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New Jersey Courts
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NEW JERSEY JUDICIARY
ANNUAL REPORT
TO THE **GOVERNOR** AND
LEGISLATURE
ON
PROBATION RECIDIVISM

Submitted by:
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I. EXECUTIVE SUMMARY

Background

On November 9, 2015, New Jersey Statutes §2C:45-6 was enacted. This legislation requires that the Administrative Director of the Courts establish a program to record and analyze the recidivism of adult probationers. The information to be recorded includes arrests, convictions resulting from the arrests, participation in treatment and other factors such as race, ethnicity, sex, and age[1]. The following report was prepared pursuant to the statute and provides details and characteristics of recidivism rates for adults sentenced to probation during the 2016 calendar year.

Overall, this recidivism report provides evidence that New Jersey's Probation Division is providing a positive sentencing option that is effective at rehabilitating clients and an important factor in reducing recidivism. In the report recidivism is defined by statute as arrests for any offenses committed by persons on probation within three years following their sentence of probation. This report also examines the outcomes of those arrests within the three-year recidivism period. Only adult probationers sentenced to probation in calendar year 2016 are included in the report.

Recidivism Outcomes for the 2016 Adult Cohort

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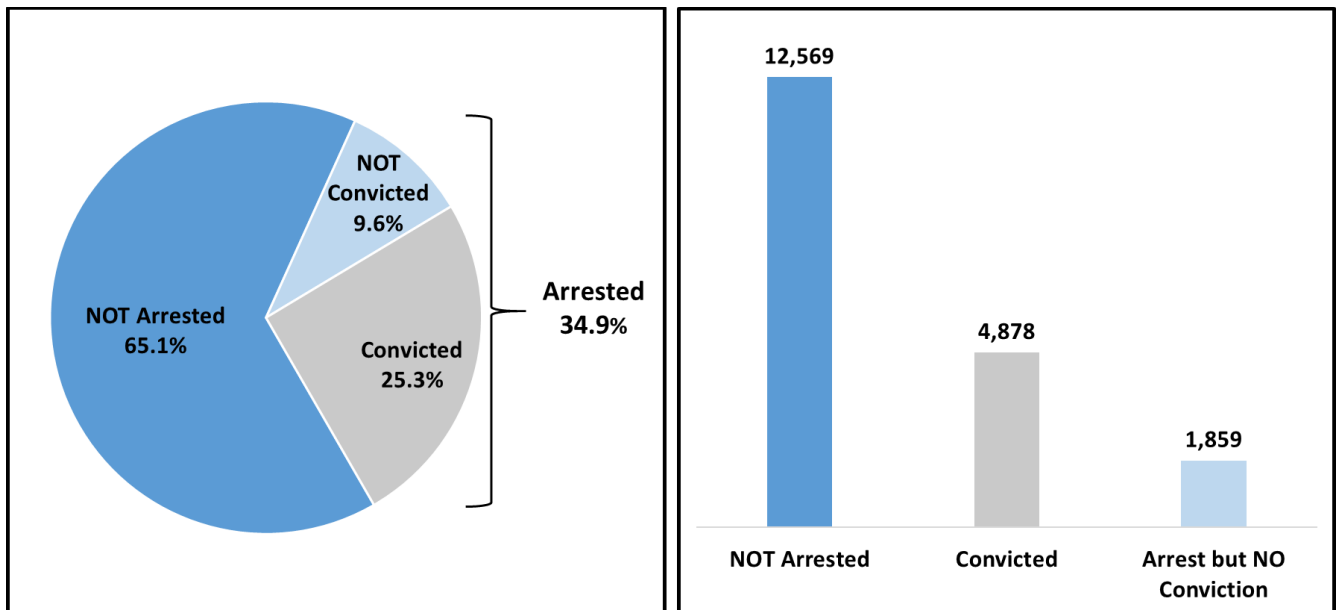
[1] N.J.S.A. 2C:45-6

Key Findings

The majority of clients who were sentenced to probation in 2016 were not arrested and/or convicted of an offense during the recidivism period. In addition, recidivism rates continued to improve in the 2016 adult cohort compared to the 2014 and 2015 adult cohorts.

- The percentage of clients sentenced in 2016 who were arrested and convicted was 25.3%. In other words, 7 in 10 clients in the 2016 adult cohort remained conviction free during the recidivism period.
- The recidivism rate declined from 47.6% in the 2014 adult cohort, to 37.3% in the 2015 adult cohort, and most recently to 34.9% in the 2016 adult cohort.

Regarding the clients who were arrested and/or convicted of an offense, the report indicates an overall de-escalation in the severity of offenses with which recidivists were charged.

- Arrest and conviction charges were more likely to be less severe than or the same as/similar to the original charge that resulted in initial probation sentences.
- Drug followed by property offenses made up the majority of the most serious arrest and conviction crime-types.

The report also shows that most clients sentenced to probation in 2016 received positive outcomes during the recidivism period.

- The majority of clients were not arrested or not convicted of an offense during the recidivism period.
- Of the clients who were convicted, most were sentenced to probation or received no probation or custodial sentence. Combined with the number of clients who were not arrested or convicted, this means that about 9 in 10 clients remained in the community where they can still be productive citizens.
- Custodial sentences made up a small amount of the overall outcomes for clients in the 2016 cohort. Only about 1 in 10 clients sentenced to probation in 2016 were subsequently sentenced to incarceration.

Some challenges that the report confirms include:

- Disproportionate representation of African Americans in the probation population, as well as the existence of disparities in recidivism rates among African American males.

- Identifying the needs of clients and securing appropriate resources to assist in preventing new arrests, and employing rehabilitation strategies to help reduce addiction and drug usage.

- Limitations of data.

The Probation Division is dedicated to the advancement towards evidence-based supervision strategies, otherwise known as Enhanced Outcome Based Supervision (EOBS). This recidivism report is an important part of measuring progress towards reaching these goals. Though the report highlights some challenges, the larger picture shows that probation is a vital sentencing alternative to incarceration that is positively impacting recidivism and promoting desistance among clients.

II.   INTRODUCTION

PROBATION RECIDIVISM REPORT

New Jersey Probation is committed to the welfare and safety of children, families, and communities through fair treatment of all individuals by promoting positive behavioral change through the use of evidence-based practices; ensuring that individuals remain accountable to their families and communities; engaging and collaborating with the community, system-partners, and staff; while responding proactively to change. Probation is a sentencing alternative to incarceration that allows selected individuals convicted of a crime the opportunity of serving a criminal sentence in the community under the supervision of a probation officer. Probation's goal is to help reintegrate its clients into the community as responsible, law-abiding individuals, and preventing confinement and its adverse consequences.[2,3]

Probation supervision allows community members who have been convicted the opportunity to remain in the community while maintaining gainful employment and staying connected to their families. Probation officers utilize various intervention strategies that reinforce prosocial behavior to ultimately help change thinking in clients on probation. In determining the appropriate interventions an objective appraisal must be made of each client's background, risk, and needs. Moreover, by identifying criminogenic needs of each individual, probation officers can intervene with evidence-based strategies designed to change behavior. Probation officers seek to assist individuals on probation in maintaining sobriety, locating mental health treatment services, obtaining or maintaining employment, and finding vocational training. A probation officer's primary functions are to promote positive behavior change and enforce court ordered conditions, with the ultimate goals of leading to desistance (lessening crime), and increased community safety. "In a desistance framework, crime reduction is viewed as a complicated change process in which individuals learn to be law abiding over time. In contrast,

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[2] New Jersey Courts, Office of Probation Services, https://www.judiciary.state.nj.us/courts/probation/probation.html?lang=eng (last visited June 18, 2018).
[3] *See,* e.g., Stevens H. Clarke, *What is the Purpose of Probation and Why Do We Revoke it?* 25 CRIME AND DELINQUENCY 409 (1979); Nigel Walker, *Side-Effects of Incarceration,* 23 BRITISH JOURNAL OF CRIMINOLOGY 61 (1983).

recidivism is a binary frame—people either succeed or they fail. Desistance allows for degrees of success even if there are occasional setbacks."[4] As necessary, a probation officer will have to utilize sanctions or violate an individual's probation term in order to promote community safety.

On November 9, 2015, legislation was enacted requiring the Administrative Director of the Courts to establish a program to record and analyze the recidivism of all persons sentenced to probation to measure the effectiveness of the state's rehabilitation programs.[5] Definitions of recidivism vary from state to state, but it is generally defined as a relapse into criminal behavior after a person has been sanctioned for a previous crime. [6] In the statute, recidivism is defined as arrests "for all offenses committed by persons on probation within three years following their sentence of probation."[7]

Probation Services prepared this report pursuant to the above-mentioned legislation which requires that such recidivism report—summarizing rates, trends, and patterns—be prepared annually for distribution to the Legislature, Governor, and general public.[8] Probation Services collected and analyzed data on all persons sentenced to adult probation in 2016 (2016 adult cohort) to assess who was arrested within a three-year period from their sentence date. For the purpose of this report, this three-year period will be referred to as the "recidivism period"[9]. The conviction and sentencing data reported were also outcomes that occurred within this period.

As set forth in the recidivism legislation:

> The program shall record data regarding types of crimes committed by offenders that result in a sentence of probation, the arrests for all offenses committed by persons on probation within three years following their sentence of probation and any convictions resulting from the arrests, crimes committed while on probation, the number of repeat

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[4] Jeffrey Butts and Vincent Schiraldi, Recidivism Reconsidered: Preserving the Community Justice Mission of Community Corrections, Harvard Kennedy School Papers from the Executive Session on Community Corrections (Mar. 2018).
[5] New Jersey Statutes Annotated ("NJSA"). §2C:45-6(a).
[6] National Institute of Justice, *Measuring Recidivism.*
https://www.nij.gov/topics/corrections/recidivism/Pages/measuring.aspx and N.J.S.A. 2C:45-6b (setting forth the data points relevant to recidivism).
[7] N.J.S.A. 2C:45-6(b).
[8] N.J.S.A. §2C:45-6,(c),(d).
[9] The recidivism period for the 2016 adult cohort is measured from the sentencing date in 2016 to three years after in 2019.

offenders and the number of persons on probation concurrently serving a parole sentence. This data shall be analyzed to determine whether the rates and nature of arrests and convictions differ according to the criminal histories and personal characteristics of persons on probation, the treatment they received during the period of probation, participation and involvement in rehabilitation initiatives and programs, and such other factors as may be relevant to the purposes of this section, including, but not limited to, race, sex, ethnicity, and age.[10]

In June 2020, Probation Services began working with the Judiciary's Information Technology Office (ITO) to extract data for this report. More information about methodology and the different databases that were queried, and the evolving method of querying, can be found in *Appendix A.*

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[10] N.J.S.A. §2C:45-6 (b).

III. DEMOGRAPHICS OF ADULTS SENTENCED TO PROBATION IN 2016

The statute requires the Judiciary to measure and analyze demographics of the entire adult cohort, as well as those who reoffended within the recidivism period.[11] The first section of this report examines the 19,306 clients who were sentenced to adult probation in calendar year 2016.

Figure 1. Race/Ethnicity and Sex Distribution of the 2016 Adult Cohort
Total of 19,306 Clients
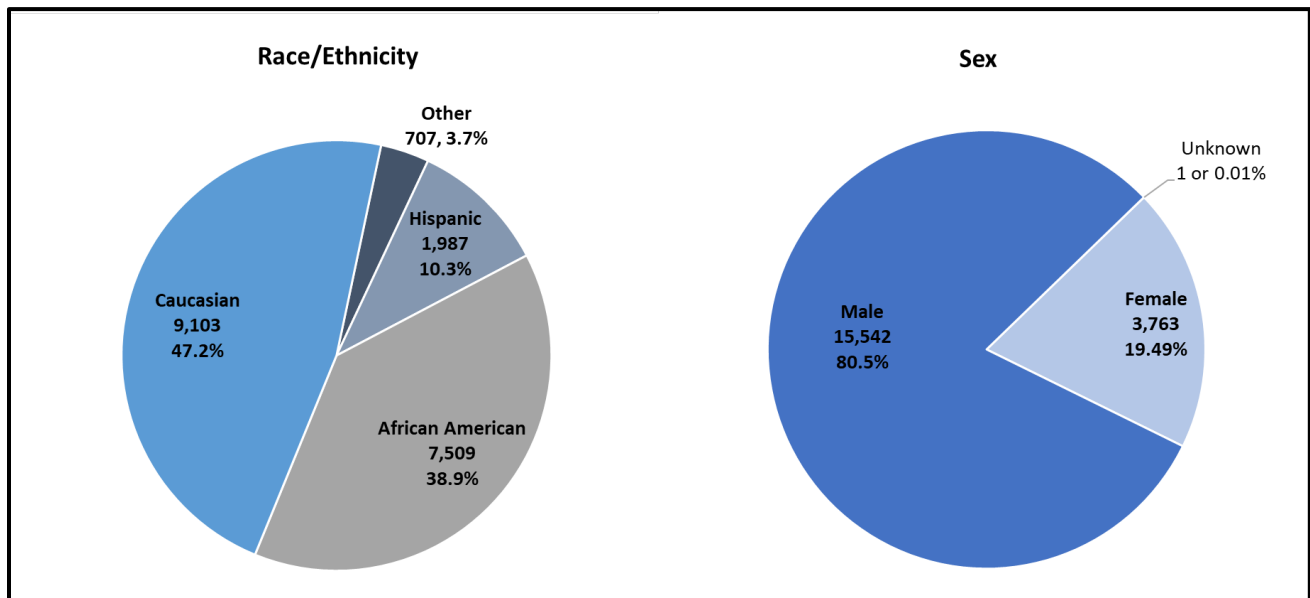
Male offenders constituted about 8 in 10 clients (80.5%) sentenced to adult probation in 2016. Females made up less than 20% of study participants, amounting to only 3,763 clients sentenced to probation in 2016. Caucasian clients were the largest race/ethnic group sentenced to adult probation in 2016 (47.2%), followed by African American (38.9%), Hispanic (10.3%) and other race/ethnicity[12] (3.7%).

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[11] The statute requires the Judiciary to record "arrests for all **offenses committed** by persons on probation" and "**crimes committed** while on probation" (N.J.S.A. §2C:45-6 (b)). However, Probation only has access to data on criminal complaints and subsequent convictions, not on actual reoffending behavior.

[12] Other includes Alaskan Native, American Indian, Asian, and clients without a category.

Figure 2. Age Distribution of the 2016 Adult Cohort
Total of 19,306 Clients
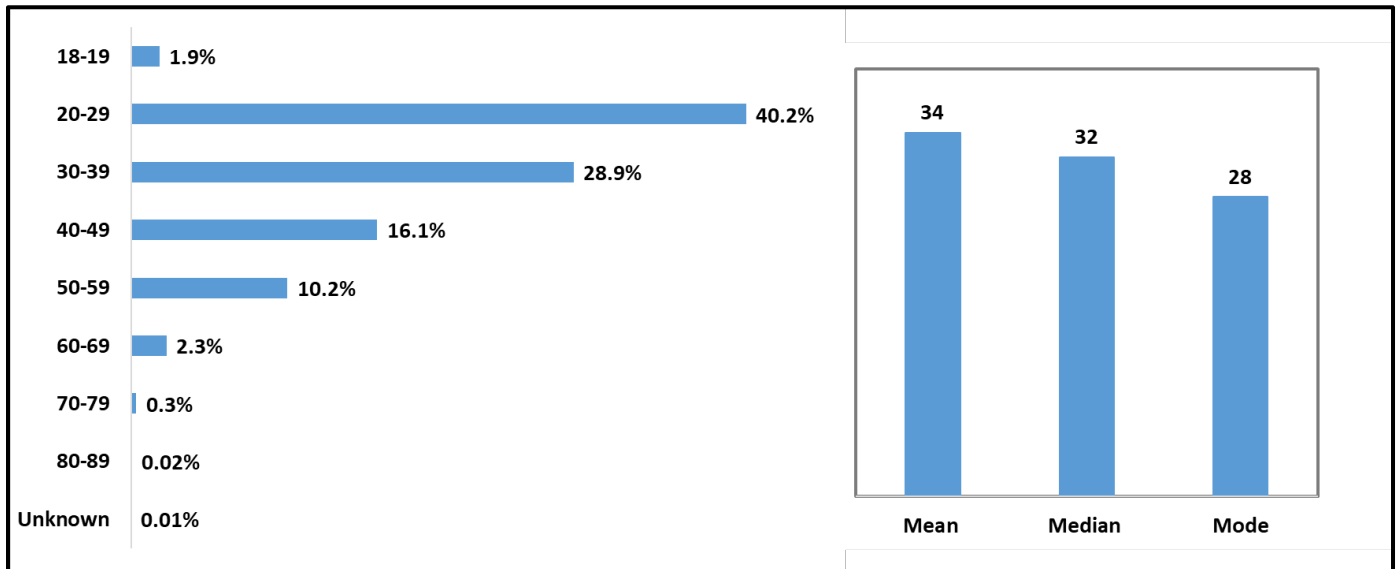
The mean or average age of clients at the time of sentencing was 34 years. The median or middle age within the cohort was 32 years, and the mode or most common age that appeared multiple times within the data set was 28 years. As shown in figure 2, the twenty to twenty-nine age range made up the largest group (40.2%), followed by thirty to thirty-nine age range (28.9%), forty to forty-nine (16.1%), and fifty to fifty-nine (10.2%). The other age ranges made up less than 3% respectively, of clients sentenced to probation in 2016.

Figure 3. Most Serious Crime-Type Resulting in 2016 Sentence to Probation
Total of 19,306 Clients

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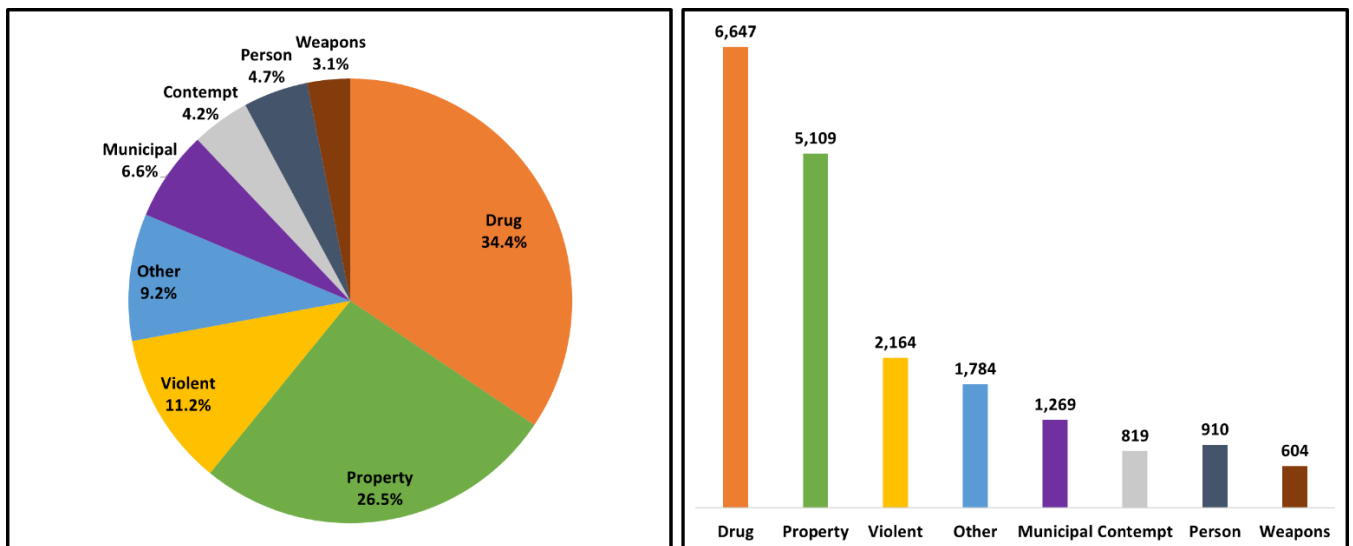
Drug (34.4%) and property (26.5%) crimes were the most serious offenses that most clients were sentenced to probation for in 2016. This was followed by violent crime (11.2%) and Other crimes[13] (9.2%). Clients who had weapons, contempt, persons, and municipal crimes as their most serious offense made up the smallest crime-type categories.

Figure 4. Most Serious Crime-Type Distribution by Race/Ethnicity
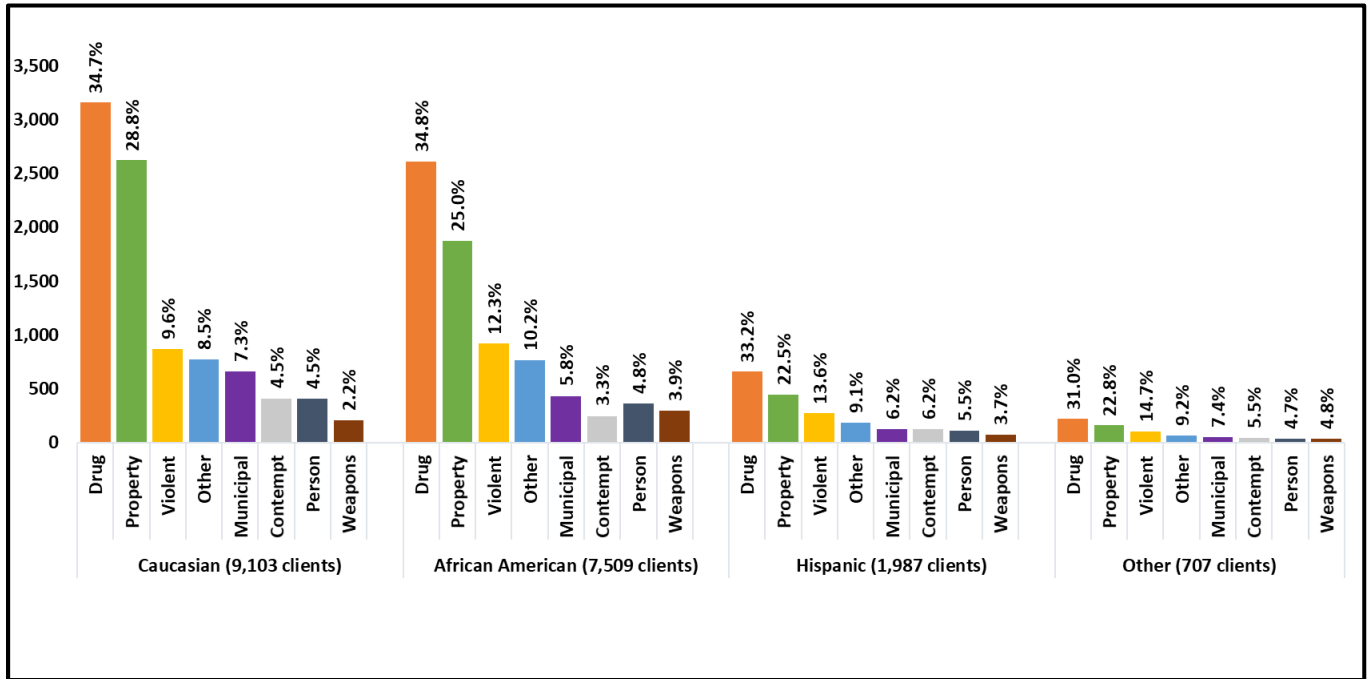
Most of the clients sentenced to probation in 2016 for drug and property crimes were Caucasian and African American. The crime-type distribution broken down by race/ethnicity also shows that there was very little difference in the rates across race/ethnicity. The largest differences in crime-type rates by race/ethnicity were in the violent and property crime-types. Caucasians had a slightly lower rate of violent crime and a higher rate of property crime compared to African American, Hispanic and other race/ethnicity. More information about crime type categories can be found in *Appendix B.*

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[13] Other includes crime types classified in Appendix B, as well as crime types that could not be classified.

THREE YEAR COMPARISON OF PROBATION DEMOGRAPHICS

Figure 5. Demographic Comparison of the 2014, 2015 and 2016 Adult Cohorts
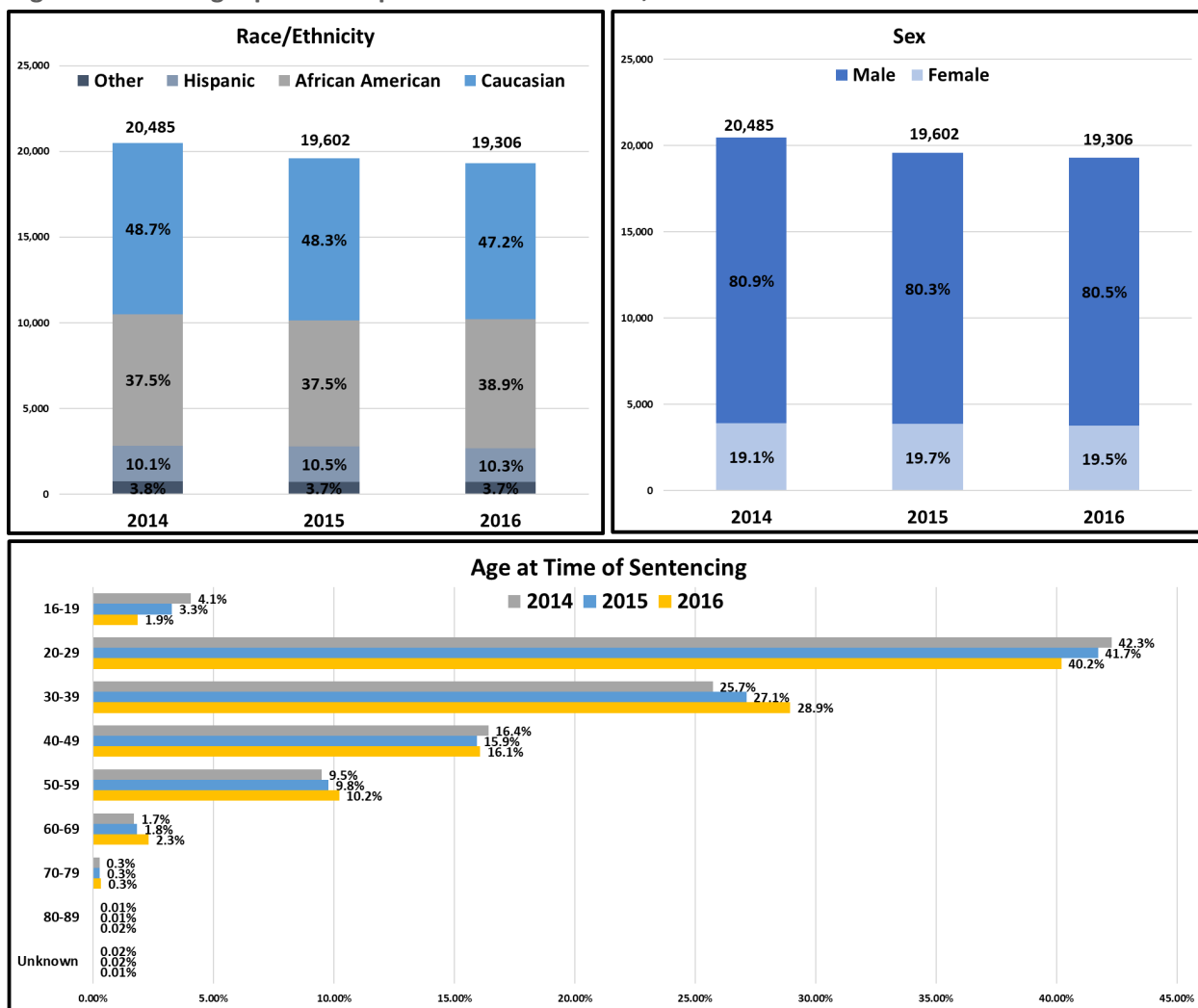
Figure 5 shows a comparison of recidivism study demographics over three years starting with the 2014 adult cohort, followed by the 2015 adult cohort and the most recent 2016 adult cohort. There has been a slight decline in the overall number of clients being sentenced to probation each year. The sex and race/ethnicity distribution has remained relatively consistent in each cohort with minor differences. There were marginal variations in the age distribution for each cohort, however, the average age at sentencing remained consistent between thirty-three and thirty-four years.

Figure 6. Most Serious Crime-Type Comparison of the 2014, 2015 and 2016 Cohorts
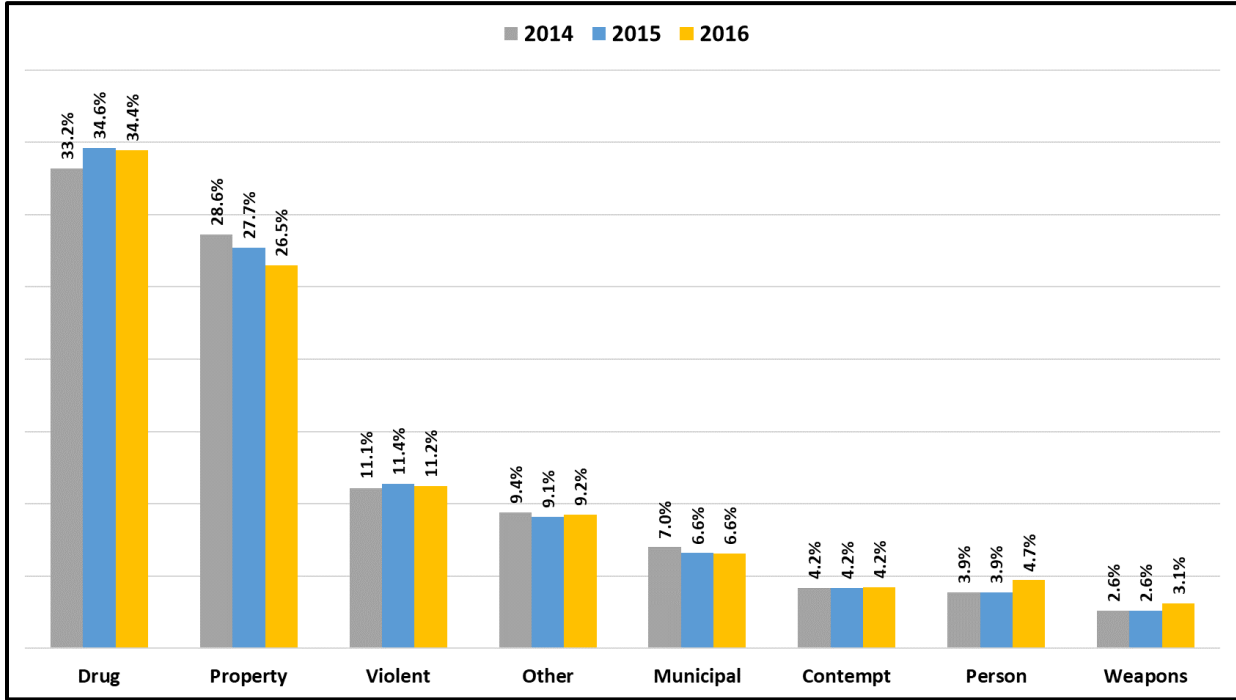
Figure 6 illustrates a comparison of the most serious crime-type which resulted in each client's sentence to adult probation in 2014, 2015 and 2016. As shown in the chart, there were no major changes in the distribution rate of the most serious crime-type between the 2014 and 2016 adult cohorts. Drug and property crimes were the most serious crime-types that resulted in the majority of sentences to adult probation in 2014, 2015 and 2016.

IV. ARRESTS

In this report, recidivism is defined by statute as arrests for any offense committed by a client sentenced to probation within three years following their probation sentence. Pursuant to the statute, the characteristics of arrests for the 2016 adult cohort during the recidivism period will be discussed in this section. This section will provide information about the number of individuals who remained arrest free, reflecting the effectiveness of probation officers and client compliance with the terms of supervision. The arrest data is comprised of adult clients who were arrested within the three-year recidivism period after their initial probationary sentence. Of the 19,306 clients in the 2016 cohort, a total of 6,737 clients were arrested at least once. This indicates a recidivism rate of 34.9%. Most clients (65.1%) remained arrest free during the recidivism period. In other words, 7 in 10 clients sentenced to probation in 2016 were not arrested during the three-year recidivism window. Figure 9 illustrates these figures.

Figure 9. Number of Clients Arrested or Not Arrested in the 2016 Adult Cohort Total of 19,306 Clients
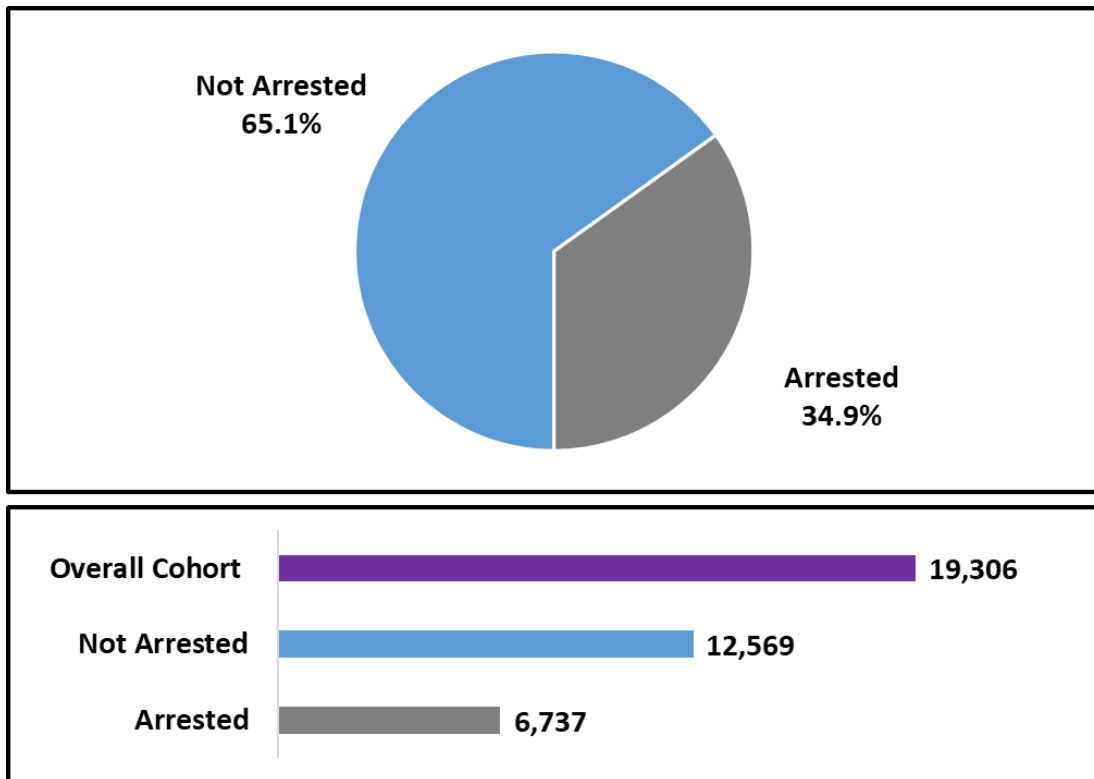
Figure 10. Recidivism Rates by Sex and Race/Ethnicity
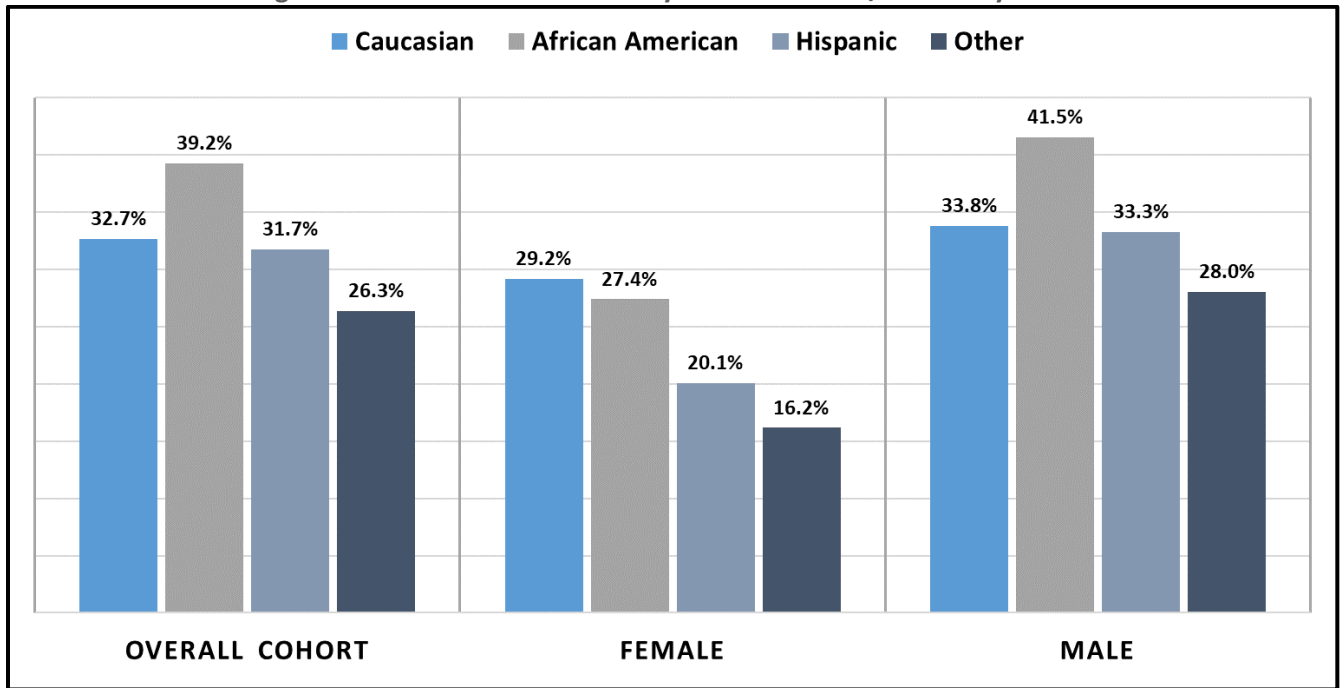
RECIDIVISM RATES BY SEX AND RACE/ETHNICITY

Figure 10 shows the recidivism rates for the 2016 cohort broken down by sex and race/ethnicity. Overall, African Americans had the highest recidivism rates (39.2%), followed by Caucasian (32.7%), Hispanic (31.7%) and other (26.3%). The breakdown by sex shows that females had lower recidivism rates compared to their male counterparts across race/ethnicity. Overall, men were 1.3 times more likely to recidivate than females. Further breakdowns by sex and race/ethnicity reveal that African American males had the highest recidivism rate of any group (41.5%). African American males were 1.2 times more likely to recidivate compared to Caucasian males. Caucasian males had the second highest recidivism rate (33.8%), followed by Hispanic males (33.3%), Caucasian females (29.2%), other males (28%), and African American females (27.4%). Hispanic and other females had the lowest recidivism rates of 20.1% and 16.2%, respectively. A full breakdown of the recidivism and non-recidivism totals and percentages by sex and race/ethnicity are illustrated in *Appendix C.*

RATE OF FIRST ARREST DECLINED EVERY SIX MONTHS

Examining the time to first arrest/recidivism event can be useful in differentiating between clients who are arrested early from those who remain arrest free for longer periods of

time. Measuring the length of time to the recidivism event can also help policymakers determine an appropriate period of supervision for clients sentenced to probation[14].

Figure 11. Percent of Clients in the 2016 Adult Cohort who were Arrested, by Time of First Arrest (Total of 19,306 Clients)
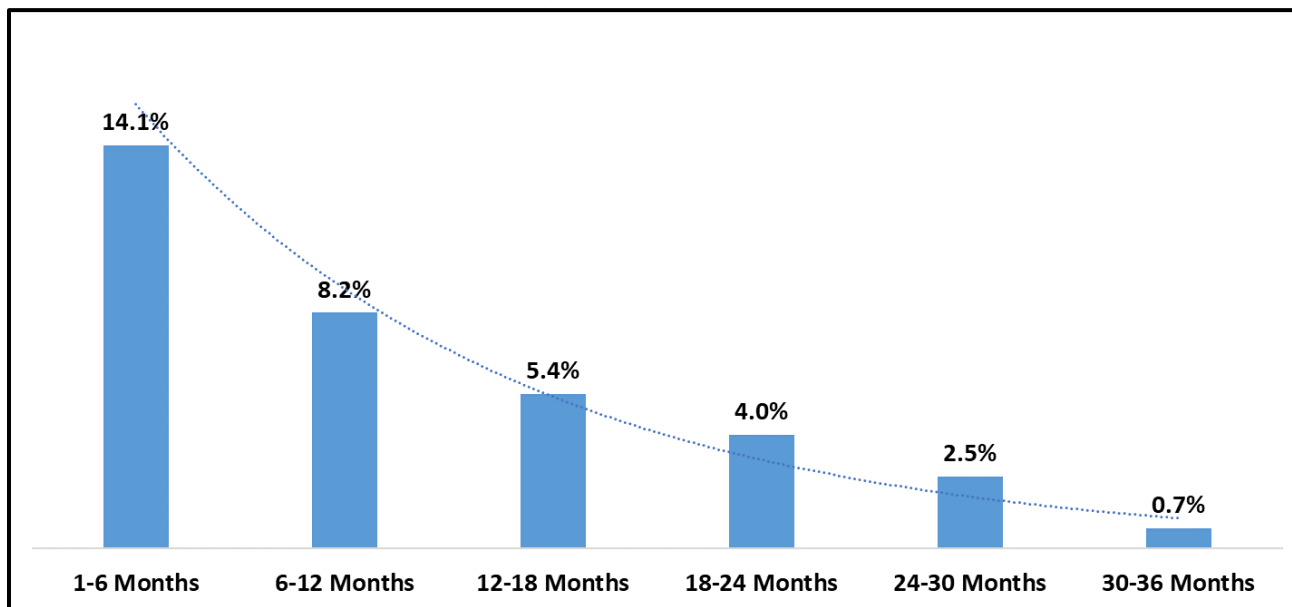
The arrest data for the 2016 adult cohort indicates that clients were arrested the first time at the highest rates in the first six months after they were sentenced to probation, and that the number of first arrests decreased gradually every six months. Figure 11 shows the percent of clients sentenced to probation in 2016 who were arrested, by the time period of their first arrest. In the first six months 14.1% of clients in the 2016 cohorts were arrested for the first time. Following this, each six-month time interval had fewer clients being arrested for the first time than in the previous six months. For example, in the six to twelve-month interval 8.2% of clients in the 2016 cohort were arrested for the first time. This declined gradually to the final time period of thirty to thirty-six months, to 0.7% of clients in the 2016 cohort. This indicates that more than half of arrested clients sentenced to probation in 2016 recidivated in the first year following their sentence. These trends were consistent across sex and race/ethnicity. Additional breakdowns showing when the first arrest/recidivism event occurred with totals are shown in *Appendix D*.

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[14] U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. *2018 Update on Prisoner Recidivism: A 9-Year Follow-up Period 2005-2014.* (2018) and United States Sentencing Commission. Recidivism Among Federal Offenders: A Comprehensive Overview. (2016).

RECIDIVISM RATES IMPROVED IN 2016 ADULT COHORT

In the 2016 cohort the number of clients who remained arrest free increased notably by about 13% compared to the 2014 adult cohort. Figure 12 shows the cumulative percent of clients who were arrested, by the time period of their first arrest/recidivism event, for the 2016, 2015 and 2014 adult cohorts. Essentially, the chart illustrates the recidivism rate over the three-year period broken down into six-month intervals for each cohort. The overall curve suggests that as time goes on, the recidivism rate rises gradually at a lesser rate each six months. The chart also illustrates that clients in the 2016 and 2015 cohorts remained arrest free longer than those in the 2014 cohort. For example, in the first six months 19.9% of clients in the 2014 cohort were arrested compared to 14.1% of clients in the 2016 cohort. Although there was a smaller difference between the 2016 and 2015 cohorts, the recidivism rate continued to improve in the 2016 cohort. The recidivism rate went from 47.6% in the 2014 cohort, to 37.3% in the 2015 cohort, and dropping to 34.9% in the 2016 cohort. Improvements in recidivism rates from 2014 to 2016 were consistent across sex and race/ethnicity.

Table 1. Recidivism Rates for 2016 Adult Cohort in 6 Month Intervals

Time After Probation Sentence	%	Cumulative %
6 Months	14.1%	14.1%
12 Months	8.2%	22.3%
18 Months	5.4%	27.7%
24 Months	4.0%	31.7%
30 Months	2.5%	34.2%
36 Months	0.7%	34.9%

Figure 12. Time to First Arrest for the 2016, 2015 and 2014 Adult Cohorts

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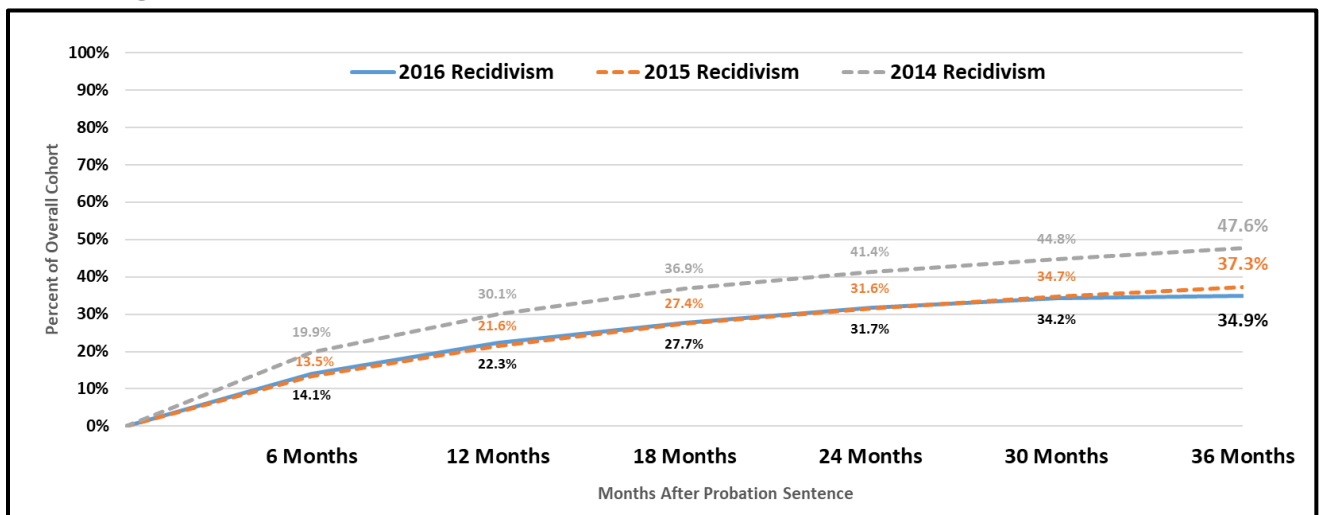
ARREST DISTRIBUTION PER CLIENT

The statute also requires the Judiciary to identify "the number of repeat offenses."[15]

Figure 13 shows the rate of clients who remained arrest free, those who were arrested once, and clients who were arrested two or more times during the recidivism period. It is a simple count showing the number and percentage of clients who fell into each category. The column in figure 13 shows the entire adult cohort and the pie shows the subpopulation of clients who were arrested at least once. As shown in the column of the chart, the majority of clients were not arrested at all (12,569 clients or 65.1%). However, if they were, they were about as likely to be arrested once as they were to be arrested two or more times. As shown in the pie chart in figure 13, of the 6,737 clients arrested in the 2016 cohort, 50.8% of them were arrested two or more times and 49.2% were arrested once. For arrest distributions broken down by sex and race/ethnicity see *Appendix E*.

Figure 13. Arrest Distribution Per Client in the 2016 Adult Cohort

Note: The column chart shows the percentage of clients in each category, as a percent of the entire cohort. The pie chart shows percentage of clients in each category, as a percent of those who were arrested (arrest cohort).

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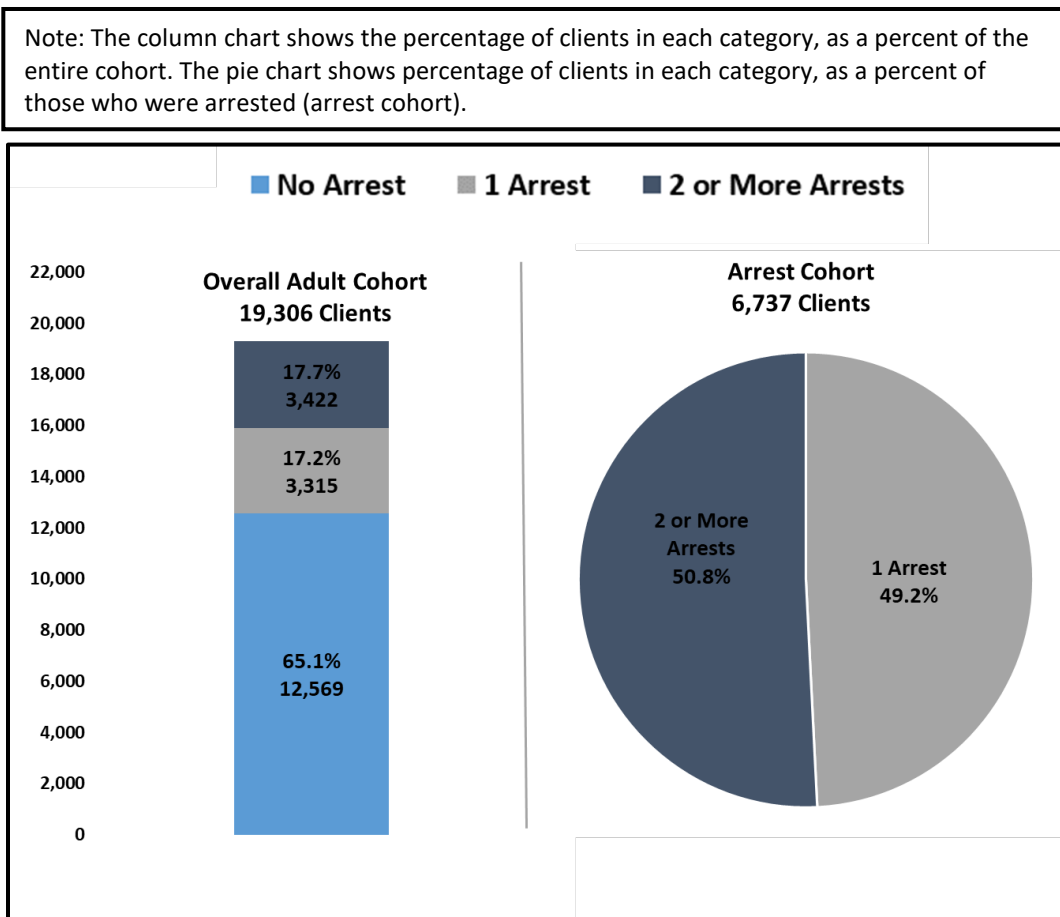
[15] N.J.S.A. 2C:45-6 (b).

MOST SEVERE ARREST BY CRIME-TYPE

This section summarizes the most severe charge by crime-type for which clients in the 2016 cohort were arrested. Since some clients were arrested multiple times during the recidivism period, the data in this section considers all arrests that occurred during the three-year time window and identifies and analyzes only the most serious/severe charge for each client. The crime-type subcategories are listed in *Appendix B*. The methodology for identifying the degree of the crime included the actual degree, first, second, third, fourth, disorderly persons, and petty disorderly persons, as reflected in the Judiciary's systems. Offenses that did not have a degree listed in the system were ranked according to the category hierarchy as reflected in *Appendix B* in the following order in decreasing severity: Violent, Person, Property, Weapons, Drugs, Contempt, Other and Municipal. With system wide technology enhancements that are currently being implemented, the degrees of arrest offenses will be more clearly reflected in future annual reports. The percentages in this section are calculated as a percent of the subpopulation of adult clients who recidivated (arrest cohort).

Figure 14. Arrest Per Client by Most Serious Recidivism Crime-Type (Total of 6,737 Clients)
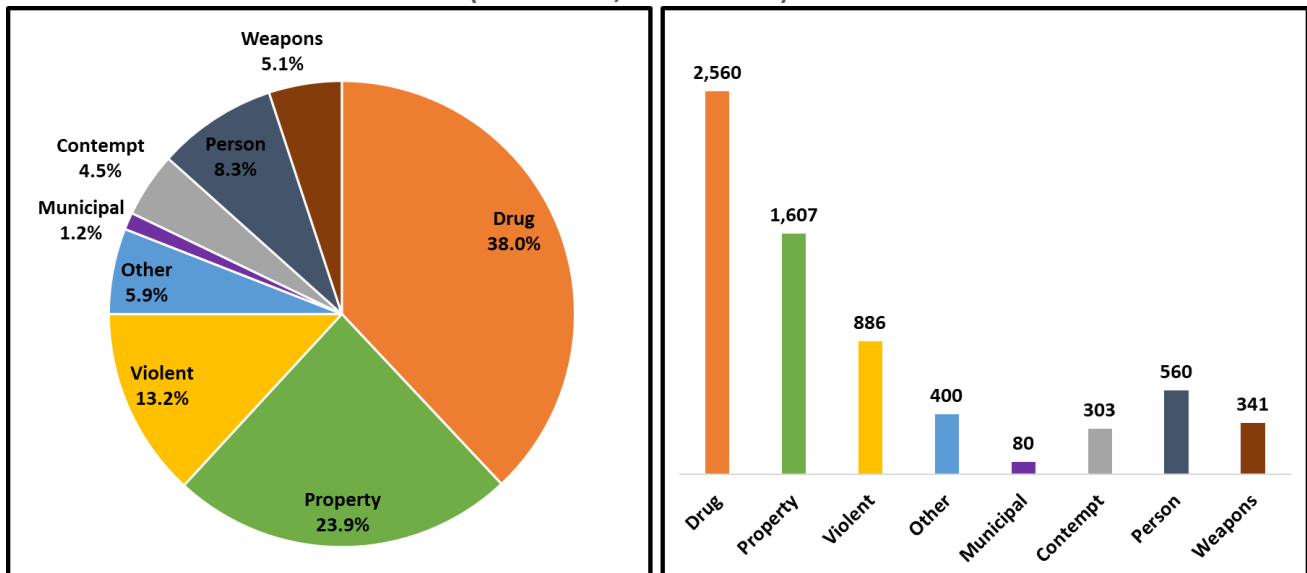
Note: Clients could have been arrested or charged for more than one offense or crime-type during the three-year recidivism period; the most serious/severe one is reported in this chart.

DRUG AND PROPERTY OFFENSES MADE UP THE MAJORITY OF MOST SERIOUS ARRESTS

Figure 14 shows the most serious crime-type which resulted in the arrest of each client during the recidivism period. It demonstrates that even when a client has multiple arrests, the majority of most serious offenses involved drug and property charges. This paralleled the trend of the original most severe charges[16] shown in the previous section, which also showed drug and property crimes as the leading offenses which resulted in initial sentences to probation in 2016. Of the 6,737 clients arrested in the 2016 cohort, 38% of the most serious arrests were drug related. This was followed by property offenses at 23.9%, violent (13.2%), person (8.3%), other (5.9%), weapons (5.1%), contempt (4.5%) and municipal (1.2%). Breakdowns by sex and race/ethnicity are shown in *Appendix F*.

Figure 15. Comparison of the Most Serious Recidivism and Original Crime-Type Per Client in the 2016 Arrest Cohort (Total of 6,737 Clients)
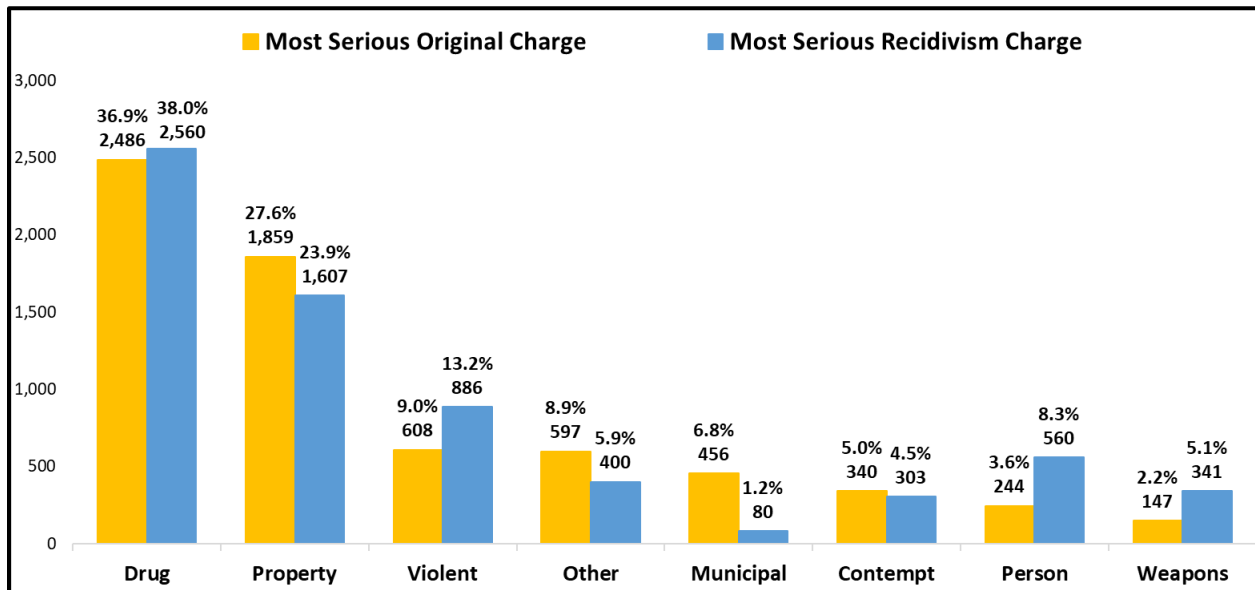
Figure 15 is a comparison of the most serious original crime-type which resulted in the initial 2016 probation sentence for the subpopulation of adult clients who recidivated, and the most serious recidivism crime-type for which each client was arrested during the recidivism period. As shown in the chart, the distribution of recidivism crime-types followed the same general trend as the original most serious crime-types with some small variations. The rates of

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[16] Original most serious charge refers to the most severe preliminary charge which resulted in the initial probation sentence in 2016.

drug and contempt charges remained relatively consistent, while property, other and municipal crime-type rates were lower than the original most serious charge. The rates for violent, person and weapons charges were slightly higher than the original most serious charge, however, the difference in rates were less than 5%.

SEVERITY COMPARISON OF THE MOST SERIOUS ORIGINAL AND ARREST CHARGES

In addition to recidivism as a method of determining the success of clients under supervision, Probation Services also takes desistance into account. Whereas recidivism is a binary framework defined by a single event in which a client is arrested, desistance is a process that is not limited to abstinence from crime, but also includes reduction in the frequency and/or seriousness of offending[17]. This section explores the severity of the arrests. For this analysis, the most serious original and most serious arrest charge of each client in the arrest cohort was identified and compared. Each client was then categorized as having a most serious arrest charge that was more severe, less severe or the same severity as the original most serious charge. Figure 16 shows this comparison of the severity of original and arrests/recidivating charges. It addresses the question of whether arrest charges were more severe, less severe or the same severity as the original charge. The percentages in figure 16 are calculated as a percent of the subpopulation of adult clients who recidivated (arrest cohort).

As shown in figure 16, 43.5% of most serious arrest charges in the 2016 arrest cohort were offenses that were more serious than the original most serious charge, followed by 36.8% of the same severity. 19.8% of most serious arrest charges were less severe than the original most serious charge. The chart also shows that combined, the majority of most serious arrests were charges that were the same or less severe than the original most serious charge which resulted in initial probationary sentences (56.5%). Additional breakdowns of severity comparisons by sex and race/ethnicity are shown in *Appendix G*.

In the following section severity rates of convictions will also be examined and compared to the original offense (figure 20). This comparison will provide an additional perspective since it is the final resolution of the charge.

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[17] John H. Laub and Robert J. Sampson, *Understanding Desistance from Crime*, 28 Crime and Justice 1 (2001).

Figure 16. Severity Comparison of Most Serious Original and Most Serious Arrest Charge 2016 Arrest Cohort (Total of 6,737 Clients)
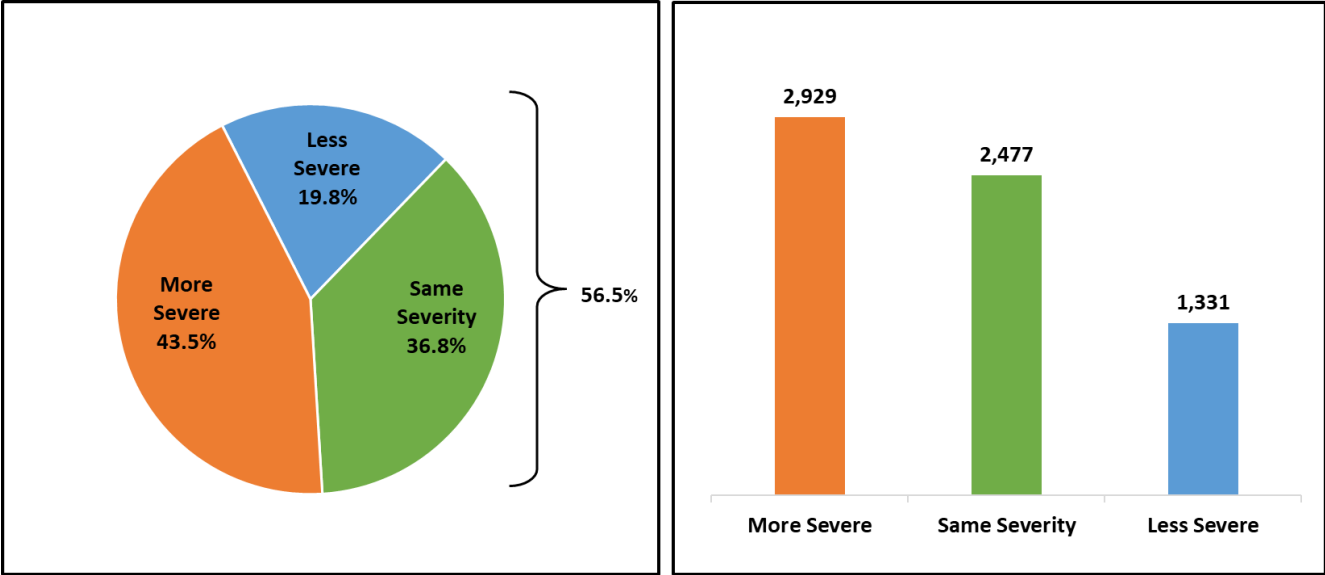
Note: Clients could have been arrested or charged for more than one offense or crime-type during the three-year recidivism period. Similarly, the client's initial sentence to probation could have been for more than one offense. The most serious/severe charges are compared in this chart.

V.   CONVICTIONS

This section examines the characteristics of the convictions resulting from arrests that occurred during the recidivism period. When a client is arrested for an offense, the matter must then be brought to a resolution, which may or may not result in a conviction. A conviction will arise on any charge through a verdict of guilt by jury or by an admission of guilt by plea—or, in the case of quasi-criminal municipal offenses, a finding of guilt by a judge.[18] Typical non-conviction resolutions include; dismissal of the charges, withdrawal of the complaint or charging document, or a non-guilty verdict. It should also be noted that the data extraction methods used were not able to capture the specific reasons for non-convictions. Therefore, some clients may still have cases pending a resolution at the time the conviction data was harvested. In future reports we will attempt to distinguish non-convictions which have been resolved from those which are still undecided.

The conviction data was obtained from adult clients in the 2016 cohorts, who after their initial probationary sentence, were arrested within the recidivism period, and subsequently convicted during the three-year recidivism period. If any arrest during the recidivism period resulted in a conviction during the three-year window, then the individual was counted as convicted. Multiple convictions were not accounted for. The analysis captures whether a client was or was not convicted during the recidivism period.

Although by statute this report measures recidivism as the first instance of arrest during the three-year recidivism period, it is also valuable to examine the conviction data of clients because it incorporates confirmation from the justice system that the defendant is guilty of committing the offense. Definitions and measures of recidivism vary and institutions throughout the United States have adopted different ways of measuring recidivism. It is useful to consider conviction data as arrest rates reveal law enforcement involvement, yet also presume that a person is innocent of a crime. In this section conviction rates offer a supplemental viewpoint to show the effectiveness of Probation and client compliance with the terms of supervision.

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[18] N.J.S.A. 2C:44-4a.

According to the conviction data, on average across both cohorts the majority of clients arrested during the recidivism period were later convicted of an offense. As shown in figure 17, of the 6,737 clients arrested in the 2016 cohort, 72.4% were convicted. This indicates that more than a quarter of arrested clients were not convicted of any offenses during the three-year time window. More specifically, 1,859 arrested clients from the 2016 cohort remained conviction free during the recidivism period. Breakdowns of conviction totals and rates by sex and race/ethnicity are illustrated in *Appendix H*.

Figure 17. Conviction Outcomes in the 2016 Adult Cohort
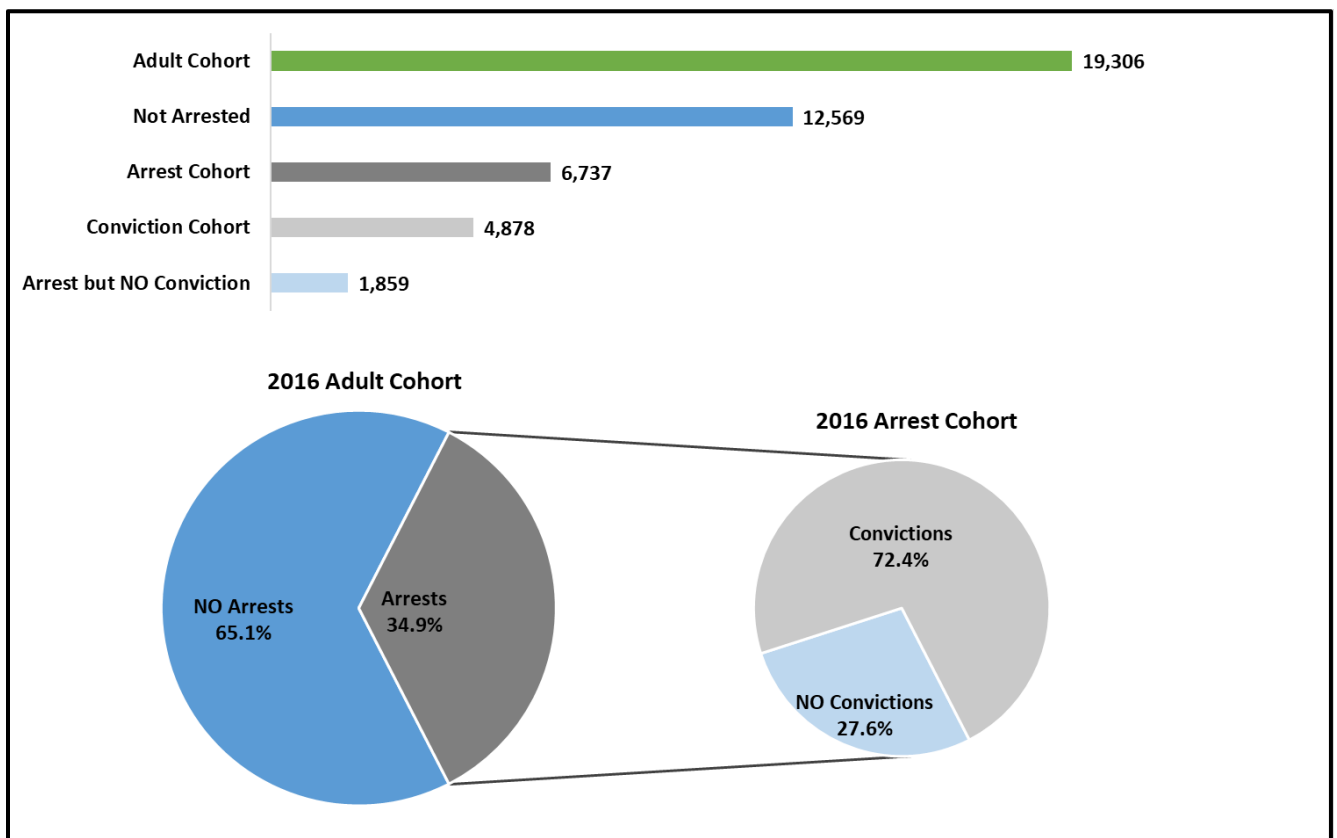
CONVICTION AS A MEASURE OF RECIDIVISM

Although by statute this report classifies a person as a recidivist if he or she has been arrested for a new crime, convictions are also a widely accepted measure of recidivism. Using convictions as the measure of recidivism, a person would only be classified a recidivist if an arrest resulted in a subsequent conviction during the recidivism period. Based on the conviction data for the 2016 cohort this would indicate a lower recidivism rate since not all arrests result in a conviction. Figure 18 shows the conviction,

non-conviction and non-arrests as percentages of the entire 2016 adult cohort. As shown in figure 18, the percentage of clients who were arrested and convicted in the entire 2016 cohort was 25.3%. In effect, 7 in 10 adult clients were not convicted or arrested of any offenses during the recidivism period. Combining the number of clients who were not arrested (12,569) with the clients who were arrested but not convicted (1,859) , suggests that Probation Services had a success rate of about 74.7% in the 2016 cohort. In other words, by the end of the three-year recidivism period 7 in 10 clients sentenced to probation in 2016 remained in the community with no new convictions.

Figure 18. Overall Cessation of Offending in the 2016 Adult Cohort
(Total of 19,306 Clients)
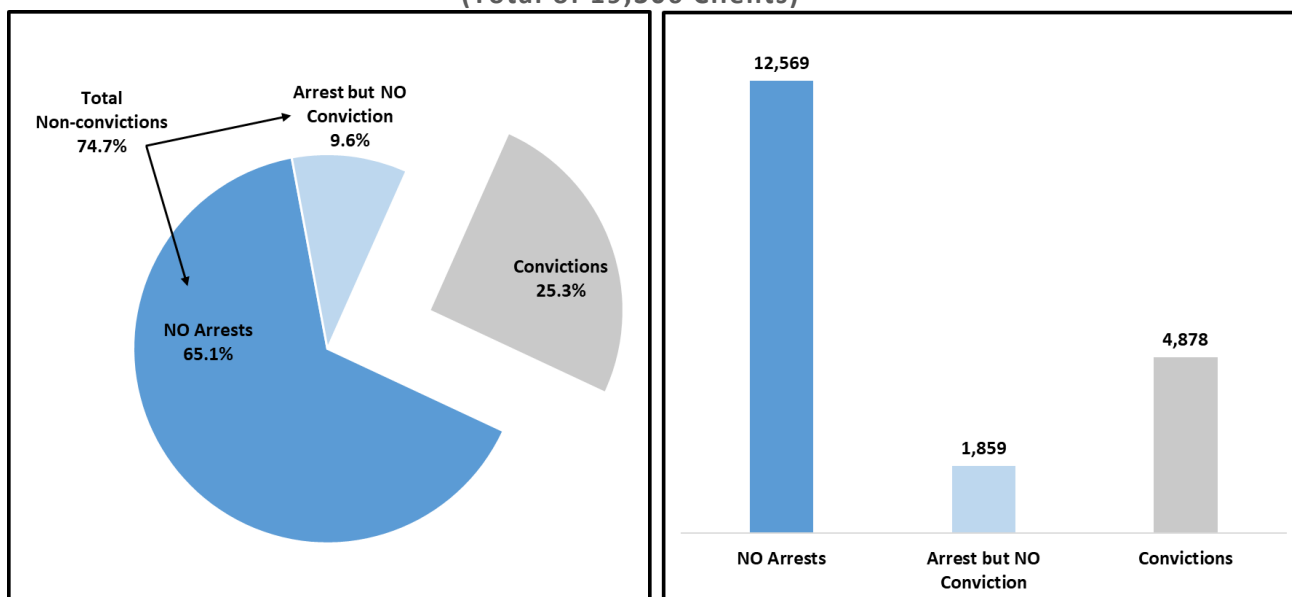
MOST SERIOUS CONVICTION OFFENSES BY CRIME-TYPE

This section summarizes the most serious offense by crime-type per client resulting in a conviction. Figure 19 illustrates the most serious conviction crime-types in the 2016 conviction cohort.

Earlier, the arrest section of this report identified drug offenses as the leading most serious arrest crime-type, followed by property offenses. Conviction data for both cohorts followed the same general trend, but with an overall decline in the most severe crime-types. Drug related crimes made up 30.4% of the most serious crime-types, followed by property which made up 20.9% of most serious crime-types. About 20.5% of client conviction crime-types were unknown. Together the other six crime-types (municipal, other, violent, contempt, persons and

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weapons crimes) made up less than 30% of most serious crime-types. Additional breakdowns of these crime-types by sex and race/ethnicity are shown in *Appendix I.*

Figure 19. Conviction Charge Per Client by the Most Serious Crime Type[19]
2016 Conviction Cohort (Total of 4,878 Clients)
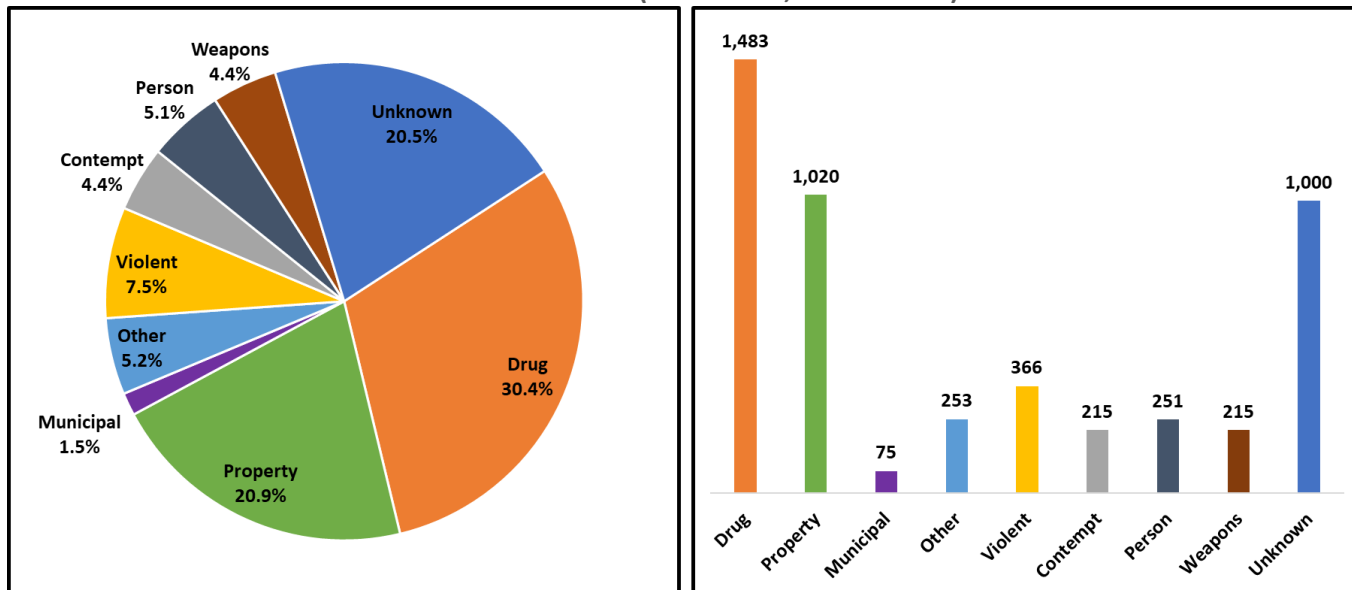
Note: Clients could have been convicted or charged for more than one offense or crime-type; the most serious/severe one for each client is reported in this chart.

SEVERITY OF ORIGINAL OFFENSE COMPARED TO CONVICTION CHARGE

Earlier in the arrest section, severity of the original and arrest offenses were compared. Like the arrest section, the most serious conviction charges were compared to the most serious original charge to examine whether convictions were more severe, less severe or the same severity as the original charge. Figure 20 shows this comparison of the severity of the original and conviction charge. Additional breakdowns by sex and race/ethnicity are illustrated in *Appendix J.*

The vast majority of clients in the 2016 cohort leave the three-year recidivism period with no convictions[20]. Of the clients who were convicted of a crime, most charges were for offenses that were less severe than the original offense (40.5%). This was followed by charges of the same severity (32.1%) and charges that were more severe (27.3%). As shown in figure 20, about 72.7%

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[19] The most serious conviction charge is the most severe charge which resulted in a recidivist's conviction after their initial probation sentence. i.e. If a client was convicted of multiple charges, the most severe charge supersedes the less sever charges.
[20] No convictions includes resolved cases and pending cases that were not resolved within the three-year recidivism period.

of most serious convictions were for charges that were the same or less severe than the original most serious charge which resulted in initial probationary sentences.

Figure 20. Severity of Most Serious Original Charge Compared to Most Serious Conviction Charge (Total of 4,878 Clients)
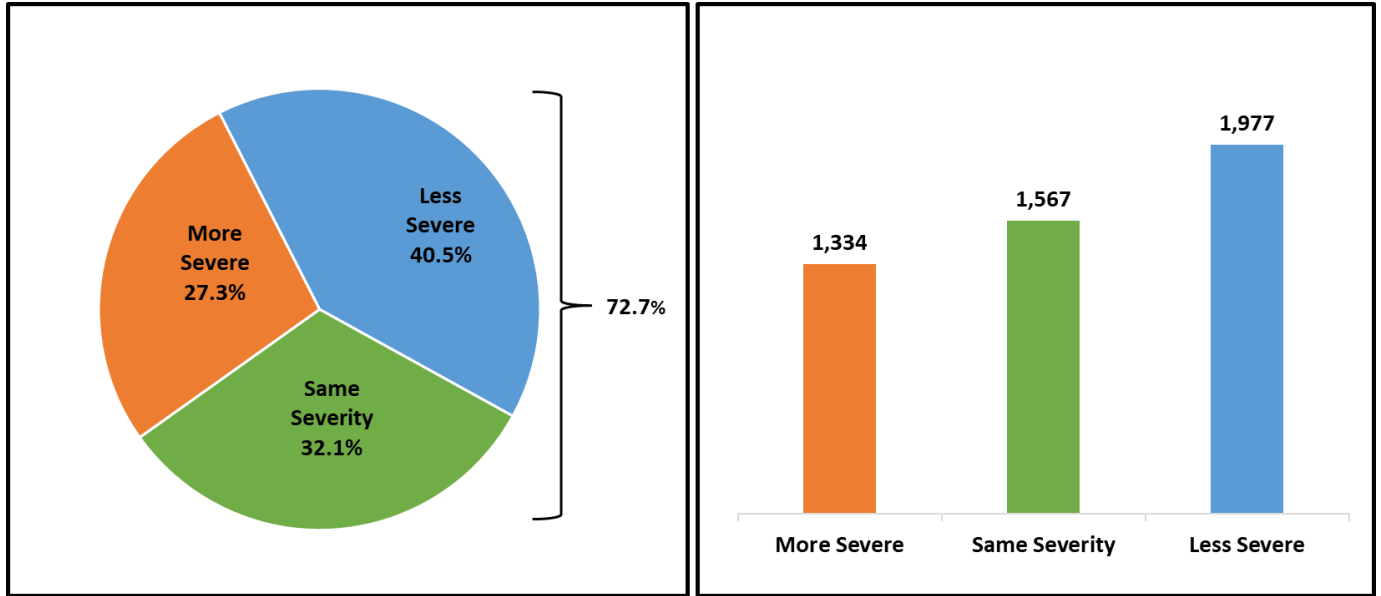
Note: Clients could have been convicted for more than one offense or crime-type during the three-year recidivism period. Similarly, the client's initial sentence to probation could have been for more than one offense. The most serious/severe charges are compared in this chart.

VI.   SENTENCING

A sentence occurs after conviction when a judge imposes punishment and/or treatment. The sentence may include fines, penalty fees, community service, and assessments. The sentence will also include, where appropriate, restitution to the victim for any financial loss. Very often, the sentence will also impose a term of probation and/or imprisonment[21]. Outcomes shown are the results of data available within three years of their sentence to probation.

This section discusses sentencing data of clients who were arrested during the recidivism period and subsequently convicted. The data is categorized by convicted recidivated adult clients who received a sentence of incarceration, probation[22] or neither incarceration nor probation within the three-year recidivism period. It should also be noted that the data extraction methods used were not able to capture the specific reasons for the neither incarceration nor probation category. Some clients may have been convicted of offenses that were not serious enough to warrant a severe sentence of probation or incarceration— their sentence may have included community service and/or fines. Other clients may still have cases pending a sentencing resolution as of the time the data was harvested.

Figure 21. Sentencing Outcomes for Convicted Clients
Conviction Cohort (Total of 4,878 Clients)

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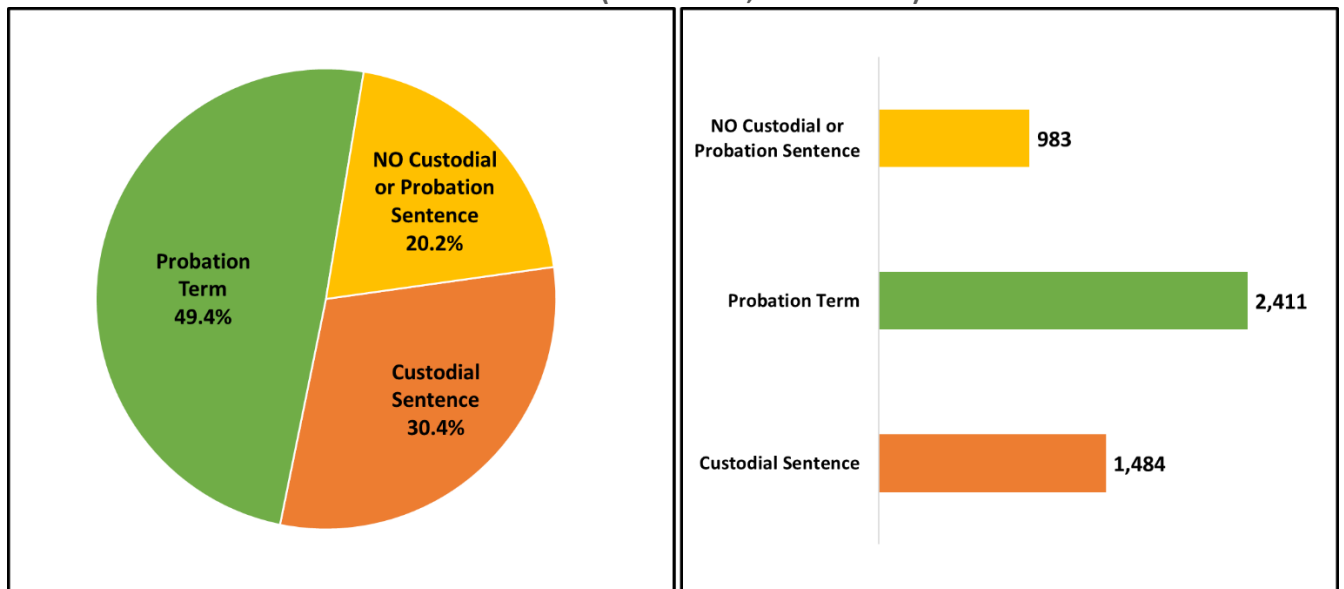
[21] See N.J.S.A. 2C:43-2b.

[22] Split sentences where the defendant was sentenced to both probation and a custodial sentence was included in the probation sentence category.

SENTENCING OUTCOMES AMONG CONVICTED CLIENTS

Figure 21 illustrates that during the three-year recidivism period, most convicted clients were sentenced to a probation term. 49.4% of convicted clients in the 2016 cohort were sentenced to probation. 30.4% of convicted clients were subsequently sentenced to a custodial term. In addition to this, some convicted clients were awaiting sentencing or received no custodial or probation sentence. As shown in the chart, 20.2% of convicted clients from the 2016 cohort were awaiting sentencing or received no probation or custodial sentence.

Figure 22. Sentencing Outcomes by Sex and Race/Ethnicity
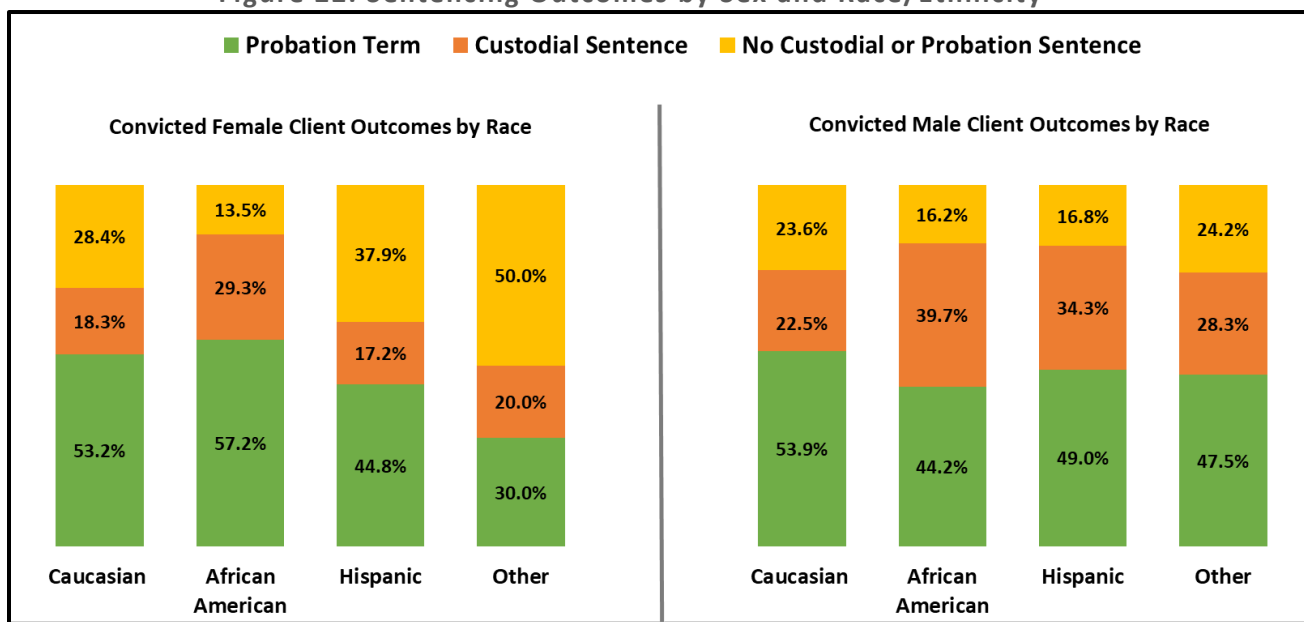
SENTENCING OUTCOMES BY SEX AND RACE/ETHNICITY

Figure 22 illustrates the sentencing outcomes of convicted clients broken down by sex and race/ethnicity. The breakdown by sex shows that male clients had more serious sentencing outcomes compared to female clients. Males had higher rates of custodial sentences and lower rates of no custodial or probation sentence compared to females across race/ethnicity. The breakdown by sex and race/ethnicity reveals that African American and Hispanic males, and African American females had more serious sentencing outcomes compared to their Caucasian counterparts. In all cases they were more likely to be sentenced to a custodial sentence and less likely to receive no custodial or probation sentence.

OVERALL CLIENT OUTCOMES

Figure 23 shows the overall summary of client outcomes in the entire 2016 adult cohort. Of the overall client outcomes, most clients remained free of arrests and convictions. Of the clients who were convicted, most were sentenced to probation or received no probation or custodial sentence. Combined with the number of clients who were not arrested or convicted, this means that the vast majority of clients remained in the community after the three-year recidivism period. As shown in figure 23, this amounts to about 92.3% of clients in the 2016 cohort. In other words, about 9 in 10 clients sentenced to probation in 2016 continued to live in the community where they can still be productive citizens. A complete breakdown of these outcomes by sex and race/ethnicity are illustrated in *Appendix K.*

**Figure 23. Summary of Overall Client Outcomes in the 2016 Adult Cohort
(Total of 19,306 Clients)**
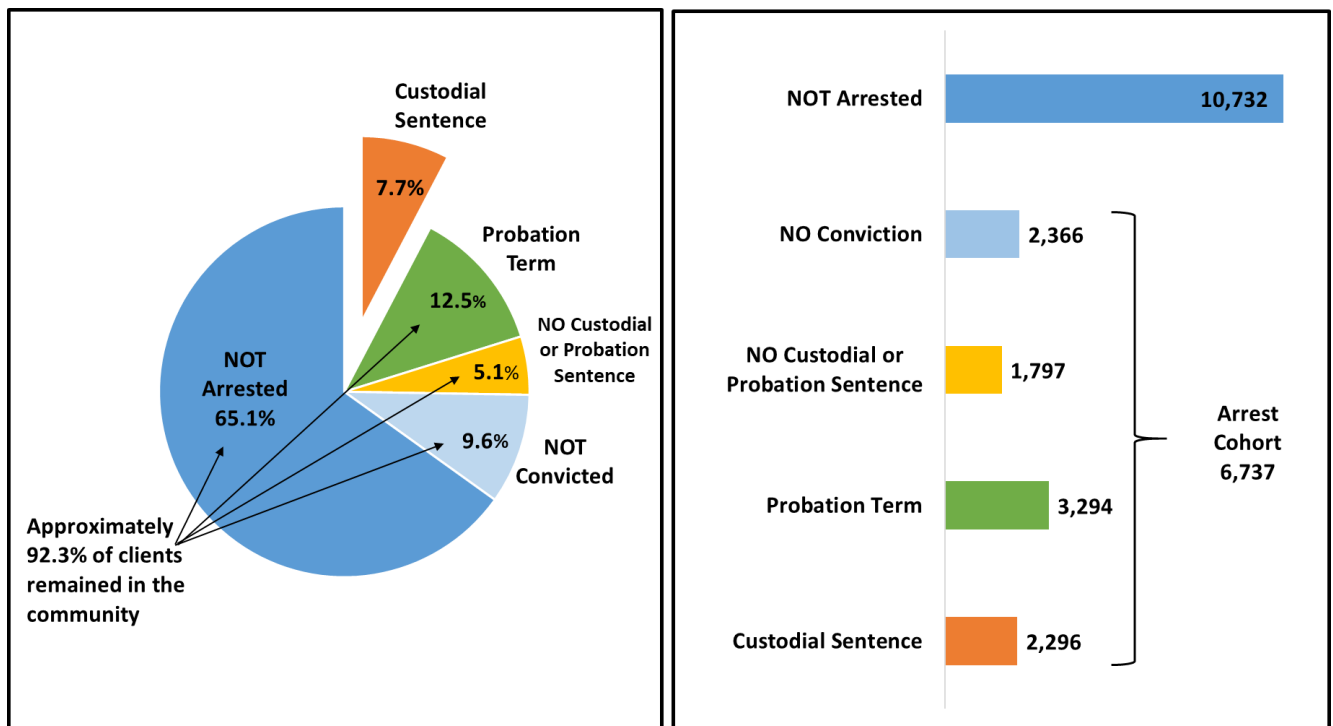
VII. ONGOING INITIATIVES: TREATMENT

Treatment, through probation, is a therapeutic program administered by mental health and medical professionals in areas involving mental health, drugs and alcohol, domestic violence, and sexually abusive behavior. A client may be referred for such treatment in one of two ways. First, the court may order the client to complete treatment. Such an order constitutes a special condition of probation, with which the client is obligated to comply. Second, a client may be referred to treatment by a probation officer—after having been sentenced. In such a scenario, the court may not have imposed treatment on the client, but he or she may nevertheless be identified as a person in need of treatment by a probation officer. A standard condition of probation authorizes a probation officer to order an evaluation and course of treatment.[23]

The data presented in this section is limited due to challenges related to data collection and treatment resources throughout the state. With ongoing developments of new data collection protocols and technology we intend to ensure that improvements continue. In 2019 the Automated Trial Court Services Unit (ATCSU) initiated comprehensive enhancements to the Probation Services legacy system that will help provide more precise treatment data in future reports. In addition, Probation Services has started the implementation of policies to provide specific training, quality assurance measures, and distribution of various outlier reports. These outlier reports will assist managers, supervisors, and probation officers with identification of cases requiring additional entry of treatment codes. Probation Services has also developed a tracking system known as the Mental Health Case Tracking System (MH-CATS), which has been collecting detailed data about the Mental Health caseload for slightly over a year now. It was written in Office VBA, but is being transitioned, with the help of ITO, into the WebFOCUS environment. This transition will aid in detailed reports by tying the MH-CATS data directly to the CAPS database. At this time, there is not enough of a timespan of data to provide any enhanced recidivism information for the 2016 adult cohort.

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[23] At intake, standard conditions of probation are provided-to and signed-by the client. See N.J.S.A. 2C:45-1f and R. 3:21-7(a). Standard condition number seven reads: "You shall cooperate in any medical and/or psychological examinations, tests and/or counseling your probation officer recommends."

2016 ADULT COHORT BY TREATMENT TYPE

Figure 24 shows the types of treatment that clients in the 2016 adult cohort were recorded as receiving in the CAPS database, during the recidivism period. If a client in the 2016 cohort had any documented codes that indicated treatment during the recidivism period, the codes were collected from CAPS for analysis[24]. Clients were characterized as receiving drug/alcohol treatment, mental health treatment, both drug/alcohol and mental health treatment, or no drug/alcohol or mental health treatment. As shown in figure 24, most clients had no codes recorded for drug/alcohol or mental health treatment— this amounts to 58.3% or 11,259 clients[25]. A total of 8,047 clients were identified as participating in some form of treatment during the recidivism period. 29.9% of clients in the 2016 cohort received drug/alcohol treatment, followed by 6.3% of clients undergoing mental health treatment, and 5.5% of clients participating in both drug/alcohol and mental health treatment.

Figure 24. Clients in the 2016 Adult Cohort by Treatment Type (Total of 19,306 Clients)

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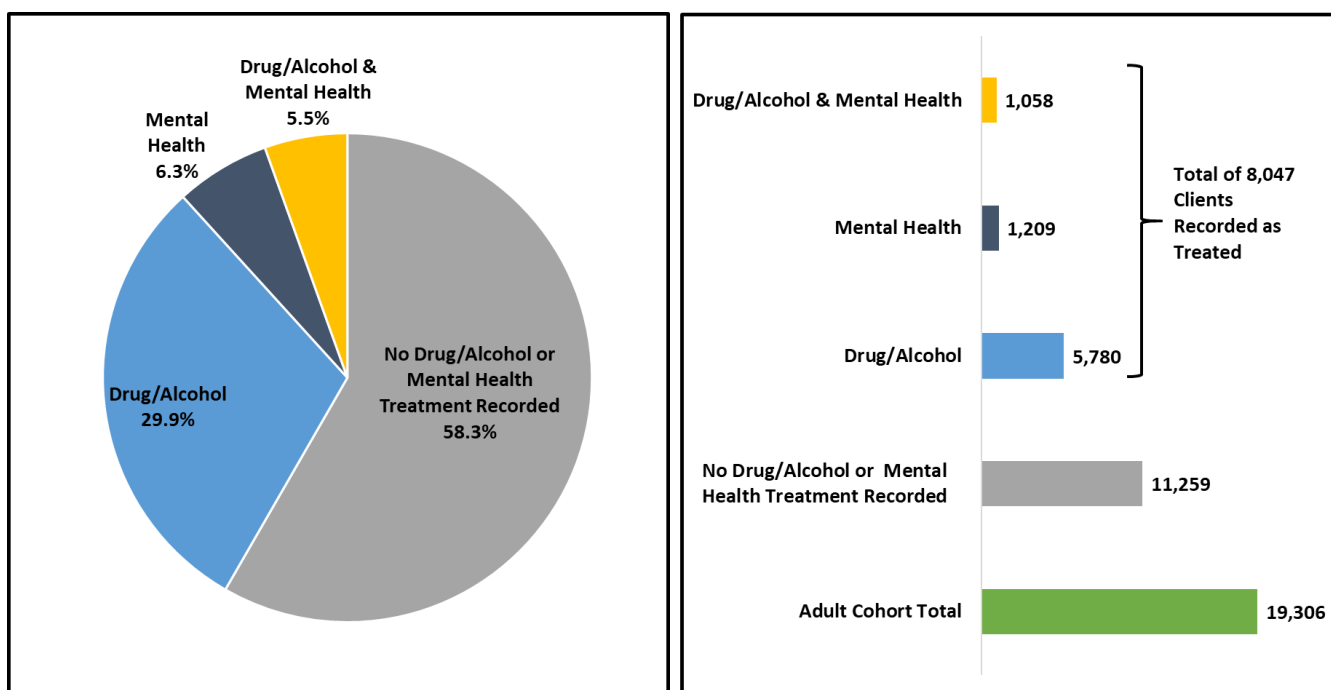
[24] A small percentage of the 2016 adult cohort had treatments that were specifically intended to address sex offenses. These were not included in the final analysis.

[25] It is possible that these clients did no require drug/alcohol or mental health treatment, or that their treatment was not recorded accurately in CAPS.

LIMITATIONS OF TREATMENT DATA FOR RECIDIVISM STUDY

The data related to treatment and recidivism is limited. Appendix L shows additional treatment data of clients in the 2016 adult cohort by treatment type and recidivism outcome broken down by sex and race/ethnicity. The available data for the 2016 cohort shows that most clients were not arrested during the recidivism period and recidivism rates for clients treated for drug/alcohol and/or mental health were similar to the overall recidivism rates of the cohort. However, further conclusions cannot be made as this data is not representative of actual treatment outcomes due to data limitations.

Treatment data is reliant on the entries made by probation officers into the legacy probation system. In addition to possible data entry errors, the system was designed to document many details about cases in free form text, making it necessary to read case notes narrative to determine additional information about treatment. This makes extracting meaningful data for statistical analysis problematic and time consuming. As enhancements are made to the probation legacy system and MH-CATS continues to collect detailed data, we aim to provide more in-depth and accurate data about treatment and outcomes in future reports.

In addition, the availability of treatment resources fluctuates throughout the State. That is to say, the State relies on services from third-party treatment providers, and the availability of these providers may fluctuate based on various factors—such as transportation, language barriers, and funding. These areas of treatment include mental health treatment, domestic violence treatment (batterer's intervention counseling), sex-specific treatment, and drug/alcohol treatment. As part of its ongoing efforts to produce positive outcomes for the population of clients in need of treatment options, Probation Services is currently developing policies and procedures to enhance relationships with community partners, which will increase communication to solve ongoing problems—such as reduction of wait-time for treatment. Regardless of whether the client was sentenced to treatment, or when the client tests positive for drugs and/or alcohol, the probation officer will refer the client to obtain a substance abuse evaluation. Most of these evaluations are conducted by licensed substance abuse evaluators who are employed by the Judiciary. The substance abuse evaluators first determine whether treatment is necessary, and if so, the level of treatment. They then connect the client to inpatient

or outpatient services. The substance abuse evaluators take on the crucial role of building relationships with community resources. They also address difficulties that may arise with linking clients to the appropriate services. Probation is continuing to implement new policies and procedures to improve access to other areas of community treatment and services.

VIII.   ENHANCE OUTCOME BASED SUPERVISION (EOBS)

Probation Services is continuing to develop the use of evidence-based supervision strategies, otherwise known as Enhanced Outcome Based Supervision (EOBS). The core of evidence-based supervision is to root practices and programming in research rather than anecdotal stories and innuendo. This change entails a strategic paradigm shift from focusing largely on punishment, enforcement, and monitoring, to using evidence-based practices aimed at promoting positive behavior change and desistance among probation clients[26]. The implementation of these strategies will be accomplished through statewide trainings in various EOBS tools, the implementation of the Ohio Risk Assessment System (ORAS) and Ohio Youth Assessment System (OYAS), quality assurance, and the enhancement of probation systems to support EOBS.

In 2018, Probation Services began training managers, officers, and staff in Core Correctional Practices (CCP). The training was developed by the University of Cincinnati and focuses on the core skills needed to support cognitive behavioral programming including; relationships skills, effective use of reinforcement, effective use of disapproval, effective use of authority, prosocial modeling, cognitive restructuring, social skills training and problem solving skills. As of the end of 2019 all managers, officers, and staff completed this training. It is our hope that equipping probation officers with these additional skills will improve the effectiveness of community supervision and overall desistance.

The Judiciary is also working with the University of Cincinnati to help implement the ORAS and OYAS— an actuarial risk and needs assessment that identifies a client's criminogenic needs or static and dynamic factors that push a person toward anti-social or criminal behavior. The ORAS and OYAS will help officers to assess clients, target interventions, and inform case planning and treatment referrals based on each individual client's needs[27]. In 2020, Probation Services initiated preliminary trainings of both tools, and is working with the University of Cincinnati to

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[26] Harvard Kennedy School Executive Session on Community Corrections, *Towards an Approach to Community Corrections for the 21st Century: Consensus Document of the Executive Session on Community Corrections* (2017).
[27] Ohio Department of Rehabilitation and Corrections. Ohio Risk Assessment System. https://www.drc.ohio.gov/oras (last visited April 23, 2020).

update systems to facilitate the use of the instruments. The ORAS/OYAS trainings are a three-day course developed by the University of Cincinnati. The trainings focus on certifying participants on the scoring of the ORAS/OYAS, teaching participants effective interviewing skills and creating individualized case plans using results from the ORAS/OYAS. The implementation of these tools is an essential part of effectively implementing evidence-based supervision. Information acquired from the ORAS/OYAS will help to ensure that each client receives the appropriate risk classification and interventions needed to promote desistance.

Probation Services is also in the process of implementing a statewide quality assurance plan to ensure fidelity of the ORAS and OYAS instruments, as well as other evidence-based tools (CCP, Structured Response Grid and Motivational Interviewing). The Quality assurance plan will include staff in the vicinages working in conjunction with the central office to ensure that the ORAS and OYAS instruments are completed accurately by Probation Officers and consistently across the state. In addition to this, to ensure that Probation Services fosters objectivity and does not intensify racial inequalities, the quality assurance plan will also examine the extent to which the ORAS/OYAS and other EOBS tools may impact racial disparities.

The Probation Division's goal is to help reintegrate its clients into the community as responsible, law-abiding community members with the use of practices that are rooted in research. Probation is in the process of implementing these strategies statewide and developing plans to ensure fidelity throughout the state. It is our belief that these evidence-based practices will help Probation Services in its commitment to the welfare and safety of children, families, and communities, and promoting positive behavioral change in clients.

IX.   SUMMARY

Probation officers serve as a client's supporter and role model, committed to the client's rehabilitation, with the help of family, friends, and the community—all in an effort to achieve a normal and productive life. The Probation Division is dedicated to the advancement towards evidence-based supervision strategies, otherwise known as Enhanced Outcome Based Supervision (EOBS). This recidivism report is an essential part of measuring progress towards reaching these goals. Although the report highlights some challenges which Probation Services continues to address, the larger picture shows that probation is an effective sentencing alternative to incarceration. Overall, as this report details, Probation Services is working as intended to positively impact recidivism and promote desistance among clients.

By statute for purposes of this report, a person is classified as a recidivist if he or she has been arrested for a new crime within three years following his or her sentence to probation. However, arrest data in the absence of subsequent outcomes only presents one aspect of recidivism. Therefore, this report also examines conviction and sentencing data to provide a more holistic view of reoffending. In calendar year 2016, a total of 19,306 people were sentenced to adult probation. The report shows that the majority of these clients who were sentenced to probation in 2016 were not arrested and/or convicted of an offense during the recidivism period. In addition, the report shows that recidivism rates continued to improve in the 2016 adult cohort compared to the 2014 and 2015 adult cohorts.

Regarding recidivism by conviction, the conviction data was taken from adult clients who, after their initial probationary sentence, were arrested and convicted within the three-year recidivism period. The conviction data shows that 7 in 10 adult clients in the 2016 cohort were not convicted or arrested of any offenses during the recidivism period. While the recidivism rate, by arrest, was 34.9%, the percentage of clients who were convicted and arrested was only 25.3%. In other words, of all adult clients who were sentenced to probation in 2016, only 3 in 10 were subsequently convicted of an offense during the three-year recidivism period.

Regarding the clients who were arrested and/or convicted of an offense after their initial probation sentence, the report indicates an overall de-escalation in the severity of offenses with

which recidivists were charged. Figure 14 and 19 show the majority of the most serious arrest and conviction charges were drug-related followed by property-related. Figure 16 and 20 illustrate that arrest and conviction charges were more likely to be less than or equal to the original charge that resulted in initial probation sentences.

The report also examines other patterns including the time to first arrest/recidivism event, which can be useful in differentiating between clients who are arrested early from those who remain arrest free for longer periods of time. Figure 11 shows that the rate of first arrest is highest within the first six months of the recidivism period—then, gradually decreases over the remaining period of thirty-six months. Measuring the length of time to the recidivism event can also help policymakers determine an appropriate period of supervision for clients sentenced to probation. Figure 12 illustrates that recidivists in the 2016 cohort remained arrest free longer than those in the 2014 and 2015 cohorts which ultimately resulted in a lower recidivism rate. The recidivism rate went from 47.6% in the 2014 cohort, to 37.3% in the 2015 cohort, and dropping to 34.9% in the 2016 cohort.

The sentencing section of the report indicates that most clients sentenced to probation in 2016 received positive outcomes during the recidivism period. The majority of clients were not arrested or not convicted of an offense during the recidivism period. Figure 21 shows that of the clients who were convicted, most were sentenced to probation or received no probation or custodial sentence. Combined with the number of clients who were not arrested or convicted, this means that about 9 in 10 clients remained in the community where they can still be productive citizens. Figure 22 illustrates that custodial sentences made up a small amount of the overall outcomes for clients in both the 2016 cohort. Only about 1 in 10 clients sentenced to probation in 2016 were subsequently sentenced to incarceration.

Lastly, the report also highlights some challenges within probation as well as other limitations of data quality described in the treatment and methodology (*Appendix A*) sections. The primary challenges that the report confirms includes: a disproportionate representation of African Americans in the probation population, as well as the existence of disparities in recidivism rates among African American males, Identifying the needs of clients and securing appropriate resources to assist in preventing new arrests and employing rehabilitation strategies to help

reduce addiction and drug usage. However, Probation Services is committed to continuously identifying challenges, and progressively making improvements to better serve its clients and the larger community.

Though this report confirms some challenges and limitations, overall, this recidivism report provides evidence that New Jersey's Probation Division is providing a positive sentencing option that is effective at rehabilitating clients and an important factor in reducing recidivism.

Appendix A
METHODOLOGY

The data for this report includes persons sentenced to adult probation in the calendar year 2016 and summarizes the characteristics of those persons who recidivated within three years from their sentence. The cohort only include persons sentenced to adult probation from municipal, superior, domestic violence and drug court, and excludes other cases supervised by Probation Services, such as persons sentenced to conditional discharge, community service, pretrial intervention, or collections only.

The data was gathered from the Judiciary's legacy systems which includes the Probation Division's Comprehensive Automated Probation System (CAPS), the Automated Complaint System (ACS), PROMIS/Gavel System (P/G), and Family Automated Case Tracking System (FACTS). Historically, the legacy systems were not programmed or developed to communicate with one another, resulting in data inconsistencies and retrieval issues. For example, documentation of criminal offense degree entered by a police officer into ACS could be modified by the prosecutor, in P/G. ITO also had difficulties retrieving accurate arrest and sentencing data through the data warehouse and identifying clients for the cohort.   Algorithms were created by ITO and probation services to identify clients based on date of birth, State Bureau Identification Number (SBI), and other specific individual identifiers.   In addition, we utilized the MADE files that were developed for criminal justice reform to identify clients who had been arrested.   Retrieval of the data revealed inconsistencies between the systems as to how the details of arrests are recorded. This made the comparison of offense data between the various systems less thorough than it could otherwise have been

The analysis was then narrowed to adult clients who incurred a new arrest(s) within three years following their probation sentence(2016 arrest cohort). The first arrest during the three-year period determined whether or not a given person was said to have recidivated. The arrest/recidivism rate presented shows the percentage of clients from the adult cohort who were arrested for a new offense within the recidivism period. However, many clients had more than one arrest. As a result, the report also captures the number of persons who were arrested once and those who were arrested two or more times. In the analysis of arrest crime-types and

severity, the report considers all arrests that occurred during the recidivism period and identifies and analyzes only the most serious/severe offense for each client. In other words, if an individual was arrested twice during the recidivism period, the most serious crime is used for crime-type and severity analysis and may not necessarily be the first arrest.

The conviction and sentencing outcomes were the results of those arrests that occurred during the recidivism period. In other words, if any arrest during the recidivism period led to a conviction or sentence during the three-year window, the client was included in the conviction and sentencing data.

The conviction data presented includes clients from each cohort who were convicted of any arrest during the three-year recidivism period. Like the arrest data, the report considers all conviction charges but only analyzes the most serious/severe conviction charge of each person in the crime-type and severity analysis. In other words, if an individual was convicted of multiple charges, the most serious charge was used for analysis.

The sentencing rates presented were separated into three categories describing the different outcomes for persons who were convicted of any arrest during the recidivism period. The incarceration rate presented is the percentage of convicted clients from each cohort who were sentenced to a custodial term for any arrest that occurred during the recidivism period. The probation sentencing rate is the percentage of convicted clients from each cohort who were sentenced to a probation term or a split term (custody and probation) for any arrest that occurred during the recidivism period. The rate of neither probation nor incarceration was the percentage of convicted clients from each cohort who did not receive a sentence of probation or incarceration within the three-year recidivism period.

Data extraction methods used were not able to capture the specific reasons for non-convictions or neither probation nor incarceration sentence outcomes. Therefore, some clients may still have cases pending a resolution as of the end of the recidivism time window. In future reports we will attempt to distinguish persons who have resolved cases from those which are still undecided.

Appendix B
Sub-categories of Offenses—Most Severe to Least Severe

1. VIOLENT

    Homicide

    Assault

    Disarming Officer

    Terrorism

    Sexual Offenses

2. PERSON

    Child Labor

    Children and Family

    Kidnapping and Related

    Prostitution

    Reckless Endangering

    Robbery

    Threats

    Stalking

    Sex Offender Registration

3. PROPERTY

    Burglary and Intrusion

    Fraud

    Fraud and Forgery

    Property

    Theft

    Racketeering

    Casino Related

    Gambling Offense

4. WEAPONS

    Firearm Related

    Weapons

5. DRUGS

    Drug Related

    DWI

Maritime

Medical

Motor Vehicle

White Collar

6. CONTEMPT

Permit and Code

Contempt

School

Perjury and Falsification

Sentence

Nonsupport

State Park Code

Transportation

7. OTHER

Fishing

Agriculture

Alcohol Related

Animal Related

Contract

Arts

Accomplice

Biased

Inchoate

Code Related

Fines and Restitution

Explosives

Obstructing

Hazardous Waste

Health Related

8. Municipal

License Related

Ordinances

Appendix C
Non-Recidivists and Recidivists Totals and Rates by Sex and Race/Ethnicity

Race/Ethnicity	Sex	Non-Recidivists	Recidivists	Cohort Total	Recidivism Rate	Percent Not Arrested	Total
Caucasian	Female	1,572	647	2,219	29.2%	70.8%	100.0%
	Male	4,557	2,327	6,884	33.8%	66.2%	100.0%
	Unknown	0	0	0	0.0%	0.0%	0.0%
	Total: Caucasian	6,129	2,974	9,103	32.7%	67.3%	100.0%
African American	Female	883	333	1,216	27.4%	72.6%	100.0%
	Male	3,679	2,613	6,292	41.5%	58.5%	100.0%
	Unknown	0	0	0	0.0%	0.0%	0.0%
	Total: African American	4,562	2,946	7,508	39.2%	60.8%	100.0%
Hispanic	Female	183	46	229	20.1%	79.9%	100.0%
	Male	1,174	585	1,759	33.3%	66.7%	100.0%
	Unknown	0	0	0	0.0%	0.0%	0.0%
	Total: Hispanic	1,357	631	1,988	31.7%	68.3%	100.0%
Other	Female	83	16	99	16.2%	83.8%	100.0%
	Male	437	170	607	28.0%	72.0%	100.0%
	Unknown	1	0	1	0.0%	100.0%	100.0%
	Total: Other	521	186	707	26.3%	73.7%	100.0%
Sex	Total: Female	2,721	1,042	3,763	27.7%	72.3%	100.0%
	Total: Male	9,847	5,695	15,542	36.6%	63.4%	100.0%
	Total: Unknown	1	0	1	0.0%	100.0%	100.0%
TOTAL		12,569	6,737	19,306	34.9%	65.1%	100.0%

Appendix D
First Arrest/Recidivism Event Broken Down into Six Month Intervals
by Sex and Race/Ethnicity

Race/Ethnicity	Sex	0-6 Months	6-12 Months	12-18 Months	18-24 Months	24-30 Months	30-36 Months	Total
Caucasian	Female	256	170	92	74	42	13	647
	Female %	39.6%	26.3%	14.2%	11.4%	6.5%	2.0%	100.0%
	Male	976	514	337	259	178	63	2,327
	Male %	41.9%	22.1%	14.5%	11.1%	7.6%	2.7%	100.0%
	Total: Caucasian	1,232	684	429	333	220	76	2,974
	Caucasian %	41.4%	23.0%	14.4%	11.2%	7.4%	2.6%	100.0%
African American	Female	118	66	56	54	30	9	333
	Female %	35.4%	19.8%	16.8%	16.2%	9.0%	2.7%	100.0%
	Male	1,046	647	417	288	176	39	2,613
	Male %	40.0%	24.8%	16.0%	11.0%	6.7%	1.5%	100.0%
	Total: African American	1,164	713	473	342	206	48	2,946
	African American %	39.5%	24.2%	16.1%	11.6%	7.0%	1.6%	100.0%
Hispanic	Female	18	8	5	9	3	3	46
	Female %	39.1%	17.4%	10.9%	19.6%	6.5%	6.5%	100.0%
	Male	216	141	105	67	46	10	585
	Male %	36.9%	24.1%	17.9%	11.5%	7.9%	1.7%	100.0%
	Total: Hispanic	234	149	110	76	49	13	631
	Hispanic %	37.3%	23.8%	17.5%	12.1%	7.8%	2.1%	100.6%
Other	Female	9	3	3	1	0	0	16
	Female %	56.3%	18.8%	18.8%	6.3%	0.0%	0.0%	100.0%
	Male	77	39	28	15	10	1	170
	Male %	45.3%	22.9%	16.5%	8.8%	5.9%	0.6%	100.0%
	Total: Other	86	42	31	16	10	1	186
	Other %	46.2%	22.6%	16.7%	8.6%	5.4%	0.5%	100.0%
TOTAL		2,716	1,588	1,043	767	485	138	6,737
%		40.3%	23.6%	15.5%	11.4%	7.2%	2.0%	100.0%

Appendix E
Arrest Distribution Per Client by Sex and Race/Ethnicity

Race/Ethnicity	Sex	No Arrest	1 Arrest	2 or More	Total
Caucasian	Female	1,572	346	301	2,219
	Male	4,557	1,178	1,149	6,884
	Unknown	0	0	0	0
	Total: Caucasian	6,129	1,524	1,450	9,103
African American	Female	883	187	146	1,216
	Male	3,679	1,178	1,435	6,292
	Unknown	0	0	0	0
	Total: African American	4,562	1,365	1,581	7,508
Hispanic	Female	183	24	22	229
	Male	1,174	301	284	1,759
	Unknown	0	0	0	0
	Total: Hispanic	1,357	325	306	1,988
Other	Female	83	6	10	99
	Male	437	95	75	607
	Unknown	1	0	0	1
	Total: Other	521	101	85	707
TOTAL		**12,569**	**3,315**	**3,422**	**19,306**

Legend: ■ No Arrest ■ 1 Arrest ■ 2 or More Arrests

Males
- Hispanic: 66.8% | 17.1% | 16.2%
- African American: 58.5% | 18.7% | 22.8%
- Caucasian: 66.2% | 17.1% | 16.7%
- Other: 72.0% | 15.7% | 12.4%

Females
- Hispanic: 79.9% | 10.5% | 9.6%
- African American: 72.6% | 15.4% | 12.0%
- Caucasian: 70.8% | 15.6% | 13.6%
- Other: 83.8% | 6.1% | 10.1%

45
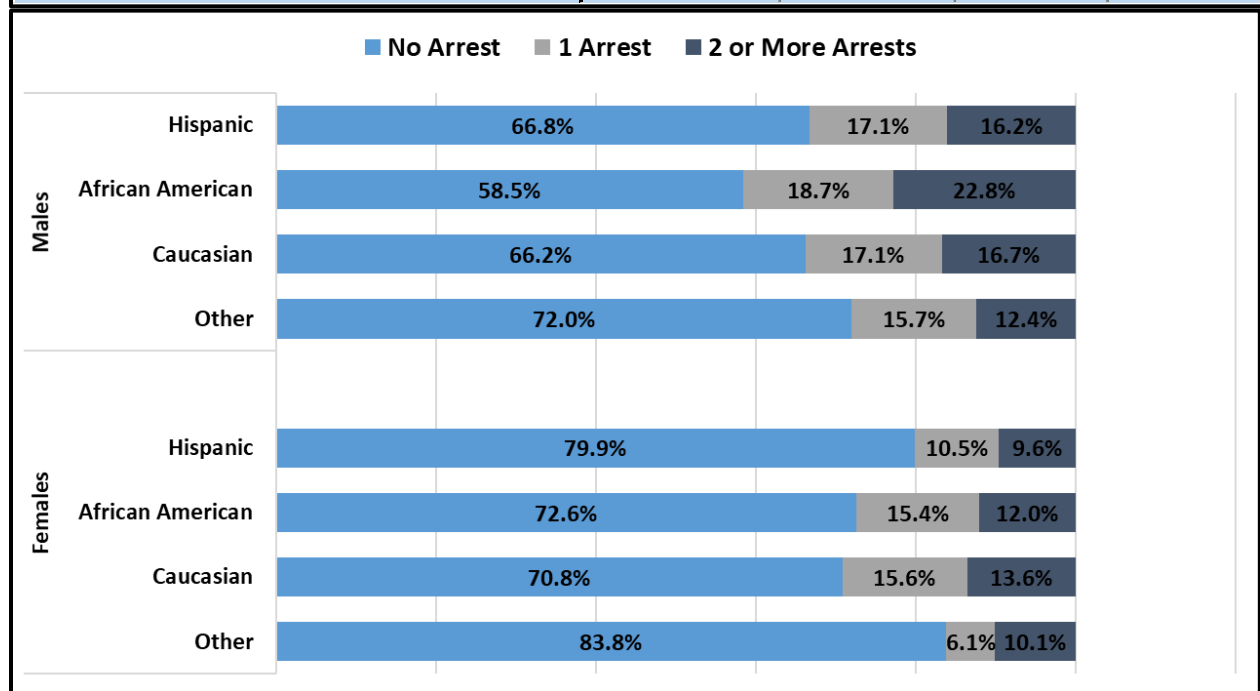
Appendix F
Arrest Per Client by Most Serious Recidivism Crime-Type
Broken Down by Sex and Race/Ethnicity

FEMALES: Most Serious Recidivism Crime-Type								
Race/Ethnicity	Contempt	Drug	Municipal	Other	Person	Property	Violent	Weapons	Total
Other	0	8	0	0	0	7	1	0	16
	0.0%	50.0%	0.0%	0.0%	0.0%	43.8%	6.3%	0.0%	100.0%
Caucasian	21	333	11	24	35	171	45	7	647
	3.2%	51.5%	1.7%	3.7%	5.4%	26.4%	7.0%	1.1%	100.0%
African American	11	89	4	20	32	123	39	15	333
	3.3%	26.7%	1.2%	6.0%	9.6%	36.9%	11.7%	4.5%	100.0%
Hispanic	4	16	0	1	4	15	5	1	44
	9.1%	36.4%	0.0%	2.3%	9.1%	34.1%	11.4%	2.3%	104.5%
TOTAL	36	446	15	45	71	316	90	23	1042
	3.5%	42.8%	1.4%	4.3%	6.8%	30.3%	8.6%	2.2%	100.0%

MALES: Most Serious Recidivism Crime-Type								
Race/Ethnicity	Contempt	Drug	Municipal	Other	Person	Property	Violent	Weapons	Total
Other	16	43	2	12	17	40	32	8	170
	9.4%	25.3%	1.2%	7.1%	10.0%	23.5%	18.8%	4.7%	100.0%
Caucasian	131	953	39	136	156	590	247	75	2327
	5.6%	41.0%	1.7%	5.8%	6.7%	25.4%	10.6%	3.2%	100.0%
African American	76	921	19	170	271	537	415	204	2613
	2.9%	35.2%	0.7%	6.5%	10.4%	20.6%	15.9%	7.8%	100.0%
Hispanic	44	197	5	37	45	124	102	31	585
	7.5%	33.7%	0.9%	6.3%	7.7%	21.2%	17.4%	5.3%	100.0%
TOTAL	267	2114	65	355	489	1291	796	318	5695
	4.7%	37.1%	1.1%	6.2%	8.6%	22.7%	14.0%	5.6%	100.0%

Appendix G
Severity of Most Serious Original Charge Compared to Most Serious Arrest Charge, by Sex and Race/Ethnicity

Race/Ethnicity	Sex	Less Severe	Same Severity	More Severe	Total
Caucasian	Female	128	270	249	647
	Male	489	900	938	2,327
	Unknown	0	0	0	0
	Total: Caucasian	617	1,170	1,187	2,974
African American	Female	82	113	138	333
	Male	467	910	1,236	2,613
	Unknown	0	0	0	0
	Total: African American	549	1,023	1,374	2,946
Hispanic	Female	10	22	14	46
	Male	121	191	273	585
	Unknown	0	0	0	0
	Total: Hispanic	131	213	287	631
Other	Female	0	12	4	16
	Male	34	59	77	170
	Unknown	0	0	0	0
	Total: Other	34	71	81	186
Sex	**Total: Female**	220	417	405	1,042
	Total: Male	1,111	2,060	2,524	5,695
	Total: Unknown	0	0	0	0
TOTAL		**1,331**	**2,477**	**2,929**	**6,737**

Appendix H
Conviction Totals and Rates by Sex and Race/Ethnicity

Race/Ethnicity	Sex	Arrested but Not Convicted	Convicted	Arrest Cohort Total	Adult Cohort Total	Percent of Clients in Arrest Cohort Convicted	Percent of Clients in Adult Cohort Convicted
Caucasian	Female	200	447	647	2,219	69.1%	20.1%
	Male	655	1,672	2,327	6,884	71.9%	24.3%
	Unknown	0	0	0	0	0.0%	0.0%
	Total: Caucasian	855	2,119	2,974	9,103	71.3%	23.3%
African American	Female	111	222	333	1,216	66.7%	18.3%
	Male	670	1,943	2,613	6,292	74.4%	30.9%
	Unknown	0	0	0	0	0.0%	0.0%
	Total: African American	781	2,165	2,946	7,508	73.5%	28.8%
Hispanic	Female	17	29	46	229	63.0%	12.7%
	Male	150	435	585	1,759	74.4%	24.7%
	Unknown	0	0	0	0	0.0%	0.0%
	Total: Hispanic	167	464	631	1,988	73.5%	23.3%
Other	Female	6	10	16	99	62.5%	10.1%
	Male	50	120	170	607	70.6%	19.8%
	Unknown	0	0	0	1	0.0%	0.0%
	Total: Other	56	130	186	707	69.9%	18.4%
Sex	**Total: Female**	334	708	1,042	3,763	67.9%	18.8%
	Total: Male	1,525	4,170	5,695	15,542	73.2%	26.8%
	Total: Unknown	0	0	0	1	0.0%	0.0%
TOTAL		**1,859**	**4,878**	**6,737**	**19,306**	**72.4%**	**25.3%**

Appendix I
Conviction Per Client by Most Serious Conviction Crime-Type
Broken Down by Sex and Race/Ethnicity

FEMALES: Most Serious Conviction Crime-Type									
Race/Ethnicity	Contempt	Drug	Municipal	Unknown	Other	Person	Property	Violent	Weapons	Total
Other	1	1	0	4	1	0	3	0	0	10
	10.0%	10.0%	0.0%	40.0%	10.0%	0.0%	30.0%	0.0%	0.0%	100%
Caucasian	14	185	8	122	13	5	84	15	1	447
	3.1%	41.4%	1.8%	27.3%	2.9%	1.1%	18.8%	3.4%	0.2%	100%
African American	14	44	4	60	15	7	57	16	5	222
	6.3%	19.8%	1.8%	27.0%	6.8%	3.2%	25.7%	7.2%	2.3%	100%
Hispanic	1	8	0	9	3	0	6	2	0	29
	3.4%	27.6%	0.0%	31.0%	10.3%	0.0%	20.7%	6.9%	0.0%	100%
TOTAL	30	238	12	195	32	12	150	33	6	708
	4.2%	33.6%	1.7%	27.5%	4.5%	1.7%	21.2%	4.7%	0.8%	100%

MALES: Most Serious Conviction Crime-Type									
Race/Ethnicity	Contempt	Drug	Municipal	Unknown	Other	Person	Property	Violent	Weapons	Total
Other	11	21	1	28	8	2	31	14	4	120
	9.2%	17.5%	0.8%	23.3%	6.7%	1.7%	25.8%	11.7%	3.3%	100%
Caucasian	81	516	42	358	66	81	386	104	38	1672
	4.8%	30.9%	2.5%	21.4%	3.9%	4.8%	23.1%	6.2%	2.3%	100%
Black	66	588	12	343	118	130	365	176	145	1943
	3.4%	30.3%	0.6%	17.7%	6.1%	6.7%	18.8%	9.1%	7.5%	100%
Hispanic	27	120	8	76	29	26	88	39	22	435
	6.2%	27.6%	1.8%	17.5%	6.7%	6.0%	20.2%	9.0%	5.1%	100%
TOTAL	185	1245	63	805	220	239	870	333	209	4170
	4.4%	29.9%	1.5%	19.3%	5.3%	5.7%	20.9%	8.0%	5.0%	100%

Appendix J

Severity of Most Serious Original Charge Compared to Most Serious Conviction Charge, by Sex and Race/Ethnicity

Race/Ethnicity	Sex	Less Severe	Same Severity	More Severe	Total
Caucasian	Female	209	139	99	447
	Male	675	557	440	1,672
	Unknown	0	0	0	0
	Total: Caucasian	884	696	539	2,119
African American	Female	107	63	52	222
	Male	739	618	586	1,943
	Unknown	0	0	0	0
	Total: African American	846	681	638	2,165
Hispanic	Female	17	7	5	29
	Male	172	146	117	435
	Unknown	0	0	0	0
	Total: Hispanic	189	153	122	464
Other	Female	6	3	1	10
	Male	52	34	34	120
	Unknown	0	0	0	0
	Total: Other	58	37	35	130
Sex	**Total: Female**	339	212	157	708
	Total: Male	1,638	1,355	1,177	4,170
	Total: Unknown	0	0	0	0
TOTAL		1,977	1,567	1,334	4,878

Appendix K
Overall Client Outcomes by Sex and Race/Ethnicity

Race/Ethnicity	Sex	Not Arrested	Arrested but Not Convicted	No Custodial or Probation Sentence	Probation Term	Custodial Sentence	Adult Cohort Total
Caucasian	Female	1,572	200	127	238	82	2,219
	Male	4,557	655	394	902	376	6,884
	Unknown	0	0	0	0	0	0
	Total: Caucasian	6,129	855	521	1,140	458	9,103
African American	Female	883	111	30	127	65	1,216
	Male	3,679	670	314	858	771	6,292
	Unknown	0	0	0	0	0	0
	Total: African American	4,562	781	344	985	836	7,508
Hispanic	Female	183	17	11	13	5	229
	Male	1,174	150	73	213	149	1,759
	Unknown	0	0	0	0	0	0
	Total: Hispanic	1,357	167	84	226	154	1,988
Other	Female	83	6	5	3	2	99
	Male	437	50	29	57	34	607
	Unknown	1	0	0	0	0	1
	Total: Other	521	56	34	60	36	707
Sex	Total: Female	2,721	334	173	381	154	3,763
	Total: Male	9,847	1,525	810	2,030	1,330	15,542
	Total: Unknown	1	0	0	0	0	1
TOTAL		12,569	1,859	983	2,411	1,484	19,306

Appendix L

Clients in the 2016 Adult Cohort by Treatment Type and Recidivism Outcome Broken Down by Sex and Race/Ethnicity

			No Drug/Alcohol or Mental Health Treatment Recorded	Drug/Alcohol & Mental Health	Drug/Alcohol	Mental Health	Total
Sex	**Arrested**	Female	522	109	368	43	1,042
		Male	3,273	287	1,812	323	5,695
		Unknown	0	0	0	0	0
	Not Arrested	Female	1,540	186	801	194	2,721
		Male	5,923	476	2,799	649	9,847
		Unknown	1	0	0	0	1
Race/ Ethnicity	**Arrested**	Caucasian	1,335	239	1,276	124	2,974
		African American	2,002	103	686	155	2,946
		Hispanic	350	41	178	62	631
		Other	108	13	40	25	186
	Not Arrested	Caucasian	3,157	410	2,166	396	6,129
		African American	3,068	187	1,011	296	4,562
		Hispanic	877	51	318	111	1,357
		Other	362	14	105	40	521
TOTALS	**Arrested**		3,795	396	2,180	366	6,737
	Not Arrested		7,464	662	3,600	843	12,569
	Total		11,259	1,058	5,780	1,209	19,306

ADMINISTRATIVE OFFICE OF THE COURTS

STUART RABNER
CHIEF JUSTICE

GLENN A. GRANT, J.A.D.
ACTING ADMINISTRATIVE DIRECTOR OF THE COURTS

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ASSISTANT DIRECTOR, OFFICE OF PROBATION SERVICES

JANUARY 2021