

FEATURE ARTICLE



State Legislation to Combat Terrorism

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Following the September 11th terrorist attacks on the World Trade Center and the Pentagon, the Bush Administration established the Department of Homeland Security in its efforts to defend the Nation. The creation of this new government structure has facilitated effective and coordinated communication among more than 100 government organizations in the fight against terrorism. Signed into law on October 26, 2001, the USA Patriot Act, an acronym for Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism, has operated as the cornerstone of the Bush administration's antiterrorism efforts by strengthening the criminal laws against terrorism. The Act defines domestic terrorism as offenses that are "(1) dangerous to human life and violate the criminal laws of the United States or any state; and (2) appear to be intended (or have the effect) to intimidate a civilian population; influence government policy by intimidation or coercion; or affect government conduct by mass destruction, assassination, or kidnapping (or a threat of)." As part of the cooperative national effort to combat terrorism, many states across the country have followed the example of federal legislation by creating their own antiterrorist laws.

While state laws and disaster response structures existed prior to September

11th, many have been strengthened through the creation of new offices or new functions within existing entities to better address and prepare specifically for terrorist threats. According to the National Emergency Management Association, at least 14 states have established a new office or position for homeland security. At least 18 states have created new task forces, commissions,

advisory panels, or similar bodies to further address terrorism preparedness and to heighten awareness. In addition to creating new offices, states have enacted their own antiterrorism legislation, apart from federal legislation, to prosecute terrorism on both levels. State antiterrorism legislation closely reflects

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JRSA ACTIVITIES



BJS/JRSA National Conference Update

The 2002 BJS/JRSA National Conference, *The Evolving Nature of Crime: Issues of Measurement and Impact*, is rapidly approaching, and planning for session panels and topics is nearly complete. The conference will take place on October 3-4 at the Boston Park Plaza hotel, with preconference seminars on October 1-2. A complete list of session titles and times is available on the JRSA Web site at www.jrsa.org, and presentation abstracts and speaker bios are being added to the site as they become available.

Keynote Address and Related Presentations

This year's keynote address during Thursday morning's opening session will be on Cybercrime/Homeland Security. Methods to measure and address the issue of cybercrime is the focus of a panel session on Friday, and the related issue of terrorism will be discussed in a session immediately following the keynote address. A roundtable discussion during Friday

morning's continental breakfast will focus on the state and local role in research and statistics regarding terrorism.

Table Sessions

Table sessions, which were highly rated in their debut last year, will be held on Friday morning in lieu of a plenary session. These concurrent, informal "mini-sessions" will be set up in the ballroom, with each of 10 to 15 tables focusing on a different topic. These sessions offer the opportunity for SAC staff and other experts to share innovative strategies, discuss methodologies, and raise questions for discussion on a wide range of policy-relevant issues of interest to attendees.

Proposals for conducting table sessions are still being accepted. Topics can be very narrow or very broad. The critical factor is that the topic lend itself to a brief

(See **CONFERENCE**, p. 9)

STATE REPORT



JRSA Surveys SACs on IBR Usage

The Incident-Based Reporting Resource Center (IBRRC), available online at www.jrsa.org/ibrrc, was created to provide comprehensive information on accessing and using incident-based reporting data to researchers and analysts, state Statistical Analysis Centers (SACs), and law enforcement. In February 2002, JRSA, which established and runs the Center, surveyed the state SACs about their involvement in the National Incident-Based Reporting System (NIBRS), the system developed by the FBI to improve the statistical reporting and analysis capabilities of the law enforcement community. The survey focused on how the states use IBR data so that the Center could identify the needs at the state level.

A total of 50 SACs responded to the survey. Of the respondents, 32 are currently involved with NIBRS and 18 are not. Of those not involved, 5 (CO, MN, NC, OK, PR) anticipate involvement. Colorado expects to develop the decision support component of the state's Criminal Justice Information System, which will include NIBRS data. Minnesota will work on the planning and implementation of the state's IBR system, and North Carolina will conduct an analysis of existing IBR system data sets and promote IBR system use by awarding federal Byrne funds to appropriate agencies. The expected involvement of the other two SACs was not specified.

How Do the SACs Use NIBRS?

To find out the types of NIBRS activities the SACs are involved in, the survey listed 12 tasks and asked the respondents to check all that they perform. As shown in the table below, analysis of state-level data received the highest number of responses, followed by grant writing/monitoring.

Task	Number
Analysis of state-level data	23
Grant writing/monitoring	20
Local data analysis assistance	14
Publication of statewide crime report	14
Local integration/automation	13
Collection/submission of data	12

Crime Identification Technology	
Act (CITA) project	10
Local training	10
Mapping	9
Produce reports for local agencies	8
Other	7
Prevention/intervention planning	5

(The SACs involved with NIBRS are AL, AZ, AR, CA, DE, HI, ID, IL, IA, LA, MA, ME, MI, MO, MT, NE, NH, NY, ND, OH, PA, RI, SC, SD, TN, UT, VT, VA, WA, WV, WI, and WY.)

"Other" reported tasks include:

- converting state statutes to NIBRS codes;
- coordinating statewide planning meetings to identify IBR needs and interests;
- developing specifications for data elements that are above and beyond those minimally required by NIBRS;
- developing a collaborative Web site for communication between project team members;
- recruiting new agencies into the NIBRS program;
- publishing a success-stories booklet;
- providing funding for a statewide project to develop a Web-based Uniform Crime Reporting (UCR)/IBR reporting system;
- auditing agencies' data for accuracy and quality;
- analyzing data for use by the legislature and other agencies in planning, problem identification, etc.;
- working on projects for national agencies.

NIBRS-Related SJS Projects

We asked the SACs whether they are currently funded by the Bureau of Justice Statistics (BJS) under its State Justice Statistics program theme related to NIBRS data ("Research Using Incident-Based Crime Data"). Fifteen of the respondents replied that they have current projects, and 13 provided descriptions:

- Delaware—(1) *Crime at the Beach*, an analysis of who is involved with crime in major resort areas and why, (2) *Crime in Delaware 2000*, (3) *Wilmington Weed and Seed 2000*, and (4) juvenile recidivism.
- Illinois—Development of training manual for crime analysis applications using IBR data.

- Massachusetts—The project will provide summary crime data and detailed community-based crime data taken both from UCR and NIBRS datasets. A supplemental analysis will be conducted focusing on the nature and incidence of elder abuse in Massachusetts.
- Montana—Modifications to the state repository for accuracy and to create analytical tools.
- Nebraska—Assisting the UCR section on developing the state report on domestic violence.
- Ohio—Creating a success-stories booklet.
- Rhode Island—Mapping data from one city.
- South Carolina—Reports concerned with school violence, juvenile firearm use, domestic violence, and violence against women.
- Tennessee—(1) Publication of domestic violence data, (2) *Crime in Tennessee 2001*, (3) publication of data on the Web site, and (4) design of online access to the data for agencies.

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NEWS FROM THE STATES



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Pennsylvania SAC Research More Accessi-

The Pennsylvania Statistical Analysis Center (SAC) has revised its Web access to research and evaluation projects. More than 30 research and evaluation projects are now available online, and an e-mail link has been added to request reports available only in hard copy. Locating the reports on the Pennsylvania Commission on Crime and Delinquency's (PCCD's) Web site is a relatively easy process. After opening the Commission's Internet homepage – <http://www.pccd.state.pa.us> – click on the Statistics & Evaluation link in the center frame of the page or on the similarly named black tab near the top. Scroll down the Statistics page until you see the Evaluation Committee section. The first bullet under this section is the Completed Evaluation Projects link. Clicking on that will take you to a linked table where the name of the project report, the primary agency awarded the subgrant, and a short description of the project scope and major findings are included. The documents are in the Adobe Acrobat PDF file format and can be read online or downloaded. Any files over one megabyte in size have been marked to alert those with low bandwidth connections. The projects are listed in reverse chronological order by the report submission dates; new reports are added to the top of the table as they become available.

The following SAC-funded program evaluations have been completed in the past 12 months and are currently available at the Statistics & Evaluation section of the Web site:

- *The Pennsylvania Youth Survey 2001* (formerly known as the *Generation At Risk Survey*), a statewide survey of middle and high schools students in Pennsylvania on the prevalence of alcohol, tobacco, and other drugs use;
- *The Philadelphia Treatment Court, Its Development and Impact*, an in-depth evaluation of the second phase (1998-2000) of the alternative case processing system in the City of Philadelphia;
- *Predictors and Outcomes of Restitution in Pennsylvania*, a multi-year study of restitution in the state;
- *Evaluation of PCCD's Communities That Care Delinquency Prevention*

Initiative, an analysis of the first 21 CTC sites;

- *Evaluation of the Juvenile Accountability Incentive Block Grant Program in Pennsylvania*, an assessment of the JAIBG program's administration in the Commonwealth;
- *Relationship of Civil Protection Orders and Court-Ordered Batterer Counseling*, a study of "overlap" cases in the City of Pittsburgh's civil and criminal courts; and
- *Evaluation of Pennsylvania's School-Based Probation Program*, an assessment of the statewide juvenile justice initiative in Pennsylvania schools.

Upcoming evaluation project findings on the PCCD-funded programs listed below are expected to be available at the Commission's Web site later this year or early in 2003:

- The Young Adult Offender Program at the Pine Grove State Correctional Institution;

- Improving Substance Abuse Treatment Outcomes in Philadelphia;
- The Batterer Intervention Programs in Six Pennsylvania Counties;
- The Substance Abuse Violators Effort (SAVE) Project in Pennsylvania;
- The Residential Substance Abuse Treatment (RSAT) for state prisoners program;
- A Validation of Pennsylvania Board of Probation and Parole Guidelines and the Sex-Offender Risk Assessment Instruments;
- The Therapeutic Community Drug Treatment Programs at State Correctional Institutions;
- Restrictive Intermediate Punishment Program Sentencing and Recidivism;
- Pennsylvania's Criminal Public Defender Services; and,
- The Use, Non-Use and Efficacy of Local Victim Services Programs.

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ANNOUNCEMENTS



New Internet Resource for Justice Planners

The Program on Youth Justice at the Urban Institute has launched a Web site designed to help agencies anticipate future demands for detention and correctional capacity, or any other program for young offenders. The Practical Forecasting Web Site can be found by visiting the Program on Youth Justice at <http://youth.urban.org>.

In addition to several new reports about juvenile corrections and population forecasting, the Web site contains a free forecasting tool designed for nontechnical users. Juvenile Forecaster allows anyone to create and run projection scenarios on the Internet. All information is password protected and stored on the Web site for later retrieval and reanalysis. Forecast results may include information about per diem costs.

Even the best statistical models will never account for all of the complex forces that shape demand for juvenile justice resources. The best way to improve the usefulness of forecasts is to enhance their sensitivity to nonstatistical information about trends in policy and practice. The Urban Institute developed the new Web site for just this purpose. Policymakers and administrators can use the site to generate their own forecasts as often as they wish, and model the impact of changes in law and policy as they occur.

For more information contact Jeffrey A. Butts, Ph.D., Director, Program on Youth Justice, Urban Institute, 2100 M Street NW, Washington, DC 20037, or e-mail jbutts@ui.urban.org.

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Arizona, Kentucky, and Montana SACs Get New Directors

Steve Ballance is the new director of the **Arizona** SAC, a unit of the Arizona Criminal Justice Commission. As director, he is responsible for providing evaluations of criminal justice programs, policy analysis, and research on a wide variety of issues and trends within the criminal justice system. Prior to his employment with the Commission, Mr. Ballance was with the Pima County Juvenile Court Center in a variety of positions, including Manager of Information Technology, Research and Program Evaluation Manager, Supervisor of the Sex Offender and Domestic Violence Units, and Assistant Division Manager of the Detention Facility. He was selected by the Pima County Juvenile Court as Manager of the Year in 2001 prior to joining the Arizona SAC. Mr. Ballance has authored and coauthored articles published in the OJJDP Juvenile Bulletin, Court Technology Bulletin, and Corrections Today.

In addition to performing evaluations and reports as requested by the Arizona Criminal Justice Commission, the SAC publishes an annual report on gangs in Arizona. Since 1988, the SAC has also administered a youth survey as part of a biannual report on the prevalence of substance abuse in Arizona. In the upcoming year, the SAC will focus on assisting policymakers in utilizing data provided through the 2002 Arizona Youth Survey and improving data collection strategies between criminal justice agencies. Specifically, Mr. Ballance wants to emphasize the use of spatial information for analysis and policy recommendations at the local, state, and national levels. The SAC anticipates receiving an award to conduct an evaluation on community violence and firearms through a grant for Project Safe Neighborhoods over the next three years.

Ishmon F. Burks was appointed Secretary of the **Kentucky** Justice Cabinet on April 25, 2002. In that capacity, he also serves as SAC Director. Burks, a native of Louisville, Kentucky, most recently served as commissioner of the Kentucky

State Police. He was the first African-American commissioner of the state's premiere law enforcement agency when he was appointed in August 2000. Burks was appointed Justice Cabinet Secretary after the death of former Secretary and SAC Director Robert F. Stephens. Faith Hartlage will continue to act as the SAC Research Coordinator and be responsible for conducting a biennial Violence Against Women report as well as planning and implementing a statewide criminal victimization study.

As Secretary of the Kentucky Justice Cabinet, the largest agency in state government, Secretary Burks takes an active role in overseeing the day-to-day operations of the departments and divisions within the cabinet. This includes the Department of Corrections, Kentucky State Police, Department of Juvenile Justice, and Department of Criminal Justice Training. Also part of the Justice Cabinet are the Parole Board, Medical Examiner's Office, Kentucky Criminal Justice Council and Justice Administrative Services.

Secretary Burks attended Lincoln University in Jefferson City, Mo., and graduated as the Distinguished Military Graduate in 1967. Commissioned as a 2nd lieutenant in the army that same year, he continued his military career to retire as a colonel in 1993. During that period he also earned master's degrees from Indiana University and City University, N.Y. Burks joined the civilian sector as the Vice President of Internal Auditing and Corporate Security for the McCrory and TG&Y Stores in 1994. He then returned to Kentucky to accept the position of Executive Vice President and Chief Operating Officer for Spalding University in Louisville in 1995.

Adriane Schaeffer joined the **Montana** Board of Crime Control staff as SAC Director in June 2002. She has a bachelor's degree in criminal justice from the University of Washington, a master's degree in sociology (area of concentration in criminology) from the University of Washington, and has almost completed her doctoral studies in sociology (concentration in criminology). She has 10 years of experience in statistical methods, research, and evaluation. Ms. Schaeffer has worked with the Washington Attorney General Office's Homicide Investigation Tracking System (HITS) unit in developing software to classify and assess dangerous sexual predators and assisted in the coding process for the HITS Child

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policies expressed in the USA Patriot Act and often adopts similar language in the definition of "terrorism." New York was the first state to enact its antiterrorism law immediately following September 11th. The law became a model for other states' legislation, where stiffer penalties for crimes committed in the course of engaging in terrorism have been established. Some of these legislative initiatives include exempting sensitive terrorism preparedness information such as threat and vulnerability analysis and infrastructure security from Freedom of Information Act laws, increasing penalties for terrorist threats or hoaxes from a misdemeanor to a felony, and formalizing protocols and procedures for terrorism task forces and information sharing among agencies. Many states have joined the Emergency Management Assistance Compact (EMAC), an agreement among states to provide mutual assistance during exercises, training activities, and disasters by sharing resources. A report by the National Emergency Management Association, entitled "Trends in State Terrorism Preparedness," and a report issued by the National Conference of State Legislatures (NCSL) entitled "How Are States Taking a Measured Approach to Protecting Democracy?" highlight some of the key legislation states have enacted to provide more efficient and effective responses to combat terrorism. The information below was summarized from these reports.

Alabama – Alabama built on the existing Emergency Management Agency by creating the new Homeland Security Office and Alabama Defense Security Council. Enacted bills created definitions for terrorism, defined penalties and procedures, and requested federal financial assistance for local health units. (EMAC member)

Alaska – Alaska built on the Division of Emergency Services by creating the Office of Homeland Security. A bill declares Alaska's support of the fight against terrorism. The Alaska Terrorism Disaster Policy Cabinet analyzed the terrorism threat to the state and measured its current capability to meet the threat. (EMAC member)

Arizona – Arizona had the Division of Emergency Management prior to September 11th. Lawmakers considered

limiting public access to some planning documents. The Governor approved a bill to define terrorism and provide punishments. Other provisions increased penalties for terrorism, gave law enforcement new authority to conduct wiretaps, and required more information sharing for background checks at nuclear power plants.

Arkansas – Arkansas had the Department of Emergency Management prior to September 11th. As part of a Disaster Policy Cabinet report, lawmakers created a list of law and policy revisions to enhance terrorism preparedness and response.

California – California built on its State Strategic Committee on Terrorism within its State Terrorism Advisory Committee by creating the California Anti-Terrorism Information Center to coordinate the exchange of information regarding terrorism among state and local law enforcement agencies. California lawmakers considered requesting increased appropriation for disaster response and broadening authority under some programs. Legislation added to the list of serious or violent felonies those crimes using weapons of mass destruction, including a possible first-degree murder charge in addition to creating penalties for terrorist hoaxes or false reports.

Colorado – The Governor requested \$1 million to establish a new antiterrorism agency within the Department of Public Safety. Lawmakers discussed legislation to strengthen criminal penalties for acts of terrorism. (EMAC member)

Connecticut – Connecticut built on its existing Office of Emergency Management and Governor's Domestic Preparedness Senior Steering Task Force by creating the new Governor's Homeland Security Office. Some of the legislation being considered includes increasing state criminal penalties for hoaxes/threats; Freedom of Information Act exemption for domestic preparedness plans, intelligence information and vulnerability assessments; and outlining domestic preparedness agency responsibilities. (EMAC member)

Delaware – Delaware's Emergency Management Agency existed prior to September 11th. A toll-free hotline has been created to receive bioterrorism information from callers. Legislation created and defined crimes of terrorism.

Penalties for terrorist hoaxes or false reports were provided and victim compensation for acts related to terrorism were addressed. (EMAC member)

District of Columbia – The District of Columbia Council introduced the Omnibus Anti-Terrorism Act of 2002 that establishes the act of terrorism and possession of a weapon of mass destruction as crimes and provides criminal penalties.

“Many states have joined the Emergency Management Assistance Compact (EMAC), an agreement among states to provide mutual assistance during exercises, training activities, and disasters by sharing resources.”

Florida – Florida built on its Division of Emergency Management by creating the new Governor's Domestic Security Advisory Panel. The Domestic Security Panel and Counter-Terrorism Intelligence Center were created to form a database of information for investigating and analyzing possible terrorist threats. In addition to defining terrorism, legislation placed acts of terrorism under felony murder law punishable as a capital offense. Other crimes that facilitated terrorism were enhanced to the next higher degree of felony. New laws prohibit the introduction of poisons, biological agents, and radioactive materials into the water supply, allow circuit court judges to approve police surveillance for aircraft piracy, and approve the non-disclosure of building security systems (including public buildings) and bioterrorism response plans. A bill also provides penalties for false reports of bioterrorism and bomb threats. (EMAC member)

Georgia – Georgia built on its Emergency Management Agency by expanding the Weapons of Mass Destruction Working Group into a task force with 30 state agency and professional association

members. An enacted bill deals specifically with wiretapping and electronic surveillance. (EMAC member)

Hawaii – Hawaii's Civil Defense Division existed prior to September 11th. An enacted bill calls for the Department of Defense to conduct a study on statewide efforts to prevent terrorism.

Idaho – The State Domestic Preparedness Council was created in 1993. The Attorney General has evaluated current emergency management and terrorism laws. Enacted bills have explicitly expressed the state's support for the national government in its fight against terrorism, and have created a definition for terrorism while providing penalties. Another enacted bill amended existing law to delete any references to operation and security in manuals, plans, or codes of county jails or buildings owned or leased by the state government, a county, or a city. A bill to keep the whereabouts of elected officials secret has also been considered. (EMAC member)

Illinois – The Emergency Management Agency and Terrorism Task Force has created the position of Homeland Defense Coordinator. The Attorney General proposed legislation that mirrors the U.S. Department of Justice law for increased law enforcement powers. The Governor proposed legislation for \$17.5 million in domestic preparedness spending, which includes a state drug cache, enhanced public health lab capacity for testing, personal protective equipment for first responders, and \$7 million in a fund for increased security at key infrastructure sites. Legislation created penalties for terrorist hoaxes or false reports. (EMAC member)

Indiana – Indiana built on the Emergency Management Agency by creating the Counter-Terrorism and Security Council. Indiana has passed antiterrorism legislation that classified the manufacture of a weapon of mass destruction as a felony. An enacted bill categorized terrorist deception or identity theft as a Class C felony. The dissemination of a substance with the intent to cause a reasonable person to believe that the substance is a weapon of mass destruction has also been categorized as a Class C felony. (EMAC member)

Iowa – Iowa built on its Emergency Man-
(See **TERRORISM**, p. 6)

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agement Agency by creating the Emergency Management Administrator to serve as the Homeland Security Advisor. Enacted bills authorized the governor and other state officials to use state resources in the fight against terrorism, and defined the terrorist act of killing a person to intimidate the civilian population or influence government policy as a Class A felony.

Kansas – An enacted bill requires fingerprinting and background checks on specific employees within the Information Technology division of the Department of Administration. (EMAC member)

Kentucky – Kentucky had the Department of Military Affairs/Division of Emergency Management and Weapons of Mass Destruction Working Group prior to September 11th. A special legislative committee was established and the state considered Freedom of Information Act exemption for sensitive intelligence information pertaining to domestic preparedness. An enacted bill developed a statewide strategy under the Division of Emergency Management to assess Kentucky's level of risk management ability to respond to acts of terrorism involving chemical or biological agents. Pending legislation created penalties for those convicted of crimes involving terrorism with a requirement to serve at least 85 percent of their sentence. (EMAC member)

Louisiana – Louisiana expanded its Counter Terrorism Program within the Office of Emergency Management by creating the Homeland Security Committee and the Domestic Terrorism Advisory Committee. An enacted bill created a computer tampering law that applies to events resulting from terrorist activity. The Louisiana Anti-Terrorism Act provides law enforcement agencies with access to investigative tools, such as wiretaps, and the ability to prevent information from becoming public. (EMAC member)

Maine – Enacted bills clarified the law enforcement authority of capital security personnel, amended the Maine criminal code to address terrorism, and provided the necessary authority required to respond to public health emergencies caused by acts of bioterrorism. (EMAC member)

Maryland – The Baltimore-Washington International Airport became the national testing center for security procedures and equipment. A legislative workgroup to examine anti-terrorist legislative initiatives for the 2002 General Session was established. Six new regional "Rapid Response Teams" were established to respond to emergency situations. Another bill provides emergency powers to the Governor and to the Secretary of Health and Mental Hygiene whenever the threat of extensive loss of life or of serious disability exists due to exposure to specified diseases, chemicals, or radiation. The State Commission on Public Safety Technology and Critical Infrastructure was established to ensure that public safety communication and information management systems are compatible. In addition to creating and defining crimes of terrorism, antiterrorism legislation broadened powers to wiretap telephones indefinitely and to monitor e-mail messages and other computer communications. (EMAC member)

Massachusetts – Massachusetts built on the existing Emergency Management Agency by creating a new Commonwealth Homeland Defense position. Proposed legislation would establish an antiterrorism council to plan for and implement measures designed to mitigate acts of terrorism by assessing statewide preparedness, developing a statewide prevention and preparedness strategy, reviewing legal authorities, and evaluating the adequacy of laws or regulations. Legislation to establish an emergency management and hazard mitigation trust fund to ensure residents are better educated about family preparedness is also pending. (EMAC member)

Michigan – Michigan had the Emergency Management Division/Department of State Police prior to September 11th. Measures to define and provide criminal penalties for terrorism and weapon of mass destruction threats were introduced. The Michigan Anti-Terrorism Act created criminal penalties for acts of terrorism and defined the intent to intimidate or coerce a civilian population to influence or affect the conduct of a government as a felony. Committing an act of terrorism is a felony punishable by imprisonment for any term up to life and a maximum fine of \$100,000. An act causing death

requires a life sentence without eligibility for parole. The act also prohibits and punishes anyone who knowingly provides material support or resources for acts of terrorism, makes terrorist threats, falsely communicates a terrorist threat, or hinders prosecution of terrorism. Another law provides criminal penalties for using the Internet to disrupt functions of the state. (EMAC member)

Minnesota – An enacted bill expressed sympathy for the victims of the September 11th attack and expressed support for military personnel. Another act established a public-private Homeland Security Advisory Council and authorized public debt to design, construct, and acquire public safety communication system infrastructure and equipment. First- and second-stage regional public safety communications planning is also required. The Anti-Terrorism Act of 2002 empowered state and local law enforcement and public safety personnel with the tools necessary to fight and respond to terrorism. It defined the crime of terrorism as intentionally committing, attempting to commit, or conspiring to commit, either directly or indirectly, a crime of violence or a destructive act intended to injure or terrorize a considerable number of members of the public. It also created other terrorism-related crimes. Acts of terrorism resulting in death require life imprisonment and are considered first-degree murder. (EMAC member)

Mississippi – Disaster and Emergency Services and the Domestic Preparedness Policy Group existed prior to September 11th. The Governor appointed a task force to consider a comprehensive legislative package dealing with acts of terrorism or hoaxes, including response measures for staffing and funding needs for emergency management. An enacted bill defined bioterrorism in addition to appropriate penalties. (EMAC member)

Missouri – Missouri built on its existing Emergency Management Agency by creating the Homeland Security Director as a Cabinet-level position, and a Security Panel. Legislation created or defined crimes of terrorism. EMAC member.

Montana – Montana created the Homeland Security Task Force under the existing Disaster and Emergency Services.

Nebraska – A request from the governor for \$6.5 million to increase Capitol security has been considered. (EMAC member)

Nevada – Nevada built on the Division of Emergency Management by creating the Homeland Security Committee. A package of legislation was proposed to make Nevada law more closely aligned with anti-terrorist federal legislation. The package includes the death penalty for terrorist crimes resulting in death, expansion and clarification of the definition of terrorism in current law, increased protection of utility infrastructures, and stiffer penalties for terrorist hoaxes. (EMAC member)

New Hampshire – New Hampshire built on the existing Office of Emergency Management and Anti-Terrorism Task Force, formed in 1999, by creating a new Law Enforcement Task Force for Terrorism and Commission on Preparedness and Security to review the state's preparedness and to report recommendations for improvement. Legislation to exempt sensitive information on threat and vulnerability analyses and security plans for critical infrastructure and facilities, and to make hoaxes/threats involving weapons of mass destruction a felony, will be effective on January 1, 2003. Enacted bills adopted a state building code for security and urged the development and implementation of a national missile defense system. (EMAC member)

New Jersey – New Jersey built on its existing State Police/Department of Emergency Management by creating the new Office of Public Safety. Legislation to add terrorism to the List of Enumerated Aggravated Factors was introduced. The Anti-Terrorism Act of 2001 and the Domestic Security Preparedness Act of 2001 were passed. Enacted bills appropriated \$27 million in federal funds for bioterrorism preparedness and required the Port Authority of New York and New Jersey to report annually on security measures. Another law requires government agencies to release records on demand unless they are specifically exempt under the law, and also imposes fines for custodians who refuse to comply. (EMAC member)

New Mexico – New Mexico had the Office of Emergency Management and Weapons of Mass Destruction Working

Group prior to September 11th. The governor tightened security measures around nuclear sites, and used money from the Centers for Disease Control to boost the capacity to deal with bioterrorist attacks. Enacted bills outlined state emergency response plans. State departments are required to update and conduct tests on all hazard emergency plans. (EMAC member)

“As new legislation is enacted in the states, individual rights are measured against national security concerns.”

New York – New York built on the existing State Emergency Management Office by adding the new Office of Public Security. New York passed the Anti-Terrorism Act of 2001 immediately following the September 11th attack. Legislation made murder committed in furtherance of a terrorist act a capital crime and provided criminal penalties for committing terrorism, soliciting or providing support for an act of terrorism, making terrorist threats, and hindering the prosecution of terrorism. Legislation created the crime of “biological terrorism.” (EMAC member)

North Carolina – Legislation set penalties for acts of bioterrorism, including the production of biological agents for use as weapons. A registry for biological and chemical materials used for research was established. (EMAC member)

North Dakota – The governor appointed his Director of Emergency Management to serve as the State Director of Homeland Security. A statewide Homeland Security Conference was held with approximately 350 participants from local governments, state agencies, and law enforcement agencies. There is no legislative session in North Dakota in 2002. (EMAC member)

Ohio – Ohio built on the Department of Public Safety/Emergency Management Agency by creating the State of Ohio

Security Task Force. A Senate bill signed by the Governor defines terrorism and makes it a crime. It also stiffened penalties by proscribing the death penalty for criminals convicted of killing someone while committing a terrorist act. A House bill has defined the act of claiming to possess or use a weapon of mass destruction a new crime. Legislation also addressed victim compensation for acts related to terrorism. (EMAC member)

Oklahoma – Oklahoma built on its Emergency Management Agency by creating the Security and Preparedness Executive Panel. Legislation created and defined crimes of terrorism. (EMAC member)

Oregon – Oregon built on the Office of Emergency Management in the Department of State Police by creating the Office of Public Safety and Security. The Anti-Terrorism Task Force was also created. The Attorney General reviewed legislation that would prevent certain terrorism preparedness information from being released to the public. (EMAC member)

Pennsylvania – An enacted bill directed the Pennsylvania Public Utility Commission and the Pennsylvania Emergency Management Agency to conduct a comprehensive assessment of security policies. Legislation defined crimes of terrorism. In addition to requiring a life sentence and other sentence enhancement for crimes committed with terrorist intent, legislation also graded offenses related to providing material support for terrorism, including hindering prosecution of terrorism or making terrorist threats. (EMAC member)

Rhode Island – Enacted legislation expanded the membership of the Special Legislative House Commission to Study Security Issues at the Statehouse. In addition to defining crimes of terrorism, legislation also made aiding or abetting a crime of terrorism punishable by death. Aiding, abetting, counseling, hiring, commanding, or procuring an act of terrorism were listed as offenses for which life punishment without parole would apply. (EMAC member)

South Carolina – South Carolina built on its crisis and consequence management responsibilities by creating the

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Homeland Security Advisor and Governor's Security Council. Public Health authorities have reviewed quarantine laws for necessary revisions. The Governor established the State Homeland Security Council. The Council may be exempt from state open meetings and Freedom of Information laws if opening the meeting to the public would jeopardize public safety and security. Legislation increased penalties for crimes committed with the intent to terrorize. (EMAC member)

South Dakota – South Dakota built on the Division of Emergency Management and State Terrorism Task Force by creating a Homeland Security Officer position. Administrative laws to provide funding for several new programs initiated by the governor were discussed. An enacted law defines acts of terrorism and makes terrorism a Class A felony, punishable by death or life imprisonment. Another law provides criminal penalties for threats and hoax threats related to destructive devices or substances. The State Health Emergency Powers Act extends and revises the powers of the Governor during a state of emergency. An enacted bill requires the creation of a database of public officials and public employees for use in event of an emergency or disaster. (EMAC member)

Tennessee – Tennessee created the Homeland Security Office and Governor's Security Council and allocated \$5,931,300 for homeland security purposes. (EMAC member)

Texas – Texas created the Governor's Task Force on Homeland Security. The Governor stepped up conversations with Mexican officials about border security and commercial concerns. (EMAC member)

Utah – Utah built on Comprehensive Emergency Management by creating the Homeland Security Task Force. An enacted bill requires health care providers to report to the Department of Health when the provider suspects that an individual has an illness resulting from exposure to bioterrorism, an endemic or pandemic disease, or any other highly infectious agent. Legislation also defined crimes of terrorism and created penalties for terrorist hoaxes or false reports. (EMAC member)

Vermont – Vermont worked to increase its terrorism defense strategies at health labs and hazardous materials plants. (EMAC member)

Virginia – Virginia built on the Domestic Preparedness Working Group by creating the Governor's Preparedness and Security Panel. Virginia had already had Freedom of Information Act exemption for terrorism-related information for two years. Murder in the furtherance of terrorism was elevated to a capital crime. The bill defines "act of terrorism" and "weapon of terrorism" and punishes committing, aiding, and abetting terrorism, manufacture or possession of terrorist devices, hoax threats, and acts of bioterrorism. Other enacted bills expanded the criteria for wiretaps, threats of bodily injury, and emergency management plans. Architectural drawings of public buildings can be kept secret, and officials can meet privately to discuss plans for preventing terrorism or responses to terrorist attacks. (EMAC member)

Washington – Washington's Emergency Management Council, Committee on Terrorism, and Governor's Emergency Preparedness Group existed prior to September 11th. Washington enacted a law that allows exempting portions of public agency records containing specific, unique vulnerability assessments or response plans for terrorism from requirements for public release if release has a substantial likelihood of threatening public safety. Legislation also created penalties for training or teaching an individual to create a device or technique that causes injury or death to further a civil disorder. Legislation defined crimes of terrorism and provided penalties for terrorist hoaxes or false reports. (EMAC member)

West Virginia – Two special session bills provide supplemental appropriations to the State Police. The state Emergency Management Agency will assist the agencies in recouping some of the expenses incurred due to increased security patrols at state facilities. Other enacted legislation requests an interim study on the effect of federal antiterrorism regulations on citizens and financial institutions within West Virginia. The state's Homeland Security Commission can meet in secret and votes on bills and amendments can be exempt from open records and open meetings laws.

Wisconsin – Wisconsin built on the Emergency Management Agency and Interagency Working Group on Terrorism by creating the Terrorism Preparedness Task Force. The Attorney General proposed a legislative package called the Domestic Security Plan that would punish anyone who threatened to commit an act of terrorism, prosecute those who provide support to terrorists, and prevent acts of terrorism through sophisticated intelligence tools. Other legislation may provide full veteran's benefits to members of the National Guard who are called to active duty for Operation Enduring Freedom. Wisconsin, a state that has been without a death penalty since 1853, debated issuing the death penalty for terrorist acts of murder. (EMAC member)

Wyoming – Wyoming built on the Emergency Management Agency by creating the Counter-Terrorism Task Force. Legislation to join EMAC was proposed.

As new legislation is enacted in the states, individual rights are measured against national security concerns. Some lawmakers have suggested giving officials the authority to meet privately to discuss plans for preventing terrorism or responses to terrorist attacks. Proposals to keep engineering drawings of public buildings closed have also been discussed. Some amendments have caused concern among civil libertarians who view governmental access to private information like library records as a threat to the intellectual freedom and privacy afforded to citizens. Thus, some new state legislation has met opposition. The exemption of specific information from Freedom of Information laws is one area that has generated debate. California, New Jersey, and South Carolina have attempted to broaden public access by shifting the burden of proof from the person requesting records to the custodian of the records. The requestor would no longer have to prove that there is a public interest in disclosure, but the custodian would have to prove that there is a public interest in withholding the information. While some people oppose anti-access laws, others argue that a temporary infringement on personal freedoms is a small price to pay for national security. As lawmakers closely examine proposed legislation, newly adopted federal and state laws are signs of the Nation's changing concerns and hopes in this new era. 414

New Project Manager Comes Onboard


Mary E. Poulin joined JRSA in May as the project manager for the Juvenile Justice Evaluation Center. Her responsibilities include helping state-level juvenile justice personnel enhance their capacity to evaluate juvenile justice programs. She develops and provides training and technical assistance to state agencies and service providers. In addition, she writes briefings and guidebooks on issues of particular concern to those involved in juvenile justice evaluation. Prior to her arrival at JRSA, Ms. Poulin was involved in conducting evaluations of juvenile justice programs funded by the City of Philadelphia. She participated in the design of the research instruments, the organization of the data collection processes, data analyses, report writing, presentation of results, and proposals for system and program planning. Ms. Poulin received her master's degree in criminal justice from Temple University and is currently writing her dissertation for a doctorate in criminal justice from Temple. Her primary interests include juvenile justice, program evaluation, and the relationship between gender and crime.

JRSA Web Site Gets a Makeover

Visitors to the JRSA Web site (www.jrsa.org) may feel the urge to doublecheck the address line the next time they decide to log on. In early August, JRSA unveiled its new Web site design after months of intensive work with Pubcom/Imagery, a design firm with a thoughtful approach to Web site dynamics. The result is a home page with an attractive look and feel and better control over navigation. The site's interior pages are linked visually to the home page by repetition of key content (logo, navigation bars) and design (color, shapes) elements.

Features of the new site reflect the latest in Web site design theory. All content from the original JRSA home page was retained, but the layout was redesigned so that all of the most important content will show on even the smallest screens. Key information about the organization was shifted to a prominent place on the page, and sections were created to highlight important and/or recent news. Navigation tools were split into two groups: primary, or those related to the content of the site, and secondary, or utility navigation, including items such as "search" and "contact us." All text that appears as a graphic is also defined with "alt" tags,


ensuring accessibility to sight-impaired visitors and those with slow connections who have turned off graphics. (For more about the "alt" tags and other considerations in designing and maintaining a Web site, see the "Ask Marc" column in the April *Forum*.) The home page and interior pages were previewed in several different browsers in order to ensure viewability.

New content and enhanced search features complement the updated design. The Tribal Justice Statistics Assistance Center Web site has recently gone live, providing information and assistance to Native American and Alaska Native tribes interested in learning more effective ways to collect and use justice statistics in their communities. The JRSA site is searchable by keyword, as is the Infobase of State Activities and Research, a database containing information on current publications and projects of the state Statistical Analysis Centers. To fully appreciate the advances in design and function of JRSA's new site, log on to www.jrsa.org. Comments or questions are most welcome either by e-mail (webmaster@jrsa.org) or by phone (202-842-9330). 

(CONFERENCE, from p. 1)

presentation by the table leader and to discussion aimed at addressing specific questions or having others share their related experiences. To propose a topic or for more information, contact Karen Maline at kmaline@jrsa.org.

Panel Sessions, Workshops, and Preconference Seminars

Eight preconference seminars are being offered this year covering computer mapping, various aspects of program evaluation, using SPSS for data analysis, survival analysis, and importing NIBRS data into Microsoft Access. Workshops will focus on accessing federal data online, and understanding race and Hispanic origin data in the 2000 Census. For a complete list of panel session topics, and for up-to-date information on conference speakers and arrangements, go to www.jrsa.org and click on the National Conference icon. 



(IBR, from p. 2)

- Utah—Analysis of property crime.
- Vermont—A supplement to the Vermont Crime Report using NIBRS data.
- Virginia—Production of a state-level report documenting ways NIBRS data can be used to describe crime that were not available with more limited UCR data.
- West Virginia—(1) *Victims of Sexual Assault Report*, (2) *Violence in West Virginia Schools Report*, and (3) *The Sex Offender Study*.

Benefits Of NIBRS/IBR Involvement

When asked about the benefits experienced or anticipated from involvement with NIBRS/IBR, the SACs offered the fol-

lowing responses:

- better collection and evaluation of state crime data;
- program development;
- expanded crime analysis and increased information about crime;
- policy-specific research;
- closer collaboration with other state agencies;
- increased publication;
- diversified research;
- creation of a statewide reporting infrastructure;
- increased data quality;
- ability to map crime data;
- increased benefits for local agencies;
- opportunity to maintain working relationships with local law enforcement; and
- better targeting of resources and services.

NIBRS/IBR Training

Twenty-nine of the SACs involved in NIBRS and 12 of the SACs not currently involved are interested in NIBRS/IBR training (see table below). They are most interested in learning about using NIBRS for evaluation, using SPSS for analysis, the limitations of IBR data, and unit of count issues.

NIBRS Training Topic	Number of SACs Interested
Using NIBRS for evaluation	25
SPSS for analysis	24
Limitations of IBR data	22
Unit of count	22
ACCESS/Excel for analysis	21
FBI and JRSA tables	20
Basic NIBRS	18
Data collection issues	17
Mapping	16
Other	4

“New and Improved” Online Incident-Based Reporting Resource Center

JRSA’s Incident-Based Reporting Resource Center (IBRRC), available online at www.jrsa.org/ibrcc, provides practical, hands-on information and advice about how to collect and analyze incident-based crime data. Recent modifications, including the addition of four new sections, offer new approaches to working with incident-based data. The Center contains 12 sections:

- More About Incident-Based Reporting and NIBRS
- Availability of Data
- Extracting Data from Incident-Based Reporting and NIBRS
- Tips and Shortcuts for Working with NIBRS and IBR Data
- Data Quality Issues
- Standardizing the Display of IBR Data: **NEW!**
An Examination of NIBRS Elements
- Analyzing and Presenting IBR Data
- Displaying IBR Data **NEW!**
- State IBR Analyses
- Mapping Incident-Based Data **NEW!**
- Using Incident-Based Data in ACCESS **NEW!**
- Links to Related Sites and References

Standardizing the Display focuses on working with individual data elements. *Displaying IBR Data* contains tables created by the FBI that demonstrate the rich potential of NIBRS data. *Mapping Incident-Based Data* provides information and examples of maps that can be created using incident-based data. Finally, *Using IBR in ACCESS* walks users through managing and analyzing incident-based data in this Microsoft software package.

For a general overview of using incident-based data and for a more complete description of the information IBRRC provides, visit the Center’s Web site and click on Fact Sheet, or go directly to the Fact Sheet at www.jrsa.org/ibrcc/Fact_Sheet.pdf.

“Other” training topics include:

- research uses of NIBRS in “hot” areas - e.g., domestic violence, sex offenders, drug crimes, juvenile crime, women offenders, prison reentry;
- SAS analysis;
- quality control;
- agency submission models and implications; and
- marketing strategies.

SACs also indicated that they prefer training at the BJS/JRSA national conference or at regional conferences for SAC and UCR staff together. Training at the JRSA offices or through the Mutual Assistance Program, which provides one-on-one technical assistance, were mentioned by many respondents, and some SACs said they would attend training offered at other meetings. One SAC indicated interest in Web-based training.

Relationship to UCR Program Manager

To get a sense of the working relationship between the SACs and UCR staff, we asked SACs to describe the relationship between their agency and the state UCR program manager. Of those involved with NIBRS, about half are in the same agency as the UCR program,

SAC/UCR Program Manager Relationship	NIBRS Involvement	No NIBRS Involvement
Same entity	11	0
Same office, work together closely	2	0
Same office, work together frequently	1	1
Same office, work together rarely	0	0
Different offices, work together closely	3	1
Different offices, work together frequently	8	9
Different offices, work together rarely	6	7
Other	1	0

The "other" involvement is a contractual relationship between the UCR office and the SAC.

and most work together either closely or frequently.

JRSA's Incident-Based Reporting Resource Center

The Incident-Based Reporting Resource Center, available through JRSA's Web site, was created to assist the SACs, among others, in accessing and using incident-based data. We wanted to know how many of the SACs had used the site and how it could be improved. Twenty-seven of the 32 SACs involved with NIBRS had visited the site, as had 9 of the 18 SACs not involved. Suggestions for improvements included providing:

- 1) a listserv and a contact person for questions;
- 2) descriptions of the experiences of NIBRS-compliant states during their program development, especially related to technology issues such as state repository architecture and Web-based reporting;
- 3) more report examples as they become available;
- 4) model reports for local agencies, preferably using actual local data for demonstration;
- 5) a discussion of how NIBRS might be used to provide information to address issues such as school or domestic violence;
- 6) direct access to the FBI's NIBRS data collection guide (already done through IBR Web site);
- 7) a step-by-step description of what's typically involved in converting from UCR to NIBRS, along with an account of common hurdles along the way and related solutions or pitfalls;
- 8) more information on individual RMS packages;

- 9) documentation, manuals, etc. on process models, marketing, and transition strategies;
- 10) national data;
- 11) a demonstration of the integration of arrest data via Offender-Based Transaction Systems or similar methods to connect incidents to arrests, judicial, custody, etc.; and
- 12) case studies.

What Else is Needed?

Finally, we asked the SACs what else we should be doing to help them with incident-based reporting/NIBRS. Suggestions included:

(FROM THE STATES, from p. 4)

Murder Research Project. She is currently working with an agent-based modeling software program to model the growth and evolution of criminal enterprises.

Rick Rosen of NY SAC Retires

Richard A. (Rick) Rosen, former New York State SAC Director, and currently the Director of the Office of Justice Systems Analysis (OJSA, which incorporates the New York SAC) at the State Division of Criminal Justice Services (DCJS), will be retiring on August 30, 2002, following a career of 25 years at DCJS.

Rick was instrumental in the establishment of the New York Statistical Analysis Center and the Bureau of Criminal Justice Statistical Services in which the SAC resides. He managed the bureau and was SAC Director from 1978 through 1992, when he was appointed to manage the

- 1) maintaining a focus on NIBRS;
- 2) facilitating training;
- 3) providing a forum for identifying and resolving issues and sharing ideas across the country;
- 4) identifying funding sources;
- 5) coordinating with other organizations and agencies that are collecting or using NIBRS data;
- 6) promoting NIBRS to law enforcement agencies;
- 7) demonstrating how we link the need for, or availability of, IBR data to other justice issues or challenges;
- 8) demonstrating the payback for investing in NIBRS; and
- 9) emphasizing the need for address information.

As more states move toward becoming NIBRS compliant, often with inadequate support from their local infrastructure, resources such as IBRRC are critical in assuring the successful transition from summary to incident-based reporting of crime statistics nationwide. As reflected in this survey of the SACs, states recognize the benefits of using incident-based data, but they need help if they are to collect and use such statistics to their fullest potential. ¶

Bureau for Municipal Police at DCJS. In 1995 he was appointed as the Director of OJSA.

Among Rick's accomplishments were the development of an Offender-Based Transaction Statistics (OBTS) program for New York State; the initiation and initial development of the New York State Incident-Based Reporting System; overseeing the development of the DCJS Web site; the long term development of the State Justice Statistics-funded grant program in New York, using the funds to hire interns from the School of Criminal Justice at the University at Albany; and the development of most of the statistical publications of the bureau. As the director of OJSA, he also had responsibility for the research and policy analysis bureaus.

A past president of JRSA, Rick was also the recipient of the G. Paul Sylvestre award and the 1995 recipient of the Distinguished Alumni Award from the School of Criminal Justice at the University at Albany. ¶

Upcoming Criminal Justice Meetings & Conferences

October 2002

3-4 **BJS/JRSA National Conference. Boston, MA.**
(See article on page 1.)

7-8 Binghamton University Division of Professional Development and Research: "Treating Addictions in Special Populations: Research Confronts Reality." Phone: (607) 777-4447. Visit: <http://sehd.binghamton.edu/pdr/index.htm> (includes information and a Call for Proposals)

21-22 6th Annual New England Conference on Child Sexual Abuse. Burlington, VT. Phone: (802) 476-8825.

November 2002

3-6 Association of State Uniform Crime Report Programs's Annual Conference. Salt Lake City, UT. Phone: (302) 739-5873 . Visit: www.asucrp.org/meeting/index.html

6-10 The American Evaluation Association's 17th Annual Conference: "Evaluation 2002." Washington, DC. Visit: www.eval.org/eval2002/PresLet1.htm

13-16 The 2002 American Society of Criminology Conference. Chicago, IL. Visit: www.asc41.com

December 2002

8-11 National Institute of Justice's Sixth Annual International Crime Mapping Research Conference Denver, CO. Visit: nijpcs.org/upcoming.htm

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