified period of time (e.g., Crime and Clearance file).

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SUSTAINED: to affirm or approve as when an appellate court sustains the decision of a lower court.

SWORN PERSONNEL: a full-time employee of a law enforcement agency who has sworn to carry out law enforcement duties and has full arrest powers.

TERMINATED: satisfactorily completed specified term of probation.

TYPE I FACILITY: a local detention facility used for detaining persons for not more than 96 hours after booking, excluding holidays. Type I facilities may also detain persons on a court order or for their own safekeeping, or sentence persons to a city jail as inmate workers. This facility may also house inmate workers sentenced to the county jail, provided such placement in the facility is made voluntarily by the inmate. An inmate worker is a person assigned to do designated tasks outside his or her cell or dormitory, pursuant to the written policy of the facility, for a minimum of four hours each day on a five-day scheduled workweek.

TYPE II FACILITY: a local detention facility for the detention of persons pending an arraignment, participating in a trial, or awaiting a sentence of commitment.

TYPE III FACILITY: a local detention facility used only for persons convicted and sentenced.

TYPE IV FACILITY: a local detention facility or portion of it designated for the housing of inmates eligible under Penal Code section 1208 for work/education furlough and/or other programs involving inmate access into the community.

UNIFORM CRIME REPORTING (UCR): a federal reporting system that provides crime data based on police statistics submitted by law enforcement agencies throughout the nation. The DOJ administers and forwards the data for California to the federal program.

VIOLENT CRIMES: crimes committed against people. This category includes homicide, forcible rape, robbery, and aggravated assault.

VIOLENT OFFENSES: felony arrest offenses for crimes against people. This category includes homicide, forcible rape, robbery, assault, and kidnapping.

YOUTH AUTHORITY: Youth correctional facility operated by the Division of Juvenile Justice, California Department of Corrections and Rehabilitation.