

Breaking and Entering:

A Profile of 100 Burglars



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Residential burglaries are one of the most common felonies committed in Santa Clara County. In 2016, the City of San Jose experienced over 4000 burglaries. While burglars usually do not cause physical harm to their victims, these crimes are very invasive and can greatly shake victims' sense of security. Burglary of a residence is the crime of breaking into a dwelling with the intent to steal or commit a felony therein, as distinguished from a robbery where the perpetrator uses violence or threats to take property from a victim. Burglary victims are at risk of prolonged psychological harm. Peer-reviewed psychological studies find that "the psychological impact of burglary is considerable and may last for an extended period of time," with victims reporting that they felt significantly "anxious, hostile, depressed, tired and confused, and experienced more psychological distress¹. It is crucial that we examine these cases to assess how best we can solve the crimes, give closure to victims, and prevent the burglars from reoffending.

To this end, the Crime Strategies Unit sought to comprehensively examine the backgrounds, demographics, criminal activity, and outcomes of 100 residential burglars. The report examined 100 charged Santa Clara County residential burglary cases from 2010. Each file was examined to learn about the offenders, the offense and the outcome of the case. One goal of the study was to understand this group of defendants – the situation that led them to commit their crimes, the crimes themselves, their experience in court, and what happened to them after they served their sentences.

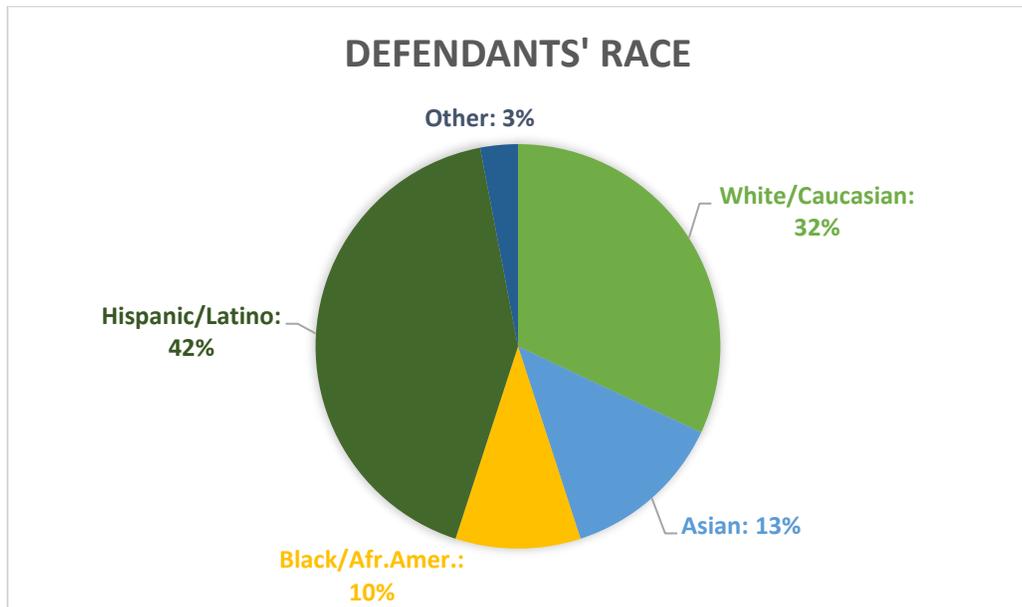
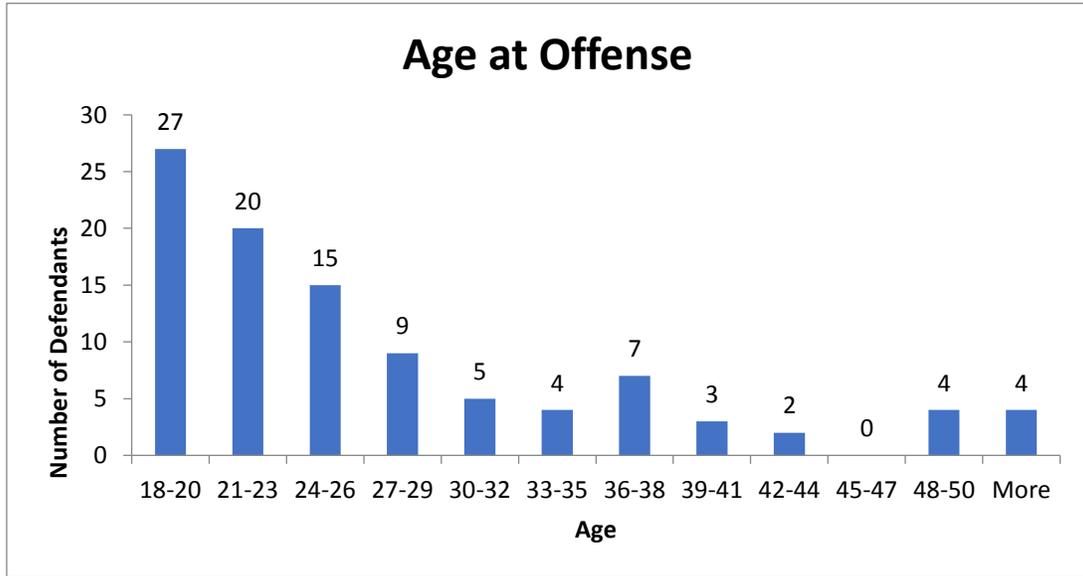
This group of defendants provides insight into trends in burglary offenses, trials, and recidivism. The defendants were relatively young – averaging in their mid-twenties – but almost all had some sort of criminal record. Most came from less wealthy neighborhoods than their victims, but few traveled more than 20 miles to commit their crimes. They were motivated by financial desperation, homelessness, and drugs, and largely their vehicles, victims, and stolen property gave them away to police. They moved relatively quickly through the judicial process and almost always settled on plea deals. While a significant group did not reoffend, the majority did – their relationships with the criminal justice system and the prison system continued with new felonies that often became serious and violent.

By understanding the factors that lead to these crimes, and the outcomes of these investigations, law enforcement and the community can begin to address the complex issues underlying these serious crimes and the individuals who commit them.

¹ Beaton, Alan, et al. "The psychological impact of burglary." *Psychology, Crime & Law* 6.1 (2000): 33-43.

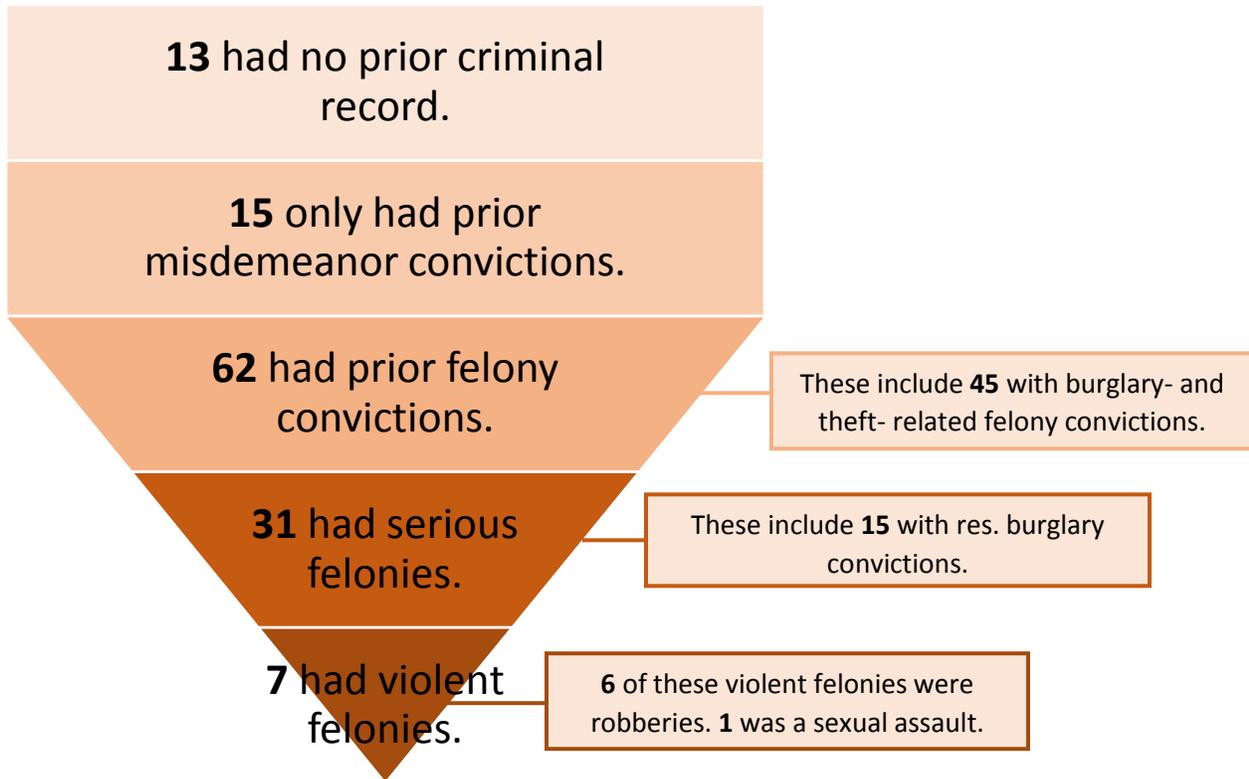
Demographic Information

Of the 100 defendants examined, there were 87 men and 13 women. Many defendants were relatively young at the time of their offense. The average age of the offenders was **27.49**. 13 defendants were only 18 years old. In this sample population, 42% of the defendants were Hispanic/Latino, 32% were White/Caucasian, and Black/African-American defendants were 10% of the overall group.

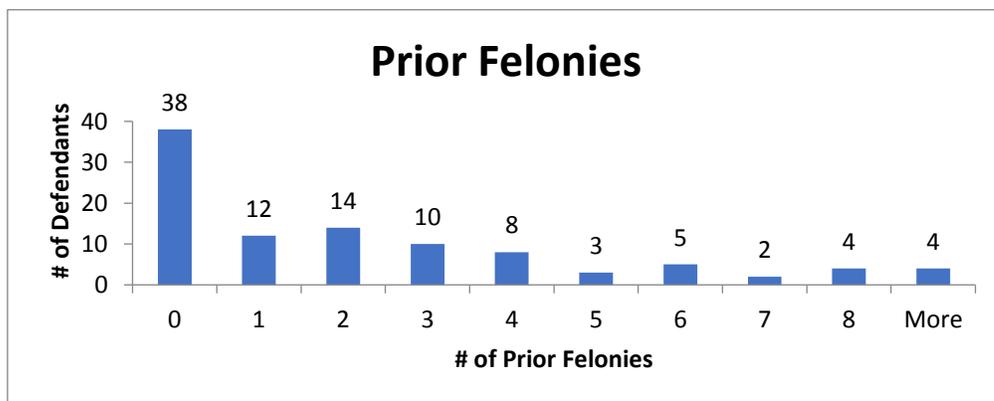


Prior Crimes

An important component of this study was a careful analysis of prior offending. To complete the review, adult and juvenile offender information was examined. This included, when applicable, state, local and federal charges. The vast majority of offenders had a criminal history before committing a burglary. All but 13 had a prior criminal history, and the majority (62%) had prior felony convictions. Of the 62 offenders with prior felony history, they averaged 3.94 felonies each before committing their burglary offense.

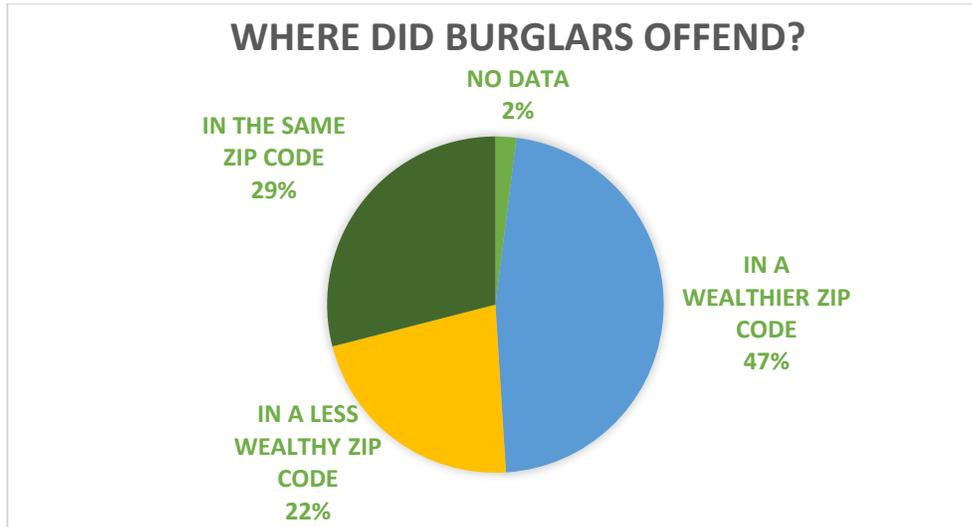


In examining the prior felony convictions of the burglars, we see that many of them had a long felony offending history before their burglary case. The distribution of prior felonies among the 100 defendants is summarized in the histogram below:



Do Burglars Target Wealthier Neighborhoods?

A commonly held belief about burglary suspects is that they travel from around the bay area to commit their crimes, often in wealthier neighborhoods. To determine the validity of this belief, we examined the defendant's residential zip code and compared it to the zip code of the burgled home. Examination of the data showed that in 47% of cases the burglars traveled to a wealthier zip code to offend, while in 22% of cases they travelled to a less wealthy neighborhood.



Burglars came from poorer zip codes than the ones in which they committed burglaries. On average, the burglars came from zip codes with a median income of **\$82,946**. Meanwhile, the average victim lived in a zip code with a median income of **\$97,003**.²

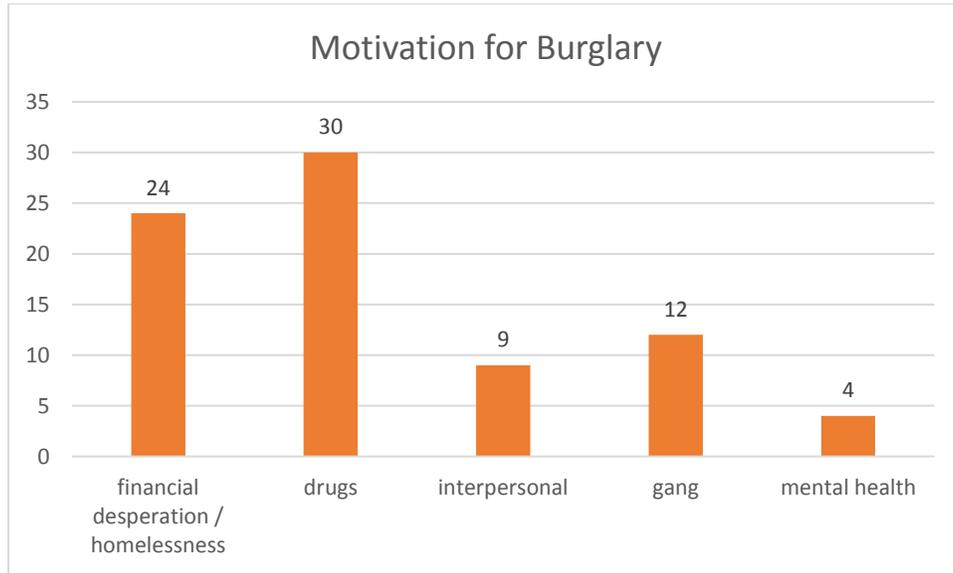
Do Burglars Travel Far to Commit Crime?

While defendants tended to choose wealthier neighborhoods to commit their burglaries, most did not travel far from their own neighborhoods. In fact, 59 of the 100 defendants in the study stayed within 10 miles of their zip code, and 80 stayed within 20 miles. A smaller proportion of defendants traveled a long way to commit their crimes, with 7 committing their crime over 90 miles from their listed residence.

² United States Census Bureau. "Community Facts." 2016. factfinder.census.gov.

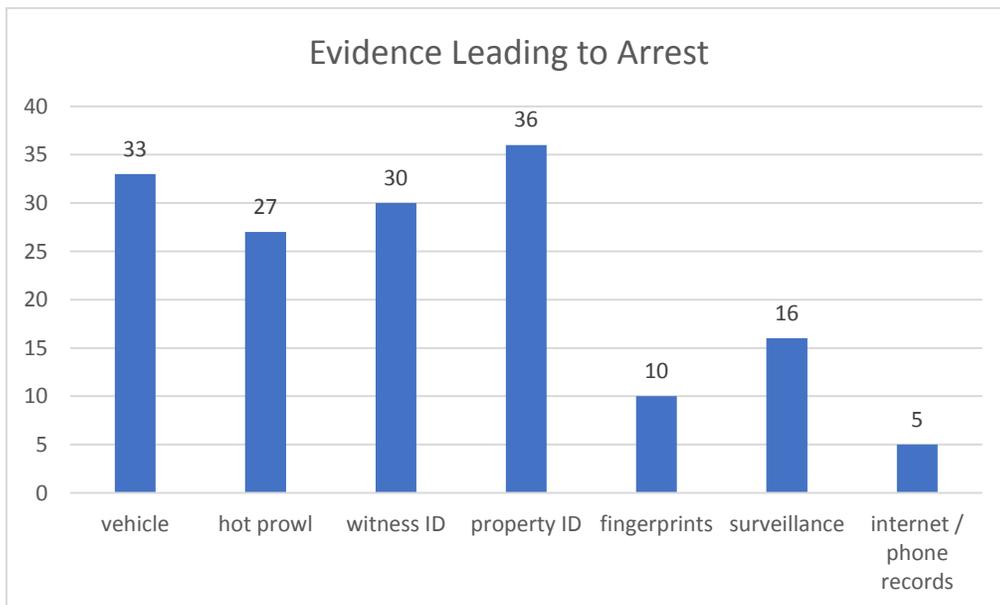
Why Did They Commit This Offense?

Any information about a defendant's motivation to commit the offense is wholly based on the self-report of the offender. This information was often reported after the defendant pled guilty but provides a helpful context for why burglars claim to offend. Drugs were a commonly reported motivation for defendants' criminal conduct. Further, 15 defendants were homeless, and 9 others also reported financial desperation as their motive.

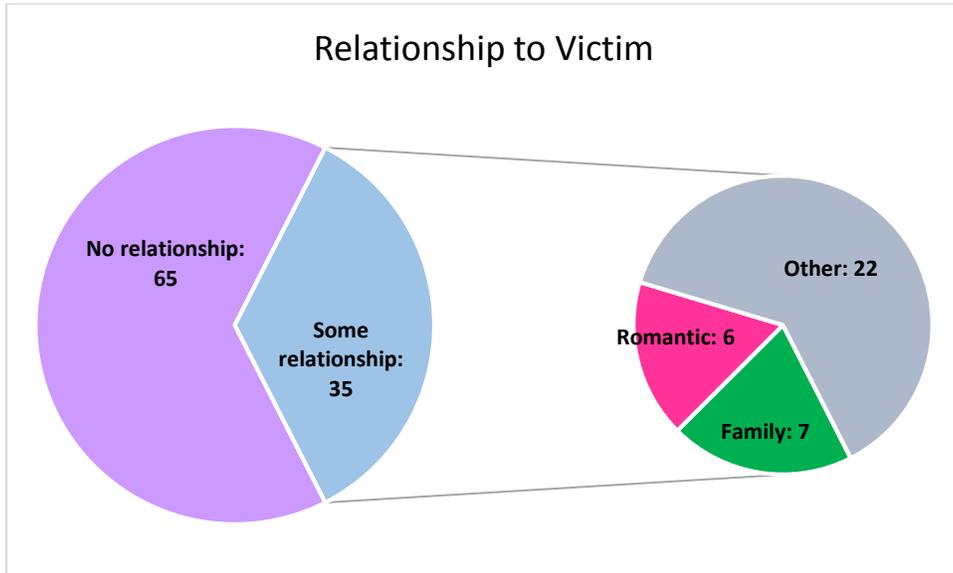


Solving The Crimes

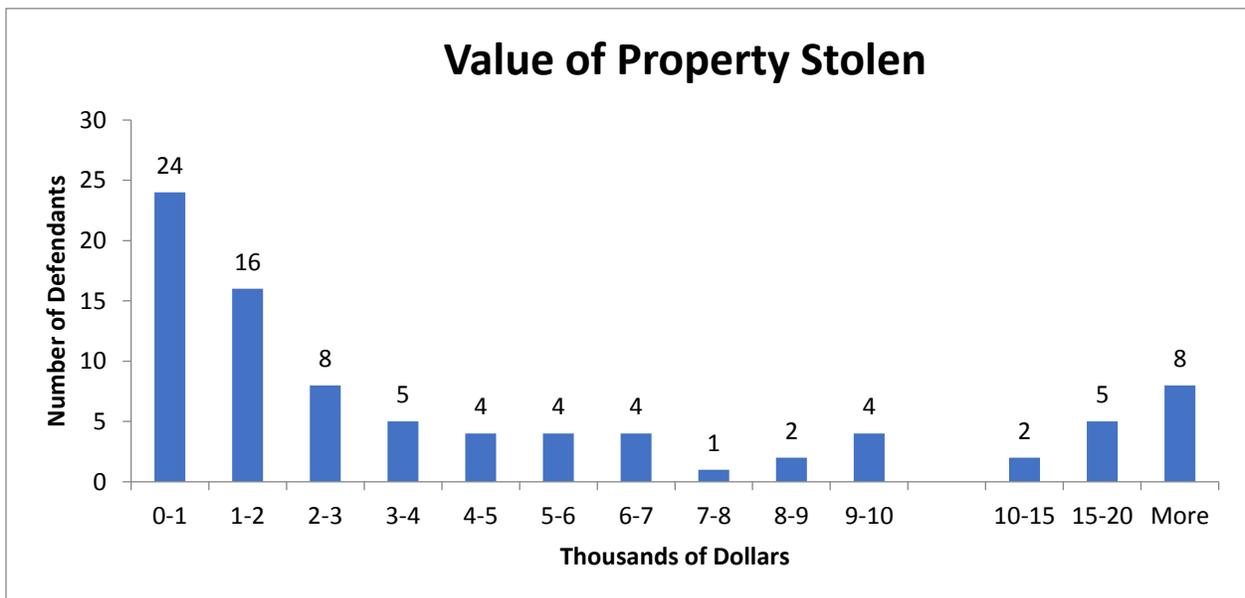
Vehicles, witnesses, and recovered stolen property all played large roles in police departments' success in solving the cases. Often, more than one of these evidence categories was used to arrest the defendants.



Most defendants did not know the victims whom they burglarized, although a prominent minority did. Of these group, family and romantic relationships between burglars and defendants were common.

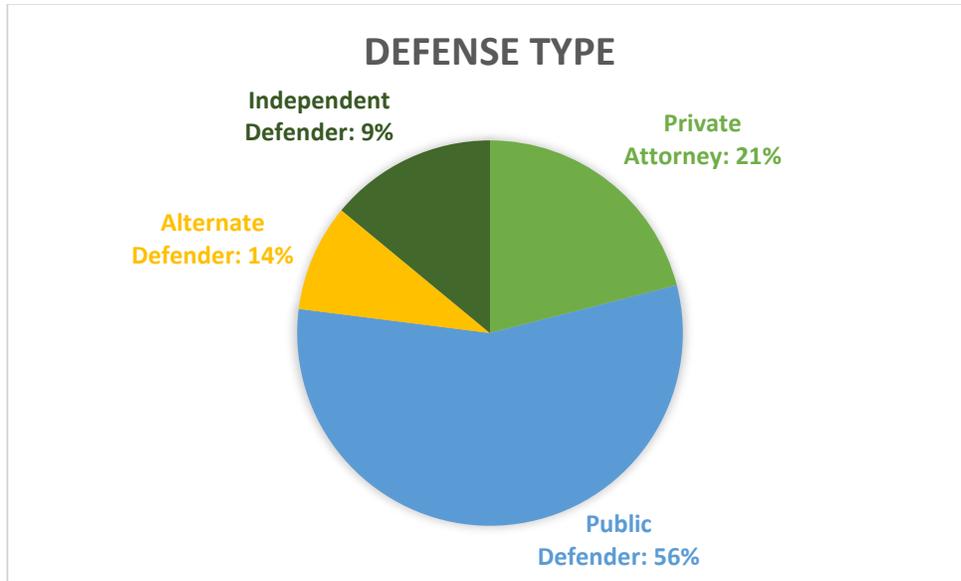


Defendants who successfully escaped with property before being caught by police stole an average of **\$6739** worth of property, though there were many crimes in which less than \$1000 was stolen. A minority of defendants stole over \$10,000 worth, with one notable individual stealing \$83,200 worth of jewelry and electronics.

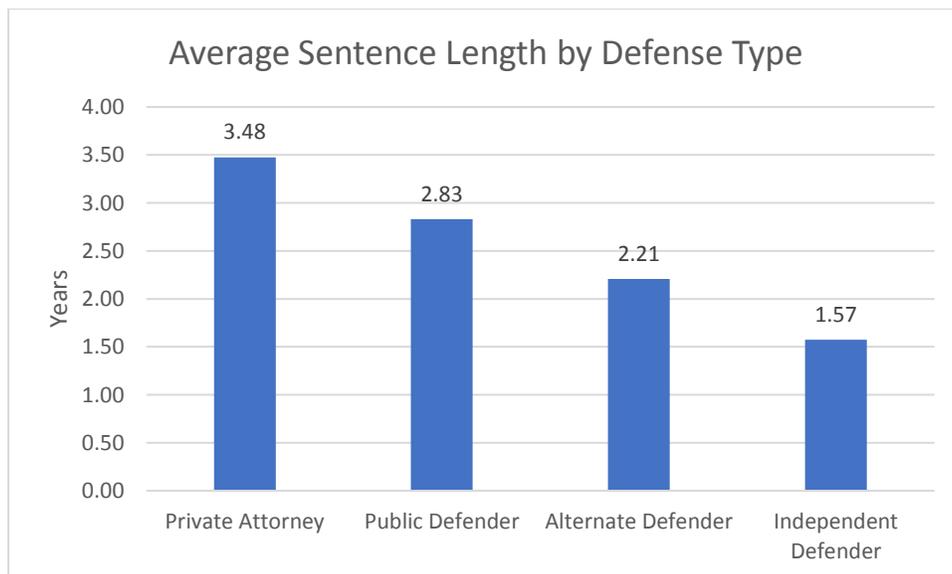


Court Data: Defense Side

The defendants' representation in court was consistent with most cases in the county, with the majority of defendants represented by the Public Defender's office.

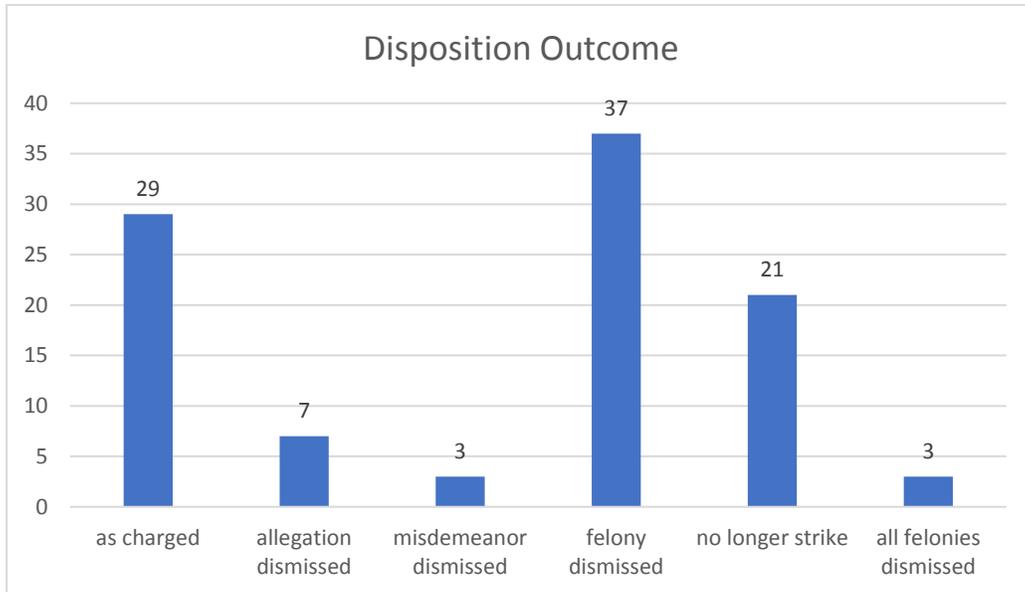


Those defendants who were represented by a private attorney had the longest sentences on average, followed by those represented by the Public Defender's Office, then the Alternate Defender's Office, then the Independent Defender's Office.



Court Data: Disposition and Sentencing

All of the 100 cases in this study had at least one charged residential burglary count, and some of the cases also involved other charges (other burglaries, possession of stolen property, etc.). The vast majority of cases reached an early settlement; only two went to trial. Given that many cases resolved before trial, 71 of the defendants were not convicted of all the counts with which they were charged. In 37 cases, at least one felony charge was dismissed, and 21 defendants had a felony reduced to a non-serious offense, meaning it was no longer a “strike” under California’s Three Strikes Law. In only 3 cases were all felonies dismissed.



The defendants had to serve an average of **2.76** years for their sentence, with the most common sentence being 1 year in jail with a probationary supervision “tail”. In the diagram below we see that 43 of the 100 defendants went to prison for their 2010 crimes (and 57 got a year or less).



In Depth Analysis of Offenders Before AND After 2010:

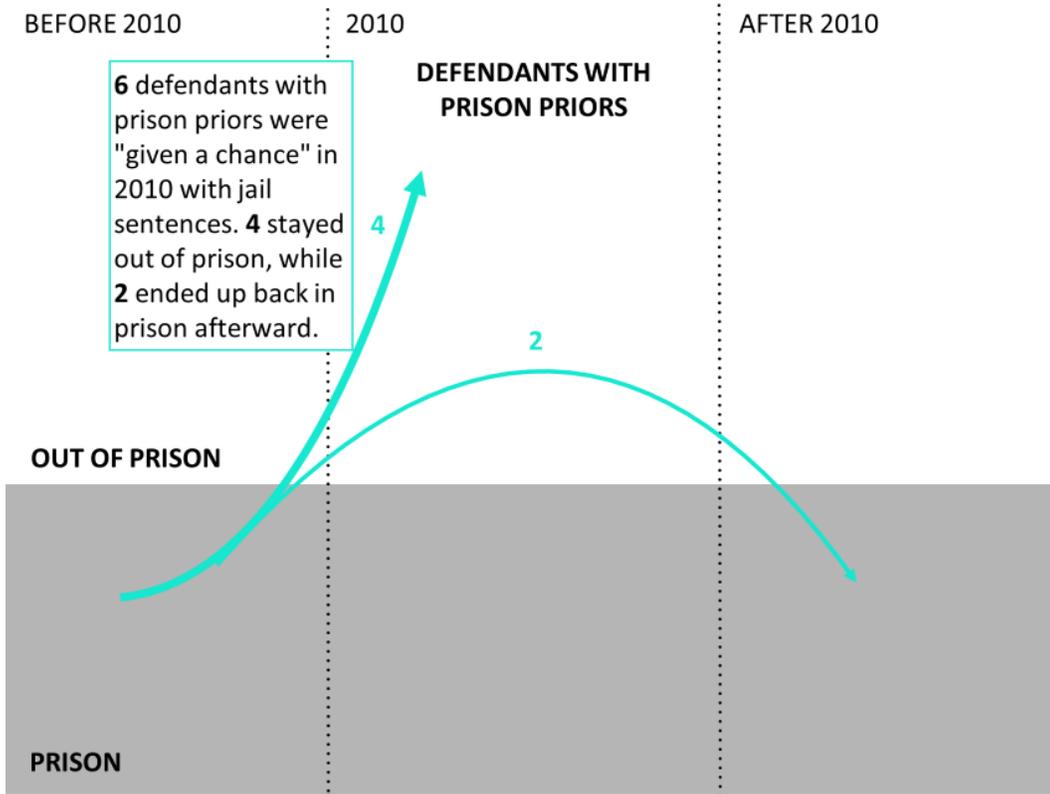
One of the primary goals of this study was to understand what impact a defendant's sentence played on future offending. If a defendant got a jail/probation sentence, did they fare better than counterparts who got a prison sentence? In the pages that follow, the path of these defendants is visually displayed and paints a complicated picture.

Out of 100 defendants who committed burglaries in 2010...

- **30** had previously been to prison.
- **19** went to prison for the first time in 2010.
- **19** avoided prison in 2010, but went to prison thereafter.
- **32** have fully avoided prison to this day.
 - As shown above, **43** went to prison for their 2010 offense.

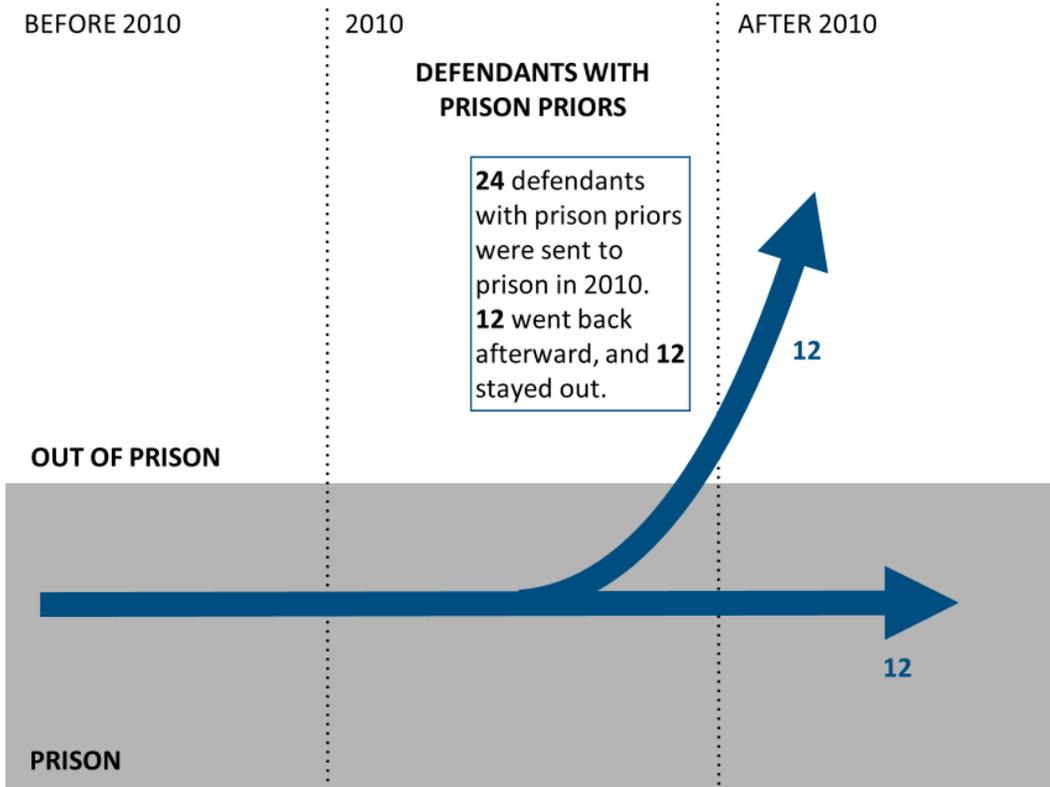
A closer look at defendants' paths through the prison system appears on the following pages.

Defendants with Prison Priors: Jail vs. Prison



The two defendants who went back to prison did so for the following reasons:

- 1 committed new felony
- 1 had a misdemeanor violation of probation

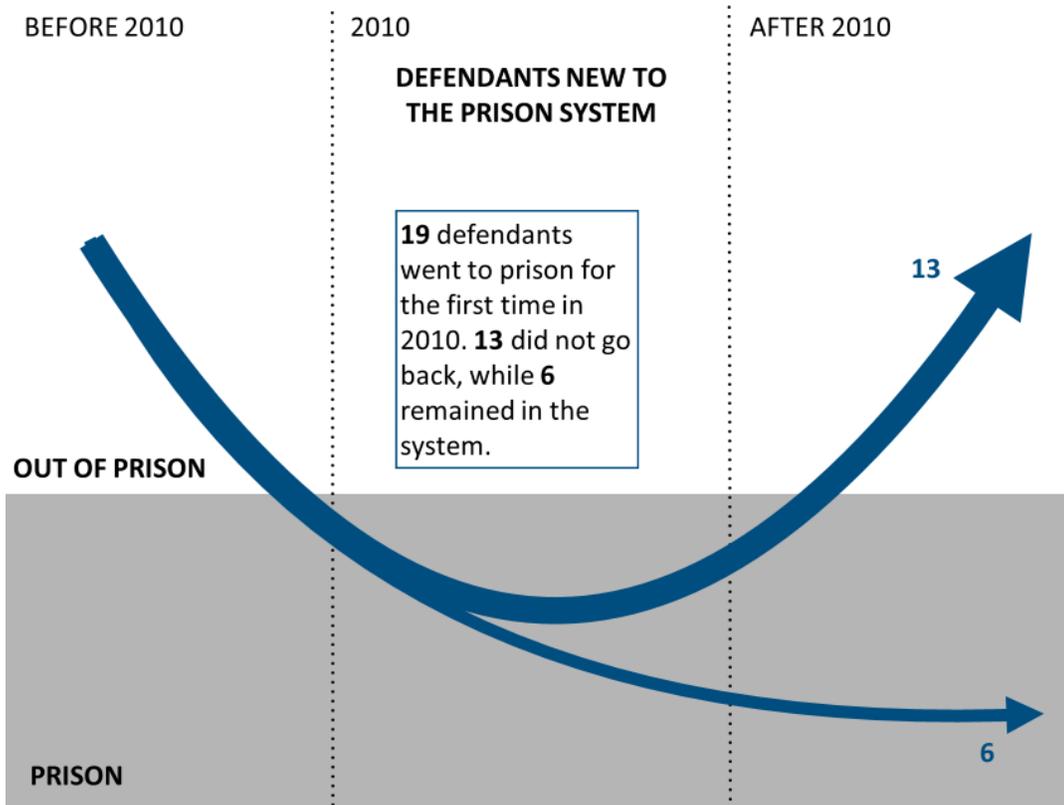


The 12 defendants who remained in the prison system did so for the following reasons:

- 3 remain in prison from their 2010 offense
- 1 committed a new violent felony
- 7 committed new regular felonies
- 1 committed a parole violation

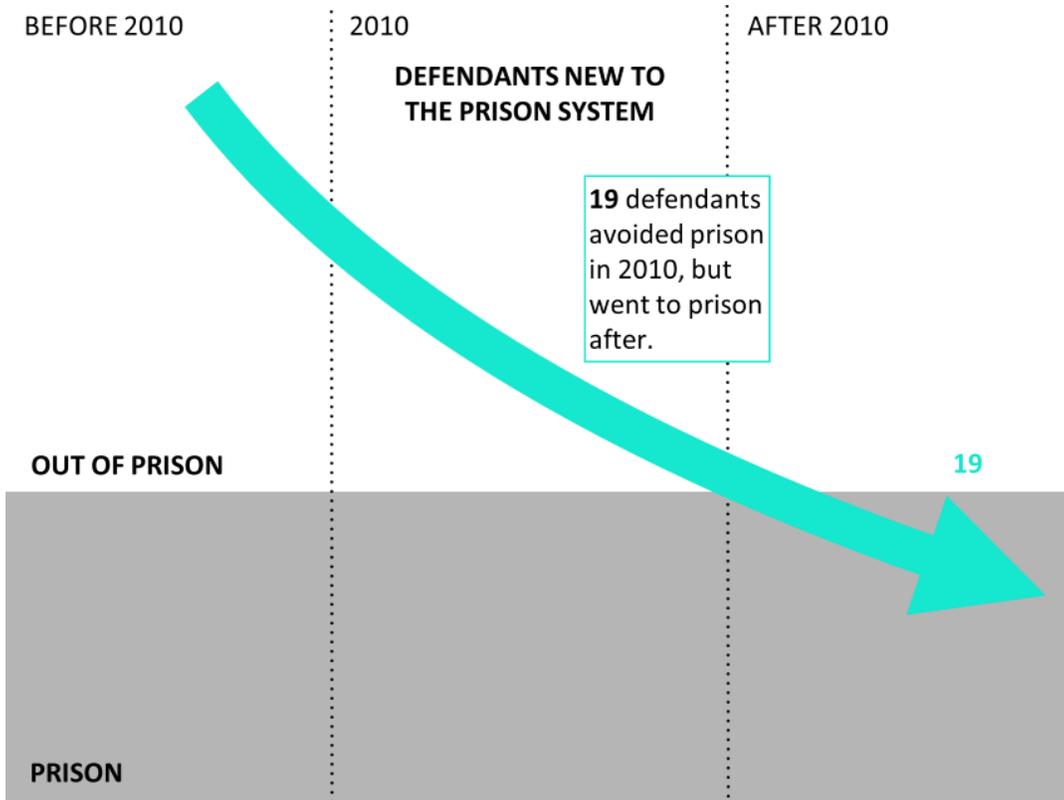
* The width of a given arrow in this diagram is proportional to the number of defendants in that category.

Defendants New to the Prison System



The 6 defendants who remained in the prison system did so for the following reasons:

- 1 remains in prison from his 2010 offense
- 1 committed a new serious felony
- 4 committed new regular felonies

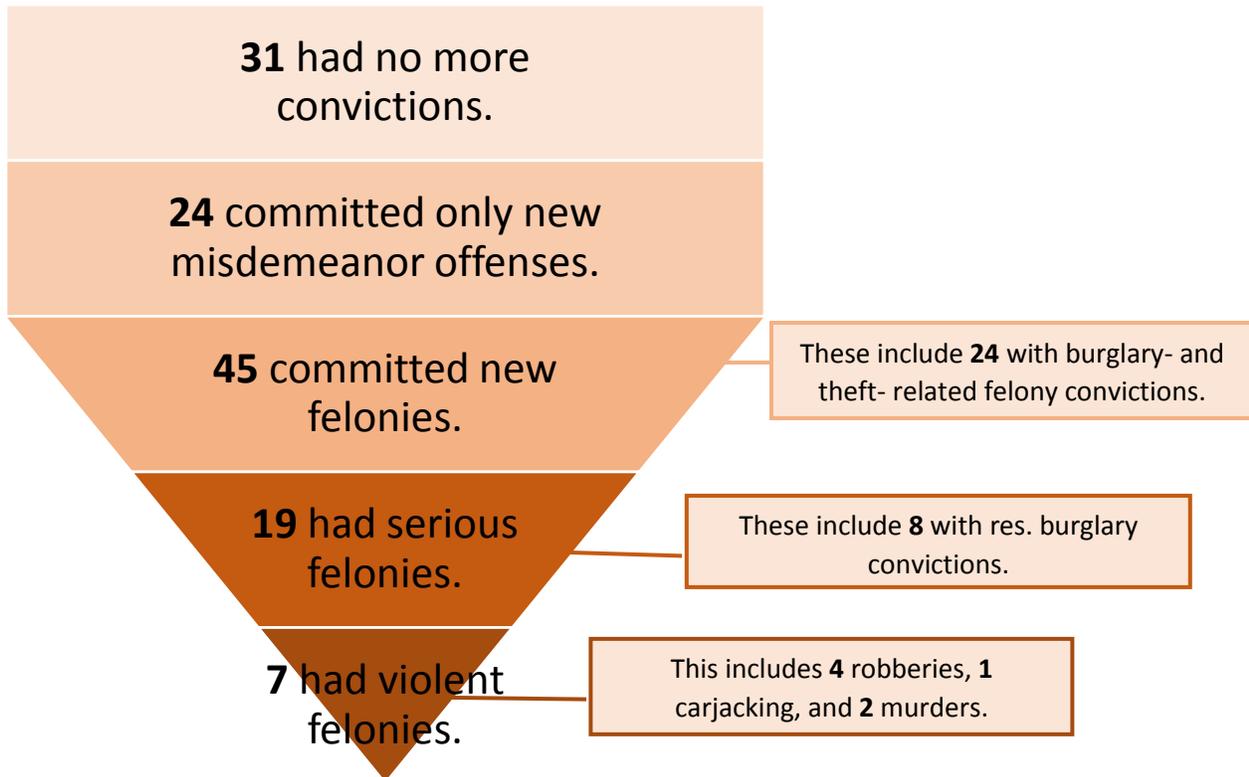


These 19 defendants ended up in prison for the following reasons:

- 4 committed new violent felonies
- 7 committed new serious felonies
- 3 committed new regular felonies
- 4 had misdemeanor convictions that constituted violations of probation
- 1 had a violation of probation

Future Crimes

After their 2010 offenses most of the burglars reoffended in some way. In fact, 69% of the studied population were caught and prosecuted for another offense between 2010 and 2017. Only 26% committed a serious or violent subsequent offense.



Conclusion

The 100 burglary cases studied in this report paint a complex picture. It is clear that burglary is not typically a first-time offense, and is unlikely to be someone's last offense. Despite common assumptions, burglary is most likely to happen close to an offender's home and in a wealthier neighborhood. There is some hope that if given a chance, offenders who are given jail sentences can remain free from further custody. Future analysis of this and other offender populations will assist prosecutors, investigators and the public understand the nature of these crimes and the impact of the justice system.