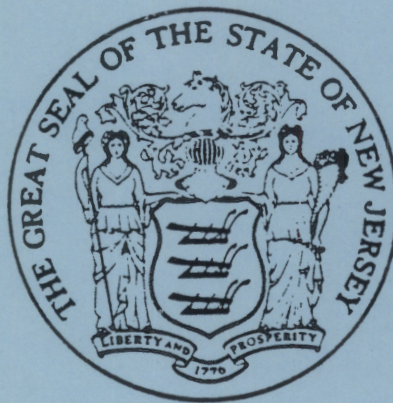


DEVELOPMENT OF A NEW JERSEY STRATEGY FOR ARSON CONTROL:
THE REPORT OF THE ARSON TASK FORCE

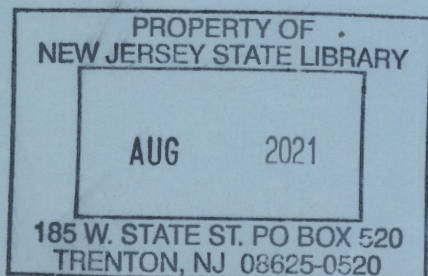


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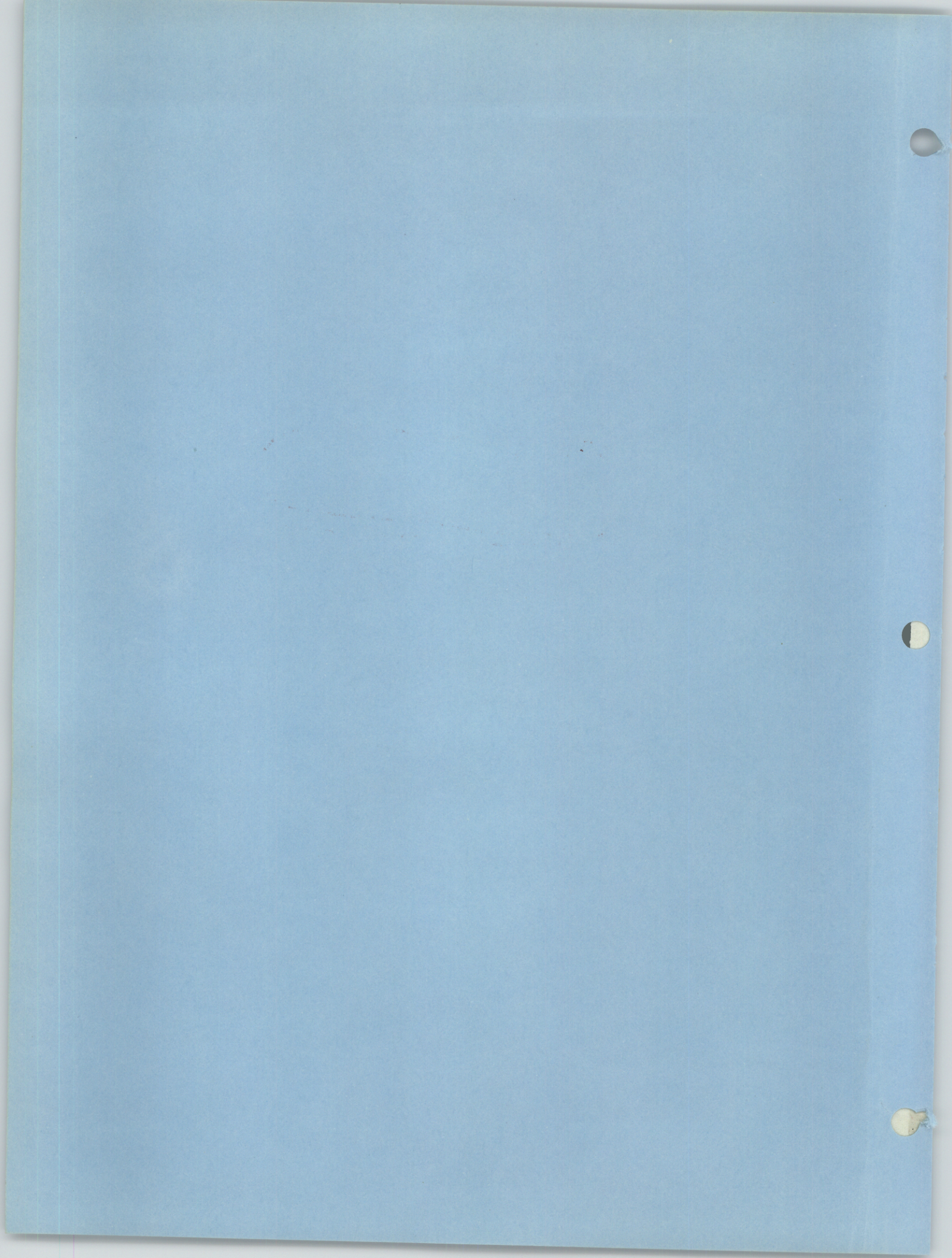
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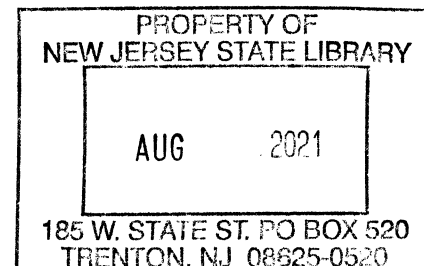


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FOREWARD

During the last few years, there has been a growing awareness of the problem of arson in New Jersey. State and local government officials, law enforcement and fire service representatives, insurance industry spokesmen, and community leaders have all expressed concern over the loss of human life and the destruction of property that has resulted from incendiary fires in this State. In recent months this concern has heightened dramatically as a result of the painfully high number of fatalities which were reportedly due to arson and suspicious fires throughout the state in the early part of 1979.

In response to this growing concern, the Department of Law and Public Safety, under the direction of Governor Brendan T. Byrne and Attorney General John J. Degnan, organized an arson task force to explore the scope and magnitude of the arson problem in New Jersey and to develop a comprehensive statewide strategy for effective arson control. The task force has compiled its preliminary findings and recommendations into this first draft of its report which is intended to serve as a catalyst for further study and coordinated anti-arson activity on the part of interested individuals from both the public

and private sectors. We wish to express our sincere appreciation to those organizations and agencies listed in Appendix A who so graciously shared their experience and knowledge with the Task Force and who contributed information and material that has been incorporated into this report. We also wish to thank those individuals listed in Appendix B who have agreed to attend the Symposium for the Development of a New Jersey Strategy on Arson Control in order to lend their views and comments to the task force prior to the submission of its final report. We are, of course, indebted to Director Edwin Stier and Deputy Directors Alfred Luciani and Robert Winter of the New Jersey Division of Criminal Justice for providing us not only with their guidance but with the capable and hardworking Task Force Staff that assisted us so enthusiastically in the preparation of our report and also to the State Law Enforcement Planning Agency for the funding of this project. Finally, a special note of thanks is extended to Richard Strother, John Lynch, and the rest of the staff at the United States Fire Administration for their invaluable assistance and support, without which this report would not have been possible.

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THE ARSON TASK FORCE

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INTRODUCTION

The Arson Task Force was organized and charged with the responsibility to study the nature and magnitude of the arson problem in New Jersey, to identify causal factors associated with the problem, to assess the State's present response to the crime of arson and finally to explore avenues for the development of an effective and comprehensive statewide strategy for arson prevention and control. The organization of the Task Force was in itself a major first step towards achieving this goal in that it provided the opportunity for us to meet and work together for the first time in the type of concerted interdisciplinary effort that we have come to recognize as a necessary vehicle for effective arson reduction.

We began to recognize at the outset that the issues confronting us were extremely broad and complex and could not be adequately addressed without considerable long-term study and planning. By the same token, the initial phases of our study revealed the existence of several factors which dictated that prompt and effective action be undertaken.

Foremost among these factors has been the recent surge in anti-arson activities in Federal, State, and Local government and in various spheres of the private sector.

We learned, for example, that several anti-arson bills had been introduced and were being considered both in Congress and the New Jersey State Legislature. We also learned that various state and local government agencies were independently organizing arson control measures and that substantial resources were being requested or allocated for these measures on a number of different levels. Similarly, the insurance industry and various community groups were also beefing up their efforts in the fight against arson.

Since there seemed to be little coordination among these organizations and agencies, we feared that the overall effectiveness of these well-intentioned and positive measures might be greatly diminished and that scarce and precious anti-arson resources might be wasted through duplication of effort while we engaged in the time consuming process of conducting an exhaustive study of the problem.

We, therefore, decided that rather than attempt to definitively answer all of the outstanding questions before writing our report, it would be far more important for us to quickly identify the major aspects of the arson problem and then to make recommendations that would provide a general framework from which an integrated and coordinated

program could be immediately developed.

Our primary goal in the first draft of our report thus became to set forth a system view of arson as quickly as possible in order to ensure that all aspects of the problem would be continuously kept in mind and that a truly comprehensive attack could be launched.

Specifically, we hoped that our report would serve to prevent the further fragmentation of anti-arson activities and to discourage duplication of effort and conflicting policies; to generate further study and dialogue; to promote the channeling of limited resources in the most effective manner and to foster cooperation among the various involved government agencies and private groups.

During the course of our study, we reviewed nearly all of the significant arson literature, we conducted a statistical analysis of the admittedly limited data on arson, arson arrests and convictions in New Jersey and we interviewed scores of law enforcement and fire officials, representatives from the insurance industry, crime lab technicians, prominent arson investigators and other professionals involved in anti-arson programs.

We also reviewed existing and pending Federal and New Jersey laws bearing on the arson problem and we conducted research aimed at resolving at least some of the

legal issues that usually arise in this context.

As a final component of our study, we surveyed arson control programs in other states in order to ascertain the effectiveness of these programs and to determine the feasibility of their replication and transfer to New Jersey.

While our study was admittedly not empirical, nor exhaustive, we believe that it should be accepted as generally indicative in that it was sufficiently extensive to illustrate the broad parameters of the arson problem in New Jersey and to lay the foundation for meaningful further study and for complimentary and cost effective future programs. Those issues which could not be adequately addressed in our report have been identified and hopefully will be explored more fully in the future. In the meantime, we hope that our first draft will serve to illustrate not only what is currently known about the arson problem in our State but what we can do about it if we all act now and we all act in concert.

ARSON AND THE ARSONIST: A GENERAL OVERVIEW

Arson can be rather easily defined as the intentional and unlawful burning of property. Yet the simplicity of its definition belies the enormous complexity of its nature. It is a crime with many distinctive characteristics that have caused it to be particularly resistant to traditional patterns of crime control.

Arson is elusive. Often, the arson fire consumes or destroys much of the evidence which points to its very existence. Rarely are there direct eyewitnesses and seldom is there a complainant. A relatively sophisticated investigation is frequently needed just to establish the commission of the crime and, in the absence of one, the incendiary fire often remains disguised as an event of "accidental", "suspicious", or "undetermined" origin.

Arson occurs everywhere, contrary to the popular myth that it is primarily a problem confined to big city tenement houses. While urban residential arsons are far more likely to result in death or serious injury, significantly greater dollar losses from incendiary fires occur in non-residential buildings, i.e., factories, stores, storage facilities, restaurants, churches, schools, etc. (see Appendix C).

Arson is also a serious problem in many smaller cities and rural areas, and there is considerable support for the

proposition that the majority of arsons occur in forests, fields, and woodlands or involve motor vehicles. To the extent that arson is presently occurring all over the map and is directed at various types of structures and non-structures, it cannot be easily combatted by the traditional law enforcement method of focusing on an area or target.

Arson motives are perhaps even more diverse than arson targets and focusing anti-arson programs on the offenders is also much more difficult than is typically the case when dealing with other crimes.

A description of the six major arson motives set forth by the Law Enforcement Assistance Administration in "Arson and Arson Investigation: A Survey and Assessment" illustrates the problem.

(1) Revenge, spite, jealousy. This category includes jilted lovers, feuding neighbors, disgruntled employees, quarreling spouses, persons getting even after being cheated or abused, and persons motivated by racial or religious hostility.

(2) Vandalism, malicious mischief. Vandalism is a common cause ascribed to fires set by juveniles who seem to burn property merely to relieve boredom or as a general protest against authority. Many school fires as well as fires in abandoned autos, vacant buildings, and trash receptacles

are believed to be caused by this type of arsonist.

(3) Crime concealment, diversionary tactics.

Criminals sometimes set fires to obliterate the evidence of burglaries, larcenies, and murders. The fire may destroy any evidence that a crime was committed, destroy the evidence connecting the perpetrator to the crime, or, in the case of murder, make it impossible to identify the victim. Persons may set fires to destroy records that contain evidence of embezzlement, forgery, or fraud. Arson has also been used as a means of diverting attention while the perpetrator burglarizes another building, and as a means of covering attempted escapes from jails, prisons, and state hospitals.

(4) Arson for Profit. There are a surprising number of ways to profit from arson. If a property is insured, the owner no longer wants it, and the value of the policy is greater than the sale value he could receive on the market when he needs to sell, he may decide simply to burn the property and defraud the insurance company. This same practice can be applied to motor vehicles, mobile homes, etc.

In a similar scheme, a businessman, finding himself in financial straits, will decide that the easiest way out is to "sell his business to the insurance company". His

financial problems may have stemmed from a large inventory of unsaleable seasonal goods at the end of the season, an outmoded plant that requires expensive retooling, a building requiring extensive renovation to meet fire or safety standards, foreclosure of a mortgage, adverse market conditions, obsolete merchandise, poor management, or loss of utility value due to changed circumstances such as the relocation of a main highway.

In another common type of insurance fraud, a person may buy a property--generally a vacant building in an economically depressed section of the city--and insure it for more than its worth. A fire will then result in a substantial profit on the investment. The owner often places the deeds of such properties in the names of "straw parties" to avoid recognition of a pattern of fires on properties he owns. Often times there will also be a series of paper transfers to inflate the value of the property. This is a particularly "safe bet" for the owner since all he generally has to do is wait for the building to be inevitably burned. When this occurs, there will often be an overlap between arson for profit and perhaps vandalism or pyromania.

In more sophisticated schemes, professional arson rings have operated to defraud the insurance companies of millions of dollars. In a typical ring operation, a mortgage company employee will alert a crooked repair contractor, who is a

member of the ring, about an impending foreclosure. The contractor will then persuade the homeowner to contract with him for fire damage repairs with the understanding that the contractor will then arrange for a professional "torch" to set the fire when the insured is absent. After the fire, the contractor might repair the building with substandard materials (which would readily burn the next time) at a substantial profit, while the homeowner nets a small amount after paying off the torch.

In addition to these methods of obtaining profit, arson has been used by unscrupulous public insurance adjusters to secure contracts to adjust fire losses; by insurance agents to stimulate business; by competitors to eliminate business rivals; by persons seeking employment as watchmen, firemen, or policemen; and by salvage handlers to be able to purchase or steal salvaged materials such as copper plumbing or bricks. Welfare recipients can obtain money for replacement of destroyed personal property, or even a cash moving allowance by having a fire in their current apartment. Narcotic addicts will burn buildings to later steal exposed copper tubing.

(5) Intimidation, extortion, sabotage. Arson has been used by striking workers and by employers to intimidate the other side during strikes. It has been used by criminals, particularly mobsters, for intimidation or witnesses and for extortion. Political terrorism may also fall into this

category.

(6) Psychiatric afflictions, pyromania, alcoholism.

The pyromaniac starts fires because of an irresistible urge or passion for fire. He may derive sexual satisfaction from the fire, or he may merely enjoy the general excitement of the fire and attempts to quell it. Arsonists have been known to start fires in order to help quell them, thereby becoming heroes. Other persons may become arsonists to demonstrate power over their environment or because they believe they are acting with divine guidance--motives which are symptomatic of paranoia. Alcoholics who were otherwise perfectly normal have been known to start fires when under the influence of liquor.

Frequency of Arson Motives. In recent years, several studies have been conducted in an attempt to identify the frequency with which arson motives generally appear. The consensus of these studies is that between 3% and 19% of all arson fires are for insurance fraud, 35 to 50% for vandalism, 15 to 25% due to pyromania, 18 to 30% for spite or revenge, and 7 to 10% for crime concealment.

Since all of these studies have dealt only with convicted firesetters, many of whom were institutionalized, we feel that they are not really meaningful for analysis purposes. To the extent that they concentrate on the small

number of arsonists who actually got caught, we believe that they set forth figures which are biased heavily in favor of the unsophisticated, impulsive arsonist or the pyromaniac. Contributors to the New Jersey State Police Arson Unit's Intelligence Network support this view and list Arson for Profit and Crime Concealment as the most prevalent motives for arsonists in our state (see Appendix D). Since these estimates are admittedly subjected in nature and based on individual investigations and arrests, they must be viewed with a certain amount of caution. Nevertheless, we do believe that Arson for Profit and Crime Concealment do play a much larger role in the overall arson picture than is generally recognized. Be that as it may, the fact still remains that present information suggests that Arson Motives are quite varied and hence cannot be attacked on a single front.

Indeed, when these distinctive features are considered in their entirety, it is easy to understand how arson has come to be known as "America's fastest growing crime", the "elusive crime", and even the "nation's most malignant crime".

Arson is a property crime of staggering proportions. Each year it causes hundreds of millions of dollars, perhaps more than a billion dollars, in direct property losses and exceeds all other major crimes in this regard (see

Appendix E). More significantly, arson is also very much a crime of violence that takes thousands of lives and causes injury to thousands more. It is also a major social and economic problem. It results in lost jobs, the erosion of property tax bases, higher insurance premiums, the decay of neighborhoods, and the destruction of natural resources.

It is both an urban problem and a rural problem, a juvenile problem, and an adult problem. It is committed by some who are quite rational and by some who are not rational at all.

Moreover, it is in our opinion a growing problem, although no one really knows just how fast it is growing. Nor do we believe that this is especially significant given the already intolerable levels to which it has already risen.

What is important is that we begin to take steps now to reduce it. Despite all of its complexities, arson can be attacked through rational and well-planned programs. The law enforcement community cannot do it alone, but there is no doubt that it can be done. If our report does nothing more than to dispel the myth--a myth that we heard repeated many times during our study--that arson cannot be effectively dealt with, we will consider it quite a success.

Arson is, in fact, manageable. There are success stories in several places throughout the country where concerned people have launched coordinated and effective attacks on arson. We will discuss some of these programs more fully in the following chapters, but first some observations concerning arson in New Jersey are warranted.

ARSON IN NEW JERSEY: THE AVAILABLE DATA

Fire and Arson Data. At the commencement of our study, several of the Task Force members expressed serious reservations about attempting to quickly conduct a statistical analysis of the fire and arson data that was available in New Jersey. It was felt, for reasons which will be more fully discussed at the end of this chapter, that the available data was so limited and so unreliable that no meaningful conclusions could be readily drawn.

After careful consideration, we concluded that a cautious discussion of the available information, despite its limitations, would at least shed some light on the parameters of the arson problem in New Jersey, and further that it would illustrate quite graphically the inadequacies of our present data system. With this caveat in mind, we begin our present discussion.

In 1973, the New Jersey State Police instituted a voluntary data collection system, which involved the implementation of an annual Fire-Arson Survey (see Appendix F). The results of this survey represent the only statewide information on fire and arson that is presently available. Since 1973, this survey has been mailed to every police and fire agency in the state of New Jersey, which include 544 police departments, and approximately 800 fire departments.

Despite impressive efforts by the State Police to encourage participation in the survey, the average annual response rate has been 50% and has decreased from 55% in 1974 to 44% in 1978. Upon receipt of the completed survey by the State Police Arson Unit, the data is evaluated to determine the accuracy of the reported figures and to eliminate duplicate responses from a single municipality. The data is collated and analyzed to determine the total number of fires occurring within the state, and the breakdown of specific fire causes; accidental, arson, suspicious, and undetermined. The survey also addresses itself to common fire targets; that is, residences, commercial buildings, motor vehicles, and fields. In addition, the results of the survey yield information pertaining to the number of arson cases solved, the number of deaths resulting from fire incidents, the financial losses incurred, and the number of investigations conducted. The reported figures are also utilized as a base from which projections are made to determine the fire-arson problem on a total state level. The projections are computed on a county by county basis and utilize established statistical methods. The results of the survey are disseminated in the July issue of the Statewide Arson Network System Newsletter.

A review of the 1974 through 1978 survey results reflect that there have been an average of 60,000 reported fires occurring within the state on an annual basis. Of these,

approximately 50% are reported as accidental. The remaining 30,000 reported fires were classified on an average basis as arson (3,521), suspicious (6,024), or undetermined (15,546) and are quite naturally of concern to the Criminal Justice community (see Appendix G).

By just projecting these reported figures on the basis of a 100% sample, it can be estimated that there are an average of approximately 118,870 fires a year in New Jersey of which approximately 50,000 have been classified as either arson (6,834), suspicious (12,128), or undetermined (31,395).

While these figures in themselves reflect a serious public safety problem, we are convinced that the number of arsons actually occurring each year in New Jersey is considerably higher than what has been projected from the survey reports.

To begin with, responses from the survey reflect that the percentage of the total number of fires that reportedly were investigated has declined from approximately 27% in 1975 to only 15% in 1978. Obviously, without some investigation, the bulk of arson fires go undetected. It is undisputed that as the quality and frequency of fire investigations increases, the number of reported arsons will increase as well.

Even beyond this general observation, however, there are clear indications from the survey responses themselves that the number of reported arsons in the state of New Jersey is severely understated. For example, one response to the 1978 Annual Arson Survey reflected that of 1,550 fires, only 29 received an in-depth investigation and only 5 were determined to be arson. Another city fire department reported only two different causes of fires: "pots on stoves" and "children playing with matches".

On the other hand, in the City of Newark where the Fire Department maintains a full-time and well-trained Arson Squad which investigates all major fires and suspicious fires, 1,635 (81%) of the 2,016 fires investigated in 1978 were classified as arson. Similarly, the New Jersey Bureau of Forest Fire Management, which investigates every reported fire in state forests and parks, classified 743 (51.1%) of the total 1,453 fires as incendiary in nature. Curiously, if all survey responses were deemed to be accurate, more than 74% of the 3,213 reported arsons that took place in the state of New Jersey in 1978 occurred in the City of Newark and the State forests. The Task Force finds this hard to believe.

This, of course, is not to imply that the vast majority of fires in New Jersey are incendiary in nature. It is only meant to point out the strong likelihood that the number of arsons presently being reported is grossly inaccurate.

In certain cities in other states where most fires are reported and investigated adequately, the percentage of arson that is discovered ranges generally between 20 and 45% of the total number of fires. Of those fires in New Jersey that were reportedly investigated by survey respondents, nearly 33% were determined to be incendiary in nature. If we were to conservatively estimate that 20% of the State's projected 118,870 average annual number of fires are incendiary in nature, we would find that there are approximately 23,774 arsons occurring in New Jersey on a yearly basis. If 45% of the State's projected fires were actually incendiary in nature, the approximate number of arsons would approach 53,492.

We believe that the actual number of arsons occurring yearly in New Jersey falls somewhere between these two estimates. Obviously, even if our conservative estimate reflects the more accurate number, incendiarism can be viewed as a problem of enormous magnitude in New Jersey. Apart from this one inescapable conclusion, little else can be said with much certainty regarding the arson problem in New Jersey.

Survey responses regarding fire-related deaths, injuries, dollar losses, and types of structures involved are not broken down by fire cause and therefore cannot be discussed exclusively in the context of arson. Nevertheless,

it is still possible to shed some light on the scope of the arson problem by discussing these matters.

An examination of the reported dollar losses resulting from fire indicates that from 1975 the estimated dollar loss has increased at the rate of approximately \$25,000,000 per year. In 1978, there was an estimated \$128,869,545 in direct dollar loss stemming from the 57,000 reported fires alone and projected losses based on 100% reporting exceed over \$250,000,000. It is interesting to note that we attempted to verify these figures with various major insurance companies and were informed that they do not maintain readily retrievable information on fire losses. Reported fire-related deaths have averaged 150 per year in the last five years while reported fire-related injuries have averaged 3,079 per year, the vast majority of which were firemen responding to the scene.

Since no information is available regarding the number of fire-related deaths, injuries, and dollar losses that can be attributed specifically to arson, we see no point in attempting to speculate in this regard. We should comment, however, that since incendiary fires usually burn more efficiently and more completely than other types of fires, it is generally believed that they result in a higher proportion of deaths, injuries, and property losses than fires caused by other means.

While we essentially agree with this proposition, we do not believe that any meaningful projections can be drawn from the available data. Unfortunately, the same holds true for data regarding the types of structures that most often experience fires and the geographical locations of those fires. Survey responses reflect that fires occurring in the woods and fields are the most frequent, comprising approximately 37%, followed by residences 28%, motor vehicles 15%, and commercial establishments only 6%. Since there is no reliable indicator as to the percentage of these fires that are incendiary in nature, we cannot intelligently discuss the frequency that any particular type of structure has been a target for arson. Nor can we, based on survey responses, identify with certainty so-called arson-prone areas.

The responses from different municipalities as to the frequency of arson within their respective jurisdictions are, in our opinion, simply too incomplete or too inaccurate to allow any definite conclusions to be drawn therefrom.

Our own view is that incendiarism is a significant problem throughout the State and that arson fires occur with a high degree of frequency in urban, suburban, and rural areas alike.

Undoubtedly, the problem is most severe in New Jersey's larger and older municipalities inasmuch as urban decay and declining populations have been found to be closely linked to a disproportionately high rate of incendiarism. Moreover, the social and economic impact of arson is greater in older and densely populated cities since incendiary fires there cause more deaths and injuries and also destroy much needed housing stock which is not likely to be replaced. By the same token, we feel that arson is also a serious problem in our suburban and rural areas as well. Dollar losses due to arson are probably higher in these areas than in the older cities where property values are on the decline and the harm to the public welfare that is caused by the intentional destruction of our forests and natural resources is irreparable. In 1978 alone, more than 2600 acres of forest have been destroyed by incendiary fires.

Arson Arrest and Conviction Data. In New Jersey, the only sources of information regarding arson arrests and convictions are the State Police Fire Arson Survey, the Uniform Crime Reports (UCR), and the Criminal History data base that is maintained by the New Jersey Division of Systems and Communications Data Analysis Center (SAC). We analyzed the available data from all three of these sources and initially decided to disregard the arrest

information from the Fire Arson Survey since it consistently understated the number of arson arrests per year. Actually, we found this somewhat gratifying since it tended to show that the inadequacies of the voluntary Fire Arson Survey were due in large part to the lack of complete and accurate reporting and not merely because of an intentional embellishment of arson statistics by reporting agencies.

Since the SAC arrest statistics that we reviewed did not include juveniles, we ultimately decided to rely solely on UCR data for purposes of our discussion of arson arrests (see Appendix H). UCR data also reflected somewhat higher arrest numbers for adults than SAC (probably because SAC only records arrestees if fingerprinted), and we felt that the UCR figures were therefore probably more comprehensive.

According to the UCR reports, between 1973 and 1977, there were an average of 790 arson arrests per year. Of those arrested, more than 62% were juvenile offenders.

Comparing this figure against the average number of arsons actually reported to the State Police yields a relatively respectable 22.4% arrest rate, which compares favorably to the 21% average arrest rate for all major crimes on a national level. However, when we use the projected figure (6,834) for the average number of reported

arsons in New Jersey based on a 100% reporting sample, the arrest rate drops to 11.6 percent, which is not only considerably lower than the rate for other major crimes, but which is also under the national average clearance rate for incendiary fires (see Appendix I).

As we pointed out previously, this projected figure for reported arsons is, in our opinion, severely understated and we estimate that the actual number of arsons in New Jersey on a yearly basis is somewhere between 23,000 and 53,000. If our conservative estimate is indeed accurate, the average yearly arrest rate for arson fires would be an embarrassingly low 3.3%. If, in fact, there are even more arson fires in New Jersey on a yearly basis than what we conservatively estimate, the arrest rate would not be even worthy of computation. Obviously, we do not pretend to know precisely what the arrest rate actually is, but one thing that we are certain of is that it is indefensibly low and that it points to the inescapable conclusion that the chances of the arsonist getting caught are extremely slim in comparison to the thief, the murderer, or the rapist. Moreover, the chances of his getting convicted are even slimmer. An analysis by SAC of the disposition of adult arson arrests in New Jersey (Juvenile dispositions are not available) for the six-year period between 1972 and 1977 reflect that on the average

only 23.5% of those arrested for arson are convicted of the offense charged in Superior or County Court. Even when Municipal Court convictions or downgrades are added to this total, the average conviction rate only increases to a meager 28.7% (see Appendix J). While the unavailability of juvenile dispositions and the high percentage of incomplete cases makes precise comparisons impossible, it is still abundantly clear to us that the conviction rate for arson is appallingly less than that for all other major crimes. A brief review of the arson caseflow in a typical year vividly portrays the significance of the problem.

In 1975, there were 148 arrests for violations of NJSA 2A:89-1, Arson of a Dwelling House. Eight cases were discharged as to probable cause and three were downgraded and resulted in convictions for Malicious Mischief, a disorderly person's offense. One case was administratively dismissed by the prosecutor prior to presentation before the Grand Jury. Twelve cases were dismissed by the Grand Jury and three others were returned to Municipal Court on amended charges which resulted in two disorderly person's convictions and one acquittal.

Of the remaining cases wherein an indictment was returned, thirteen were dismissed before or during trial and ten resulted in acquittals at the conclusion of the

trial. Only 46 cases were successfully carried through to conviction in County or Superior Courts. Forty-three additional cases are still listed as "pending or incomplete", but given their age, it is unlikely that more than a few of these will result in convictions for the offense charged. The results in the other years studied were similar or even worse.

From all of the foregoing, it must be conceded that arson is, in fact, a very serious problem in New Jersey. The available data, despite its serious limitations, does at least serve to illustrate that incendiary fires are intolerably frequent in our state and that those who are responsible for them face little prospect of ever being apprehended and convicted. To a certain extent, this is, of course, due to the very nature of arson, i.e., the inherent destruction of evidence and the frequent lack of witnesses. But we also believe that there are serious deficiencies in our present institutional response to incendiarism, which contribute even more heavily to the problem.

Arson can be prevented and reduced to manageable levels through the employment of programs that harden arson targets and create disincentives for the arsonist. For those who will not be deterred, arson arrests can be made. In

1977, the State Police Arson Unit and the Newark Arson Squad were responsible for 238 of the 890 arrests that were made throughout the state. The fact that 25 trained and competent investigators representing a small fraction of the state's nearly 25,000 law enforcement officers can account for almost 30% of the total number of arson arrests in a given year, surely reflects a shortcoming in our present system. Successful arson prosecutions can also be initiated. Each year we successfully prosecute scores of murderers and burglars on nothing more than circumstantial evidence. We can do the same with arsonists.

The crucial question that, of course, arises is why then aren't we doing these things and the answers are varied and quite complex. In the following chapter, we will attempt to provide at least some of the answers that we feel are obvious and also to identify those areas which require further study before any meaningful answers can be forthcoming.

CONTRIBUTING FACTORS TO THE HIGH INCIDENCE OF ARSON IN NEW JERSEY

Many factors contribute to the high rate of incendiaryism in our state. No single agency or group can be held completely responsible for the problem, nor can we put the blame on any one social phenomenon or on any particular law or court decision. The contributing factors are many and are extremely complex. In the following chapter we will discuss those factors which we were able to identify with reasonable certainty during our study, and we will try to explore aspects of New Jersey's present response to the crime of arson that give rise to them. For purposes of facilitating the discussion, these factors have been divided into several broad categories, that are neither exhaustive nor mutually exclusive and hence cannot be viewed as separate and identifiable problems. Rather, it must be understood that there is considerable overlap and that the categories are merely suggestive of major and interconnected aspects of the overall problem.

Inadequacy of Available Data and Information.

Undoubtedly, the most significant factor contributing to the high incidence of arson in New Jersey is the lack of meaningful information regarding the nature and magnitude of the problem. No problem can be effectively attacked

unless it is fully recognized and understood. In New Jersey, our present system of collecting arson information provides us with neither the recognition nor the understanding. There is simply no reliable data on the precise number of arson fires, their geographical distribution, the types of structures most frequently involved, and the kinds of individuals who are committing the arsons. Nor do we possess any meaningful statistics on the deaths, injuries, and economic losses that are caused by incendiaryism in our state. The absence of this information has and will continue to severely limit our ability to deal effectively with the problem.

To begin with, the lack of definitive information has detracted from the public's awareness and recognition of arson as a serious crime problem and, in turn, has resulted in the absence of sufficient public pressure to cause government officials to take the necessary steps in order to bring about corrective action.

The absence of reliable data has also made it difficult to: (a) identify the major aspects of the problem; (b) to determine possible solutions to the problem; (c) to assess the costs of programs aimed at bringing about these solutions; (d) to allow for the setting of priorities in implementing these programs; and (e) to monitor the effectiveness of programs that are already in existence or

are about to be implemented.

Moreover, without accurate data, we cannot even begin to conduct meaningful research into the root causes of incendiarism, nor can we develop intelligence information that is sophisticated enough to provide real insight into the nature of our arson problem.

Our present system (non-system is perhaps more accurate) simply cannot provide us with the necessary information to accomplish these objectives. Effective means of compiling data on all deaths and injuries that occur as a result of arson fires do not exist. Statistics on property losses due to incendiary fires are speculative at best since there is no standard formula for making fire loss determinations in the state. Some communities may rely on insurance settlement figures, while others employ any variety of methods (usually guesstimates by fire officials) to set loss values. Since terminology for classifying fire causes and other types of information is not uniform, comparative statistics are impossible. In one large city, for example, arsons committed by juveniles are classified as incendiary vandalism and are not even computed into the arson statistics.

The State Police have attempted to correct these deficiencies through their Fire Arson Survey, but the

results of the last six years have not been promising. The voluntary nature of the program is clearly its most significant weakness as evidenced by the lack of participation on the part of more than half of New Jersey's municipalities. Among the most significant factors that seem to contribute to this lack of participation are perhaps the inherent resistance of local fire departments to report to a "police" agency and the absence of identifiable incentives to induce local participation.

Another obvious weakness of our present data system is, of course, the quality of the reporting itself. Since the vast majority of fires in the state are not adequately investigated, classification of even those that are reported is inherently suspect. The end result is that the vast majority of arsons probably go unreported in the state's present fire statistics.

Traditional crime statistics are even more incomplete in this regard. Under the Uniform Crime Reporting System, which is administered by the State Police pursuant to federal guidelines, crimes are ranked in two basic categories, Part I and Part II. Part I offenses include homicide, forcible rape, aggravated assault, burglary, and theft. Arson, however, has been classified as a Part II crime, along with such offenses as vagrancy and loitering, despite its comparative seriousness.

Only arrest information is reported for Part II offenses while statistics compiled for Part I crimes include volume, trend rate, clearances, persons arrested, persons charged, and other types of offense data. Clearly, meaningful arson information under the present crime reporting system is practically non-existent. Apart from this one obvious result, we also believe that since the present UCR classification of arson does not require the reporting of offenses and clearance rates, it contributes to arson being characterized as a low priority item among law enforcement agencies and it discourages coordinated reporting between local police departments and fire departments. Fortunately, there are bills pending in Congress to require the FBI to classify arson as a Part I offense and the State Police are presently planning to implement such a change in their Uniform Crime Reporting Program. Hopefully, these measures will bring about law enforcement reporting of arson on a regular basis.

Quite interestingly, the inadequacy of public sector collection of fire-arson data finds close parallels in the Insurance Industry. Currently, insurance companies doing business in our state do not have a system for the collection and maintenance of meaningful data on fire and arson losses. Nor are they required to report such information to local fire investigation authorities. As a

result, government agencies lose a valuable potential source of accurate fire-arson data and also remain unaware of arson fires that are suppressed without assistance from local fire departments.

Efforts are now being made by the insurance industry to correct this situation through the establishment of the Property Insurance Loss Register (PILR), a computerized register of property insurance loss claims administered by the American Insurance Association on behalf of Insurance Companies writing approximately 90% of the nation's fire insurance. Unfortunately, the system is still in the design stage and will not be operational for some time.

This general lack of meaningful raw data is not the only factor that contributes to the low level of arson information that presently exists on a statewide level. We also feel that there is a related problem in that the information that is presently available is not being exchanged and shared by the involved parties. Law enforcement agencies, fire departments, insurance companies, and various State and Local government offices do, in fact, possess some information that could shed more light on the arson situation in our state. For the most part, however, these entities collect the information for their own purposes and see

no need to have it become part of an overall informational system. Data thus remains incompatible and cannot be compiled and analyzed in an effective manner. Regrettably, in some cases, there is competition and political rivalry among the various agencies and access to important information is intentionally limited or even withheld.

Complicating matters even further is the myriad of confusing Federal and State Privacy Laws which discourage information exchange even when it is desired. Law enforcement groups are hesitant to convey information to non-law enforcement agencies, including fire departments, because they feel it might be unlawful for them to do so. Insurance companies are reluctant to disseminate whatever information they have to government agencies because they are concerned about civil liability and punitive damages.

Collectively, we believe that these factors represent a significant part of our information problem and cannot be ignored if effective change is to be forthcoming.

Training and Education. The results of our study indicate quite conclusively that the present level of training and education among the various disciplines involved in arson prevention and control is a major contributing factor to the arson problem in New Jersey.

Obviously, we cannot expect to have effective arson prevention and control programs in New Jersey unless those responsible for implementing these programs, in both the public and private sectors, are adequately trained. Nor can we expect those responsible for implementation to become adequately trained without having standards for training and systems for delivering and providing access to the training. In short, the effectiveness of a program aimed at reducing arson and increasing arrest and conviction rates is dependent upon the delivery of high quality training to those who are responsible for accomplishing these objectives.

Regrettably, we have found that New Jersey has not developed the necessary capabilities to deliver the quality or quantity of training required to realize effective arson prevention and control. While some training and educational programs of high quality do exist in the state, they are not offered with sufficient frequency nor are they accessible enough to provide for the desired impact. For the most part, however, we found that either training and educational programs did not exist at all or were so fragmented by lack of standardization that their impact was negligible.

In our view, the need for New Jersey to develop the

capacity for delivering standardized, accessible training and education programs to the target populations is of paramount importance in its efforts to realize effective arson prevention and control. The implementation of programs without proper training and education will only waste finite resources while the state's arson problems continue to grow. To be truly successful, we will have to develop training on a number of different levels.

Arson Detection and Evidence Preservation Training.

As we discussed earlier, the reported number of arson fires for any given year in New Jersey represents a blatant understatement of the true magnitude of the problem. In addition to the lack of a mandatory statewide fire incidence reporting system, it is our opinion that the lack of arson detection training for fire service personnel is a major cause of unreported arson fires. In stating that the lack of arson detection training is a serious problem, we do not intend to imply that effective courses do not exist, for they do exist in large municipal departments, State College degree programs, community colleges, and in county fire service training programs. Unfortunately, the bulk of the target population in the state is not receiving this training. For the most part they serve on volunteer and smaller paid departments that do not have the capabilities of delivering or pro-

viding access to the training.

Thus, we find that in the majority of fire incidences in New Jersey, responding fire service personnel have not received adequate training in fire cause determination and arson detection. We do not believe that this is due to a lack of concern or initiative on the part of the members of volunteer and smaller paid departments but rather the result of a lack of access and availability of the necessary training programs. Indeed, a major portion of those who have received fire cause determination and arson detection training have done so at their own expense by both paying for the training and by taking time off from their normal occupations to attend. Unfortunately, even if the entire target population was willing and able to receive the training in this manner, New Jersey does not have the capability to deliver the training at an effective level to reach them. At the present time, the only institutions within the state capable of delivering arson detection and recognition courses are:

- Rutgers, the State University, Department of Government Services, which presently offers a 7-week evening training course in arson detection and recognition on a yearly basis
- William Paterson and Jersey City State, as part of Baccalaureate degree programs

- Approximately eight community colleges in conjunction with associate fire degree programs
- About seven county fire academies, most being part of the county vo-tech programs of the above community colleges, and are therefore not to be considered as separate programs
- Municipal Fire Academies in large urban areas served by full-time paid fire departments

The majority of these programs require that either the student or his department pay for the cost of training and they are not evenly distributed throughout the state to provide for easy access. Nor is there any requirement for the standardization of the programs among these systems. Several professional associations within the state also hold seminars on arson detection, but these seminars are delivered usually to large audiences in the form of lectures and cannot really qualify as effective training programs.

As a result of the lack of necessary training in arson detection, fire service personnel in the course of performing their suppression duties and overhauling of the fire scene frequently destroy or improperly handle evidence of the crime. To compound matters even further, police officers in New Jersey do not receive training in arson detection and identification of arson evidence either. As a result, the majority of police officers responding to fire scenes, if not involved in traffic or crowd control, become mere spectators. We believe this to be a waste of the police officers' expertise in evidence preservation and collection, witness interrogation, observation of facts and preservation of the crime scene. This is particularly true in those areas served by the volunteer fire departments where the police officers are frequently the only members of an official public agency to respond to the scene. We have no doubts that this lack of adequate training of both police and fire personnel is a major contributing factor to the low arson arrest and conviction rates in New Jersey.

Arson Investigation Training. It is quite clear that without properly trained arson investigators, New Jersey cannot expect that arsonists will be consistently apprehended, prosecuted, and convicted. Despite this fact, there is not one publicly financed Arson Inves-

tigation Course available to investigators in the state. For the most part, arson investigators in New Jersey either attend the Rutgers University annual one-week residential seminar on Basic Fire and Arson Investigation or depend on out-of-state courses for their training.

In attempting to ascertain the precise dimensions of the training problem, we analyzed the results of a recent survey of fire department training conducted by the New Jersey Fire Education and Training Planning Council, augmented by our own telephone survey of the 21 County Prosecutors' offices of New Jersey and nearly 100 police and fire departments in the state. The results of the analysis are quite disturbing given the magnitude and scope of New Jersey's arson problem.

In the survey conducted by the New Jersey Fire Education and Training Planning Council, of the 332 responding fire departments, only 165 departments or 49.6% of the total number of departments reported that any form of fire (arson) investigation training was provided to company personnel. While the extent of training was not specifically tabulated, survey responses reflect that the

bulk of training was in the form of the short seminars previously discussed.

The results of our telephone survey were equally discouraging. Hardly any of the police departments reported that their investigators received specialized arson training while the Prosecutors' offices stated that 31 investigators were specially trained in arson investigation. Of these, however, most attended brief lectures and seminars and only five attended the one-week residential seminar on Arson and Fire Investigation at Rutgers University.

Responses from the nearly 60 fire departments that we surveyed were somewhat more promising in that more than one-half reported that their fire investigators received some form of special fire investigation training. As we expected, however, the training cited was quite varied and ranged from no training and self-training to attendance at the Rutgers residential seminar.

While the responses from these surveys must be looked upon with caution in view of their incomplete nature, we believe that they do indicate the existence of a severe training problem. At least to us they justify the following conclusions:

- In all probability, the major portion of those people conducting fire investigations in New

Jersey have received no formal training

- Fire investigation training in New Jersey, where and when it does exist, is not standardized and at best can only be described as erratic and haphazard
- There presently exists no means of certifying that the personnel in New Jersey conducting fire investigations have received a reasonable amount of training and have reached a minimum level of competency

The final conclusion that we must inevitably reach is that the practice of assigning the responsibilities for conducting investigations of a crime that is so complex as arson to untrained personnel will continue to contribute to the rising tide of arson in New Jersey until we reorganize our priorities. The provision of the proper training must be given a high priority in any comprehensive strategy that is attempting to establish effective arson prevention and control programs in New Jersey.

Arson Prosecution Training. In New Jersey, as in most states, the final decision to prosecute an arson case is at the discretion of the Prosecutor. It is also

true that the Prosecutor is frequently the only law enforcement agency at the local level capable of conducting an in-depth investigation of the economic transactions involved in arson for profit. As the chief law enforcement agency at the local level, the County Prosecutor's Office has clearly defined responsibilities of investigation and prosecution when a fire is determined to be the result of an act of arson.

Unfortunately, we have found that prosecuting attorneys in New Jersey receive no formal training or education on the nuances of the arson case. While there are plans for future training programs, there presently exists in New Jersey not a single training course on arson designed to meet the needs of the prosecutors in this state.

We are firmly convinced that this lack of training and educational opportunity for prosecutors is a major contributing factor to New Jersey's arson problem. It has resulted in a misunderstanding of arson on the part of the state's prosecutors and a fostering of the belief that arson cases are extremely difficult, if not impossible, to successfully prosecute. Moreover, prosecuting attorneys have failed to appreciate the need for their early involvement in the investigation and case prepara-

tion of arson offenses and have been reluctant to bring arson cases before the courts.

Insurance Industry Training. The Insurance Industry in New Jersey also has unmet training needs that contribute to the state's arson problem. Underwriters and agents are in need of training to identify arson risk properties and insurees. They require additional training in the proper methods to be employed to prevent overinsurance and how to remove the incentives for arson by denying access to insurance to those who represent an unwarranted moral hazard. They need training and education on the necessity of on-site inspections of property for which insurance is requested in order to determine the true value and risk involved to protect their company from arson fraud claims at a later date.

Claim agents and adjusters must receive training that will increase their sensitivity for recognition of the arson fire and fraudulent claims. This training must stress the fact that lack of cooperation between themselves and public sector investigation agencies serves the dysfunctional purposes of increasing arson incentives, through hasty settlement of fraudulent claims, and decreasing the risks to the potential arsonist by minimizing possibilities for discovery and prosecution.

Fortunately, the Insurance Industry in New Jersey is beginning to take appropriate steps to meet its training needs. Seminars are being held and training programs are being implemented to meet these needs. However, until the effective delivery of the training is realized, we will find that these deficiencies will continue to contribute to New Jersey's arson problems.

Investigation and Enforcement Problems. Perhaps the most obvious factor contributing to the arson problem in New Jersey is the lack of effective investigation and prosecution. Despite its complexities, arson can be prevented and controlled through vigorous law enforcement activity. In fact, there probably is no better way to quickly combat arson in all of its forms than to increase the odds of apprehending and convicting the arsonist.

Many potential arsonists can surely be deterred by the knowledge that they are likely to be apprehended and convicted if they intentionally set a fire. This is especially true of those who commit arson for profit or to conceal other criminal activity. Even those who will not be initially deterred by this knowledge, like the pyromaniac for example, will subsequently be deterred from committing future arsons if convicted and incarcerated. We, of course, recognize that increased law enforcement

activity cannot solve the entire arson problem, but we are convinced that it can be a primary means for bringing about prompt arson reduction. Studies conducted throughout the country confirm this belief. As the number of arson arrests and convictions increase, the number of arson fires uniformly decrease. In Phoenix, officials formed an effective arson investigation squad comprised of police and fire personnel in order to combat the City's rising arson rate and within one year arson was reduced by 36%. Similar results have been achieved in Houston and Seattle.

In New Jersey, on the other hand, we seem to be losing the war against arson. Last year only 15% of the state's fires were investigated and our arrest and conviction rate were low by any standards.

The reasons for this poor record are quite apparent. To begin with, arson is a crime which falls between the bureaucratic cracks. Clearly, it is a law enforcement problem since there are laws against arson and they must be enforced. Unlike other crimes, however, an investigation must take place before it can be established that a crime has actually been committed. Yet fire investigation is generally deemed to be a fire department function and law enforcement officials have neither the expertise nor the desire to investigate fires. Fire fighters, on

the other hand, are usually not trained criminal investigators and know little about interviewing witnesses, collecting evidence and interrogating suspects. This is especially true in New Jersey where 85% of the fire fighters are volunteers whose basic role is fire suppression and not fire investigation. Since every arson investigation must necessarily begin with a fire investigation, it is clear that both law enforcement personnel and fire fighters must assume some responsibility for dealing with the crime of arson. Unfortunately, it is difficult to establish precisely when a fire investigation becomes an arson investigation and respective responsibilities become blurred. Self interpretations of roles arise and often begin to serve at cross purposes. This became quite apparent to us during our interviews of policemen and firemen in New Jersey. No one that we talked to could relate fixed and clear-cut lines of responsibility, and policies regarding arson investigations varied widely from one jurisdiction to another.

A second and more obvious shortcoming in New Jersey's present response to incendiarism is the inadequate allocation of law enforcement resources directed at combating the problem. Arson is a serious and extremely complex crime. Nearly everyone agrees that highly-skilled

and well-equipped investigators working with competent and experienced prosecutors are absolutely necessary in order to bring about successful arson prosecutions.

Full-time arson specialists are needed in large numbers and we presently have very few because arson has traditionally been a low priority in the law enforcement community. During our study, we were able to identify less than 50 full-time arson investigators among the State's 25,000 law enforcement officers. Even more disappointing was the fact that out of the more than 500 prosecuting attorneys in New Jersey, apparently only one presently devotes all of his time to arson investigations and prosecutions. In a state that is nationally recognized for its sophisticated and effective law enforcement programs, involving numerous fraud, gambling, narcotics, and organized crime specialists, we believe that a greater commitment to arson control can and should be made.

In addition to a lack of manpower, our anti-arson efforts seem to suffer from a lack of necessary equipment and scientific apparatus. Arson investigations require the use of special evidence gathering equipment and incendiary detection devices and often involve the need for laboratory analysis of evidence that is removed from the fire scene. While our study did not permit us to

fully explore these issues, we were able to ascertain that most New Jersey arson investigators operate with very little special equipment and many use no equipment at all.

Laboratory support throughout the state was generally felt to be technologically adequate but sometimes slow because of understaffing. While laboratory assistance does not appear to be a problem at this time, the recent surge in anti-arson activity will surely place greater strains on the already overworked facilities. Given the emphasis on scientific evidence in arson cases, this could develop into a significant problem that might adversely affect investigations and conviction rates.

Housing Related Factors. We believe that there is clearly a connection between arson and the condition of New Jersey's older urban housing, particularly its multi-family housing.

When discussing this connection between urban housing and arson, it does not make sense for us to confine ourselves too narrowly to arson for profit in the traditional sense. It is necessary to look at the broader questions of housing deterioration since it makes little difference after the fire whether the cause of death and

destruction was an intentional, overt act on the part of the landlord or whether it was the final result of the long process of property owner law breaking and negligence which made the "accidental" fire almost inevitable.

While it may be inappropriate for us to recommend that federal, state, and local governments revise their social and housing policies and seek to guarantee with public funds that all substandard housing is removed, we simply cannot ignore the housing conditions which, in our view, create quite predictably the occasion for inner city arson.

Housing Deterioration and Abandonment. Arson and other related fires which frequently result in loss of life and serious property damage are prevalent in New Jersey because our state has more older housing than many. This older housing is not properly maintained for a number of reasons. Those reasons are:

- a. An inability on the part of the residents to pay for decent housing, whether for lack of income or inadequacy of income
- b. A shortage of decent subsidized housing for those who cannot afford it
- c. Willful profiteering by property owners

d. The abuse of property by occupants or
neighbors

We should not make the mistake of viewing these causes as independent or unrelated. For a given building, one may be a cause and the other an effect.

While governments ability to provide decent housing for those who cannot afford it, whether through housing or welfare programs is severely limited, there is still a traditional role for government in dealing with profiteer-

ing. Housing code enforcement is the primary example.

Well and properly administered, a housing code will ensure that all properties meet minimum standards of habitability and maintenance consistent with the income from the property. In other words, people will get what they are paying for, however little it is.

We believe that efficient housing code enforcement should be able to prevent housing from deteriorating to the point where it becomes arson or fire prone. Unfortunately, today in New Jersey, this occurs very infrequently. The enforcement of housing codes has been a low priority and low technology activity since its inception. A housing code which is insensitively administered can make the problem worse by driving owners away from their properties.

The State of New Jersey is fortunate in having a state civil housing code enforcement program. This effort by the Bureau of Housing Inspection in the Division of Housing and Urban Renewal of the Department of Community Affairs has established itself as the most broadly effective systematic housing code enforcement effort in America. More than 90% of the 15,000 properties inspected each year are brought into conformity with the state housing code through an administrative civil enforcement

process. It has not, however, met with significant success in dealing with severely deteriorated arson prone properties because of a lack of courtroom enforcement.

At the local level, the picture is much more bleak. Little or no systematic housing code enforcement takes place. Most activity is on a complaint basis. Lack of enforcement resources is only one factor that contributes to the problem. Even when enforcement is vigorously pursued, profiteers are often able to escape the process.

Ownership of arson prone multi-family properties and the financial transactions related to them are frequently shrouded in a veil of secrecy and/or misinformation. Complicated real estate transactions which are not at arms length play an important part in the insurance/arson problem as well as in the avoidance of housing code enforcement.

New Jersey has a strong landlord identity disclosure law, but it is commonly not complied with at arson prone properties. In addition, there is no disclosure or filing process which is designed to limit or uncover phony sales transactions. Moreover, there are no disclosure or filing requirements which would assist in the penetra-

tion of the numerous paper corporations which are used to shield the owners of arson prone properties from the law.

In short, code enforcement efforts in our state are not effectively reaching those property owners who are the prime offenders. The result is a large increase in the number of buildings which deteriorate to a point where they have value only for insurance purposes or which contain substantial and continuing fire hazards, or both.

When this occurs, arson for profit represents the last alternative which a property owner has to consider before final abandonment of a property. Fortunately, it is an alternative that most reject but some do not. This should not surprise us. It is the last chance for profit in a profit-motivated society.

Properties deteriorate to the point of abandonment or arson because our present laws provide no alternative when a property begins to lose its value. All of our laws are based upon the presumption that real property has investment value. The very fact of abandonment should tell us that such a presumption is not valid in all cases. The structure of law makes provisions for the dissolution of a corporation when liabilities achieve a permanent

ascendancy over assets but no such provisions exist for real property which no longer has investment worth. It ends up being taken by the municipality for taxes through a process which is based on the frequently false presumption that there is still worth to it; worth which may be seized and sold to satisfy the debt. All too frequently the municipality which has acquired the property is even less able than the former landlord to maintain it for the benefit of those still residing there. Arson for profit by the owner ceases when the municipality takes possession but arson does not. Sooner or later someone will burn the building. Whether it be tenants seeking relocation assistance or narcotic addicts seeking copper plumbing is immaterial. Arson is nevertheless a very predictable final step in the gradual process of building deterioration.

As a general rule, nothing slows the slide of a building to death and abandonment. Rent receivership and rent withholding both presume that the building has some continuing investment worth. Receivership assumes that a building can be supported and maintained from its rent rolls but that the owner cannot or will not. A receiver steps in and tries to accomplish what is necessary. In the case of rent withholding, it is assumed that the owner's economic interest will cause him to make the

necessary repairs to restore the flow of rent. Both must fail when the owner perceives that the property has no long-term economic value other than its insurance value.

There is presently no way in which a building which has lost its economic value to its owner, to the point where he is prepared to walk away from it, can retain the only value it has to the only persons who prize it - shelter value to its occupants. The current structure of tax and real estate law work against a solution because the problem of investment property that has investment value cannot, by their terms, exist.

A statutory and institutional response which goes beyond what presently exists is necessary if these buildings are not to continue to become the breeding ground of arson and provide economic incentives for the owners to "sell" them to insurance companies.

Housing Finance. The problem of housing finance is generally beyond the scope of the work of the Arson Task Force. One aspect of that problem, however, which cannot be ignored is the unavailability of conventional mortgage credit for the purpose of purchasing or rehabilitating existing urban multi-family housing in New Jersey.

This is certainly due, in part, to the fact that some of that housing represents a very poor investment, indeed. It is not all a poor investment, however, but financing is not available for any of it. Frequently, it is simply fear of multi-family lending or a lack of experience in it which causes institutions to hold back. It does not take a lot of imagination to realize that this problem greatly increases the pool of arson prone buildings.

There is no way to realize an investment out of a property when it cannot be sold and financed in the conventional real estate market and cannot have necessary improvements financed through conventional institutions. The only alternative is to take that investment out day by day through a lack of maintenance or ultimately to sell it in desperation to those in the business of property exploitation while taking back a mortgage for most or all of the sales price.

If legitimate multi-family financing cannot be made easily available through conventional sources, the size of the arson prone areas in our cities will continue to grow by leaps and bounds.

Insurance Related Factors. Clearly, the most difficult aspect of our study was to assess the manner in which Insurance Related Factors contribute to the problem of arson in New Jersey.

Time simply did not permit us to carefully review and consider the countless laws and regulations pertaining to the insurance industry in New Jersey and, at the same time, survey the many and diversified practices of insurance companies doing business in our state that could conceivably relate to arson. Insurance laws, regulations, and practices are extremely complex and are often interrelated. Generally, they represent well-intentioned efforts to balance the often competing interests of government, the insurance industry, and the insured public. Attempts to identify narrow problems and to recommend specific solutions must be engaged in with caution since they are likely to upset a delicate balance elsewhere in the system. Viewing insurance only in the context of arson is a dangerous process. Nevertheless, we believe that we have been able to identify certain general problem areas and that a discussion of these will contribute to a better understanding of the issues that are involved.

Initially, it must be emphasized that arson for insurance fraud or economic profit arson is the most misunder-

stood of all classes of arson by the public. The "white collar crime" classification given to this crime connotes to the public that arson for insurance fraud is a victimless non-violent crime. The fact that arrests in such cases generally occur long after the traumatic event of the fire causes the public to lose sight of the relationship of the victims' deaths and injuries to the criminal act. When such fires occur in vacant structures, the public fails to realize that the fire fighters themselves become the victims. Each year in New Jersey a large number of fire fighters are permanently disabled or killed as a result of fighting these fires. In this very real sense, arson for profit is a violent crime of considerable magnitude.

In New Jersey, there is also a general lack of cognizance as to who actually bears the economic costs for fires set for economic gain through insurance fraud. Most people view arson for profit as a crime against the establishment which in this case is identified as the Insurance Industry. The facts are that the Insurance Industry bears in reality only a part of the costs for these fires. The industry is established upon the concept of the spreading of risks and losses among the insured community. Therefore, the losses experienced by the industry are eventually reflected in the premiums

paid by the insured public. Thus, when a building is destroyed by fire set for economic gain, it is not only the insurance industry that bears the final brunt of the costs but also the premium paying public who bear the burden.

The insurance industry in New Jersey is dichotomized into the voluntary and involuntary markets. The voluntary market is comprised of private insurance organizations in which premium rates are largely determined by the industry's loss experiences in previous years. For these organizations to remain solvent as their losses increase as a result of arson, they must pass on the costs to the premium paying public. The involuntary market was created in 1968 after the voluntary market was unable to profitably remain in New Jersey's older urban centers because of the disproportionate increases in risks resulting from the civil disturbances of the 1960's. To provide these areas with insurance at rates comparable to the voluntary market's, the Fair Access Insurance Requirements or F.A.I.R. Plan was created.

The New Jersey F.A.I.R. Plan, which is administered by the New Jersey Insurance Underwriting Association, to realize its goals of providing insurance coverage at comparable rates receives additional funding to cover losses in excess of the premiums it collects. This

additional funding is available to the plan through the New Jersey Insurance Development Fund that is financed by a surcharge placed upon voluntary market property insurance premiums. At present, the surcharge is set at 2% of the premiums; however, if the Plan's losses were to increase to a point where more funds would be required to cover them, then the rate would be increased. Thus, no matter how remote the public may appear from the loss in the final analysis, it is found that the public does and will continue to bear the costs of fires set for economic gain.

The lack of accurate and complete data on incendiary/arson fire losses in New Jersey at this time prevents the clear identification of the actual costs incurred as a result of arson for economic gain. However, we feel that among all the motives for arson, arson for economic gain accounts for the largest portion of all dollar losses attributed to all arson fires and that it is costing the citizens of New Jersey more each year than any other form of arson.

Experts, on both the national level and within New Jersey, agree that of all forms of arson, arson for economic gain can be most effectively addressed through the adoption of sound policies and implementation of effective programs designed to cope with the problems.

We, too, concur in this view. The basic concept to be employed requires the adoption of policies and implementation of programs that will decrease the incentives for economic arson while increasing the risks to potential arson conspirators. The incentives we refer to are the economic gain that can be realized from insurance settlements that must be quickly made pursuant to present law. The risks on the other hand refer to the conspirators' scheme failing through the denial of settlement and increasing the probability of arrest and conviction for their role in the criminal act.

The single most prevalent incentive for insurance fraud arson is overinsurance. When a property is insured for more than it is worth in the marketplace, it becomes profitable to burn it and then "sell it" to the insurance company for the value of the policy. To reduce the possibility of overinsurance, several New Jersey insurance companies have instituted requirements that all properties be inspected before policies are written. Unfortunately, this practice is not required by law and we have seen evidence that not all companies have been inspecting all properties prior to issuing policies. In some cases, insurance companies will even issue policies without a formal application on the strength on nothing more than the "word" of the property

owner. This is often the case when requests are made by the owner to upgrade the value of an existing policy. Obviously, when insurance problems are issued on properties that have not been inspected solely on the word of the applicant, overinsurance is a very real possibility.

Failure to take an application before writing an insurance policy also maximizes the possibility of fraud by allowing the applicant to more easily conceal negative information (multiple policies, etc.) and makes it almost impossible for the insurance company to later void the contract on grounds of concealment or misrepresentation.

Unfortunately, even when applications are taken and properties are inspected prior to the issuance of policies, overinsurance and fraud are still very real possibilities. The application is often not very carefully reviewed and investigated since diligent inquiries would be extremely time consuming and expensive. Moreover, insurance industry spokesmen feel that such a practice would not serve any real purpose since their ability to reject applicants based on negative information contained in the application is extremely limited.

Inspection of properties can also have its limita-

tions since there are presently no requirements that any particular criteria be employed to determine value of the premises to be insured. The lack of meaningful and uniform criteria, in our view, contributes heavily to the problem of overinsurance and provides incentives for arson for profit.

Additional factors contributing to arson for profit in New Jersey relate to the methods by which claims are often promptly settled after fire losses before any real investigation can take place. We feel there are several reasons that give rise to this practice.

To begin with, insurance companies need to have reputations for prompt payment of claims and consequently have denied claims only in extremely suspicious cases. When they do elect to resist suspicious claims, they encounter serious difficulties that often discourage continued resistance.

In New Jersey, an insurance company is required by law to settle the claim within 30 days after proof of loss unless it intends to deny the claim in court. Thus, it must be willing and prepared to litigate the issue by that time if it is to resist the claim. Arson investigations are difficult and time consuming and often will not yield positive results in such short a period.

Faster results might be possible if there were close cooperation between insurance company investigators and those from the public sector, but this is often not the case. Investigators from the public sector are seeking convictions at any cost while the insurance company investigator must consider his employer's financial interest and dispose of the case in a cost effective manner, which sometimes means a settlement. Cooperation is also hindered by the existence of Federal and State privacy laws which discourage a full exchange of information between the insurance companies and the law enforcement investigator.

Weighing all of these factors together with the unlikely prospect that an arrest and conviction will ensue, many companies will elect to avoid costly and tenuous litigation in favor of a negotiated settlement. Once a settlement is obtained, an insured can simply take the money and run, leaving the destroyed building for the taxpayers to demolish. .

In our opinion, this entire process clearly makes arson a profitable business and minimizes the risk that the arsonist will ever get caught.

One additional problem area that we discovered during our study pertained to the conduct of public adjusters,

individuals who adjust fire losses for the insured and act as an intermediary between them and the insurance companies. These adjusters respond to fire scenes and offer their services to potential claimants for a commission on the total settlement from the insurance proceeds. They are presently not licensed in the State of New Jersey. Since these adjusters work on a commission basis, it is felt by many that they often succumb to the temptations of assisting insureds in offering inflated claims to the insurance companies. In some states, public adjusters have been connected with arson for profit rings, but we have no conclusive evidence which suggests such a pattern in New Jersey. We do believe, however, that allowing unlicensed and unsupervised individuals to engage in such a potentially sensitive occupation creates a significant potential danger.

Lack of Coordination Among Agencies. One of the things that we recognized early in our study was that nearly all of the problems that give rise to the high incidence of arson in our state are in some way made more severe because of the lack of coordination among the various public and private agencies with arson control responsibilities.

Arson in New Jersey is both like an orphan and like a child whose separated parents are fighting constantly over its custody. It is at once a law enforcement problem, a fire problem, a housing problem, an insurance problem, and even a conservation problem. Wherever it is encountered, there must be some kind of division of responsibility, some coordination of activities. In New Jersey, this is particularly true because of the diversity of our governmental structure and the fragmented nature of the fire service which, unlike the law enforcement community, has no coordinating bodies either at the county or state level.

Indeed, one of the most difficult aspects of our study was to simply identify the literally endless number of state and local government agencies that are somehow engaged in Arson Prevention and Control activities. To this day, we are not satisfied that we have been able

to accomplish this objective. In any event, in State government, we have identified several agencies that have significant responsibilities for anti-arson efforts. Among the most obvious are the Department of Law and Public Safety, the Department of Insurance, the Department of Community Affairs, the Department of the Treasury, and the Department of Environmental Protection. On the county level, we learned that County Prosecutors, County Fire Marshals, County Sheriffs, and Police and Fire Academies are all involved to some extent in the war against arson.

Locally, there are fire departments, police departments, code enforcement officials, and a variety of others who are somehow engaged in arson-related activities. When the various segments of the insurance industry, the institutions of higher education, professional associates, and community action groups are added to this list, the number of necessarily involved agencies and groups rises considerably. Unfortunately, coordination of activities among these agencies is largely non-existent. Instead, each agency defines the problem from its own limited perspective and develops an independent course of action on an ad hoc basis, generally employing principles of crises management aimed at providing limited and temporary solutions.

Little or no consideration has been given to the overall problem.

The reasons for this haphazard approach are readily apparent. No single agency or group in New Jersey has the responsibility, the authority, or the capacity to deal effectively with all aspects of the arson problem. Rather, the solutions must come forth as a result of the cooperation and the combined efforts of many. But before this can happen, there must be a vehicle which can serve to promote this type of cooperative and coordinated activity. In New Jersey, no such vehicle presently exists. There is no statewide body which is representative of the various disciplines that are necessarily involved in arson control, and hence there is no institutionalized ability to analyze the problem from a broad perspective and to recommend the appropriate and cost-effective solutions. To the extent that arson is a multi-dimensional problem, it can only be successfully combatted through a multi-disciplined approach.

The lack of an existing framework from which to initiate such an approach in our view represents the most significant barrier to effective arson control in our state.

The inability of the various agencies and groups to plan and coordinate their activities through some type of statewide organizational structure has resulted in a number of serious problems that we have come to realize during our study.

To begin with, there has been no generally accepted division of responsibilities and anti-arson roles have become largely self-defined. In some cases, we have seen evidence that there is intense competition between rival groups to perform the same responsibility; i.e., training, investigation, etc., while at other times various agencies assume that someone else is doing the job and vital functions are not performed at all.

Arson control policies vary significantly throughout the state and examples of inefficiency run the gamut from almost total duplication of effort to near total inaction. In some cases, policies exist that are in direct conflict with one another. Unquestionably, the lack of effective channels of communication is responsible for much of the inefficiency. We have seen instances where the same mistakes have been repeated over and over again because of an inability to learn from the previous failures of others. Likewise, infrequently used equipment has been purchased unnecessarily because of an

ignorance of from whom it could have been borrowed. Incompatible data has been collected and considerable efforts have been expended in developing new and sometimes bad programs when successful existing programs might have been easily transferred. The end result of this has naturally been the wasting of precious and scarce anti-arson resources. Lack of communication has also fostered parochial rivalries and created fears and suspicions whenever positive action has been suggested. Efforts to upgrade the fire service on the state level have met with considerable local resistance because of misguided fears that "home rule" might be threatened or eliminated. Indeed, during our own study, we found it necessary to often dispel rumors about the nature of our various activities.

The lack of a multi-disciplined statewide organizational structure has also hindered New Jersey in its ability to deal with other states and the Federal government in arson control matters. Numerous individuals throughout the country have developed considerable experience and expertise in fighting arson and are generally enthusiastic about helping others do the same thing. As a result of the announcement of the formation of this Task Force, scores of individuals and groups from all over the nation offered us guidance and sent

us invaluable information, much of which has been incorporated into this report. Were we not working together, most of this information would have never reached our state. Likewise, the Federal government through several of its agencies has initiated efforts to provide financial and technical assistance to the various states for arson control activities. In our state because of the fragmented nature of our programs, we lack the capacity to take full advantage of this assistance.

The status of fire service training in New Jersey provides an excellent example of this difficulty. In 1976, the New Jersey State Fire Prevention Association began to explore the possibility of obtaining financial assistance from the United States Department of Commerce for the purpose of improving the fire education and training system in New Jersey.

After several trips to Washington, they learned that such assistance was available but that it could only be granted if New Jersey could develop a statewide vehicle for its proper utilization. After numerous meetings with various fire service organizations in cooperation with the New Jersey Department of Community Affairs, the New Jersey Fire Education and Training

Planning Council had to be formed for the purpose of seeking this assistance. It subsequently took almost two years for the Planning Council to obtain a federal grant to develop an organizational design for fire service training in New Jersey. Were it not for the initiative and the efforts of a few dedicated individuals, the state would have surely lost the benefits of this program.

Specific examples of how lack of coordination has severely hindered New Jersey's efforts in arson prevention and control could be cited endlessly. The recent surge in anti-arson activity in our state and the competition for scarce government resources to finance these activities has made the situation even worse. All of this clearly detracts from the primary objective of providing for effective arson control, and in our opinion, contributes heavily to the high incidence of incendiarism in our state.

RECOMMENDATIONS

From the onset of its deliberations, the Task Force has focused its efforts on developing a series of recommendations that would serve as the first step towards the development of a viable New Jersey Strategy for Arson Control.

In arriving at these recommendations, we attempted to set aside the parochial considerations of each of us who engaged in the study in order that our final product would represent the consensus view of the entire Task Force. The recommendations that follow are exclusively the outgrowth of this process, and they should not be viewed as an official statement of position or endorsement by the agencies' departments or organizations with which the members are associated.

Despite the short time that we have functioned as a working group, much careful thought has gone into the recommendations that have emerged. Individually, they deal with narrow aspects of the overall arson problem and we, therefore, urge that they be considered in their entirety before final judgment is passed.

DATA AND INFORMATION

Development of a Mandatory Statewide Fire Incidence Reporting System. The lack of meaningful data, in our opinion, represents the most serious deficiency in New Jersey's arson prevention and control efforts. We can never hope to successfully combat incendiarism in our state as long as we have to guess about how many deaths and injuries are caused by arson year after year.

If we are to develop the necessary informational base from which to launch an effective attack on arson, a Statewide Fire Incidence Reporting System must be implemented, which provides the capacity to compile data on all fires occurring in the state together with information on fire causes, deaths, injuries, property losses, and the results of all fire investigations.

The National Fire Data Center of the United States Fire Administration has developed the National Fire Incidence Reporting System to serve this purpose and has also created a program to assist states in the implementation of the system. The NFIRS program allows states a wide latitude in the types of data to be collected beyond that required by the National Fire Data Center for national estimates. The assistance program provides limited funding, training, technical assistance, and the necessary software for

implementation of the system.

New Jersey has been selected to participate in the NFIRS program through a grant to be executed through the Office of the State Fire Marshal. At present, this office is located in the Division of Real Estate, Department of the Treasury, and has its primary mission fire safety in various State Buildings and Institutions. It has neither the resources nor the technical capacity to successfully implement such a system and will require the assistance and close cooperation of the Division of Systems and Communications and the Division of State Police (both of which are in the Department of Law and Public Safety) in order to accomplish the desired objectives. In order to facilitate the necessary coordination of activities among these agencies and further to allow for the centralization of all data functions in one state department, we recommend that the Office of the State Fire Marshal be transferred to the Department of Law and Public Safety by Executive Order of the Governor. We believe that this transfer will allow for the orderly and efficient collection, analysis, and dissemination of the necessary information regarding incendiary fires in our state. Under this system, fire incidents would be reported to the Office of the State Fire Marshal from local fire departments throughout the state. Upon receipt of these reports, the Fire Marshal should review

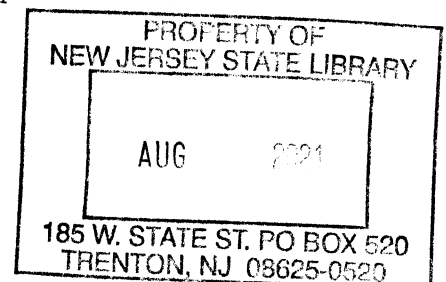
them for completeness and accuracy and forward them to the Division of Systems and Communications for processing and entry into the system. On a periodic basis, summary reports of the information can be prepared by SAC and forwarded to the State Police and the State Fire Marshal for analysis and appropriate utilization.

For the system to function effectively, certain measures must be taken to maximize complete, accurate and meaningful reporting.

1. Legislation must be enacted to require that all local fire departments participate in the system. The results of the Fire Arson Survey are ample evidence that a voluntary system is not workable.
2. Data collection forms should be simple and compatible with UCR forms and those being developed by the Property Insurance Loss Register. This will eliminate duplication of data, maximize data utility, and minimize the reporting burden on local fire services.
3. The following feedback loops must be incorporated into the system in order to create incentives for local fire service

reporting.

- a. A monthly report from the Office of State Fire Marshal to the local fire departments on the analysis of the data it submitted.
- b. An annual report developed and distributed by the Office of State Fire Marshal and the Division of Systems and Communications on the analyses of data compiled on fires in New Jersey for the year.
- c. The Division of State Police Arson Unit to continue publication and distribution of the Arson Network Newsletter as a device to disseminate data on arson/incendiary fire incidences and investigations.
- d. The Office of State Fire Marshal, Division of State Police and Division of Systems and Communications to coordinate efforts in developing and distributing an annual report on incendiary fires in New Jersey.



Permanent Reclassification of Arson to Part I Offense. We believe that arson calling arson a major crime is a step long overdue. Reclassification would provide additional raw data and information that can be invaluable for additional research and study, and it would bring about a greater awareness of the crime on the part of legislators, prosecutors, judges, and the general public.

More significantly, upgrading arson to a Part I offense would encourage and perhaps even necessitate greater coordination of activities between police and fire departments, and it would also allow law enforcement agencies to rationally assess their priorities. Legislation presently pending in Congress would mandate such a reclassification and we urge public officials in New Jersey to support this legislation through our congressional delegation.

Mandatory Reporting of Certain Fire Losses by Insurance Companies. In order to maximize the potential for obtaining meaningful and accurate information, New Jersey should require that all fire losses exceeding 5,000 be reported by the insurance company to the appropriate fire investigation agency. This would serve to: (1) notify fire officials of fires which they did not suppress; (2) facilitate discovery of duplicate claims; (3) provide more

accurate information on fire losses; and (4) discourage potential arsonists.

Assembly Bill 3180 presently requires insurance companies to report all suspicious fires to law enforcement authorities and grants them immunity from civil liability for action taken in compliance with the act. While we support this legislation, we believe it should go further to also include reports of losses over \$5,000.

Development of a Meaningful Intelligence Network. We believe that meaningful Statewide Intelligence information on known arsonists, frequency of arson motives, methods of operation, etc. can be an extremely useful and effective tool for arson investigators in their efforts to target specific areas or individuals and plan proactive investigations. The Statewide Arson Network System developed by the State Police can form the basis of such a system once meaningful raw data can be compiled on a regular basis. We recommend continuation of that system and urge participation in it by the State's arson and fire investigation personnel.

Additional Study and Research. Presently, effective anti-arson programs must be broad-based and expensive because the available research does not form a sufficient base from which to carefully allocate scarce government

resources. Nationally, the general state of knowledge regarding arson is undeveloped and may be of little relevance to New Jersey. We believe that our institutions of higher education, particularly the Rutgers School of Criminal Justice, should begin to conduct broad arson research and to explore such things as the social, cultural, demographic, and attitudinal profiles of people involved in incendiarism.

TRAINING AND EDUCATION

During our study we have come to learn that the inadequacies of New Jersey's training and educational programs for arson prevention and control are major contributing factors to the State's arson problem. In our view, the most effective approach to analyzing these deficiencies is to typologize them according to the basic disciplines affected. Our recommendations are provided within this same framework in order that their direct relationship to specific contributing factors can be clearly identified.

Adoption of Standards for Arson Detection Training in New Jersey for Fire Service Personnel. Line firefighters, both paid and volunteer, and police patrol officers are often the only personnel that respond to the majority of fire incidences. In most cases, they are the only ones in a position to determine if the fire was accidental, suspicious, or the result of an act of arson. Unfortunately, the majority of these public servants have not received a sufficient amount of training to be able to make this determination. The inaccuracy of the data on arson, and the low arrest and conviction rates, influenced by the failure to recognize and protect vital evidence, are directly attributable to this training deficiency.

While the primary responsibility for the detection of arson falls upon the local fire service, regardless of whether it is a volunteer or paid department, most local fire service personnel in the state are receiving little or no training in arson detection. Arson detection training for the most part receives the same priority as does the determination of fire engine colors.

The Task Force believes that arson should be recognized as a serious crime and that the need to provide the appropriate training to detect the crime receive a high priority as well. The first step to accomplish this objective requires the standardization of arson detection training throughout the state. Since arson is in fact a crime, we recommend that the Division of Criminal Justice in cooperation with the following agencies develop a New Jersey Standard Arson Detection Course.

1. New Jersey Fire Education and Training
Planning Council
2. Department of Government Services, Rutgers
State University
3. New Jersey Division of State Police
4. New Jersey State Fire College

5. New Jersey State Chapter International
Association of Arson Investigators

As in many of the training needs areas, there are a number of effective arson detection courses that have already been developed. The Task Force believes that either the National Fire Academy's 24-hour course or another of equal quality should be adopted as the New Jersey Standard Arson Detection Training Course. Experience has shown that attempts to reduce the training period for arson detection training to a single day has affected the course's effectiveness. Therefore, it is recommended that if the desirable 24-hour time frame is too long to be delivered at one time, the course be delivered intact but in stages similar to the present system utilized by the Division of Government Services at Rutgers. The Rutgers program delivers arson detection training in evening classes over a 7-week period.

Development of an Intrastate Regional Training Delivery System for Arson Detection Training. The existence of effective training courses is meaningless unless access to such training is provided to the target population. Given the heavy reliance on the volunteer fire departments for fire protection in New Jersey, the delivery of training is a crucial problem. It is unreal-

istic to assume that these firefighters would be able to take the necessary time off from their occupations to attend training programs only delivered at central locations. The only solution that the Task Force can suggest is to provide the training on an intrastate regional basis at times convenient to the volunteer firefighters.

While the New Jersey Fire Education and Training Planning Council is addressing the issue of training delivery in its efforts to formulate an Organizational Design for Fire Education and Training, the Task Force believes that efforts to reach the target population with the required training must begin now. A practical first step would be to have each local fire department designate a training officer who could attend the standardized course and then provide for its delivery at the local level. We feel that until such time as the Organizational Design for Fire Education and Training is a reality and the mechanisms to deliver the training are established, all existing local, county, and state delivery systems must be utilized at their maximum capacities to reach the target population. We recommend that State Arson Detection Training Programs be as decentralized as possible in order to provide the maximum access. We also feel that local arson investigators

should participate in these programs whenever possible in order that they can begin developing a sound working relationship with fire service personnel.

The effectiveness of the Arson Detection Training Program in reaching the target population will be clearly indicated in a rise of reported arson incidences. While the actual number of arson incidences may not change, the number of reported incidences will increase as we increase the skills of those responsible for detecting the crime.

Providing Police Officers in New Jersey with Training on Arson Detection and Police Responsibility of the Fire Scene. We recommend that the Division of Criminal Justice expand the required basic training course for police officers to include the above training. Police officers in general perceive that their only duties at the scene of a fire are for traffic and crowd control. This training will provide them with the awareness that they may actually be at the scene of a crime. The training will assure that the officers recognize their responsibilities and will utilize their expertise in protecting evidence and preservation of the crime scene. The joint cooperation of local police and fire officials is the best foundation from which the successful investigation of an arson incidence can be launched.

Adoption of a New Jersey Standard Fire and Arson Investigation Training Course. The large proportion of those responsible for investigating fires and arson cases in New Jersey have received no formal arson investigation training or education. The lack of an effective policy addressing this issue has resulted in the decreasing of the risks for arrest and conviction to the arsonist and has made arson an extremely inviting crime to the unscrupulous. In order to be effective in attempting to control arson in the state, we must insure that those responsible for investigating the crime are properly trained.

We have found that in New Jersey the fragmented nature of the training that does exist in fire and arson investigation raises serious doubts as to the quality of that training. The various public and private institutions, agencies, and associations that deliver such training observe no form of standardization and their programs range from four hours of lecture to in-depth one-week residential seminars. Thus, even when training does exist, there are serious questions concerning its quality.

In order to resolve these deficiencies, we recommend that the Division of Criminal Justice, in cooperation with Rutgers University, the Division of State Police,

and the New Jersey Chapter of the International Association of Arson Investigators, research and adopt a New Jersey Standard Fire Arson Investigation Training Course. We further recommend that these agencies focus their attention on those courses offered by the National Fire Academy and the Department of Government Services at Rutgers State University. It is the Task Force's opinion that a synthesis of these programs would prove to be the most effective method of quickly developing an adequate training course.

Adoption of a Certification Program for Arson Investigators Requiring Successful Completion of the New Jersey Standard Fire and Arson Investigation Training Course. While New Jersey requires police officers to receive training certified by the Police Training Commission of the Division of Criminal Justice, there are no such requirements for arson investigators. We find this to be in conflict with the state's vigorous attempts to promote professionalism in law enforcement. The lack of certified training for arson investigator is particularly disturbing in view of the fact that many are fire service personnel that have never attended the police training course. In order to correct this situation, we recommend that the Division of Criminal Justice

adopt a certification program for arson investigators. We feel that such a program is the only mechanism by which the state can insure that arson investigators in New Jersey are properly qualified and skilled for the job.

We recommend that the criteria for certification as an arson investigator be completion of the New Jersey Standard Fire and Arson Investigation Course or another comparable approved training program. We also recommend that in those areas of the state where fire service personnel assume complete responsibility for the investigations and receive peace officer powers, that prior to certification they must complete the mandatory basic police training course. Until such time as New Jersey is willing to exercise such quality control over fire and arson investigations, the state will continue to be plagued by arson fires and low arrest and conviction rates for arson.

Development of an Arson Investigator's Manual.

It is recommended by the Task Force that the Division of Criminal Justice and the Division of State Police in a coordinated effort with other professional organizations within the state develop an Arson Investigator's Manual. The manual to be developed in addition to being

compatible with the New Jersey Standard Fire and Arson Investigation Training Course must be designed for utilization in the field. Such a manual would aid the investigator in receiving his training and in the application of that training in the field. We find that the most useful manual will allow for later addenda as the need arises.

Development of a Statewide Delivery System for Fire and Arson Investigation Training. The development of a Standard Fire and Arson Investigation Training Course, mandatory Arson Investigator Certification Program, and an Arson Investigator's Manual will have no impact on arson in New Jersey unless the training reaches the target population. The present systems are not capable of achieving this as they are presently being utilized. We recommend that the following actions be implemented in order that the maximum target population be reached with the training.

1. The Department of Higher Education mandate that all Fire and Arson Investigation Courses delivered in undergraduate programs in State and Community colleges be the New Jersey Standard Fire and Arson Investigation Training Course. Where sufficient

semester contact hours are not available to complete the course in one semester, the contact hours and corresponding credits for the course should be increased or the course should be divided into two semesters, Fire and Arson Investigation I and II.

2. County and large urban departments with the necessary training capabilities deliver the course interjurisdictionally at their training centers with the cooperation of the Division of Government Services, Rutgers State University.
3. The Division of Government Services, Rutgers State University, to develop an intrastate regional training delivery system for Fire and Arson Investigation Training.

Research the Feasibility of Developing an Arson Investigator's Internship Program Wherein Investigators from Smaller Communities Would Be Provided with the Opportunity to Work With and Learn from their Counterparts in Large Cities and the State Police. We feel

quite strongly that the proficiency realized by an arson investigator is to a large degree determined by the experience acquired in the field. While the arson problem in New Jersey is extremely severe, we also recognize the fact that many of the investigators entering the field or working in smaller communities have not had the opportunity to develop or acquire the necessary experience. We believe that it would be beneficial to allow such personnel to work as interns with their counterparts in the New Jersey State Police or in other areas of the state where they could acquire the necessary experience to improve their arson investigation skills.

At this time, we do not feel that we have sufficient knowledge or data available to us to fully comprehend and identify all the program problems that might arise if such a measure were implemented. While we can easily identify the benefits to be derived from such an approach, we must withhold our complete support for it until analysis has been made to determine what if any negative results might occur.

Development of a Prosecutor's Training Program in Arson Investigation and Prosecution. The lack of training and educational programs on arson for the Prosecutors

in New Jersey is contributing to the state's arson problem. While arson may be similar to other crimes to a certain degree, the distinctions that do exist cause the greatest misunderstandings. We have shrouded the crime of arson in a myth that it cannot be proved and that successful prosecution is almost impossible. It is time that New Jersey destroyed that myth and educated its Prosecutors in the ways and means of properly investigating and successfully prosecuting the arson case. Until this is done, conviction rates will remain embarrassingly low and arson will continue to flourish.

The majority of Prosecutors in New Jersey do not fully understand incendiarism and yet in most cases they are the only law enforcement officers with the necessary expertise to investigate the economic aspects of the crime. As a result of their misunderstanding of arson, we believe that they tend to shy away and avoid the arson case. However, where they have acquired a true appreciation of the crime, Prosecutors have demonstrated that arson cases can be won in a majority of the instances where the case is brought to trial.

If prosecutors are to become enthusiastically and successfully involved in arson investigations and prosecutions, the proper training must be developed for

them. We, therefore, recommend that the Division of Criminal Justice research existing programs throughout the country and develop a Prosecutor's Training Program in Arson Investigation and Prosecution.

Development of a Prosecutor's Handbook on Arson Investigation and Prosecution. We also recommend that the Division of Criminal Justice develop a Prosecutor's Handbook on Arson Investigation and Prosecution that would compliment the training program it develops.

Encourage and Supply Continuing Support to Insurance Industry Efforts to Provide Arson Prevention and Control Training to Its Personnel. In New Jersey, there also exists a need to provide Insurance Industry personnel with education and training on the roles that they can play in reducing the incentives and increasing the risks to the potential arsonist. Fortunately, the Industry itself has recognized this problem and at both the individual company level and on an industry-wide level is taking the appropriate steps to meet this need. Industry-wide groups such as the New Jersey Advisory Committee-Arson Prevention have developed and are delivering appropriate training to both underwriting and claims loss personnel.

The Task Force strongly recommends that the State of New Jersey and other public agencies provide support and technical assistance where necessary to Insurance Industry arson prevention and control training programs. We are of the opinion that the cooperative spirit in addressing the arson training issue will have the positive impact of spilling over into other areas of the problem and foster even greater coordination and cooperation between the public and private sectors. Clearly, this cooperation is necessary to realize effective arson prevention and control in New Jersey.

INVESTIGATION AND ENFORCEMENT

We are convinced that the primary means for bringing about effective arson control in New Jersey should be through the implementation of a vastly improved method of detection, investigation, and prosecution. Arson is, after all, a serious and deadly crime. It is also very complex and difficult to prove. An effective law enforcement response must guarantee that highly-skilled and well-equipped personnel are available in sufficient numbers to properly detect and investigate all incendiary fires and to maximize the possibility of arrests and convictions. It is universally recognized that when such a response is forthcoming, arson is reduced dramatically. In order to realize this goal, we propose the following:

The County Prosecutors Should Organize Arson Investigation Units in Their Respective Counties.

Effective arson investigations require the existence of highly-skilled, well-equipped investigators who can provide an immediate response to the fire scene. Ideally, they should be on call 24 hours a day. Given New Jersey's governmental structure and its geographical configurations, we believe that the foundation for an adequate statewide investigative response to arson must

be at the County Prosecutor's Office. Further, an effective response must consist of several basic components.

Foremost among these is the importance of the interdisciplinary approach. Prosecutors, investigators, and fire-scene specialists should be combined together into an arson unit. Secondly, the selection of personnel for that unit must receive a high priority. If the prosecutor has only mediocre ability or the fire-scene specialist's only qualification for that position is that he can no longer climb a ladder, the unit will be doomed to failure. In particular, the investigative compliment must be staffed with both detectives who have marked abilities in street-type investigations as well as those whose forte is books and records. Thirdly, the unit must be trained as a team. The fire-scene specialist must develop an appreciation for the legal requirements of proof in a courtroom, and the prosecutor and investigators must develop expertise in pyrotechnology. All three must become sensitive to the problems, limitations, capabilities, and points-of-view of the others. Finally, every effort must be made not to dilute the resources of the unit by temporary assignments to other investigations.

Obviously, the creation of arson investigation units at the county level will require the commitment of considerable resources to the task. In some cases, this may be accomplished by a shifting of priorities, but in most instances, there will simply be a need to find much more manpower. This will be especially true in counties where there are predominantly volunteer fire departments with a limited ability to recognize and detect arson. Much of the arson unit's time will have to be spent investigating fires of an "undetermined" origin.

We do not think that the prosecutor can be expected to assume the full responsibility for supplying the necessary resources. Local police departments and fire departments should be willing to assign investigators to a county-wide Arson Task Force. One possible approach is to make local personnel responsible for preliminary fire scene investigations so that the prosecutor's staff can focus on in-depth investigations. In some counties, there are fire marshals and county police departments that could also participate in such a program. As the Chief Law Enforcement Officer in the county, the Prosecutor should make every attempt to tap all public safety resources in his jurisdiction that might be available to support an adequate investigative response. The assign-

ment of a legal advisor to the Arson Investigation Unit, preferably on a full-time basis, is also an important concern. Complexities of the arson case dictate the need for a specially trained prosecutor who can enter the case at an early stage. The high rate of arson cases that are presently dismissed before trial in New Jersey amply documents this need. Recent court decisions which cite the necessity of obtaining search warrants for fire scene inspections will only increase the need for legal assistance to the Arson Unit.

Potential drawbacks to the Task Force approach that we have been unable to explore during our study involve legal questions that arise from municipal officers working outside their municipality. Powers of arrest, workman's compensation matters, issues of civil liability, and insurance are but a few questions that should be resolved before implementing the task force approach.

Despite the possible limitations, we believe that the Arson Investigative Task Force is perhaps the fastest and the most efficient way to develop an adequate investigative response to the crime of arson. We examined the activities of several such Task Forces throughout the county, and the results were quite promising.

Experience in New Jersey has been equally impressive. In 1978, there were only 2 arrests for arson in all of Union County. In January 1979, the Union County Prosecutor and several local police and fire chiefs formed an Arson Task Force which to date has already apprehended 20 arsonists.

Establishment of Arson Investigation Units in Large Urban Fire Departments. Whatever the merits of the Task Force approach to Arson Investigation, successful applicability to the large urban areas in New Jersey seems doubtful. Generally, urban police and fire departments are understaffed and city officials are unlikely to approve assignment of personnel to the counties where they might be called upon to investigate suburban arsons. Conversely, suburban municipal officials will sooner or later balk at supplying manpower to a Task Force that spends most of its time investigating arsons in one or two large municipalities in the county. Instead of threatening the viability of the task force concept, we feel the more practical approach is for the large urban municipalities to create their own arson units and work side by side with the County Task Force under the direction of the Prosecutor. Given that conclusion, there are two possible approaches. One is to place the arson unit in the police department and the other, of course,

is to place it in the fire department and confer police powers to the firefighters assigned to the unit. We prefer the latter for the following reasons:

- Police officers often do not have the commitment to handling arson cases that their colleagues in the fire department demonstrate. Arson is not a high priority crime in law enforcement and many police officers would prefer to investigate robberies, burglaries, homicides, and rapes.
- Police officers may not have the requisite experience to perform this function adequately. Fire cause determination is learned not only through training, but also through years of on-the-scene experience.
- Police officers may not be perceived as expert witnesses when testifying in court. Securing a conviction in an arson case depends, at least in part, on the credibility of the witnesses. Firefighters are more often thought to have the kind of experience that qualifies them as expert witnesses.

This approach is followed in many areas of the county and is generally quite successful. In New Jersey, the Newark Arson Squad is an excellent example of an effective arson investigation unit working out of the fire department. Naturally, wherever such units are created, firefighters should be required to attend the basic police training course and the recommended arson investigation course before actually beginning such an assignment. We do not mean to imply that police departments should never house arson units, but only that other things being equal, the fire department is the preferable choice. If police departments can staff effective units, they should be encouraged to do so.

Expansion of the State Police Arson Unit. It is clear to us that in many counties throughout the State there are simply not enough available resources for the County Prosecutors to organize full-time Arson Investigation Units. Generally, these are the smaller counties with heavy volunteer fire department populations and smaller police departments as well. In these areas, it is clear that the State Police Arson Unit will have to continue to assume full responsibility for the investigative response to arson. Moreover, the State Police will invariably be called upon to assist even

those counties that have arson investigative units when technical assistance is needed or when there is a case backlog. Improved reporting will surely cause this initially.

In addition to these responsibilities, we feel that the State Police Arson Unit should continue to focus on inter-county arson rings and those arson cases involving organized crime figures. Despite their present effectiveness, we feel that these responsibilities together with training and data functions will cause them to be understaffed. We, therefore, recommend that they be expanded sufficiently to meet the needs of the anticipated increased workload.

Assignment of Legal Advisor and Accountant Investigators to Assist State Police Arson Unit. As we stated earlier, one of the keys to successful prosecution of the arson case is the accessibility of the Prosecutor at the investigative level. It has also become obvious to us that in the investigation of sophisticated arson for profit schemes, there is often a need for the analysis of books and records pertaining to complicated financial transactions. Accordingly, we recommend that the Division of Criminal Justice assign a legal advisor and an accountant-investigator to assist the State Police Arson Unit as the need arises. These individuals should

also be made available to assist other arson investigations throughout the state when requested.

Development of a Statewide Plan for Effective Arson Detection, Investigation, and Prosecution. The inadequacy of our present response to the crime of arson is caused in large part by the lack of clear lines of responsibility. This becomes evident during our survey when we often received conflicting responses as to who was responsible for investigating arson in a particular jurisdiction. Allocating additional resources will not resolve this problem and arson will continue to fall through the cracks. We believe that the County Prosecutors should, in conjunction with Local Police and Fire Chiefs, and in cooperation with the Division of Criminal Justice, develop specific guidelines for Arson Control Responsibilities in the various counties. At the Prosecutors' Management Conference in September 1979, these guidelines should be synthesized into a comprehensive statewide plan. The ultimate goal should be that wherever an arson occurs in this state, someone is directly responsible for its detection and investigation, and everybody knows who that someone is.

Preparation of Arson Investigator's Register. Once the aforementioned recommendation is implemented, we believe that a register of New Jersey Arson Investigators should be prepared and incorporated into the Arson Investigator's Manual. This will facilitate communication among arson investigators and will also be of tremendous assistance to the Insurance Industry if they are ultimately required to report all fire losses.

Development of Guidelines for Cooperation With Federal Investigating Agencies. The principal federal investigative agencies with arson enforcement responsibilities are the FBI, ATF, and the Postal Service. The FBI is presently in the process of developing a comprehensive anti-arson program in its local field offices. The Bureau of Alcohol, Tobacco and Firearms of the Department of Treasury has also become increasingly active in the area of arson. In New Jersey, the ATF arson unit has a number of full-time agents, whose field investigative work is supported by an excellent laboratory capability located in Washington, DC. There, trained experts can perform intricate scientific testing to determine presence of explosives, accelerants, hydrocarbons, and the like used in connection with arsons. ATF also appears to have an expanding intelligence gathering and dissemination capability in the field of

arson and this is in the process of being computerized throughout the United States.

The capability of the United States Postal Inspection Service in arson enforcement differs somewhat from that of the FBI and ATF. The Postal Service can attack arson best by ferreting out those fraud schemes which utilize the mails. The utility of this approach is that arson need not be proven in order to obtain a successful mail fraud prosecution; a mere false claim or a false application preceding a claim which was transmitted in the mails would support a successful prosecution, even though the arson is not provable.

While it is clear that the investigative resources of the federal authorities can be of tremendous assistance to State arson investigators, we believe that New Jersey is presently underutilizing this assistance because of a lack of guidelines regarding when federal intervention can and should be requested. We, therefore, recommend that the Division of Criminal Justice and representatives of the County Prosecutors meet with representatives of these Federal agencies for the purpose of developing guidelines in this regard.

Upgrade and Regionalize Existing Laboratory Network. By March 1980, there will be eight public crime laboratories available to New Jersey's arson investigators (see Appendix L). Four of these laboratories are operated as part of the State Police Regional Laboratory Network while Ocean County, Burlington County, and the Newark Police Department operate their own labs. In addition, the Bureau of Alcohol, Tobacco, and Firearms maintains a laboratory in Philadelphia which can also be used for arson evidence analysis. We surveyed each of these labs and found that they all equaled or surpassed minimum equipment standards for arson evidence analysis.

For the most part, our survey responses rated all of these labs satisfactorily, but there were some complaints about delays in service due to understaffing. We believe that the expected increase in anti-arson activity will create even greater strains on these labs than already exist. This is especially true in northern New Jersey where the State Police Lab at Little Falls is the only regional lab that services the five most populated counties. Time did not permit a complete study of possible laboratory needs, but we feel that slight staff increases and equipment adjustments could satisfy future needs except in northern New Jersey. There, we

believe more substantive needs will arise. Since the Little Falls State Police Lab is the only state regional lab north of Trenton, we feel that consideration ought to be given to significant expansion of that lab's analytical capacity. We also believe that the State of New Jersey and Essex County ought to explore the possibility of upgrading the Newark Lab pursuant to an agreement that it will service all of Essex County if State or County Funds are allocated for that purpose. Because of the disproportionately high level of reported incendiaryism in Newark and Essex County, such a measure may remove considerable pressure from the Little Falls lab. Consideration should also be given to the development of guidelines for laboratory use in conjunction with geographical boundaries. This would tend to eliminate unnecessary disproportionate use.

HOUSING POLICIES

Strengthen Systematic Multi-Family Code Enforcement.

We believe that New Jersey is in a uniquely favorable position to further implement code enforcement efforts designed to slow and stop the deterioration of multi-family housing into the arson and fire prone state. The state government already enforces a multi-family housing code through the state Bureau of Housing Inspection pursuant to the Hotel and Multiple Dwelling Law. The inspections are systematic and more than 15,000 properties containing over 130,000 dwelling units are inspected each year. In general terms, the administrative enforcement of the law by the Department of Community Affairs is effective. More than 90% of the properties inspected are brought fully into compliance through administrative action. Unfortunately, we feel, however, that the hardcore arson prone properties are more likely to fall in the last 10% than out of it. The Department has been handicapped in its effort to deal with those most seriously deficient properties by the lack of a highly sophisticated enforcement unit and the inability to seek judicial enforcement when administrative measures fall short.

In order to eliminate these deficiencies, we recommend:

1. The creation of a habitual violators' unit

in the Bureau of Housing Inspection, staffed with four special investigators skilled in title and property search skills, to provide the necessary special investigation capability needed to deal with property owners who are in the business of exploiting housing and its residents.

2. The assignment of two Deputies Attorney General, on a full-time basis, to the Bureau of Housing Inspection in order to dispose of the 1,200 cases per year which routinely require court action.

It should be noted that the anticipated court actions will result in the collection of fees and penalties in amounts far exceeding the cost of the enforcement in addition to obtaining improvements in housing conditions.

Sales Violation Disclosure. Paper transfers of property among small corporations or related principals are an important part of arson conspiracies and also represent a key tactic used by exploiters to avoid compliance with housing codes.

In order to deter this type of activity, we recommend

that the state's Hotel and Multiple Dwelling Law be amended to require that:

1. The seller of any multi-family property be required to notify the Bureau of Housing Inspection of his intent to sell and the prospective purchaser of any outstanding cited code violations present at the property.
2. The Bureau furnish a copy of any open notices of violations to the purchaser.
3. The purchaser assume responsibility for any outstanding violations.
4. The purchaser assume responsibility for outstanding penalties related to outstanding violations if he fails to require the buyer to notify the Bureau and therefore fails to receive notice of outstanding violation.
5. Provides a substantial penalty for the seller who sells without notifying the Bureau as required.

Such a process would both protect the purchasers of multiple dwellings and ensure that no transfer of property,

whether sham or real, would inhibit the enforcement of codes. It would also provide invaluable information to insurance companies and would tend to reduce the likelihood of overinsurance.

Enforce Landlord Identity Disclosure. New Jersey already has a strong landlord identity disclosure law on the books. It requires the disclosure of the name and addresses of all owners (in the case of a corporation, its agent and officers), the name and address of the managing agent and any janitorial or custodial personnel, an emergency telephone number, and the name and address of every holder of a recorded mortgage. This information must be: (1) filed with the municipal clerk, (2) posted in a conspicuous place in the premises; and (3) furnished to every tenant. The law is commonly not complied with at arson prone properties and it is generally not enforced. In our view, vigorous enforcement of this provision would serve to facilitate code enforcement and arson investigations as well.

Insurance Disclosure. In conjunction with the above recommendation, we also urge the enactment of legislation which will add the amount of insurance, the name of the insurer, the beneficiaries, and the insurance agent associated with any fire and property damage insurance

policy in effect at the premises to the information required to be filed with the municipal clerk under the Landlord Identity Disclosure Law.

Corporate Relationship Disclosure. Often, the existence of interlocking sham corporations have been created to frustrate arson investigation and code enforcement. We believe that this screen can be effectively penetrated by a statutory disclosure requirement. We, therefore, recommend legislation which would:

1. Require each officer, director, incorporation, and stockholder (except in the case of a publicly held stock corporation) of any corporation which owns multiple dwellings or projects of multiple dwellings to register with the Bureau of Housing Inspection.
2. Require that each such person disclose any and all officerships, directorships, or interest in any and all multiple dwellings.
3. Provide substantial and continuing penalties for any failure to do so.

Volunteer Inspections. The response of code enforcement agencies to complaints regarding code violations is frequently limited by shortages of manpower. In order to maximize code enforcement potential, we recommend increased use of qualified and trained volunteers to conduct complaint inspections, and to participate in blockwatcher programs.

In certain communities where these activities have been organized, the results have been quite successful. One drawback has been that there are often insufficient code enforcement personnel available to swear out the complaints generated by the volunteers. We, therefore, believe that any such programs that are organized should be closely monitored in this regard. If complaints cannot be efficiently executed, consideration ought to be given to amend the housing code to allow occupants to sign complaints. Naturally, adequate administrative safeguards should be designed to prevent the harassment of landlords.

Housing Finance. There is no question that the non-availability of mortgage credit for urban multi-family properties contributes to the spread of urban decay and prone areas.

In order to better control this urban decay, we recommend that the Department of Community Affairs and its

component finance agencies develop further plans designed to make conventional mortgage credit available for multi-family properties in urban centers.

We think that more can and should be done to ease the risk of urban multi-family lending by:

1. The employment of sophisticated risk and certain analysis techniques not commonly available to lending institutions.
2. The creation of inspection and mortgage recourse systems which will ensure adequate maintenance of mortgaged properties.
3. The provision of co-insurance, reinsurance or risk pools to reduce the risk to single institutions.

Housing Ownership Alternatives. During our brief study, we obviously were unable to give sufficient thought to the broader issue of how conventional concepts of property value and ownership contributed to the high rate of arson in the inner city. We do believe, however, that there is clearly some point between when a building loses its traditional investment value and when it ultimately will burn that government can and should intervene and take innovative remedial action. Among the possibilities

that we admittedly have not been able to fully explore are the creation of Housing Preservation Authorities that would assist occupants in maintaining deteriorating buildings and the development of a statutory abandonment process for real property similar to a bankruptcy proceeding which would allow gradual transfer of title from the owner to the occupants. We believe that these issues merit further consideration and study.

INSURANCE, LAWS, REGULATIONS, AND PRACTICES

The major contributing factor to the high incidence of Arson for Profit is fire insurance. It provides the motive. More specifically, we believe that arson for profit stems primarily from two conditions: the enormous profits available and the ease of obtaining them without fear of penalty. In light of arson's tremendous human and financial costs, efforts must be made by government and the insurance industry to reformulate current insurance laws and practices so as to screen out poor risks, reduce incentives to commit arson, and increase the odds against the potential arsonist. We advance the following recommendations:

Require that Insurance Applications be Taken Prior to the Issuance of All Policies Insuring Against Fire Loss. Detailed pre-insurance information will assist insurance companies in screening risks and discourage potential arsonists. Applications should become part of the policy and contract language should be adopted to make fraudulent application information cause for voiding the policy or non-payment of the claim in the event of loss.

Expand the Insurance Application Forms to Include Space for the Collection of Data on Tax Arrears on Property. In general, we have found that properties burned for economic gain share a very similar profile. A key characteristic of this profile is that most of these properties are significantly in tax arrears. Where such data is accurately provided on the property and shows significant tax arrears, the property may be flagged as a bad risk. In the event that the applicant provides false data on the taxes and a fire occurs, the policy may be voided due to the misrepresentation.

The Voluntary Market Should be Encouraged to Adopt and Incorporate the F.A.I.R. Plan Corporate Questionnaire into the Insurance Application Procedures. The New Jersey F.A.I.R. Plan has developed a corporate questionnaire form that when used as part of the insurance application allows for penetration of the corporate veil used by arson profiteers. Full implementation of this program by the entire insurance industry will greatly enhance the probability of early detection of those involved in insurance fraud schemes and thus increase the risks against them (Appendix K).

Require Pre-Insurance Inspection of All Investment Residential (Multiple Dwellings) and Commercial Properties by Both Voluntary and Involuntary Underwriters.

We believe that urban devastation due to arson cannot be halted unless access to big insurance dollars can be more tightly restricted. Through routine prior-to-coverage risk review, insurers or their agents could: verify that properties in question are being occupied or utilized as stated and are not tax delinquent or deteriorated to a point where they might be abandoned and burned. Moreover, they could ensure that requested coverage corresponds to actual property value, thus avoiding overinsurance.

This practice would inevitably entail added costs, but would foreseeably save enormous sums in the long run. Insurers could minimize their inspection loads by obtaining and sharing information with building code authorities and realty agents.

The Insurance Industry Should be Required to Utilize the Broad Evidence Rule (Messing Rule) for Determining Actual Cash Value of Investment Residential (Multiple Dwellings) and Commercial Properties. The Broad Evidence Rule utilizes five criteria to determine the value at which a building is to be insured. The criteria utilized

are:

1. Assessed value of any improvements to the property.
2. Market value of the building.
3. The three-year rental income of the property.
4. The replacement cost of the building less depreciation.
5. Obsolescence in the uses which the building could be put.

In addition to establishing a realistic and fair value for insuring the building and thus removing the potential of overinsurance, the Broad Evidence Rule would also eliminate the practice of providing uncollectible fire insurance on the land as required by the mortgage market.

The New Jersey F.A.I.R. Plan, which held 77,000 fire/property insurance policies in FY 77-78, through its utilization of the Broad Evidence Rule reduced inflated property values on 10 to 15% of the properties it insured. We believe that required utilization of these objective criteria by the insurance industry throughout the state would have a significant impact on

reducing the incentives for arson for economic gain.

Adopt Insurance Regulations that Would Encourage Reinvestment of Loss Settlements into Properties Damaged by Fire. In our view, the present practices of both the voluntary and involuntary insurance markets do not substantially support reinvestment of claims settlements into the damaged properties. As a result, those involved in arson for economic gain conspiracies are able to accept the actual cash value of the loss and abandon the property. The basic concept of insurance is to make restitution for loss not to provide profit. At the present time, the New Jersey Department of Insurance is conducting research in an attempt to resolve this problem. Upon completion of this research, those policies and programs that are identified as most feasible and effective in addressing the issue should be adopted by the state.

Adopt and Implement Senate Bill 583 Ensuring that Municipalities Will Be Reimbursed for the Costs Incurred When it is Necessary to Demolish Fire Damaged Buildings. This bill requires insurance companies to notify municipalities prior to paying claims on fire damaged properties and that the insurance companies must reimburse the municipalities before paying any insurance claim. As

both the mortgagor and mortgagee may claim to have an insurable interest in the property so too do they have the responsibility of demolishing this property when it is so severely damaged by fire that it must be demolished. Past practice has been for both parties to receive their share of insurance settlements and to leave the demolition costs for the public to bear. This practice has increased the incentive for arson for economic gain as the profit realized is increased by shifting the cost of demolition to the public.

Provide the New Jersey F.A.I.R. Plan with Wider Discretionary Powers in Providing Insurance to Vacant/Unoccupied Buildings. At the present, the F.A.I.R. Plan is required to provide insurance to vacant/unoccupied buildings that are hardened through seal up of their points of access. Experience has shown that building seal ups are at best a temporary measure and that if no meaningful effort is undertaken toward rehabilitation or demolition, the building will be penetrated by vandals and vagrants. In fact, in the case of the building that is eventually demolished, F.A.I.R. is in reality providing insurance for a building without any value. The vacant/unoccupied building has only two ends, either rehabilitation or demolition

and the seal up is but an extremely temporary stage. Before the F.A.I.R. Plan is required to insure a vacant/unoccupied structure, the owner should be required to submit a detailed plan demonstrating his commitment to rehabilitate the structure. The plan should include a work schedule, which if not completed would allow the F.A.I.R. Plan the option of cancelling coverage.

Elimination of F.A.I.R. Plan Requirements for Immediate Binding on Residential (Multiple Dwellings) and Commercial Properties. The immediate binding requirements place F.A.I.R. Plan at the disadvantage of having to provide insurance on property at an unsubstantiated value. In purchasing such properties, the buyers must pre-arrange mortgages, searches and closing appointments, and there is a significant lapse in time between the decision to purchase and the actual transfer of title. There is no justification as to why a purchaser of such property should not be required to pre-arrange the fire/property insurance during the same time frame.

Adoption of Legislation Requiring the Licensing of Public Adjusters in New Jersey. It is unfortunate that a few unscrupulous people in the field of Public Adjusting have been able to accomplish so much harm that the

entire profession is viewed with suspicion. Public Adjusting in New Jersey today has no monitoring or control by the state. This has resulted in allowing those who participate in arson rings to operate almost with immunity. The licensing of this profession would aid in eliminating this and other abuses which have been engaged in by certain public adjusters.

Explore the Possibility of Adopting Legislation That Would Allow for Extension of the 30-Day Requirement for Claims Settlement. The present law has been designed to protect the consumer from the arbitrary delay of settlement by the insurer. While it accomplishes this objective, it also reduces the risks and increases the incentive for arson. We feel that it is not realistic to expect insurance companies to vigorously resist suspicious claims when they are at the same time confronted with the possibility of paying treble damages for delaying settlement beyond 30 days.

Our brief study did not allow us to reach firm conclusions on how the settlement period could be extended beyond 30 days, while at the same time providing adequate safeguards to the innocent insured. Nevertheless, we believe that this area should be more

fully explored by the Department of Insurance.

Explore the Possibility of Extending the "Constructive Abandonment" Theory to the Voluntary Market.

Often times, buildings deteriorate "overnight". Even those which have been previously inspected can become vacant or quickly lose value for a number of reasons, and thus end up being significantly overinsured and arson prone. To counter this situation, the New Jersey Department of Insurance recently adopted a regulation allowing the F.A.I.R. Plan to cancel a policy on 5 days notice when certain criteria exist which suggest that the property is ripe for arson. The results of this rule change should be closely monitored, and if it brings about the desired results, thought should be given to voluntary market application.

PUBLIC EDUCATION AND AWARENESS PROGRAMS

Arson cannot be effectively controlled solely through the efforts of law enforcement and public safety agencies. The problems are too pervasive and the resources of these agencies are far too limited. We believe that the broad-based support of an informed public is absolutely essential for long-term purposes. In order to maximize the potential for this support, we recommend the following:

Development of Programs to Make the Public Aware of the Magnitude of the Arson Problem. We feel that citizens should be continuously informed of the dimensions of the arson problem and its impact upon their daily lives. Particular emphasis should be placed on the frequency of deaths and injuries, property losses, increased taxes and higher insurance premiums. While we have not had time to fully explore the realm of possible approaches and delivery mechanisms, we believe that there are a variety of effective means to accomplish these objectives. Among them are the following:

1. Radio, television, and newspaper messages.
2. Bumper sticker, billboard, leaflet, T-shirt, and bus poster campaigns.

3. Contests to establish a campaign slogan or symbol, i.e., Dallas, Texas "Burn An Arsonist for Cold Cash", or Seattle's Sid Sinder Character.
4. Presentations to community groups, service organizations, and schools by public safety and insurance industry spokesmen.

Measures like these can be adopted at minimal expense and have proven very effective when combined with an overall program for Arson Control and Prevention. In Dallas, a 33% decrease in arsons and a 100% increase in adult arrests were reported within 4 months after a comprehensive public awareness program was instituted. In Seattle, a publicity campaign was put into operation for six months in order to announce the implementation of a series of new anti-arson measures. Arson incidents decreased considerably even before the program became operational.

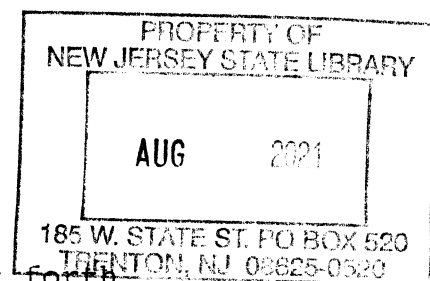
As an additional benefit, public awareness programs also generate pressure on public officials to allocate more resources to fight arson and may even result in higher conviction rates by sensitizing prospective jurors to the seriousness of the arson problem.

Development of Means and Incentives for Public Cooperation with Law Enforcement Authorities. In our opinion, successful arson investigations are more dependent upon public assistance than investigations of any other crime. Law enforcement officers are rarely able to secure witnesses in arson cases and generally must depend almost entirely on circumstantial evidence to prove the case. We believe the following measures should be taken to induce greater citizen cooperation with investigating authorities:

1. Establishment of awards (reward) programs for citizens who supply information leading to the arrest and conviction of arsonists.
2. Creation of a statewide toll-free "tipster" hotline at the Division of State Police.
3. Establishment of a special Post Office Box for receiving confidential arson information at the Division of State Police.
4. Posting of signs on intentionally burned buildings advising the public of the cause of the fire and requesting information on the offenders.

Similar programs have been adopted in other states with relative success. In addition to maximizing the potential for receiving information, we believe they also discourage arsonists by creating an awareness of increased risks. Obviously, in order to be successful, these measures must be well publicized in conjunction with the programs set forth in the previous recommendations.

COORDINATION OF AGENCIES



We believe that the recommendations set forth herein can provide the necessary components of a New Jersey Strategy for Effective Arson Control. But they will not implement themselves, nor will they somehow miraculously blend together to form a viable strategy. Concerned individuals and groups will have to do that; individuals and groups from different disciplines and from many walks of life. They will need a way to work together, to study, to plan, and finally to do. To accomplish this, we propose the following:

Establishment of a New Jersey Advisory Committee on Arson Control. We believe that an Arson Advisory Committee is the only vehicle which can provide New Jersey with the capability of analyzing arson-related issues from the broad perspective that is necessary in order to design and implement effective programs which can adequately deal with the state's arson problems.

Interdisciplinary in nature and representing diverse public and private interests, an arson advisory committee can provide New Jersey with an organizational framework that will facilitate the coordination of agencies and groups that have previously acted indepen-

dently and often at cross purposes. We believe that it will allow the state to develop rational and cost-effective anti-arson policies by drawing from the collective knowledge of those who are most familiar with the problem. This is not mere speculation on our part. A number of other states, including Illinois, Florida, Massachusetts, and Texas have successfully implemented arson control programs under the guidance of Arson Advisory Committees.

In Seattle where the concept has been utilized since June 6, 1975, it has withstood the crucial test of time as demonstrated in the table below.

EFFECTIVENESS OF SEATTLE'S ARSON POLICY TASK FORCE

Incendiary Fire Losses	1974	\$3,227,953*	Reduction 42%
	1978	1,873,000**	
		<u>\$1,354,953</u>	
Arson Incidence Rate	1974	662	Reduction 32.3%
	1978	448	
		<u>214</u>	
Juvenile Firesetting Incidents	1974	243	Reduction 34.2%
	1978	160	
		<u>83</u>	
Adult Firesetting Incidents	1974	362	Reduction 32.3%
	1978	245	
		<u>117</u>	
Arrest Rate (Charge Rate)	1975	21%	Increase 104%
	1978	43%	
		<u>22%</u>	
Conviction Rate	1975	60%	Increase 45%
	1978	87%	
		<u>27%</u>	

* 1974 losses computed at 32¢ per sq. ft. replacement cost.

** 1978 losses computed at 48¢ per sq. ft. replacement cost.

Data source: Seattle Fire Department

In nearly every case we studied, arson advisory committees have aided in the development of arson prevention programs and have been instrumental in gaining passage of anti-arson legislation. Experience has shown that once these committees are formed, arson is no longer viewed as a police problem or a fire problem, but rather as an issue in the public policy arena.

As broad-based statewide policy-oriented bodies, Arson Advisory Committees are able to recommend setting of policy guidelines that establish jurisdictional boundaries among agencies and clear lines of authority and responsibility for program implementation. Thus, interagency jurisdictional disputes are eliminated and coordinating mechanisms are established among the various agencies. Through this coordination of efforts, the positive impacts realized from resources committed for arson control are maximized. Vital resources are not wasted dealing with false issues or in the duplication of effort. And perhaps most importantly, all of this can be accomplished with little cost and without adding another layer of bureaucracy to State government. Moreover, membership can remain flexible and is adaptable to the changing nature of the problems. Initially, we feel that the Advisory Committee should consist of representatives from the:

Governor's Office
State Legislature
Division of Criminal Justice
Division of State Police
Department of Insurance
Office of the State Fire Marshal
Department of Community Affairs
Paid Fire Departments
Volunteer Fire Departments
New Jersey Fire Education and Training Planning
Council
Insurance Industry
Police Chiefs
County Prosecutors
Rutgers, the State University
New Jersey Conference of Mayors

By drawing from the collective knowledge and experience of its membership, we believe that an advisory committee would be in a unique position to provide meaningful guidance and advice to the Governor, the Attorney General, and the Legislature in arson-related matters.

Among the specific duties that it could perform would be to:

1. Foster communication among various groups involved in anti-arson activities.
2. Promote further study of incendiarism in New Jersey.
3. Review and comment on existing and proposed legislation and regulations relating to arson control and prevention.
4. Investigate sources of funding and offer recommendations for coordinated allocation of resources committed to arson-related programs.
5. Coordinate implementation of Arson Control and Prevention programs.
6. Assist in the defining of arson control responsibilities among various agencies.
7. Act as a liaison between New Jersey and other states and the Federal government in arson related matters.
8. Communicate to the public the extent, severity, and magnitude of the arson problem in New Jersey.

Obviously, these are only some of the possible responsibilities of the proposed Advisory Committee and we do not mean to suggest that they cannot or should not be altered to meet the needs of the public in its war against arson. What we do strongly suggest, however, is that the creation of such a committee is in our view the only realistic way of bringing about the corrective action that is so long overdue. Indeed, the very preparation of this report is but a small example of what can be accomplished in a few short weeks when involved individuals are given an opportunity to work together in a cooperative setting. We believe that the creation of an advisory committee will provide for the continued existence of that type of setting.

Assignment of Deputy Attorney General, Division of Criminal Justice to Serve as Advisory Committee Coordinator. The responsibilities of an Advisory Committee on Arson Control will be considerable. Activities will have to be planned, programs will have to be implemented, proposed legislation will have to be researched and reviewed, and a host of other duties will have to be performed on a daily basis. In order to promote maximum efficiency and cohesiveness and to provide a continuing source of assistance and support to

the committee, we recommend that the Division of Criminal Justice assign a Deputy Attorney General to serve on a full-time basis as Committee Coordinator.

In our opinion, the present coordinating role of the Division of Criminal Justice in the New Jersey public safety community and its considerable resources and expertise make it an appropriate agency to house the Committee Coordinator.

LIST OF ACKNOWLEDGEMENTS

Abt Associates, Inc.
Advisory Committee-Arson Prevention-New Jersey
Alliance of American Insurers
American Insurance Association
Arizona Arson Advisory Committee
Arson Task Force, Div. Fire Prevention
Battelle Columbus Laboratories
Battelle Human Affairs Research Center
Boston Evening Globe
Boston Fire Department
Bronx Arson Strike Force
California Arson Prevention Committee
California District Attorney's Office
California Legislature
Chiefs of County Detectives' Association of New Jersey
CJ Monitor
Colorado Advisory Committee on Arson Prevention
Commercial Union Assurance Companies
Comptroller General of the United States
Connecticut Justice Commission
Department of General Social Services, City of New York
Factory Mutual Engineering Corporation
Florida Advisory Committee on Arson Prevention
General Adjustment Bureau Insurance
Illinois Advisory Commission on Arson
Illinois Legislative Investigating Commission
Insurance Advocate
Insurance All-Industry Committee for Arson Control
Insurance Crime Prevention Institute
Insurance Information Institute
International Training, Research, and Evaluation Council
Investigations Bureau, Inc.
Journal of American Insurance
Law Enforcement Assistance Administration
Los Angeles City Fire Department
Massachusetts Arson Prevention Task Force
Massachusetts Property Insurance Underwriting Association
Mathematica Policy Research, Inc.
Mayor's Arson Task Force, City of New York
Metropolitan Chicago Loss Bureau
Michigan Arson Committee
Michigan Basic Property Insurance Association
Michigan Department of State Police
Minneapolis Citizen's League
National Crime Prevention Association
National Fire Academy
National Fire Prevention and Control Administration

LIST OF ACKNOWLEDGEMENTS (CONT'D)

National Fire Protection Association
National Institute of Law Enforcement and Criminal Justice
National League of Cities
National Research Council Committee on Fire Research
New Jersey Department of Environmental Protection, Bureau
of Forest Fire Management
New Jersey Division of Systems and Communications Data
Analysis Center
New Jersey FAIR Plan
New Jersey Fire Chiefs' Association
New Jersey Fire Education and Training Planning Council
New Jersey State Association of Chiefs of Police
New Jersey State Paid Fire Chiefs' Association
New Jersey State Police
New York City Fire Department
Ohio Fair Plan Underwriting Association
Prosecuting Attorney's Council of Georgia
Rutgers State University
San Francisco Arson Task Force
Seattle Arson Task Force
State Farm Insurance Company
State of Texas, Governor's Office
Tampa Fire Department
Texas Advisory Council on Arson
The Aerospace Corporation
The Cherri Oakley Company
The County Prosecutors' Association of New Jersey
The Stanford Research Institute
Unigard Insurance Company
United States Department of Commerce News
United States Department of Justice, Organized Crime and
Racketeering Section
United States Fire Administration
United States General Accounting Office
United States Government Printing Office
United States Senate Committee on Governmental Affairs
Urban Educational Systems
Washington Crime News Services
Washington Insurance Council

ARSON WORKSHOP LIST OF ATTENDEES

June 22, 1979

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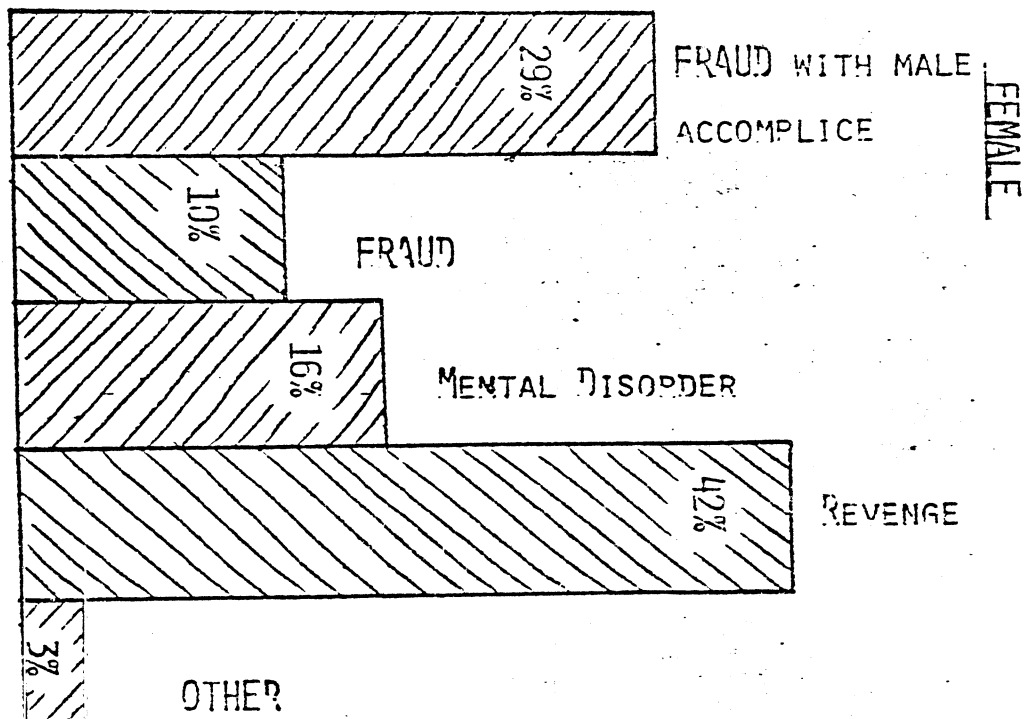
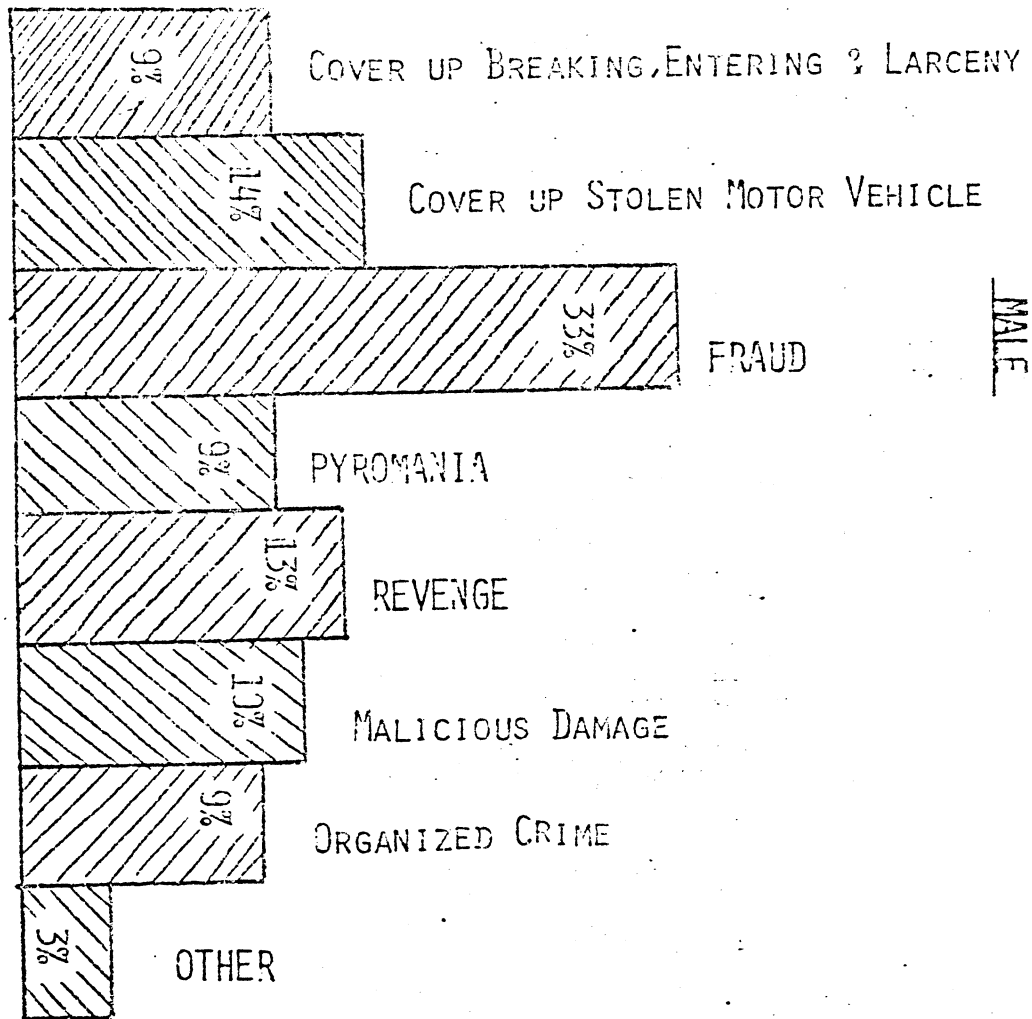
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Essex County Courts Building
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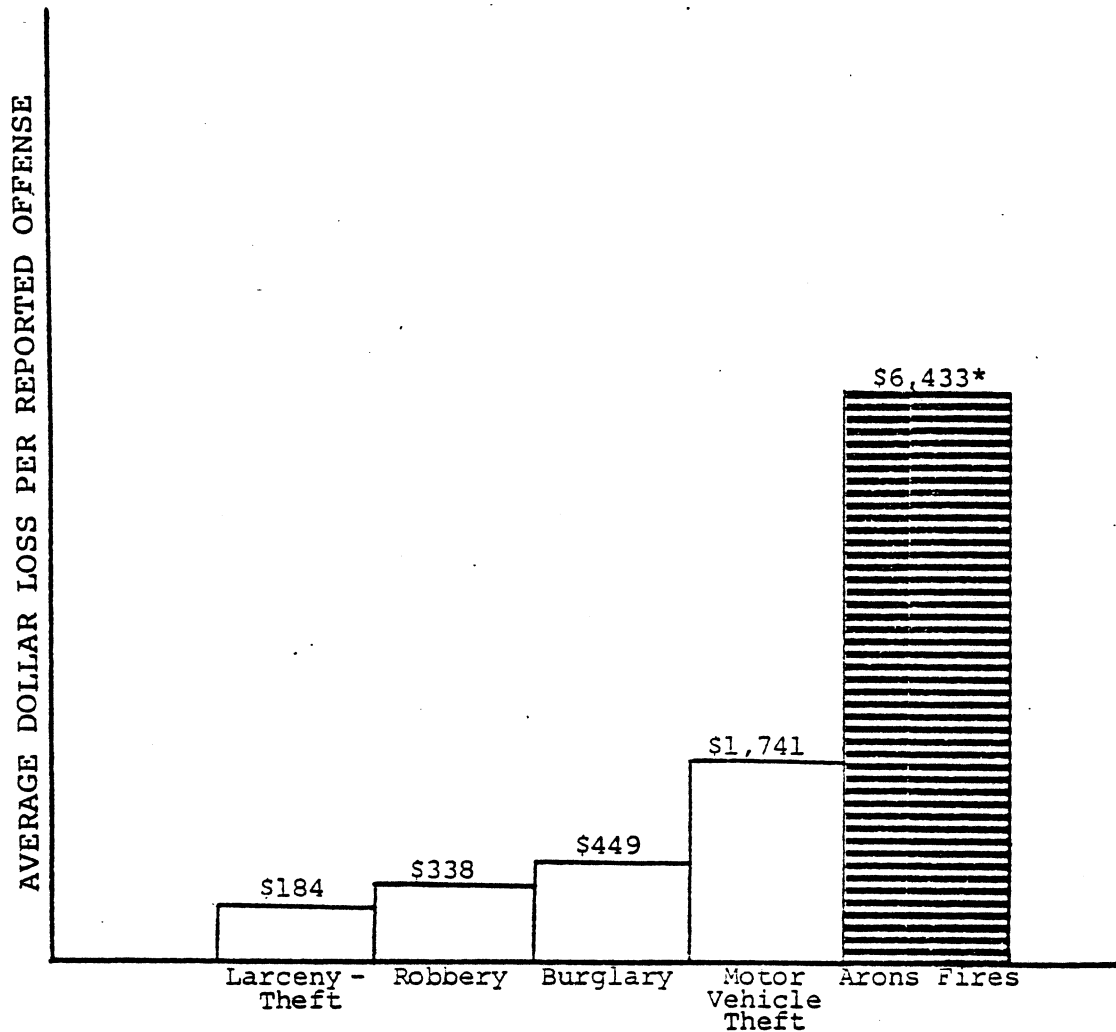
Incendiary Building Fire Losses
by Type of Occupancy, 1974

Type of Occupancy	Total Number of Fires	% Incendiary or Suspicious	Average Loss, All Fires (\$)	Estimated Loss from Arson (\$ millions)
Schools and colleges	35, 500	75	3, 500	93
Churches	5, 400	51	6, 300	17
Storage	68, 500	35	6, 300	153
Offices and banks	8, 100	34	6, 900	19
Restaurants	26, 800	31	2, 400	20
Hotels	30, 200	25	2, 300	17
Retail stores	78, 700	25	4, 800	93
Apartment buildings	151, 500	20	2, 000	61
Hospitals	15, 600	13	1, 300	3
Nursing homes	9, 300	13	600	0.8
Industrial	60, 200	9	11, 200	61
Mobile homes	29, 700	7	2, 600	5
Family dwellings	661, 400	7	1, 200	53

APPENDIX C



ARSON COMPARED TO OTHER CRIMES
AVERAGE DOLLAR LOSS
(1976 FIGURES)

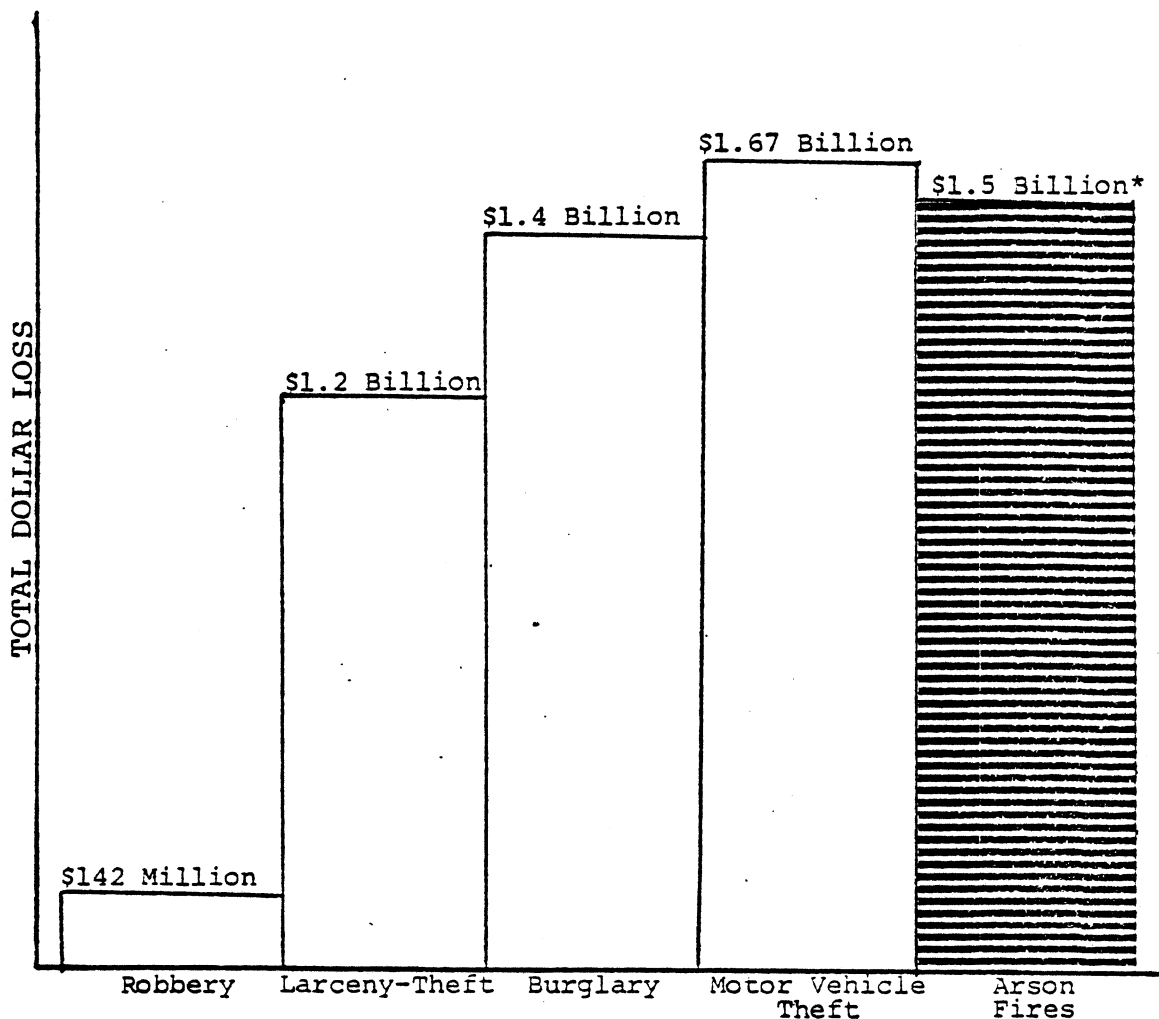


Sources: F.B.I. - 1976 Uniform Crime Report Statistics and American Insurance Association (AIA)

**AIA figures not broken down into separate categories of Arson Fires and Suspicious Fires.*

Insurance Information Institute unable to provide 1976 statistics.

ARSON COMPARED TO OTHER CRIMES
TOTAL DOLLAR LOSS
(1976 FIGURES)



Sources: F.B.I. - 1976 Uniform Crime Report Statistics and American Insurance Association (AIA)

**AIA figures not broken down into separate categories of Arson Fires and Suspicious Fires.*

Insurance Information Institute unable to provide 1976 statistics.

STATEWIDE ARSON NETWORK SYSTEM
FIRE ARSON SURVEY
FOR
JANUARY 1, 1978 TO DECEMBER 31, 1978

MUNICIPALITY _____
MUNICIPAL CODE NUMBER _____
COUNTY _____

GENERAL INSTRUCTIONS: Only include information about fires that your department had primary jurisdiction over. do not list a fire if you were called to it to assist another department unless you alone fought that fire. Do not list drills, false alarms, parades, etc., only responses to actual fires.

FIRE DEPARTMENTS: If you have several departments in you municipality only give information from yours and request that each other department respond.

POLICE DEPARTMENTS: Only list fires that your patrols responded to, at which no fire department appeared. If your municipal fire departments are not responding to this survey then include the information on all fires in your municipality.

FIRE CAUSES: All fires must be included in blocks 1 thru 4.

Accidental	_____	(1)
Arson	_____	(2)
Suspicious	_____	(3)
Undetermined	_____	(4)
Total Fires	_____	(5)

FIRE LOCATIONS: Do not list false alarms as location is unknown.

Residence	_____	(6) (homes, apartments, barns, house trailers)
Mercantile	_____	(7) (stores, gas stations, shopping centers, shops)
Woods/Fields	_____	(8) (fires not inside a structure or vehicle)
Motor Vehicles	_____	(9) (cars, trucks, trains, airplanes, etc.)
Industrial	_____	(10) (factories, warehouses, refineries, etc.)
Other	_____	(11) (schools, church, government building, etc.)
Total	_____	(12) <i>(This Figure should be the same as Block 5)</i>

ARSONS SOLVED:

Juvenile (under 18) arrested for arson.	_____	(13)
Adult (18 and over) arrested for arson.	_____	(14)
Person was identified but no arrest will be made.	_____	(15)
TOTAL ARSON CASES SOLVED <i>(whether arrest is made or not)</i>	_____	(16)

KILLED AND INJURED:

Number of civilians injured in fires in your jurisdiction.	_____	(17)
Number of civilians killed in fires in your jurisdiction.	_____	(18)
Number of officials (police, fire, etc.) injured in your jurisdiction.	_____	(19)
Number of officials (police, fire, etc.) killed in your jurisdiction.	_____	(20)

FIRE ARSON SURVEY

PAGE 2

VALUE OF PROPERTY LOSS:

Total value of property loss in your jurisdiction if you keep records. \$ _____ (21)

Total value of property loss in your jurisdiction if you do not keep records, (by fair estimate).
\$ _____ (22)

FIRE INVESTIGATIONS:

Number of fires in which an official of your municipality
did an in-depth investigation. _____ (23)

Number of fires in which an official (County Fire Marshall, State Police, etc.)
outside your municipality did an investigation. _____ (24)

NAME OF DEPARTMENT REPORTING _____

FIRE _____ OR POLICE _____

TITLE OF PERSON REPORTING _____

NAME OF PERSON REPORTING _____

SPECIAL FIRES:

Number of Pizza Store fires. _____ (25)

Number of Adult Book Store fires. _____ (26)

Number of Tavern fires. _____ (27)

Number of Diner fires _____ (28)

PLEASE LIST THE NAME, DATE AND LOCATION OF ANY FIRES AT THE ABOVE
BUSINESSES THAT OCCURRED IN YOUR MUNICIPALITY IN 1977, ON THE REVERSE
SIDE OF THIS SHEET. THIS INFORMATION WILL BE USED IN A STUDY TO IDENTIFY
TRENDS AND CONNECTIONS IN THESE TYPES OF FIRES.

PLEASE RETURN SURVEY BY MARCH 1, 1979. THE SURVEY OF EACH MUNICIPALITY
WILL BE CONSOLIDATED SHOWING COUNTY AND STATE TRENDS, COMPARED TO
LAST YEAR, AND MAILED TO ALL WHO RESPOND.

RETURN SURVEY TO: NEW JERSEY STATE POLICE

ARSON UNIT

P.O. BOX 7068

West Trenton, NJ 08625

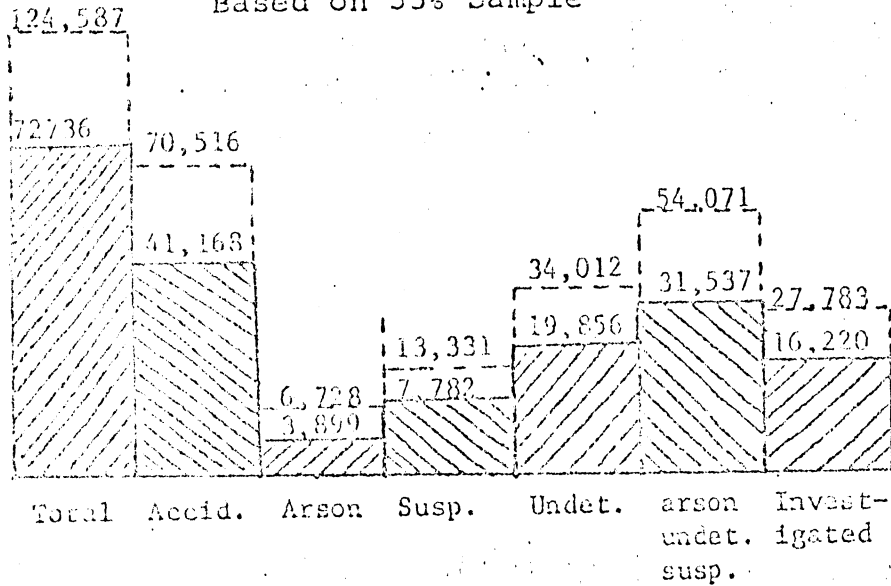
Are you a member of the Statewide Arson Network System? YES _____ NO _____

If not would you like information about becoming a member? YES _____ NO _____

REPORTED AND PROJECTED

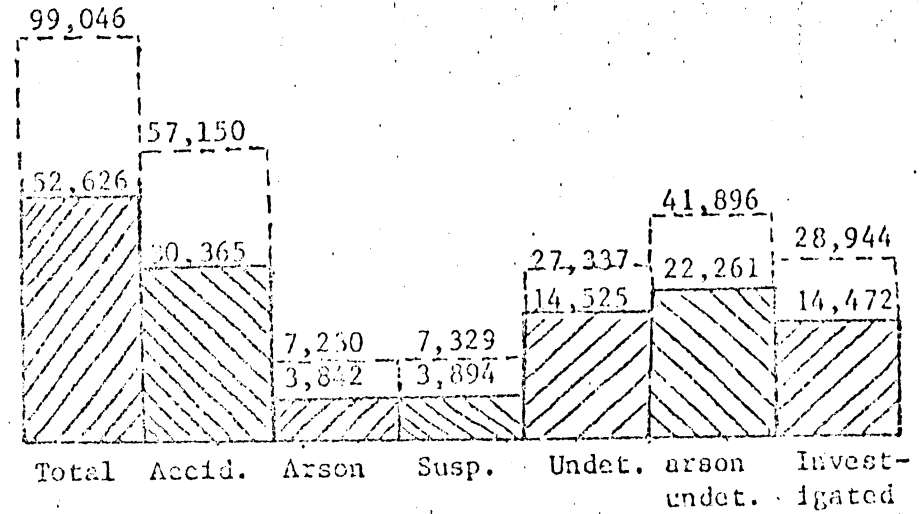
1974

Based on 55% Sample



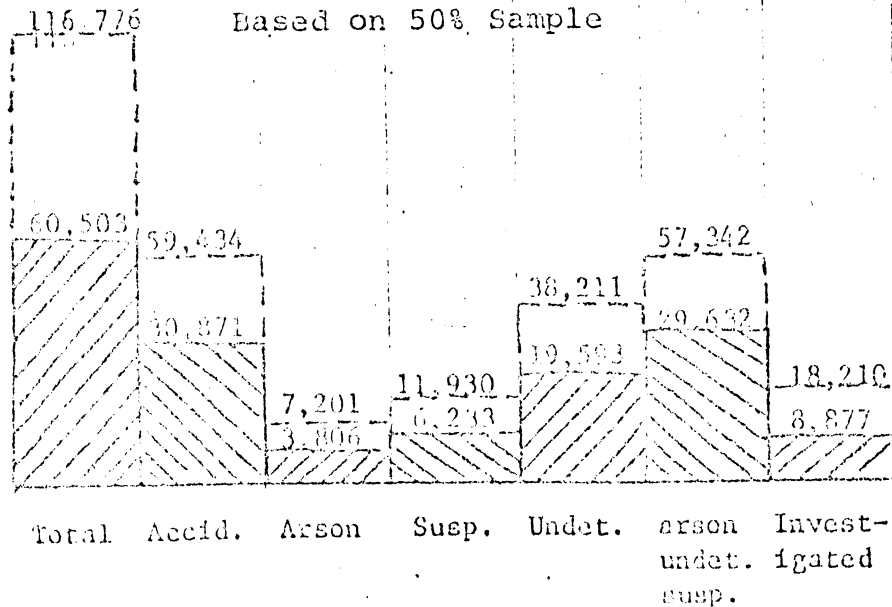
1975

Based on 50% Sample



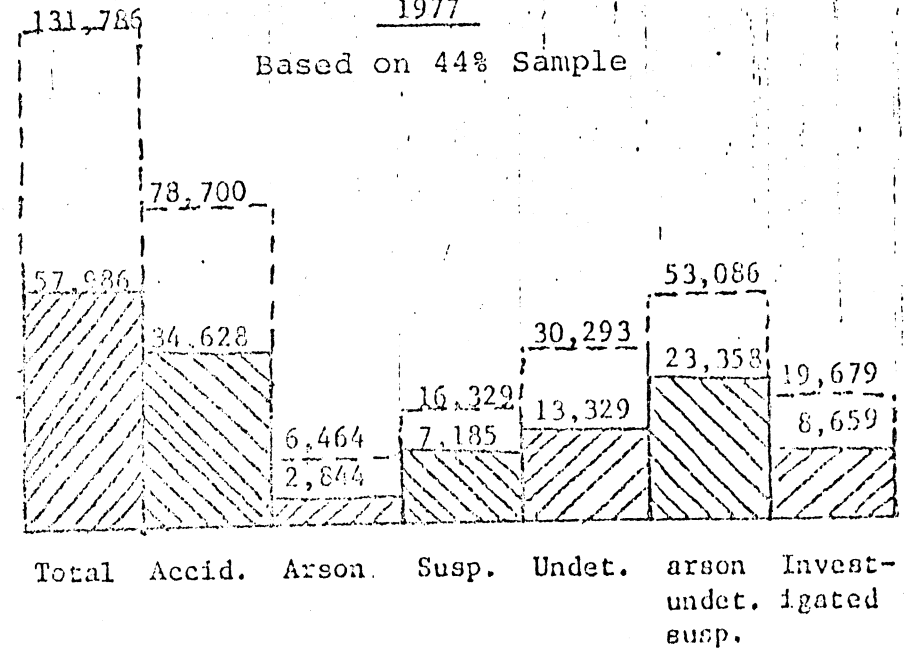
1976

Based on 50% Sample





1977

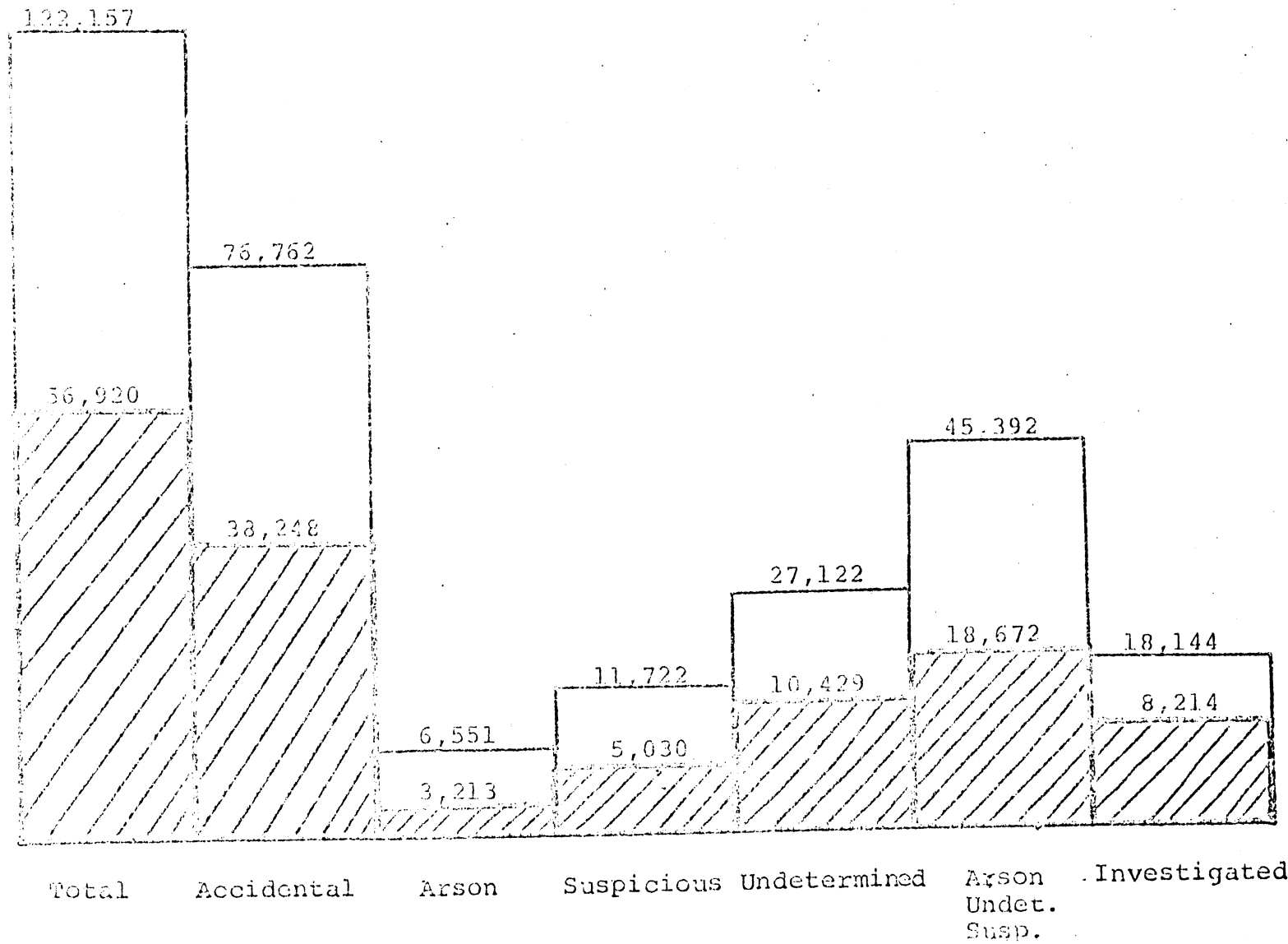
Based on 44% Sample



REPORTED AND PROJECTED

 Reported
 Projected

Projections based on
44% sample



ARREST TRENDS BY AGE GROUP 1972 - 1973

OFFENSES	UNDER 18 YEARS OF AGE			18 YEARS OF AGE AND OVER		
	1972	1973	PERCENT CHANGE	1972	1973	PERCENT CHANGE
Murder	56	45	-19.6	397	444	+ 11.8
Manslaughter	23	21	- 8.7	262	187	-28.6
Forcible Rape	132	165	+ 25.0	697	648	- 7.0
Robbery	1,453	1,438	- 1.0	3,434	3,116	- 9.3
Atrocious Assault	888	1,144	+ 28.8	5,130	5,543	+ 8.1
Breaking and Entering	7,503	8,547	+ 13.9	6,037	6,030	- 0.1
Larceny-Theft	12,094	13,248	+ 9.5	11,635	12,260	+ 5.4
Auto Theft	2,261	2,299	+ 1.7	1,042	1,175	+ 12.8
Subtotal for Above Offenses	24,410	26,907	+ 10.2	28,634	29,403	+ 2.7
Other Assaults	6,349	6,924	+ 9.1	21,443	22,546	+ 5.1
Arson	390	443	+ 13.6	194	203	+ 4.6
Forgery and Counterfeiting	79	89	+ 12.7	908	859	- 5.4
Fraud	189	193	+ 2.1	6,397	6,817	+ 6.6
Embezzlement	16	29	+ 81.3	288	331	+ 14.9
Stolen Property; Buying, Receiving, Possessing	3,806	3,956	+ 3.9	5,997	5,450	- 9.1
Malicious Mischief	7,689	8,214	+ 6.8	2,315	2,693	+ 16.3
Weapons; Carrying, Possessing, etc.	1,152	1,277	+ 10.9	4,889	5,388	+ 10.2
Prostitution and Commercialized Vice	28	15	-46.4	794	676	-14.9
Sex Offenses (Except Forcible Rape and Prostitution)	694	730	+ 5.2	1,203	1,337	+ 11.1
Narcotic Drug Laws	7,193	9,528	+ 32.5	21,120	25,334	+ 20.0
Gambling	38	41	+ 7.9	3,170	3,157	- 0.4
Offenses Against Family and Children	697	890	+ 27.7	2,840	2,893	+ 1.9
Driving Under the Influence	177	329	+ 85.9	16,413	20,816	+ 26.8
Liquor Laws	4,404	3,984	- 9.5	4,064	956	-76.5
Drunkenness	1,150	1,461	+ 27.0	8,430	9,224	+ 9.4
Disorderly Conduct	14,470	15,338	+ 6.0	19,549	18,810	- 3.8
Failure to Give Good Account	480	561	+ 16.9	1,317	1,427	+ 8.4
All Other Offenses (Except Traffic)	14,827	15,960	+ 7.6	30,507	32,138	+ 5.3
Suspicion	1,239	618	-50.1	-	-	-
Curfew and Loitering Law Violations	2,797	2,865	+ 2.4	-	-	-
Run-Aways	7,472	7,619	+ 2.0	-	-	-
TOTAL	99,746	107,971	+ 8.2	180,472	190,458	+ 5.5

DISPOSITION OF PERSONS FORMALLY CHARGED, 1973

OFFENSES	CHARGED (Held For Prosecution)	GUILTY OF		Acquitted or Dismissed	Referred to Juvenile Court	Pending
		Offense Charged	Lesser Offense			
Murder	484	103	9	46	40	341
Manslaughter	203	22	4	77	16	117
Forcible Rape	781	129	33	159	133	458
Robbery	4,245	893	110	480	1,129	2,040
Atrocious Assault	6,450	1,111	412	1,969	907	2,909
Breaking and Entering	11,897	1,980	346	877	5,867	3,512
Larceny-Theft	19,760	7,381	259	1,761	7,500	3,586
Auto Theft	2,896	433	59	203	1,721	586
Subtotal for Above Offenses	46,716	12,052	1,232	5,572	17,313	13,549
Other Assaults	26,156	8,607	378	8,736	3,610	6,563
Arson	454	44	8	58	251	142
Forgery and Counterfeiting	901	253	49	127	42	497
Fraud	6,929	2,791	131	2,675	112	2,491
Embezzlement	350	105	8	74	19	186
Stolen Property; Buying, Receiving, Possessing	8,254	1,970	207	2,041	2,804	2,861
Malicious Mischief	4,964	1,308	65	866	2,271	849
Weapons; Carrying, Possessing, etc.	6,042	1,592	271	1,856	654	3,236
Prostitution and Commercialized Vice	687	392	14	78	11	207
Sex Offenses (Except Forcible Rape & Prostitution)	1,670	501	71	273	333	617
Narcotic Drug Laws	31,575	11,675	716	3,426	6,241	11,134
Gambling	3,179	1,471	174	314	22	1,532
Offenses Against Family and Children	3,274	1,755	18	252	381	868
Driving Under the Influence	21,002	11,948	1,658	1,392	186	5,818
Liquor Laws	2,316	603	18	221	1,360	252
Drunkenness	9,695	6,462	188	817	471	1,757
Disorderly Conduct	23,559	10,280	151	4,509	4,749	3,870
Failure to Give Good Account	1,555	666	26	303	128	545
All Other Offenses (Except Traffic)	40,357	16,924	536	4,813	8,219	9,865
TOTAL	239,635	91,399	5,919	38,403	49,177	66,839

ARREST TRENDS BY AGE GROUP 1973 – 1974

OFFENSES	UNDER 18 YEARS OF AGE			18 YEARS OF AGE AND OVER		
	1973	1974	Percent Change	1973	1974	Percent Change
Murder	45	61	+35.6	444	392	-11.7
Manslaughter	21	21	-	187	153	-18.2
Forcible Rape	165	178	+ 7.9	648	719	+11.0
Robbery	1,438	1,694	+17.8	3,116	3,267	+ 4.8
Atrocious Assault	1,144	1,225	+ 7.1	5,543	5,592	+ 0.9
Breaking and Entering	8,547	10,947	+28.1	6,030	7,317	+21.3
Larceny-Theft	13,248	17,352	+31.0	12,260	15,908	+29.8
Motor Vehicle Theft	2,299	2,462	+ 7.1	1,175	1,208	+ 2.8
Subtotal for Above Offenses	26,907	33,940	+26.1	29,403	34,556	+17.5
Other Assaults	6,924	7,929	+14.5	22,546	23,661	+ 4.9
Arson	443	473	+ 6.8	203	285	+40.4
Forgery and Counterfeiting	89	134	+50.6	859	978	+13.9
Fraud	193	260	+34.7	6,817	7,239	+6.2
Embezzlement	29	41	+41.4	331	400	+20.8
Stolen Property; Buying, Receiving, Possessing	3,956	4,800	+21.3	5,450	6,523	+19.7
Malicious Mischief	8,214	10,566	+28.6	2,693	3,181	+18.1
Weapons; Carrying, Possessing, etc.	1,277	1,569	+22.9	5,388	6,025	+11.8
Prostitution and Commercialized Vice	15	37	+146.7	676	750	+10.9
Sex Offenses (Except Forcible Rape and Prostitution)	730	826	+13.2	1,337	1,338	+ 0.1
Narcotic Drug Laws	9,528	10,251	+ 7.6	25,334	27,734	+ 9.5
Gambling	41	80	+95.1	3,157	3,372	+ 6.8
Offenses Against Family and Children	890	617	-30.7	2,893	2,683	- 7.3
Driving Under the Influence	329	434	+31.9	20,816	22,017	+ 5.8
Liquor Laws	3,984	4,295	+ 7.8	956	1,183	+23.7
Drunkenness	1,461	1,512	+ 3.5	9,224	9,517	+ 3.2
Disorderly Conduct	15,338	15,770	+ 2.8	18,810	19,636	+ 4.4
Failure to Give Good Account	561	613	+ 9.3	1,427	1,607	+12.6
All Other Offenses (Except Traffic)	16,578	18,227	+ 9.9	32,138	33,341	+ 3.7
Curfew and Loitering Law Violations	2,865	3,447	+20.3	-	-	-
Run-Aways	7,619	7,403	- 2.8	-	-	-
TOTAL	107,971	123,224	+14.1	190,458	206,026	+ 8.2

DISPOSITION OF PERSONS FORMALLY CHARGED, 1974

OFFENSES	CHARGED (Held For Prosecution)	GUILTY OF		Acquitted or Dismissed	Referred to Juvenile Court	Pending
		Offense Charged	Lesser Offense			
Murder	456	116	14	60	44	317
Manslaughter	184	21	2	63	18	114
Forcible Rape	854	142	35	172	153	453
Robbery	4,702	930	97	545	1,392	2,249
Atrocious Assault	6,936	1,425	476	1,481	976	3,056
Breaking and Entering	16,015	2,251	410	785	7,882	4,709
Larceny-Theft	25,951	9,153	400	2,190	9,541	4,999
Motor Vehicle Theft	3,273	426	84	189	1,905	653
Subtotal for Above Offenses	58,371	14,464	1,518	5,485	21,911	16,550
Other Assaults	26,872	9,391	368	8,535	4,428	4,777
Arson	547	57	16	24	263	198
Forgery and Counterfeiting	1,127	341	44	146	93	624
Fraud	7,474	2,790	157	1,609	184	3,096
Embezzlement	440	96	22	60	30	272
Stolen Property; Buying, Receiving, Possessing, etc.	10,260	2,233	256	1,188	3,475	3,467
Malicious Mischief	6,484	1,570	54	900	3,039	880
Weapons; Carrying, Possession, etc.	6,876	1,823	403	915	842	3,833
Prostitution and Commercialized Vice	774	460	18	82	30	231
Sex Offenses (Except Forcible Rape and Prostitution)	1,885	525	57	221	520	652
Narcotic Drug Laws	35,040	13,585	634	3,869	6,586	12,470
Gambling	3,349	1,872	98	305	23	1,458
Offenses Against Family and Children	3,129	1,859	23	315	248	426
Driving Under the Influence	14,731	13,682	1,647	1,875	87	5,162
Liquor Laws	2,724	874	15	152	1,453	250
Drunkenness	9,779	7,010	76	1,076	530	1,390
Disorderly Conduct	24,650	11,581	214	4,443	4,798	4,091
Failure to Give Good Account	1,712	739	10	280	123	610
All Other Offenses (Except Traffic)	41,564	18,957	410	4,848	7,935	9,980
TOTAL	257,788	103,909	6,040	36,328	56,598	70,417

ARREST TRENDS BY AGE GROUP 1974 – 1975

OFFENSES	UNDER 18 YEARS OF AGE			18 YEARS OF AGE AND OVER		
	1974	1975	PERCENT CHANGE	1974	1975	PERCENT CHANGE
Murder	61	65	+6.6	392	445	+13.5
Manslaughter	21	21	—	153	164	+7.2
Forcible Rape	178	160	-10.1	719	717	-0.3
Robbery	1,694	1,905	+12.5	3,267	3,447	+5.5
Atrocious Assault	1,225	1,469	+19.9	5,592	6,089	+8.9
Breaking and Entering	10,947	11,718	+7.0	7,317	8,202	+12.1
Larceny—Theft	17,352	18,457	+6.4	15,908	17,742	+11.5
Motor Vehicle Theft	2,462	2,237	-9.1	1,208	1,113	-7.9
Subtotal for Above Offenses	33,940	36,032	+6.2	34,556	37,919	+9.7
Other Assaults	7,929	8,930	+12.6	23,661	24,070	+1.7
Arson	473	492	+4.0	285	322	+13.0
Forgery and Counterfeiting	134	170	+26.9	978	1,208	+23.5
Fraud	260	334	+28.5	7,239	8,280	+14.4
Embezzlement	41	33	-19.5	400	360	-10.0
Stolen Property; Buying, Receiving, Possessing	4,800	4,584	-4.5	6,523	6,963	+6.7
Malicious Mischief	10,566	11,547	+9.3	3,181	3,556	+11.8
Weapons; Carrying, Possessing, etc.	1,569	1,804	+15.0	6,025	6,143	+2.0
Prostitution and Commercialized Vice	37	22	-40.5	750	843	+12.4
Sex Offenses (Except Forcible Rape and Prostitution)	826	612	-25.9	1,338	1,226	-8.4
Narcotic Drug Laws	10,251	8,305	-19.0	27,734	24,067	-13.2
Gambling	80	61	-23.8	3,372	2,398	-28.9
Offenses Against Family and Children	617	683	+10.7	2,683	2,739	+2.1
Driving Under the Influence	434	451	+3.9	22,017	22,392	+1.7
Liquor Laws	4,295	4,304	+0.2	1,183	1,491	+26.0
Drunkenness	1,512	1,531	+1.3	9,517	10,350	+8.8
Disorderly Conduct	15,770	15,761	-0.1	19,636	21,306	+8.5
Failure to Give Good Account	613	631	+2.9	1,607	2,038	+26.8
All Other Offenses (Except Traffic)	18,227	19,411	+6.5	33,341	36,636	+9.9
Curfew and Loitering Law Violations	3,447	3,578	+3.8	—	—	—
Run-Aways	7,403	7,241	-2.2	—	—	—
TOTAL	123,224	126,517	+2.7	206,026	214,307	+4.0

APPENDIX H

DISPOSITION OF PERSONS FORMALLY CHARGED, 1975

OFFENSES	CHARGED (HELD FOR PROSECUTION)	GUILTY OF		ACQUITTED OR DISMISSED	REFERRED TO JUVENILE COURT	PENDING
		OFFENSE CHARGED	LESSER OFFENSE			
Murder	506	128	19	55	53	341
Manslaughter	176	18	6	63	14	96
Forcible Rape	848	107	22	184	143	494
Robbery	5,067	957	114	607	1,539	2,397
Atrocious Assault	7,662	1,393	652	1,602	1,166	3,439
Breaking and Entering	17,611	2,705	458	1,088	8,438	5,266
Larceny—Theft	28,829	10,484	509	2,831	10,499	5,153
Motor Vehicle Theft	3,007	402	56	227	1,764	629
Subtotal for Above Offenses	63,706	16,194	1,836	6,657	23,616	17,815
Other Assaults	29,364	9,781	441	9,657	5,004	5,361
Arson	666	71	17	48	301	257
Forgery and Counterfeiting	1,364	406	53	189	136	737
Fraud	8,744	3,432	198	1,939	220	3,451
Embezzlement	392	94	15	61	25	230
Stolen Property; Buying, Receiving, Possessing, etc.	10,436	2,582	251	1,398	3,255	3,551
Malicious Mischief	7,542	1,829	68	1,057	3,596	1,076
Weapons; Carrying, Possessing, etc.	7,258	2,135	363	1,159	919	3,950
Prostitution and Commercialized Vice	851	439	39	116	18	275
Sex Offenses (Except Forcible Rape and Prostitution)	1,640	457	49	236	376	637
Narcotic Drug Laws	29,911	12,295	860	3,906	5,253	10,494
Gambling	2,513	1,324	57	329	14	1,316
Offenses Against Family and Children	3,321	1,849	28	347	294	385
Driving Under the Influence	22,549	11,195	2,183	1,132	207	8,650
Liquor Laws	2,907	1,110	31	148	1,336	282
Drunkenness	10,793	7,873	99	1,140	617	1,368
Disorderly Conduct	27,019	12,905	375	5,122	4,775	4,428
Failure to Give Good Account	2,128	908	53	433	179	650
All Other Offenses (Except Traffic)	46,348	21,433	502	6,025	8,837	10,148
TOTAL	279,452	108,312	7,518	41,099	58,978	75,061

ARREST TRENDS BY AGE GROUP 1975 - 1976

OFFENSES	UNDER 18 YEARS OF AGE			18 YEARS OF AGE AND OVER		
	1975	1976	PERCENT CHANGE	1975	1976	PERCENT CHANGE
er	65	50	-23.1	445	333	-25.2
laughter	21	21	-	164	147	-10.4
ble Rape	160	166	+ 3.8	716	756	+ 5.6
ery	1,905	1,657	-13.0	3,447	3,159	- 8.4
sious Assault	1,469	1,524	+ 3.7	6,089	5,834	- 4.2
ing and Entering	11,718	10,785	- 8.0	8,202	7,710	- 6.0
ny-Theft	18,457	17,950	- 2.7	17,742	18,065	+ 1.8
r Vehicle Theft	2,237	1,958	-12.5	1,113	1,096	- 1.5
Subtotal for Above Offenses	36,032	34,111	- 5.3	37,919	37,100	- 2.2
r Assaults	8,930	9,318	+ 4.3	24,070	23,705	- 1.5
1	492	513	+ 4.3	322	350	+ 8.7
ery and Counterfeiting	170	170	-	1,208	1,207	- 0.1
d	334	289	-13.5	8,280	8,050	- 2.8
azzlement	33	33	-	360	398	+10.6
Property; Buying, Receiving, Possessing	4,584	4,308	- 6.0	6,963	6,372	- 8.5
sious Mischief	11,547	11,390	- 1.4	3,556	3,846	+ 8.2
ons; Carrying, Possessing, etc.	1,804	1,651	- 8.5	6,143	5,214	-15.1
itution and Commercialized Vice	22	35	+59.1	843	837	- 0.7
Offenses (Except Forcible Rape and Prostitution)	612	635	+ 3.8	1,226	1,300	+ 6.0
Abuse Violations	8,305	8,592	+ 3.5	24,067	22,936	- 4.7
oling	61	44	-27.9	2,398	1,996	-16.8
ses Against Family and Children	683	758	+11.0	2,739	2,818	+ 2.9
ng Under the Influence	451	447	- 0.9	22,392	21,111	- 5.7
or Laws	4,304	4,154	- 3.5	1,491	1,839	+23.3
kenness	1,531	1,712	+11.8	10,350	9,429	- 8.9
derly Conduct	15,761	15,038	- 4.6	21,306	20,839	- 2.2
re to Give Good Account	631	760	+20.4	2,038	1,839	- 9.8
ther Offenses (Except Traffic)	19,411	19,421	- 0.1	36,636	40,684	+11.0
ow and Loitering Law Violations	3,578	3,072	-14.1	-	-	-
ways	7,241	7,009	- 3.2	-	-	-
TOTAL	126,517	123,460	- 2.4	214,307	211,870	- 1.1

DISPOSITION OF PERSONS FORMALLY CHARGED, 1976

OFFENSES	CHARGED (HELD FOR PROSECUTION)	GUILTY OF		ACQUITTED OR DISMISSED	REFERRED TO JUVENILE COURT	PENDING
		OFFENSE CHARGED	LESSER OFFENSE			
Murder	390	124	4	56	48	257
Manlaughter	171	8	3	61	16	95
Forcible Rape	912	114	30	145	146	570
Robbery	4,708	742	108	612	1,409	2,434
Atrocious Assault	7,490	1,175	744	1,726	1,255	3,441
Breaking and Entering	17,467	2,329	374	1,080	8,865	5,211
Arson-Theft	29,974	11,009	411	2,839	11,238	5,144
Motor Vehicle Theft	2,815	357	52	210	1,581	651
Subtotal for Above Offenses	63,927	15,858	1,726	6,729	24,558	17,803
Other Assaults	30,388	9,694	382	10,147	5,699	5,205
Arson	675	58	14	43	308	258
Forgery and Counterfeiting	1,442	340	29	198	139	879
Fraud	8,891	3,618	196	2,015	213	3,331
Embezzlement	431	34	22	84	23	289
Stolen Property; Buying, Receiving, Possessing, etc.	10,135	2,461	256	1,214	3,298	3,455
Indecent Mischief	8,325	1,880	70	1,266	4,092	1,061
Weapons; Carrying, Possessing, etc.	6,462	1,465	235	788	1,000	3,508
Prostitution and Commercialized Vice	871	483	36	85	28	266
Sex Offenses (Except Forcible Rape and Prostitution)	1,800	477	56	251	412	719
Drug Abuse Violations	29,980	11,084	467	3,009	5,980	10,958
Gambling	2,058	859	32	211	26	1,182
Offenses Against Family and Children	2,917	1,806	27	314	321	478
Driving Under the Influence	14,158	7,217	2,078	792	90	4,537
Liquor Laws	3,827	1,733	47	171	1,427	469
Drunkenness	10,136	7,076	42	1,108	648	1,542
Disorderly Conduct	27,086	12,865	356	5,153	5,068	4,363
Failure to Give Good Account	2,097	951	31	456	178	601
All Other Offenses (Except Traffic)	48,563	24,771	494	6,672	9,859	10,193
TOTAL	274,169	104,730	6,596	40,706	63,367	71,097

ARREST TRENDS BY AGE GROUP 1976 – 1977

OFFENSES	UNDER 18 YEARS OF AGE			18 YEARS OF AGE & OVER		
	1976	1977	PERCENT CHANGE	1976	1977	PERCENT CHANGE
Murder	50	27	-46.0	333	318	- 4.5
Manlaughter	21	17	-19.0	147	82	-44.2
Forcible Rape	166	164	- 1.2	756	753	- 0.4
Robbery	1,657	1,416	-14.5	3,159	2,715	-14.1
Cruel Assault	1,524	1,597	+ 4.8	5,834	6,234	+ 6.9
Breaking and Entering	10,785	11,037	+ 2.3	7,710	6,936	-10.0
Arson-Theft	17,950	18,388	+ 2.4	18,065	17,785	- 1.6
Motor Vehicle Theft	1,958	1,696	-13.4	1,096	1,077	- 1.7
Subtotal for Above Offenses	34,111	34,342	+ 0.7	37,100	35,900	- 3.2
Other Assaults	9,318	8,505	- 8.7	23,705	23,677	- 0.1
Person	513	529	+ 3.1	350	340	- 2.9
Forgery and Counterfeiting	170	131	-22.9	1,207	1,680	+39.2
Fraud	289	304	+ 5.2	8,050	7,883	- 2.1
Embezzlement	33	30	- 9.1	398	385	- 3.3
Stolen Property; Buying, Receiving, Possessing, etc.	4,308	4,145	- 3.8	6,372	5,613	-11.9
Malicious Mischief	11,390	10,602	- 6.9	3,846	3,851	+ 0.1
Weapons; Carrying, Possessing, etc.	1,651	1,502	- 9.0	5,214	4,814	- 7.7
Prostitution and Commercialized Vice	35	46	+31.4	837	1,058	+26.4
Sex Offenses (Except Forcible Rape and Prostitution)	635	578	- 9.0	1,300	1,321	+ 1.6
Drug Abuse Violations	8,592	9,994	+16.3	22,936	23,637	+ 3.1
Gambling	44	51	+15.9	1,996	1,535	-23.1
Offenses Against Family and Children	758	873	+15.2	2,818	3,147	+11.7
Driving Under the Influence	447	430	- 3.8	21,111	21,787	+ 3.2
Quorum Laws	4,154	4,229	+ 1.8	1,839	2,379	+29.4
Unkenness	1,712	1,138*	-33.5*	9,429	3,513*	-62.7*
Disorderly Conduct	15,038	13,576	- 9.7	20,839	20,786	- 0.3
Failure to Give Good Account	760	737	- 3.0	1,839	1,564	-15.0
Other Offenses (Except Traffic)	19,421	19,668	+ 1.3	40,684	39,642	- 2.6
Curfew and Loitering Law Violations	3,072	2,929	- 4.7	-	-	-
Entrances	7,009	8,083	+15.3	-	-	-
TOTAL	123,460	122,422	- 0.8	211,870	204,512	- 3.5

*No longer reportable in New Jersey. Offense was decriminalized by the Alcoholism Treatment and Rehabilitation Act (ATRA).

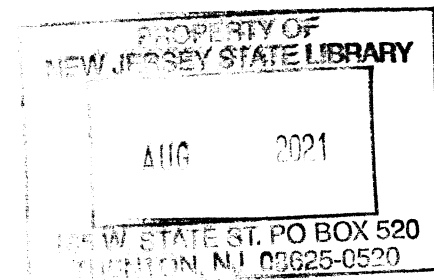
DISPOSITION OF PERSONS FORMALLY CHARGED, 1977

OFFENSES	CHARGED (HELD FOR PROSECUTION)	GUILTY OF		ACQUITTED OR DISMISSED	REFERRED TO JUVENILE COURT	PENDING
		OFFENSE CHARGED	LESSER OFFENSE			
murder	340	128	12	44	22	205
voluntary manslaughter	88	12	1	44	6	47
forcible Rape	896	149	42	119	143	536
robbery	3,940	881	117	564	1,225	1,795
aggravated Assault	7,524	1,565	581	1,827	1,290	3,979
burglary and Entering	15,755	2,345	409	1,121	8,819	4,330
motor Vehicle Theft	28,981	10,893	435	2,604	11,196	5,243
motor Vehicle Theft	2,259	319	96	184	1,182	606
Subtotal for Above Offenses	59,783	16,292	1,693	6,507	23,883	16,741
Sexual Assaults	28,900	9,916	455	10,126	5,223	5,127
Sexual Abuse	557	75	10	59	217	267
Forgery and Counterfeiting	1,782	464	63	192	102	1,188
Identity Theft	8,084	3,298	212	2,273	201	3,368
Stressor	407	106	17	99	22	243
Property; Buying, Receiving, Possessing, etc.	8,777	2,251	272	1,064	3,164	2,861
Sexual Misconduct	7,721	1,924	136	1,272	3,870	975
Sexual Abuse; Carrying, Possessing, etc.	5,636	1,676	263	915	822	2,946
Institution and Commercialized Vice	1,092	660	43	109	34	353
Offenses (Except Forcible Rape and Prostitution)	1,658	490	78	232	337	630
Abuse Violations	24,804	13,509	728	3,652	1,167	11,763
Drugging	1,556	692	34	151	21	915
Abuse Against Family and Children	3,411	2,522	16	430	264	380
Driving Under the Influence	21,873	9,485	667	832	86	11,508
Drugs Laws	3,347	1,804	17	187	968	464
Sexual Abuse	3,771	2,532	26	577	258	606
Disorderly Conduct	25,319	12,319	207	4,762	4,533	4,622
Refuse to Give Good Account	1,745	772	24	356	181	496
Other Offenses (Except Traffic)	46,647	27,016	623	5,843	7,005	9,520
TOTAL	256,870	107,803	5,584	39,638	52,358	74,973

	<u>Average Number of Convictions</u>	<u>Percent of* Arrests</u>	<u>Average # of Arrests</u>	<u>Percent of* Incendiary</u>	<u>Average # of Incendiary</u>
Cities over 500,000	85	49.3	172	18.5	928
300,000 to 500,000	42	64.6	65	27.9	233
150,000 to 300,000	13	49.9	25	13.2	193
80,000 to 150,000	8	58.7	14	19.6	73
50,000 to 80,000	3	<u>50.5</u>	7	<u>16.9</u>	39
Totals		52.6		18.5	

*Percents may not compute due to rounding

Source: Law Enforcement Assistance Administration



State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF SYSTEMS AND COMMUNICATIONS
DATA ANALYSIS CENTER

A STUDY ON ARSON ARRESTS

IN NEW JERSEY 1972 - 1978

Prepared By: DIVISION OF SYSTEMS AND COMMUNICATIONS
DATA ANALYSIS CENTER

Prepared For: DIVISION OF CRIMINAL JUSTICE
13 Roszel Road
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State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF SYSTEMS AND COMMUNICATIONS
DATA ANALYSIS CENTER

OBJECTIVES

The objectives of this study are to determine:

1. The number of arrests for Arson in New Jersey for each of the years 1972 through 1978. The specific statutes included in this study are:

NJ2A:89-1	Arson, Dwelling House
NJ2A:89-2	Burning Ships & Buildings Other Than Dwelling Houses
NJ2A:89-3	Setting Fire to or Burning Property to Defraud
NJ2A:89-4	Attempting to Destroy Buildings or Contents of Buildings With Fire or Explosives
NJ2A:89-5	Burning or Injuring Property, Crops, Trees, Fences or Lumber
NJ2A:89-6	Malicious Burning of Woods or Cranberry Bogs

2. Dispositions of these arrests for Arson at the Prosecutor/Grand Jury and the County/Superior Court levels. These include such dispositions as:

- Discharged as to Probable Cause
 - Downgrades
 - Administrative Dismissal by Prosecutor
 - No Bill
 - Return to Lower Court
 - Direct Indictment by Grand Jury
 - True Bill
- . Indictment Dismissed Before/During Trial
 - . Acquitted
 - . Convicted
 - . Return to Lower Court (When indictment is dismissed and case is to be dealt with in Municipal Court as a new complaint. Includes cases disposed of by a County Court Judge sitting as a Municipal Court Judge.)

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METHODOLOGY

The statistics presented in this study were derived from the Offender Base Transaction Statistics/Computerized Criminal Histories (OBTS/CCH) data base, updated April 2, 1979.

The fundamental concept underlying the Offender Based Transaction Statistics (OBTS) is its focus on the individual arrestee. Once the identity of the arrestee has been positively established through fingerprints, vital data elements are gathered at each stage of the criminal justice system as the arrestee is processed through it. This information then becomes the data base from which OBTS statistics are generated.

Pursuant to requirements established by the Criminal Justice Division the following criteria were applied in generating these statistics:

1. The universe covered in this study include only those who at the time of arrest were charged with "Arson".
2. Conventionally, arrest statistics are generated on the basis of the most serious charge at the time of arrest. However, for this particular study this criterion was not used. Hence, these statistics reflect the number of persons charged with Arson statute violations, regardless of whether it was the 'most serious' or 'less serious' charge at time of arrest.
3. For those arrests that had multiple arson charges the following hierarchical criteria were established.

	<u>RANK</u>
NJ2A:89-1	1
NJ2A:89-2	2
NJ2A:89-3	3
NJ2A:89-4	4
NJ2A:89-5	5
NJ2A:89-6	6

For example, a person charged with NJ2A:89-1 and NJ2A:89-3 in one and the same arrest would be counted as being arrested for NJ2A:89-1. Similarly, a person charged with NJ2A:89-2 and NJ2A:89-3 in one and the same arrest would be counted as being arrested for NJ2A:89-2.

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LIMITATIONS

1. Since the Offender Base Transaction Statistics (OBTS) data base was used in generating these statistics the limitations pertaining to the OBTS data base apply here. These are:

- A. The OBTS data base gathers information on adult offenders only,
- 18 years or older - all juveniles are excluded from this data base.
- B. The arrestee must be fingerprinted in order to be included in the OBTS data base. Arrestees who were not fingerprinted are excluded from this data base.

To summarize, the OBTS/CCH data base collects statistics on all adult arrestees after they have been positively identified through fingerprints.

2. The reader is cautioned, that the statistics presented in this study apply only to 'Arson' as specified under METHODOLOGY and hence, conclusions and inferences should be confined to this offense only.

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SUMMARY OF FINDINGS

NJ2A:89-1 THROUGH NJ2A:89-4 COMBINED

A. Arrests

For the seven year period 1972-1978 there was a total of 1,818 arrests for the offenses NJ2A:89-1 through NJ2A:89-4 combined, which averages to 260 arrests per year. The number of arrests for the combination of offenses increased from 182 in 1972 to a high of 306 arrests in 1976 after which, they reached almost a plateau.

NJ2A:89-1 Through NJ2A:89-4 Combined

NEW JERSEY STATE

	<u>ARRESTS</u>
1972	182
1973	214
1974	231
1975	283
1976	306
1977	300
1978	302
<u>1972-1978</u>	<u>1,818</u>
<u>Average Per Year</u>	<u>260</u>

B. Direct Indictments by Grand Jury

For the seven year period 1972-1978 there was a total of only 23 direct indictments for the offenses: NJ2A:89-1 through NJ2A:89-4 combined.

NJ2A:89-1 Through NJ2A:89-4 Combined

NEW JERSEY STATE

	<u>DIRECT INDICTMENTS</u>
1972	-0-
1973	-0-
1974	2
1975	9
1976	4
1977	1
1978	7
<u>1972-1978</u>	<u>23</u>

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C. Convictions

The number of convictions for the offenses NJ2A:89-1 through NJ2A:89-4 combined reached a peak in 1975 when a total of 83 convictions were obtained at the County/Superior Court level for these offenses. Note that the additional 13 convictions obtained at the Municipal Court level were on amended/downgraded charges.

NUMBER OF CONVICTIONS NJ2A:89-1 THROUGH NJ2A:89-4 COMBINED

NEW JERSEY STATE

	<u>ARRESTS</u>	<u>NUMBER OF CONVICTIONS</u>		<u>TOTAL NUM. CONVICTIONS</u>	<u>CONVICTION RATE</u>	
		<u>MUNICIPAL COURT</u>	<u>COUNTY/ SUPERIOR COURT*</u>		<u>TOTAL</u>	<u>COUNTY/ SUPERIOR COURT*</u>
1972	182	14	43	57	31.3%	23.6%
1973	214	13	36	49	22.9%	16.8%
1974	231	19	54	73	31.6%	23.4%
1975	283	13	83	96	33.9%	29.3%
1976	306	10	81	91	29.7%	26.5%
1977	300	10	59	69	23.0%	19.7%
<u>Average Conviction Rate 1972-1977</u>					<u>28.7%</u>	<u>23.5%</u>
1978	302	14	26	40	Excluded from Conviction Rate	

*Includes Convictions obtained
through direct indictments by
Grand Jury.

The conviction rates for these combined offenses at the County/Superior Court level reached a peak of 29.3% in 1975 after which the conviction rate declined to 19.7% for 1977. The overall average conviction rate at the County/Superior Court level for the years 1972-1977 combined was 23.5%.

The number of convictions for 1978 should be viewed with caution. They are understated largely due to the fact that it takes nearly a year from arrest to disposition at the County/Superior Court level and for those arrests that occurred during the latter part of 1978 the number of days elapsed were not sufficient for a disposition at the County/Superior Court level. Hence, 1978 data are excluded from computation of the conviction rates.

DISPOSITIONS FOR NJ2A:89-1 THROUGH NJ2A:89-4 COMBINED

NEW JERSEY STATE

NJ2A:89-1 THROUGH NJ2A:89-4 COMBINED

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>TOTAL NUMBER OF ARRESTS</u>	<u>182</u>	<u>214</u>	<u>231</u>	<u>283</u>	<u>306</u>	<u>300</u>	<u>302</u>
<u>DISPOSITIONS</u>							
Discharged as to Probable Cause	15	16	9	11	14	13	11
Downgraded	11	12	15	5	12	12	9
Administrative Dismissal by Prosecutor	4	6	2	3	16	9	5
No Bill	22	19	21	16	21	23	15
Return to Lower Court	6	10	11	14	15	15	20
Direct Indictment by Grand Jury	-0-	-0-	2	9	4	1	7
True Bill							
Indictment Dismissed Before/During Trial	21	24	27	28	16	11	3
Acquitted	5	2	8	13	5	8	3
Convicted	43	36	53	78	78	59	26
Return to Lower Court*	2	4	3	4	5	-0-	-0-
Pending/Incomplete	54	85	81	102	120	149	203

*Return to Lower Court: When indictment is dismissed and case is to be dealt with in Municipal Court as a new complaint. Includes cases disposed of by a County Court Judge sitting as a Municipal Court Judge.

DISPOSITIONS ON AMENDED/DOWNGRADED ARSON ARRESTS

NJ2A:89-1 THROUGH NJ2A:89-4 COMBINED

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>NJ2A:89-1 THROUGH NJ2A:89-4 COMBINED</u>	<u>11</u>	<u>12</u>	<u>15</u>	<u>5</u>	<u>12</u>	<u>12</u>	<u>9</u>
<u>AMENDED/DOWNGRADED TO:</u>							
A. <u>NJ2A:170-36 Malicious Injury to Property</u>	<u>8</u>	<u>8</u>	<u>12</u>	<u>5</u>	<u>10</u>	<u>9</u>	<u>9</u>
Acquitted	-0-	2	-0-	-0-	1	1	-0-
Convicted	8	5	12	5	6	7	9
Dismissed	-0-	1	-0-	-0-	3	1	-0-
B. <u>NJCOL1A1-13</u>	<u>2</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	2	-0-	-0-	-0-	-0-	-0-	-0-
C. <u>NJ2A:85-5 Attempts to Commit Offenses</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Acquitted	1	-0-	-0-	-0-	-0-	-0-	-0-
D. <u>NJ2A:170-38 Unlawful Taking of Motor Vehicle</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	-0-	-0-	-0-	-0-
E. <u>NJ2A:170-29 Offensive Language/Interferring</u>	<u>-0-</u>	<u>2</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	-0-	-0-	-0-	-0-
Dismissed	-0-	1	-0-	-0-	-0-	-0-	-0-
F. <u>NJCO:172-15</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	-0-	-0-	-0-	-0-

DISPOSITIONS ON AMENDED/DOWNGRADED ARSON ARRESTS

NJ2A:89-1 THROUGH NJ2A:89-4 COMBINED (Continued)

		<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
G.	<u>NJ2A:170-26 Assault</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
	Convicted	-0-	-0-	1	-0-	-0-	-0-	-0-
H.	<u>NJ2A:170-1 Unable to Give Good Account</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>2</u>	<u>-0-</u>
	Dismissed	-0-	-0-	-0-	-0-	1	2	-0-
I.	<u>NJ2A:170-31 Trespassing</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
	Convicted	-0-	-0-	1	-0-	-0-	-0-	-0-
J.	<u>NJ2A:170-33 Unlawful Dumping on Private Property</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
	Convicted	-0-	-0-	1	-0-	-0-	-0-	-0-
K.	<u>NJ2A:122-1 Malicious Destruction/Damage Property</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>
	Convicted	-0-	-0-	-0-	-0-	1	-0-	-0-
L.	<u>NJ2A:170-37 Malicious Mischief</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>
	Dismissed	-0-	-0-	-0-	-0-	-0-	1	-0-

DISPOSITIONS ON ARSON ARRESTS THAT WERE "RETURNED TO LOWER COURT"

NJ2A:89-1 THROUGH NJ2A:89-4 COMBINED

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>NJ2A:89-1 THROUGH NJ2A:89-4 COMBINED</u>	<u>6</u>	<u>10</u>	<u>11</u>	<u>14</u>	<u>15</u>	<u>15</u>	<u>20</u>
<u>AMENDED/DOWNGRADED TO:</u>							
A. <u>NJ2A:170-36 Malicious Injury to Property</u>	<u>3</u>	<u>2</u>	<u>4</u>	<u>6</u>	<u>5</u>	<u>3</u>	<u>7</u>
Acquitted	-0-	-0-	-0-	-0-	3	1	-0-
Convicted	3	1	3	5	1	2	5
Dismissed	-0-	1	1	1	1	-0-	2
B. <u>NJ2421-20A4</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>
Conditional Discharge	-0-	-0-	-0-	-0-	-0-	1	-0-
C. <u>NJ2A:122-1 Malicious Destruction/Damage Property</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	-0-	-0-	-0-	-0-
D. <u>NJ2A:122-3 Malicious Destruction of Written Instruments</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	-0-	-0-	-0-	-0-
E. <u>NJ2A:170-30 Loitering/Creating Disturbance While Under the Influence of Liquor</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>
Dismissed	-0-	-0-	-0-	-0-	-0-	-0-	1
F. <u>NJ2A:170-3 Carry Weapons/Tools</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>1</u>	<u>-0-</u>
Dismissed	-0-	-0-	-0-	-0-	1	1	-0-

DISPOSITIONS ON ARSON ARRESTS THAT WERE "RETURNED TO LOWER COURT"

NJ2A:89-1 THROUGH NJ2A:89-4 COMBINED (Continued)

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
G. <u>NJ2A:170-93 Destruction of Property by Tenant</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	-0-	-0-	1	-0-	-0-
H. <u>NJ2A:170-37 Malicious Mischief</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>
Dismissed	-0-	-0-	-0-	1	-0-	-0-	-0-
Convicted	1	-0-	-0-	-0-	-0-	1	-0-
I. <u>NJCO11A-113</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	-0-	-0-	-0-	-0-
J. <u>NJ2A:170-20.7 Aid/Abet Violation</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	1	-0-	-0-	-0-	-0-
K. <u>NJ2A:170-29 Offensive Language/Interferring</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	-0-	1	-0-	-0-	-0-
Dismissed	-0-	-0-	-0-	-0-	1	-0-	-0-
L. <u>NJ2A:98-1 Conspiracy</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	-0-	1	-0-	-0-	-0-
M. <u>NJ2A:170-30.1 Stealing Money, Property With Value Less Than \$200</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	-0-	-0-	1	-0-	-0-

DISPOSITIONS ON ARSON ARRESTS THAT WERE "RETURNED TO LOWER COURT"

NJ2A:89-1 THROUGH NJ2A:89-4 COMBINED (Continued)

		<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
N.	<u>NJ2A:170-26 Assault</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>2</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>
	Acquitted	-0-	-0-	-0-	-0-	-0-	-0-	1
	Convicted	-0-	1	-0-	1	-0-	-0-	-0-
	Dismissed	-0-	-0-	-0-	1	-0-	-0-	-0-
O.	<u>NJ2A:170-1 Unable to Give Good Account</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>
	Dismissed	-0-	-0-	-0-	-0-	1	-0-	-0-
P.	<u>PENDING/INCOMPLETE</u>	<u>2</u>	<u>4</u>	<u>6</u>	<u>3</u>	<u>5</u>	<u>9</u>	<u>11</u>

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FINDINGS

I. NJ2A:89-1 ARSON, DWELLING HOUSE

A. Arrests

For the seven year period 1972-1978 there was a total of 1,058 arrests for this offense which averages to 151 arrests per year. The number of arrests for this offense have been increasing from 131 in 1972 to a high of 179 arrests in 1977 after which, there was a slight drop to 171 arrests for 1978. Nevertheless, the overall trend is upward.

NJ2A:89-1 Arson, Dwelling House

NEW JERSEY STATE

ARRESTS

1972	131
1973	129
1974	136
1975	148
1976	164
1977	179
1978	171
<u>1972-1978</u>	<u>1,058</u>
<u>Average Per Year</u>	<u>151</u>

B. Direct Indictments by Grand Jury

For the seven year period 1972-1978 there was a total of only 15 direct indictments for this offense.

NJ2A:89-1 Arson, Dwelling House

NEW JERSEY STATE

DIRECT
INDICTMENTS

1972	-0-
1973	-0-
1974	-0-
1975	6
1976	3
1977	1
1978	5
<u>1972-1978</u>	<u>15</u>

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C. Convictions

The number of convictions for this offense reached a peak in 1975 when a total of 50 convictions for NJ2A:89-1 were obtained at the County/Superior Court level. Note that the additional 5 convictions obtained at the Municipal Court level were on amended/downgraded charges.

NUMBER OF CONVICTIONS NJ2A:89-1

NEW JERSEY STATE

	<u>Municipal Court</u>	<u>County/ Superior Court*</u>	<u>Total Convictions</u>
1972	9	20	29
1973	10	22	32
1974	8	25	33
1975	5	50	55
1976	5	41	46
1977	5	39	44
1978	5	17	22

*Includes Convictions obtained through direct
indictments by Grand Jury.

The number of convictions for 1978 should be viewed with caution. They are understated largely due to the fact that it takes nearly a year from arrest to disposition at the County/Superior Court level and for those arrests that occurred during the latter part of 1978 the number of days elapsed were not sufficient for a disposition at the County/Superior Court level.

DISPOSITIONS FOR NJ2A:89-1 ARSON, DWELLING HOUSE

NEW JERSEY STATE

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>NJ2A:89-1 ARSON, DWELLING HOUSE</u>							
<u>TOTAL NUMBER OF ARRESTS</u>	<u>131</u>	<u>129</u>	<u>136</u>	<u>148</u>	<u>164</u>	<u>179</u>	<u>171</u>
<u>DISPOSITIONS</u>							
Discharged as to Probable Cause	8	8	3	8	10	4	7
Downgraded	9	9	8	3	7	5	2
Administrative Dismissal by Prosecutor	3	5	2	1	9	3	2
No Bill	17	5	14	12	16	12	7
Return to Lower Court	2	7	2	3	5	7	8
Direct Indictment by Grand Jury	-0-	-0-	-0-	6	3	1	5
True Bill							
Indictment Dismissed Before/During Trial	15	14	11	13	6	3	2
Acquitted	5	1	6	10	5	6	1
Convicted	20	22	25	46	39	39	17
Return to Lower Court*	1	1	3	3	4	-0-	-0-
Pending/Incomplete	51	57	62	43	60	99	120

*Return to Lower Court: When indictment is dismissed and case is to be dealt with in Municipal Court as a new complaint. Includes cases disposed of by a County Court Judge sitting as a Municipal Court Judge.

DISPOSITIONS ON AMENDED/DOWNGRADED ARSON ARRESTS

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>ORIGINAL CHARGE: NJ2A:89-1 ARSON, DWELLING HOUSE</u>	<u>9</u>	<u>9</u>	<u>8</u>	<u>3</u>	<u>7</u>	<u>5</u>	<u>2</u>
<u>AMENDED/DOWNGRADED TO:</u>							
A. <u>NJ2A:170-36 Malicious Injury to Property</u>	<u>6</u>	<u>6</u>	<u>7</u>	<u>3</u>	<u>6</u>	<u>4</u>	<u>2</u>
Acquitted	-0-	1	-0-	-0-	-0-	1	-0-
Convicted	6	4	7	3	4	2	2
Dismissed	-0-	1	-0-	-0-	2	1	-0-
B. <u>NJCO11A1-13</u>	<u>2</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	2	-0-	-0-	-0-	-0-	-0-	-0-
C. <u>NJ2A:85-5 Attempts to Commit Offenses</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Acquitted	1	-0-	-0-	-0-	-0-	-0-	-0-
D. <u>NJ2A:170-38 Unlawful Taking Of Motor Vehicle</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	-0-	-0-	-0-	-0-
E. <u>NJ2A:170-29 Offensive Language/Interfering</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	-0-	-0-	-0-	-0-
F. <u>NJCO:172-15</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	-0-	-0-	-0-	-0-
G. <u>NJ2A:170-26 Assault</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	1	-0-	-0-	-0-	-0-
H. <u>NJ2A:170-1 Unable to Give Good Account</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>1</u>	<u>-0-</u>
Dismissed	-0-	-0-	-0-	-0-	1	1	-0-

DISPOSITIONS ON ARSON ARRESTS THAT WERE "RETURNED TO LOWER COURT"

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
ORIGINAL CHARGE: <u>NJ2A:89-1 ARSON, DWELLING HOUSE</u>	<u>2</u>	<u>7</u>	<u>2</u>	<u>3</u>	<u>5</u>	<u>7</u>	<u>8</u>
<u>AMENDED/DOWNGRADED TO:</u>							
A. <u>NJ2A:170-36 Malicious Injury to Property</u>	<u>1</u>	<u>2</u>	<u>1</u>	<u>1</u>	<u>-0-</u>	<u>3</u>	<u>5</u>
Acquitted	-0-	-0-	-0-	-0-	-0-	1	-0-
Convicted	1	1	-0-	1	-0-	2	3
Dismissed	-0-	1	1	-0-	-0-	-0-	2
B. <u>NJ2421-20A4</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>
Conditional Discharge	-0-	-0-	-0-	-0-	-0-	1	-0-
C. <u>NJ2A:122-3 Malicious Destruction of Written Instruments</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	-0-	-0-	-0-	-0-
D. <u>NJ2A:170-3 Carry Weapons/Tools</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>
Dismissed	-0-	-0-	-0-	-0-	1	-0-	-0-
E. <u>NJ2A:170-93 Destruction of Property by Tenant</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	-0-	-0-	1	-0-	-0-
F. <u>NJ2A:170-37 Malicious Mischief</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>
Convicted	-0-	-0-	-0-	-0-	-0-	1	-0-
G. <u>NJ2A:170-26 Assault</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>2</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	1	-0-	-0-	-0-
Dismissed	-0-	-0-	-0-	1	-0-	-0-	-0-
H. <u>NJ2A:170-1 Unable to Give Good Account</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>
Dismissed	-0-	-0-	-0-	-0-	1	-0-	-0-
I. <u>PENDING/INCOMPLETE</u>	<u>1</u>	<u>3</u>	<u>1</u>	<u>-0-</u>	<u>2</u>	<u>2</u>	<u>3</u>

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II. NJ2A:89-2 BURNING SHIPS & BUILDINGS
OTHER THAN DWELLING HOUSES

A. Arrests

For the seven period 1972-1978 there was a total of 578 arrests for this offense which averages to 83 arrests per year. The number of arrests for this offense increased from 33 in 1972 to a high of 110 arrests in 1976 then dropped to 87 arrests for 1977 and then increased to 95 arrests for 1978. Nevertheless, the overall trend is upward.

NJ2A:89-2 Burning Ships & Buildings
Other Than Dwelling Houses

NEW JERSEY STATE

	<u>ARRESTS</u>
1972	33
1973	70
1974	76
1975	107
1976	110
1977	87
1978	95
<u>1972-1978</u>	<u>578</u>
<u>Average Per Year</u>	<u>83</u>

B. Direct Indictments by Grand Jury

For the seven year period 1972-1978 there was a total of only 8 direct indictments for this offense.

NJ2A:89-2 Burning Ships & Buildings
Other Than Dwelling Houses

NEW JERSEY STATE

	<u>DIRECT INDICTMENTS</u>
1972	-0-
1973	-0-
1974	2
1975	3
1976	1
1977	-0-
1978	2
<u>1972-1978</u>	<u>8</u>

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C. Convictions

The number of convictions for this offense reached a peak in 1976 when a total of 34 convictions for NJ2A:89-2 were obtained at the County/Superior Court level. Note that the additional 4 convictions obtained at the Municipal Court level were on amended/downgraded charges.

NUMBER OF CONVICTIONS NJ2A:89-2

NEW JERSEY STATE

	<u>Municipal Court</u>	<u>County/ Superior Court*</u>	<u>Total Convictions</u>
1972	3	17	20
1973	3	8	11
1974	8	23	31
1975	5	26	31
1976	4	34	38
1977	4	17	21
1978	8	9	17

*Includes Convictions obtained through direct
indictments by Grand Jury.

The number of convictions for 1978 should be viewed with caution. They are understated largely due to the fact that it takes nearly a year from arrest to disposition at the County/Superior Court level and for those arrests that occurred during the latter part of 1978 the number of days elapsed were not sufficient for a disposition at the County/Superior Court level.

DISPOSITIONS FOR NJ2A:89-2 BURNING SHIPS & BUILDINGS OTHER THAN DWELLING HOUSES

NEW JERSEY STATE

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>NJ2A:89-2 BURNING SHIPS & BUILDINGS OTHER THAN DWELLING HOUSES</u>							
<u>TOTAL NUMBER OF ARRESTS</u>	<u>33</u>	<u>70</u>	<u>76</u>	<u>107</u>	<u>110</u>	<u>87</u>	<u>95</u>
<u>DISPOSITIONS</u>							
Discharged as to Probable Cause	3	8	5	2	4	9	2
Downgraded	2	1	4	-0-	3	5	7
Administrative Dismissal by Prosecutor	1	-0-	-0-	2	6	4	2
No Bill	3	11	5	4	4	6	2
Return to Lower Court	2	3	6	9	7	5	7
Direct Indictment by Grand Jury	-0-	-0-	2	3	1	-0-	2
True Bill							
Indictment Dismissed Before/During Trial	5	10	14	10	10	7	1
Acquitted	-0-	1	1	3	-0-	2	1
Convicted	17	8	22	25	33	17	9
Return to Lower Court*	1	3	-0-	1	1	-0-	-0-
Pending/Incomplete	0	25	17	48	41	32	62

*Return to Lower Court: When indictment is dismissed and case is to be dealt with in Municipal Court as a new complaint. Includes cases disposed of by a County Court Judge sitting as a Municipal Court Judge.

DISPOSITIONS ON AMENDED/DOWNGRADED ARSON ARRESTS

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>ORIGINAL CHARGE: NJ2A:89-2 BURNING SHIPS, BUILDINGS</u> <u>OTHER THAN DWELLING UNITS</u>	<u>2</u>	<u>1</u>	<u>4</u>	<u>-0-</u>	<u>3</u>	<u>5</u>	<u>7</u>
<u>AMENDED/DOWNGRADED TO:</u>							
A. <u>NJ2A:170-36 Malicious Injury to Property</u>	<u>2</u>	<u>1</u>	<u>2</u>	<u>-0-</u>	<u>2</u>	<u>4</u>	<u>7</u>
Convicted	2	1	2	-0-	1	4	7
Dismissed	-0-	-0-	-0-	-0-	1	-0-	-0-
B. <u>NJ2A:170-31 Trespassing</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	1	-0-	-0-	-0-	-0-
C. <u>NJ2A:170-33 Unlawful Dumping on Private Property</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	1	-0-	-0-	-0-	-0-
D. <u>NJ2A:122-1 Malicious Destruction/Damage Property</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	-0-	-0-	1	-0-	-0-
E. <u>NJ2A:170-37 Malicious Mischief</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>
Dismissed	-0-	-0-	-0-	-0-	-0-	1	-0-

DISPOSITIONS ON ARSON ARRESTS THAT WERE "RETURNED TO LOWER COURT"

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>ORIGINAL CHARGE: NJ2A:89-2 BURNING SHIPS, BUILDINGS</u> <u>OTHER THAN DWELLING UNITS</u>	<u>2</u>	<u>3</u>	<u>6</u>	<u>9</u>	<u>7</u>	<u>5</u>	<u>7</u>
<u>AMENDED/DOWNGRADED TO:</u>							
A. <u>NJ2A:170-36 Malicious Injury to Property</u>	<u>-0-</u>	<u>-0-</u>	<u>3</u>	<u>4</u>	<u>3</u>	<u>-0-</u>	<u>1</u>
Convicted	-0-	-0-	3	3	1	-0-	1
Dismissed	-0-	-0-	-0-	1	1	-0-	-0-
Acquitted	-0-	-0-	-0-	-0-	1	-0-	-0-
B. <u>NJ2A:122-1 Malicious Destruction/Damage Property</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	-0-	-0-	-0-	-0-
C. <u>NJ2A:170-37 Malicious Mischief</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Dismissed	-0-	-0-	-0-	1	-0-	-0-	-0-
Convicted	1	-0-	-0-	-0-	-0-	-0-	-0-
D. <u>NJCOL1A-113</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	1	-0-	-0-	-0-	-0-	-0-
E. <u>NJ2A:170-20.7 Aid/Abet Violation</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	1	-0-	-0-	-0-	-0-
F. <u>NJ2A:170-29 Offensive Language/Interfering</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	-0-	1	-0-	-0-	-0-
Dismissed	-0-	-0-	-0-	-0-	1	-0-	-0-

DISPOSITIONS ON ARSON ARRESTS THAT WERE "RETURNED TO LOWER COURT" (Continued)

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
G. <u>NJ2A:98-1 Conspiracy</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	-0-	1	-0-	-0-	-0-
H. <u>NJ2A:170-30.1 Stealing Money, Property With Value Less Than \$200</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	-0-	-0-	1	-0-	-0-
I. <u>NJ2A:170-26 Assault</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>
Acquitted	-0-	-0-	-0-	-0-	-0-	-0-	1
J. <u>NJ2A:170-3 Carry Weapons Tools</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>
Dismissed	-0-	-0-	-0-	-0-	-0-	1	-0-
K. <u>PENDING/INCOMPLETE</u>	<u>1</u>	<u>1</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>4</u>	<u>5</u>

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III. NJ2A:89-3 SETTING FIRE TO OR BURNING PROPERTY TO DEFRAUD

A. Arrests

For the seven year period 1972-1978 there was a total of 33 arrests for this offense which averages to 5 arrests per year. The number of arrests for this offense are too small for any meaningful trend analysis.

NJ2A:89-3 Setting Fire to or
Burning Property to Defraud

NEW JERSEY STATE

	<u>ARRESTS</u>
1972	3
1973	-0-
1974	1
1975	5
1976	11
1977	7
1978	6
<u>1972-1978</u>	<u>33</u>
<u>Average Per Year</u>	<u>5</u>

B. Direct Indictments by Grand Jury

For the seven year period 1972-1978 there were no direct indictments for this offense.

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C. Convictions

The number of convictions for this offense shown below are too small for any meaningful analysis.

NUMBER OF CONVICTIONS NJ2A:89-3

NEW JERSEY STATE

	<u>Municipal Court*</u>	<u>County/ Superior Court*</u>	<u>Total Convictions</u>
1972	-0-	2	-2-
1973	-0-	-0-	-0-
1974	-0-	1	1
1975	-0-	3	3
1976	-0-	2	2
1977	-0-	-0-	-0-
1978	-0-	-0-	-0-

*For this offense there were no downgrades,
return to lower courts or direct indictments.

DISPOSITIONS FOR NJ2A:89-3 SETTING FIRE TO OR BURNING PROPERTY TO DEFRAUD

NEW JERSEY STATE

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>NJ2A:89-3 SETTING FIRE TO OR BURNING PROPERTY TO DEFRAUD</u>							
<u>TOTAL NUMBER OF ARRESTS</u>	<u>3</u>	<u>-0-</u>	<u>1</u>	<u>5</u>	<u>11</u>	<u>7</u>	<u>6</u>
<u>DISPOSITIONS</u>							
Discharged as to Probable Cause	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Downgraded	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Administrative Dismissal by Prosecutor	-0-	-0-	-0-	-0-	-0-	-0-	-0-
No Bill	-0-	-0-	-0-	-0-	-0-	-0-	1
Return to Lower Court	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Direct Indictment by Grand Jury	-0-	-0-	-0-	-0-	-0-	-0-	-0-
True Bill							
Indictment Dismissed Before/During Trial	-0-	-0-	-0-	1	-0-	-0-	-0-
Acquitted	-0-	-0-	1	-0-	-0-	-0-	-0-
Convicted	2	-0-	1	3	2	-0-	-0-
Return to Lower Court*	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Pending/Incomplete	1	-0-	-0-	1	9	7	5

*Return to Lower Court: When indictment is dismissed and case is to be dealt with in Municipal Court as a new complaint. Includes cases disposed of by a County Court Judge sitting as a Municipal Court Judge.

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IV. NJ2A:89-4 ATTEMPTING TO DESTROY BUILDINGS OR
CONTENTS OF BUILDINGS WITH FIRE OR
EXPLOSIVES

A. Arrests

For the seven year period 1972-1978 there was a total of 149 arrests for this offense which averages to 21 arrests per year. The number of arrests for this offense show an upward trend increasing from 15 in 1972 to a high of 30 arrests in 1978.

NJ2A:89-4 Attempting to Destroy Buildings or
Contents of Buildings With Fire or Explosives

NEW JERSEY STATE

	<u>ARRESTS</u>
1972	15
1973	15
1974	18
1975	23
1976	21
1977	27
1978	30
<u>1972-1978</u>	<u>149</u>
<u>Average Per Year</u>	<u>21</u>

B. Direct Indictments by Grand Jury

For the seven year period 1972-1978 there were no direct indictments for this offense.

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C. Convictions

The number of convictions shown below for this offense are too small for any meaningful analysis. The convictions obtained at the Municipal Court level were on amended/downgraded charges.

NUMBER OF CONVICTIONS NJ2A:89-4

NEW JERSEY STATE

	<u>Municipal Court</u>	<u>County/ Superior Court*</u>	<u>Total Convictions</u>
1972	2	4	6
1973	-0-	6	6
1974	3	5	8
1975	3	4	7
1976	1	4	5
1977	1	3	4
1978	1	-0-	1

*There were no direct indictments by Grand Jury for this offense.

DISPOSITIONS FOR NJ2A:89-4 ATTEMPTING TO DESTROY BUILDINGS
OR CONTENTS OF BUILDINGS WITH FIRE OR EXPLOSIVES

NEW JERSEY STATE

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>NJ2A:89-4 ATTEMPTING TO DESTROY BUILDINGS OR CONTENTS OF BUILDINGS WITH FIRE OR EXPLOSIVES</u>							
<u>TOTAL NUMBER OF ARRESTS</u>	<u>15</u>	<u>15</u>	<u>18</u>	<u>23</u>	<u>21</u>	<u>27</u>	<u>30</u>
<u>DISPOSITIONS</u>							
Discharged as to Probable Cause	4	-0-	1	1	-0-	-0-	2
Downgraded	-0-	2	3	2	2	2	-0-
Administrative Dismissal by Prosecutor	-0-	1	-0-	-0-	1	2	1
No Bill	2	3	2	-0-	1	5	5
Return to Lower Court	2	-0-	3	2	3	3	5
Direct Indictment by Grand Jury	-0-	-0-	-0-	-0-	-0-	-0-	-0-
True Bill							
Indictment Dismissed Before/During Trial	1	-0-	2	4	-0-	1	-0-
Acquitted	-0-	-0-	-0-	-0-	-0-	-0-	1
Convicted	4	6	5	4	4	3	-0-
Return to Lower Court*	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Pending/Incomplete	2	3	2	10	10	11	16

*Return to Lower Court: When indictment is dismissed and case is to be dealt with in Municipal Court as a new complaint. Includes cases disposed of by a County Court Judge sitting as a Municipal Court Judge.

DISPOSITIONS ON AMENDED/DOWNGRADED ARSON ARRESTS

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>ORIGINAL CHARGE</u> <u>NJ2A:89-4 ATTEMPTING TO DESTROY BUILDINGS</u> <u>OR CONTENTS WITH FIRE/EXPLOSIVES</u>	<u>-0-</u>	<u>2</u>	<u>3</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>-0-</u>
<u>AMENDED/DOWNGRADED TO:</u>							
A. <u>NJ2A:170-29 Offensive Language/Interferring</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Dismissed	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
B. <u>NJ2A:170-36 Malicious Injury to Property</u>	<u>-0-</u>	<u>1</u>	<u>3</u>	<u>2</u>	<u>2</u>	<u>1</u>	<u>-0-</u>
Acquitted	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>
Convicted	<u>-0-</u>	<u>-0-</u>	<u>3</u>	<u>2</u>	<u>1</u>	<u>1</u>	<u>-0-</u>
C. <u>NJ2A:170-1 Unable to Give Good Account</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>
Dismissed	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>

DISPOSITIONS ON ARSON ARRESTS THAT WERE "RETURNED TO LOWER COURT"

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>ORIGINAL CHARGE:</u> NJ2A:89-4 ATTEMPTING TO DESTROY BUILDINGS OR CONTENTS WITH FIRE/EXPLOSIVES	<u>2</u>	<u>-0-</u>	<u>3</u>	<u>2</u>	<u>3</u>	<u>3</u>	<u>5</u>
<u>AMENDED/DOWNGRADED TO:</u>							
A. <u>NJ2A:170-36 Malicious Injury to Property</u>	<u>2</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>2</u>	<u>-0-</u>	<u>1</u>
Acquitted	-0-	-0-	-0-	-0-	2	-0-	-0-
Convicted	2	-0-	-0-	1	-0-	-0-	1
B. <u>NJ2A:170-30 Loitering/Creating Disturbance While Under Influence of Liquor</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>
Dismissed	-0-	-0-	-0-	-0-	-0-	-0-	1
C. <u>PENDING/INCOMPLETE</u>	<u>-0-</u>	<u>-0-</u>	<u>3</u>	<u>1</u>	<u>1</u>	<u>3</u>	<u>3</u>

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DATA ANALYSIS CENTER

V. NJ2A:89-5 BURNING OR INJURING PROPERTY,
CROPS, TREES, FENCES OR LUMBER

A. Arrests

For the seven year period 1972-1978 there was a total of 90 arrests for this offense which averages to 13 arrests per year. The number of arrests for this offense are too small for any meaningful trend analysis.

NJ2A:89-5 Burning or Injuring Property,
Crops, Trees, Fences or Lumber

NEW JERSEY STATE

	<u>ARRESTS</u>
1972	11
1973	9
1974	15
1975	17
1976	10
1977	12
1978	16
1972-1978	<u>90</u>
<u>Average Per Year</u>	<u>13</u>

B. Direct Indictments by Grand Jury

For the seven year period 1972-1978 there was only 1 direct indictment for this offense in 1974.

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C. Convictions

The number of convictions shown below for this offense are too small for any meaningful analysis. The convictions obtained at the Municipal Court level were on amended/downgraded charges.

NUMBER OF CONVICTIONS NJ2A:89-5

NEW JERSEY STATE

	<u>Municipal Court</u>	<u>County/ Superior Court*</u>	<u>Total Convictions</u>
1972	3	-0-	3
1973	1	-0-	1
1974	4	3	7
1975	9	4	13
1976	2	2	4
1977	2	2	4
1978	2	-0-	2

*Includes Convictions obtained through direct indictments by Grand Jury.

DISPOSITIONS FOR NJ2A:89-5 BURNING OR INJURING PROPERTY, CROPS, TREES, FENCES OR LUMBER

NEW JERSEY STATE

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
NJ2A:89-5 <u>BURNING OR INJURING PROPERTY, CROPS,</u> <u>TREES, FENCES OR LUMBER</u>							
<u>TOTAL NUMBER OF ARRESTS</u>	<u>11</u>	<u>9</u>	<u>15</u>	<u>17</u>	<u>10</u>	<u>12</u>	<u>16</u>
<u>DISPOSITIONS</u>							
Discharged as to Probable Cause	3	1	1	1	1	3	-0-
Downgraded	3	1	4	5	2	1	2
Administrative Dismissal by Prosecutor	-0-	-0-	-0-	-0-	-0-	-0-	-0-
No Bill	-0-	2	5	2	-0-	-0-	-0-
Return to Lower Court	-0-	1	1	6	-0-	2	9
Direct Indictment by Grand Jury	-0-	-0-	-0-	1	-0-	-0-	-0-
True Bill							
Indictment Dismissed Before/During Trial	1	-0-	-0-	-0-	1	2	1
Acquitted	-0-	1	1	1	-0-	-0-	-0-
Convicted	-0-	-0-	3	3	2	2	-0-
Return to Lower Court*	1	-0-	1	-0-	-0-	-0-	-0-
Pending/Incomplete	3	3	-0-	-0-	4	2	4

*Return to Lower Court: When indictment is dismissed and case is to be dealt with in Municipal Court as a new complaint. Includes cases disposed of by a County Court Judge sitting as a Municipal Court Judge.

DISPOSITIONS ON AMENDED/DOWNGRADED ARSON ARRESTS

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>ORIGINAL CHARGE: NJ2A:89-5 BURNING OR INJURING PROPERTY</u> <u>CROPS, TREES, FORESTS OR LUMBER</u>	<u>3</u>	<u>1</u>	<u>4</u>	<u>5</u>	<u>2</u>	<u>1</u>	<u>2</u>
<u>AMENDED/DOWNGRADED TO:</u>							
A. <u>NJ2A:122-1 Malicious Destruction/Damage Property</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	1	-0-	-0-	-0-	-0-	-0-	-0-
B. <u>NJ2A:170-3 Carry Weapons/Burglary Tools With</u> <u>Intent to Break and Enter</u>	<u>2</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	2	-0-	-0-	-0-	-0-	-0-	-0-
C. <u>NJ2A:170-30 Loitering/Creating Disturbance</u> <u>While Under Influence of Liquor</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Acquitted	-0-	1	-0-	-0-	-0-	-0-	-0-
D. <u>NJ2A:170-30.1 Stealing Money, Property With</u> <u>Value Less Than \$200</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	1	-0-	-0-	-0-	-0-
E. <u>NJ2A:170-36 Malicious Injury to Property</u>	<u>-0-</u>	<u>-0-</u>	<u>3</u>	<u>4</u>	<u>2</u>	<u>-0-</u>	<u>2</u>
Convicted	-0-	-0-	3	4	2	-0-	-0-
Dismissed	-0-	-0-	-0-	-0-	-0-	-0-	2
F. <u>NJ2A:170-37 Malicious Mischief</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	-0-	-0-	-0-	1	-0-	-0-	-0-
G. <u>NJB0136-S28.1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>
Convicted	-0-	-0-	-0-	-0-	-0-	1	-0-

DISPOSITIONS ON ARSON ARRESTS THAT WERE "RETURNED TO LOWER COURT"

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>ORIGINAL CHARGE: NJ2A:89-5 BURNING OR INJURING PROPERTY</u> <u>CROPS, TREES, FORESTS OR LUMBER</u>	<u>-0-</u>	<u>1</u>	<u>1</u>	<u>6</u>	<u>-0-</u>	<u>2</u>	<u>9</u>
<u>AMENDED/DOWNGRADED TO:</u>							
A. <u>NJ2A:170-30 Loitering/Creating Disturbance</u> <u>While Under Influence of Liquor</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>4</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>4</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
B. <u>NJ2A:170-36 Malicious Injury to Property</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>2</u>	<u>2</u>
Convicted	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>2</u>
Dismissed	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>
C. <u>NJ2A:170-1 Unable to Give Good Account</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
D. <u>NJ2A:170-31 Trespassing</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>
Acquitted	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>
E. <u>NJ2A:170-67.1 Unlawful Placing of Trash or</u> <u>Debris On Highway/Public Land</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>2</u>
Dismissed	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>2</u>
F. <u>PENDING/INCOMPLETE</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>2</u>	<u>-0-</u>	<u>-0-</u>	<u>4</u>

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VI. NJ2A:89-6 MALICIOUS BURNING OF WOODS
OR CRANBERRY BOGS

A. Arrests

For the seven year period 1972-1978 there were only 32 arrests for this offense which averages to 5 arrests per year. The number of arrests for this offense are too small for any meaningful trend analysis.

NJ2A:89-6 Malicious Burning
of Woods or Cranberry Bogs

NEW JERSEY STATE

	<u>ARRESTS</u>
1972	1
1973	3
1974	2
1975	1
1976	10
1977	8
1978	7
<u>1972-1978</u>	<u>32</u>
<u>Average Per Year</u>	<u>5</u>

B. Direct Indictments by Grand Jury

For the seven year period 1972-1978 there were no direct indictments for this offense.

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C. Convictions

The number of convictions shown below for this offense are too small for any meaningful analysis. The convictions obtained at the Municipal Court level were on amended/downgraded charges.

NUMBER OF CONVICTIONS NJ2A:89-6

NEW JERSEY STATE

	<u>Municipal Court</u>	<u>County/ Superior Court*</u>	<u>Total Convictions</u>
1972	1	-0-	1
1973	3	-0-	3
1974	1	-0-	1
1975	-0-	1	1
1976	-0-	7	7
1977	-0-	2	2
1978	2	1	3

*There were no direct indictments by Grand Jury for this offense.

DISPOSITIONS FOR NJ2A:89-6 MALICIOUS BURNING OF WOODS OR CRANBERRY BOGS

NEW JERSEY STATE

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
NJ2A:89-6 MALICIOUS BURNING OF WOODS OR CRANBERRY BOGS							
<u>TOTAL NUMBER OF ARRESTS</u>	<u>1</u>	<u>3</u>	<u>2</u>	<u>1</u>	<u>10</u>	<u>8</u>	<u>7</u>
<u>DISPOSITIONS</u>							
Discharged as to Probable Cause	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Downgraded	1	3	1	-0-	-0-	-0-	1
Administrative Dismissal by Prosecutor	-0-	-0-	-0-	-0-	1	1	-0-
No Bill	-0-	-0-	-0-	-0-	1	-0-	-0-
Return to Lower Court	-0-	-0-	1	-0-	-0-	-0-	1
Direct Indictment by Grand Jury	-0-	-0-	-0-	-0-	-0-	-0-	-0-
True Bill							
Indictment Dismissed Before/During Trial	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Acquitted	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Convicted	-0-	-0-	-0-	1	7	2	1
Return to Lower Court*	-0-	-0-	1	-0-	-0-	-0-	-0-
Pending/Incomplete	-0-	-0-	-0-	-0-	1	5	4

*Return to Lower Court: When indictment is dismissed and case is to be dealt with in Municipal Court as a new complaint. Includes cases disposed of by a County Court Judge sitting as a Municipal Court Judge.

DISPOSITIONS ON AMENDED/DOWNGRADED ARSON ARRESTS

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>ORIGINAL CHARGE:</u> NJ2A89-6 MALICIOUS BURNING OF WOODS/ CRANBERRY BOGS	<u>1</u>	<u>3</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>
<u>AMENDED/DOWNGRADED TO:</u>							
A. <u>NJ2A:170-37 Malicious Mischief</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Convicted	1	-0-	-0-	-0-	-0-	-0-	-0-
B. <u>NJ2A:170-36 Malicious Injury to Property</u>	<u>-0-</u>	<u>3</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>
Convicted	-0-	3	1	-0-	-0-	-0-	1

DISPOSITIONS ON ARSON ARRESTS THAT WERE "RETURNED TO LOWER COURT"

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>ORIGINAL CHARGE:</u> NJ2A89-6 MALICIOUS BURNING OF WOODS/ CRANBERRY BOGS	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>
<u>AMENDED/DOWNGRADED TO:</u>							
A. <u>NJ2A170-36 Malicious Injury to Property</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>
Convicted	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>
B. <u>PENDING/INCOMPLETE</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1</u>

NUMBER OF ARRESTS FOR ARSON

NEW JERSEY STATE

<u>STATUTE</u>		<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>TOTAL</u>
NJ2A:89-1	Arson, Dwelling House	131	129	136	148	164	179	171	1,058
NJ2A:89-2	Burning Ships & Buildings Other Than Dwelling Houses	33	70	76	107	110	87	95	578
NJ2A:89-3	Setting Fire to or Burning Property to Defraud	3	-0-	1	5	11	7	6	33
NJ2A:89-4	Attempting to Destroy Buildings or Contents of Buildings With Fire or Explosives	15	15	18	23	21	27	30	149
NJ2A:89-5	Burning or Injuring Property Crops, Trees, Fences or Lumber	11	9	15	17	10	12	16	90
NJ2A:89-6	Malicious Burning of Woods or Cranberry Bogs	1	3	2	1	10	8	7	32
	TOTAL	<u>194</u>	<u>226</u>	<u>248</u>	<u>301</u>	<u>326</u>	<u>320</u>	<u>325</u>	<u>1,940</u>

NOTE: The OBTS/CCH Data Base was used to generate the above statistics and hence, all juvenile arrests for Arson are excluded.

NUMBER OF DIRECT INDICTMENTS FOR ARSON

NEW JERSEY STATE

<u>STATUTE</u>		<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>TOTAL</u>
NJ2A:89-1	Arson, Dwelling House	-0-	-0-	-0-	6	3	1	5	15
NJ2A:89-2	Burning Ships & Buildings Other Than Dwelling Houses	-0-	-0-	2	3	1	-0-	2	8
NJ2A:89-3	Setting Fire to or Burning Property to Defraud	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
NJ2A:89-4	Attempting to Destroy Buildings or Contents of Buildings With Fire or Explosives	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
NJ2A:89-5	Burning or Injuring Property Crops, Trees, Fences or Lumber	-0-	-0-	-0-	1	-0-	-0-	-0-	1
NJ2A:89-6	Malicious Burning of Woods or Cranberry Bogs	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
	TOTAL	<u>-0-</u>	<u>-0-</u>	<u>2</u>	<u>10</u>	<u>4</u>	<u>1</u>	<u>7</u>	<u>24</u>

NOTE: The OBTS/CCH Data Base was used to generate the
above statistics and hence, includes only adults.

DISPOSITIONS ON DIRECT INDICTMENTS FOR ARSON

NEW JERSEY STATE

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
NJ2A:89-1 <u>ARSON, DWELLING HOUSE</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>6</u>	<u>3</u>	<u>1</u>	<u>5</u>
Indictment Dismissed Before/During Trial	-0-	-0-	-0-	1	-0-	-0-	-0-
Acquitted	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Convicted	-0-	-0-	-0-	4	2	-0-	-0-
Return to Lower Court	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Pending/Incomplete	-0-	-0-	-0-	1	1	1	5
 NJ2A:89-2 <u>BURNING SHIPS & BUILDINGS OTHER THAN DWELLING HOUSES</u>	 <u>-0-</u>	 <u>-0-</u>	 <u>2</u>	 <u>3</u>	 <u>1</u>	 <u>-0-</u>	 <u>2</u>
Indictment Dismissed Before/During Trial	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Acquitted	-0-	-0-	-0-	2	-0-	-0-	-0-
Convicted	-0-	-0-	1	1	1	-0-	-0-
Return to Lower Court	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Pending/Incomplete	-0-	-0-	1	-0-	-0-	-0-	2
 NJ2A:89-5 <u>BURNING OR INJURING PROPERTY, CROPS, TREES, FENCES OR LUMBER</u>	 <u>-0-</u>	 <u>-0-</u>	 <u>-0-</u>	 <u>1</u>	 <u>-0-</u>	 <u>-0-</u>	 <u>-0-</u>
Indictment Dismissed Before/During Trial	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Acquitted	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Convicted	-0-	-0-	-0-	1	-0-	-0-	-0-
Return to Lower Court	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Pending/Incomplete	-0-	-0-	-0-	-0-	-0-	-0-	-0-

NOTE: NJ2A:89-3, 89-4, 89-6 are not shown because there were no Direct Indictments for these statutes.

NEW JERSEY INSURANCE UNDERWRITING ASSOCIATION

744 BROAD STREET, NEWARK, N. J. 07102

Telephone | Area Code 201
622-3838

SUPPLEMENTARY CORPORATE QUESTIONNAIRE

This form must be completed and filed with any application (Form NJ-1 or Form NJ-13) or letter request wherein any corporation, holding company or other fictitious entity, hereinafter referred to as corporation, is shown as the name insured.

Full Title of Corporation _____ ①

Date of Incorporation _____ ②

State of Incorporation Filing: _____ ③

Names of all Principals and their Titles, if applicable, in the Corporation:

_____ ④

Other properties, in this state, in which the corporation has any insurable interest such as owner, mortgagee, loss payee or other:

_____ ⑤

Has any principal of the corporation ever been convicted, as a result of an insurable loss to any property in which he had an insurable interest, as an individual or as principal of any corporation?

If yes, provide the principal's name and details:

6

Is any principal of this corporation also a principal of any other corporation doing business in the State?

Yes _____

No _____

7

If yes, explain:

Corporate Seal
or Facsimile

8

Authorized Signature

Title

Date

NEW JERSEY ARSON LAB FACILITIES

