

The Pitfalls of National Data

Similar experiences originating from different times and places provide a hint at the truth of a matter. So it was with the founding generation as they learned that British excesses in Williamsburg matched those in Boston. Sam Adams and other members of the Committees of Correspondence through relating their experiences and perspectives were coming to see the true nature of the British Empire and its intentions towards the colonists. Today we can find state by state comparisons on everything from demographics to weather, from economic characteristics to educational expenditures per pupil. What is to be made of all these comparisons and how should they be used?

As a consultant for states, counties, and cities, I often find myself gathering data from “peer” jurisdictions, attempting to normalize the data, and using the results to support insights for my clients. Such comparisons are best when they originate from primary research. But in many cases jurisdictional comparisons are generated by statistical bureaus, advocacy groups, or national associations eager to establish themselves as the preeminent source for a particular type of information. Given that much rests on the inferences drawn from the way one jurisdiction compares to its peers, some consideration of the reliability of data collected on a national basis is in order.

The National Center for Juvenile Justice (NCJJ) reports a wealth of comparative data about state juvenile justice systems. The information on NCJJ’s website makes clear that juvenile justice is handled differently in every state. But when making national comparisons, one is inevitably forced to wedge each state’s circumstances into a common data element, often with misleading results.

Take the exhibit below, for example. It would appear that Vermont treats persons 16 and 17 years of age as juveniles. Technically it does, but the treatment in Vermont of 16- and 17-year olds is different from the treatment afforded delinquents 15 and under. As a practical matter, Vermont operates three systems – one for adults, one for juveniles 15 and under, and one for persons 16 and 17 years of age. The first line of a study of Vermont’s juvenile justice system conducted by the same people who produced the exhibit: “Although 16- and 17-year-olds are still “juveniles” in Vermont, when they come into conflict with the law they are generally prosecuted as adults and sanctioned in the criminal justice system.” The chart is a convenient way to group the states and does reflect the facts about original jurisdiction in state courts, but nothing more can be inferred from the data.

Age 15 n=2	Age 16 n=10	Age 17 n=39	
New York	Georgia	Alabama	Montana
North Carolina	Illinois	Alaska	Nebraska
	Louisiana	Arizona	Nevada
	Massachusetts	Arkansas	New Jersey
	Michigan	California	New Mexico
	Missouri	Colorado	North Dakota
	New Hampshire	Connecticut	Ohio
	South Carolina	Delaware	Okahoma
	Texas	District of Columbia	Oregon
	Wisconsin	Florida	Pennsylvania
		Hawaii	Ohio
		Idaho	Rhode Island
		Indiana	South Dakota
		Iowa	Tennessee
		Kansas	Utah
		Kentucky	Vermont
		Maine	Virginia
		Maryland	Washington
		Minnesota	West Virginia
		Mississippi	Wyoming

Source: King, Melanie and Szymanski, Linda. 2006. "National Overviews." State Juvenile Justice Profiles. National Center for Juvenile Justice. <http://www.ncji.org/stateprofiles/>

Note: This chart has been updated to reflect that change in Connecticut law that occurred since this chart was first published in 2006.

It never fails that whenever I present an exhibit that displays my client in a less than favorable position compared with its peers, there emerges a plethora of questions about the validity of the data. (Surprisingly this never occurs when the comparisons show my client in a favorable light.) The fact that Vermont's placement on a chart comparing age of original jurisdiction in the juvenile courts belies its actual practice of adjudicating most persons 16 and 17 years of age in the adult criminal court demonstrates the problem inherent in national comparisons of state practices.

Problems continue to plague state by state comparison, but consultants like me are likely to continue using them. Although the comparisons aren't perfect, and methodological and data problems persist, these comparison do help get at the truth of a matter. And like the fragmented ...Washington and mason in the book summer of 1787.

To make the best of jurisdictional comparisons:

- Use comparisons to supplement your primary research on the jurisdiction. Do not make the comparisons the sole factor in identifying deficiencies in a jurisdiction's performance.
- Use comparisons to inform further research.
- Listen closely to client perspectives on comparisons. All clients believe their circumstances are exceptional, but often there is a basis for their concerns.
- Do not infer more from the data than it purports to offer. Check your assumptions.
- Become familiar with the data collection methodology. If the data collection methodology is not available, do not use the data.

Washington mason, circumstances of the colonies different, charters, economy, interest, but the comparison of circumstances helped them get to the truth of the matter --....