UNITED STATES SENTENCING COMMISSION

VARIABLE CODEBOOK FOR CRIMINAL HISTORY DATAFILE

STANDARDIZED RESEARCH DATA DOCUMENTATION FOR FISCAL YEARS 2016 - 2021

INTRODUCTION

The United States Sentencing Commission is an independent agency in the judicial branch of government. Its principal purposes are: (1) to establish sentencing policies and practices for the federal courts, including guidelines to be consulted regarding the appropriate form and severity of punishment for offenders convicted of federal crimes; (2) to advise and assist Congress and the executive branch in the development of effective and efficient crime policy; and (3) to collect, analyze, research, and distribute a broad array of information on federal crime and sentencing issues, serving as an information resource for Congress, the executive branch, the courts, criminal justice practitioners, the academic community, and the public.

To meet these responsibilities, the Commission receives and collects data from sentencing documents sent directly from the federal courts. Within 30 days of the entry of judgment in a criminal case, the chief judge of each sentencing court is required to submit documents about the sentencing to the Commission that includes (1) the judgment and commitment order (J&C); (2) the statement of reasons (SOR); (3) any plea agreement; (4) the indictment or other charging document; (5) the presentence report (PSR); and (6) any other information the Commission finds appropriate. Commission staff transfer information from the submitted documents into several datafiles including the individual offender datafile, the organizational offender datafile, the appeals datafile, the re-sentencing datafile, the criminal history datafile, the enhanced drug penalty (851) datafile, and special project and report datafiles.

Understanding the federal sentencing guidelines is crucial to properly analyzing the Commission's data. To learn more about the Commission and the federal sentencing guidelines, please visit the Commission's website, http://www.ussc.gov. The Commission's website makes available the current and prior guideline manuals at http://www.ussc.gov/Guidelines/archives.cfm. ***Researching multiple years of guideline manuals is necessary for most guideline analysis due to yearly amendments in the guidelines.***

The guideline range for each offender is a combination of the severity scores for the "offense level" for the instant offense and for the offender's criminal history category (CHC). The guideline range determines both the type of confinement options available as well as the range of confinement, expressed in months (see the sentencing table at https://www.ussc.gov/guidelines/2018-guidelines-manual/annotated-2018-chapter-5). The guidelines establish a method for evaluating an offender's criminal history by assigning points to prior criminal convictions and adjudications of juvenile delinquency based on the length of the sentence imposed for those offenses. There are limitations on counting some offenses based on the amount of time that has lapsed between each prior event and the instant offense. Following this process, the probation officer calculates an offender's "criminal history score," which is then assigned to one of six CHCs. See Chapter Four of the *Guidelines Manual* for more detailed information about the calculation process.

The Commission collects the total criminal history points and CHC as determined under the guidelines in the Commission's individual offender datafile. (See https://www.ussc.gov/research/datafiles/commission-datafiles to download the Commission's individual offender datafiles in SAS or SPSS formats along with the codebook which describes the variables and values). However, until recently, the Commission had not collected detailed information on the number or types of prior offenses. An offender's criminal history information is typically reported in the PSR. See the below example of a sample criminal history event:

Date of Arrest	Conviction/Court	Date Sentence Imposed/Disposition	Guideline/Points	
06/26/2016 (Age 21)	Driving While Under the Influence of Alcohol, 0.08 Percent; Santa Clara Superior Court, Gilroy, CA; Docket No.: X1111111	08/02/2013: Convicted, 15 days' jail, suspended, 3 years' probation, fine and costs	4A1.1(c)	1

The defendant was represented by counsel. He was prosecuted under the name John Doe. The arrest report was requested but was not received.

Because most PSRs are formatted in a generally consistent manner, beginning in FY2016, the Commission was able to utilize optical recognition software to extract criminal history event information from the criminal history section of each offender's PSR. Data gathered on criminal history event information through this software for each prior conviction includes: Chapter Four guideline(s) cited, jurisdiction of adjudication/conviction, date of arrest, and date of sentence. The conviction text was also scanned by the software, and key phrases were programmed to categorize convictions into 35 standardized offense types. Commission staff then review the information collected by the software and correct any errors.

Some criminal history events contain offenses that do not result in convictions (as some charges may have been dismissed, result in acquittals, etc.). Only the offenses which resulted in an adjudication or conviction are included in the Criminal History datafile (regardless of whether the offender received criminal history points under the guidelines). The Criminal History datafile does NOT contain information about the offender's sentence. This is because the OCR technology has difficulty separating out and correctly identifying sentence information, especially in events with multiple offenses. In such cases, judges may run each sentence concurrently, consecutively, or partially consecutively and concurrently. Some sentences are suspended in full or in part. In addition, the offenders on supervision may be revoked for a variety of reasons (such as commission of a new crime or failure to comply with the terms of supervision)and may receive additional incarceration time. Due to these factors and the amount of staff resources that would be required to collect sentence information, that data is not included in the Criminal History datafile.

The Commission provides the Criminal History datafiles for download in SAS or SPSS formats. The datafile is a "flat" file such that each record represents a single offender. Each offender may have more than one criminal history event (see the description and values for EVENTNUM). A single criminal history event may contain multiple conviction charges (*e.g.*, an offender may have been convicted of a bank robbery, discharging a weapon, <u>and</u> carjacking a victim). Therefore, the datafile contains information on up to eight charges for each criminal history event (see the description and values for CHOFF1_1 thru CHOFF8_X).

This codebook documents the criminal history data collected and disseminated in the U.S. Sentencing Commission's Criminal History datafiles. This data can be used in conjunction with the U.S. Sentencing Commission's individual offender datafiles for the corresponding fiscal year if a researcher wishes to pair information about the current offense with the offender's criminal

history information. For example, if the research question was "What percent of offenders convicted of drug trafficking in FY2016 have at least one prior drug offense?" the answer can be obtained by using both datafiles. The variable USSCIDN is a unique identifier for each record, so by merging the FY2016 individual offender datafile with the FY2016 Criminal History datafile by USSCIDN, each record will have both sets of information. (Note that if documentation such as the PSR was not sent to the Commission, criminal history information is likely to be missing, on both files). In fiscal year 2016, the Commission's individual datafile included 67,742 cases. Criminal history and complete documentation information was available for 61,946 of these cases.

In addition to collecting and disseminating the Criminal History datafile, this data has been utilized in some Commission publications (see https://www.ussc.gov/research/topical-index-publications#crimhist for a list of all of the Commission's publications concerning criminal history as the main topic). This codebook specifically covers the information presented in the publication, *The Criminal History of Federal Offenders*, which analyzes the prior offenses on offenders sentenced in fiscal year 2016. For the analysis in the report, staff used both the criminal history data along with the data in the Commission's fiscal year 2016 individual offender dataset.

How to Use the USSC Criminal History Codebook

The first column in the codebook, NAME, lists the name of each variable in alphabetical order. The second column, FORM, describes whether the variable is coded as numeric (NUM), character (CHAR), or date (DATE). This column also lists the length of each variable. The third column, CODES, lists all the values for each variable and describes what those values mean. The final column, DESCRIPTION, describes the uses and creation of each variable.

The variables in this datafile describes elements of each conviction in an offender's criminal history. Each variable is numbered, which corresponds to a conviction. For example, CHARDT1, CHGDL1, and CHPTS1 are variables for the first conviction on the datafile, CHARDT2, CHGDL2, and CHPTS2 correspond to the second conviction on the data file, etc. Convictions are not always in order on the data file from earliest to latest conviction.

NAME	FORM	CODES	DESCRIPTION
CHAGE1-CHAGEX	NUM 3	Range: 7 thru 77 · = Missing/Indeterminable	Identifies the age in years of the defendant at the time of arrest for each conviction in the offender's criminal history. It is generated based on the date of birth provided either in the PSR or at case submission to USSC and the arrest date on the PSR.
CHARDT1-CHARDTX	NUM 4	FORMAT: MMDDYY10.	The date on which the offender was arrested for the conviction.
CHFED1- CHFEDX	NUM 3	1 = Conviction in federal court	Indicates whether the conviction was in federal court.
CHGDL1-CHGDLX	CHAR 100	Text Field	Chapter Four guideline(s) cited on the PSR.

NAME	FORM	CODES	DESCRIPTION
CHOFF1_1-CHOFF1_X through CHOFF8_1-CHOFF8_X	NUM 3	1 = Murder 2 = Unspecified Manslaughter 3 = Non-Negligent Manslaughter 4 = Vehicular Manslaughter 5 = Negligent Manslaughter 6 = Kidnapping 7 = Statutory Rape 8 = Forcible Sex Offense 9 = Robbery 10 = Aggravated Assault 11 = Simple Assault 12 = Intimidating a Witness 13 = Intimidation (Not Witness) 14 = Hit and Run with Bodily Injury 15 = Extortion 16 = Child Abuse 17 = Other Violent Offense 18 = Burglary 19 = Arson 20 = Fraud 21 = Larceny/Motor Vehicle Theft 22 = Other Property 23 = Drug Trafficking 24 = Drug Possession 25 = Unspecified Drug Offense 26 = Escape/Flight 27 = Weapons Offenses 28 = Court Violation 29 = Rioting 30 = Traffic 31 = DUI 32 = Public Order 33 = Immigration 34 = All Other Offenses 35 = Embezzlement · = Missing, Indeterminable, or Inapplicable	Offense type for each charge in a conviction. Up to eight offense types are collected for each criminal history event. The last number corresponds to the conviction/criminal history event on the datafile and the first number (1 through 8) corresponds to a conviction charge within that event. For example, CHOFF2_3 is the second offense type for the 3rd criminal history event.
CHPTS1-CHPTSX	NUM 3	Range: 0 thru 6 0 = No Points Applied 4 = 4 Points Applied (Not in *USSG* Manual) 5 = 5 Points Applied (Not in *USSG* Manual) 6 = 6 Points Applied (Not in *USSG* Manual) · = Missing, Indeterminable, or Inapplicable	Number of points the event received.
CHSNDT1-CHSNDTX	NUM 4	FORMAT: MMDDYY10.	The date on which the offender was sentenced for the conviction.

CHSTATE1-CHSTATEX	CHAR 2	AK = Alaska AL = Alabama AR = Arkansas AZ = Arizona CA = California CO = Colorado CT = Connecticut DC = District of Columbia DE = Delaware FL = Florida GA = Georgia GU = Guam HI = Hawaii IA = Iowa ID = Idaho IL = Illinois IN = Indiana KS = Kansas KY = Kentucky LA = Louisiana MA = Massachusetts MD = Maryland ME = Maine MI = Michigan MN = Minnesota MO = Missouri MP = Mariana Islands MS = Mississippi MT = Montana NC = North Carolina ND = North Dakota NE = Nebraska NH = New Hampshire NJ = New Jersey NM = New Mexico NV = Nevada NY = New York OH = Ohio OR = Oregon PA = Pennsylvania PR = Puerto Rico RI = Rhode Island SC = South Carolina SD = South Dakota TN = Tennessee	Location (state) of the conviction. Note that the location (state) is coded even if the conviction was in tribal or federal court. Use with CHFED1-CHFEDX and CHTRIB1-CHTRIBX to determine if the prior event was a federal or tribal conviction.

NAME	FORM	CODES	DESCRIPTION
CHSTATE1-CHSTATEX (cont'd)		TX = Texas UT = Utah VA = Virginia VI = Virgin Island VT = Vermont WA = Washington WI = Wisconsin WV = West Virginia WY = Wyoming	
CHTRIB1-CHTRIBX	NUM 3	1 = Conviction in tribal court	Indicates whether the conviction was in a tribal court.
EVENTNUM	NUM 3	Range: 0 thru 116 0 = No criminal history events · = Missing, Indeterminable, or Inapplicable	Offender's number of convictions on datafile.
USSCIDN	NUM 6	Range: 6 Numbers	Unique sequential identification number given to cases upon receipt at USSC.