

State of New Jersey  
Department of Corrections  
State Parole Board  
Juvenile Justice Commission

RELEASE OUTCOME 2007:  
A THREE-YEAR FOLLOW-UP

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## **EXECUTIVE SUMMARY**

### **SAMPLE CHARACTERISTICS OF 2007 RELEASE COHORT**

- The adult cohort was comprised of 12,617 offenders, 8,003 supervised offenders (63.4%) and 4,614 (36.6%) unsupervised offenders
- The juvenile cohort was comprised of 913 releases
- The adult cohort was comprised of 21.4% Caucasian, 60.6% African American, 17.9% Hispanic and .043% Asian
- The juvenile population was predominantly male, and youth of color, with an average age at release of 17.8 years. A disproportionate share lived in the State's most populated urban municipalities, and the population tended to have extensive delinquent backgrounds, averaging 6.7 current and prior adjudications of delinquency.
- The median time served for the adult cohort was 17 months, with a range up to 378 months
- The majority of adult offenders served time for a drug offense (42.9%), followed by a violent offense (27.7%)

### **TOTAL ADULT COHORT RECIDIVISM CHARACTERISTICS**

- 56.7% of the cohort was rearrested
- 44.5% of the cohort was reconvicted
- 37.0% of the cohort was reincarcerated
- The average time to rearrest was less than one year (307 days)
- Offenders were rearrested at higher rates for the same types of crimes for which they originally served time; specifically, drug offenders recommitted drug offenses at the highest rate while weapons offenses were the least repeated offenses
- These recidivism rates are consistent with federal findings of national averages. Moreover, the recent release of the PEW study (Pew Center on the States, *State of Recidivism: The Revolving Door of America's Prisons*, April 2011) indicates that New Jersey is one of a handful of States that has exhibited a double digit decline of 11.4% in return to prison rates between 1999 and 2004. These more recent findings use the same counting measure of readmission to the NJDOC for a new crime or a technical violation and confirm that New Jersey continues to see a decrease in correctional readmission<sup>1</sup>.

### **ADULT RELEASE COHORT RECIDIVISM DIFFERENCES**

- Unsupervised offenders had statistically higher rates of rearrest and reconviction; however, supervised offenders had statistically higher rates of reincarceration and returned via a technical violation or a new crime
- Of those 2,611 supervised offenders who had a technical parole violation (32.6% of supervised sample), they had a median failure time of 210 days; 75% failed within 12 months
- Approximately half (1,999) of the supervised offenders who were rearrested (4,156) did so within 12 months of their release
- Approximately 44% of the unsupervised offenders who were rearrested did so within the first six months; by the 12 month mark, 68% of those who were rearrested had done so
- Unsupervised offenders were rearrested at a statistically shorter time frame than supervised offenders (215 days vs 384 days)

**FACTORS ASSOCIATED WITH ADULT OFFENDER RECIDIVISM**

- Statistically, prior correctional history was the largest contributor to rearrest -- one prior incarceration doubled the odds of a rearrest, while two quadrupled the odds of a rearrest
- Younger offenders were more likely to be rearrested; every additional year of age reduced an offender's odds of rearrest
- Offenders who were rearrested served shorter sentences (21.6 months), while non-recidivists served 27.6 months
- Drug, weapon and property offenders had equal rearrest rates and were rearrested more than violent offenders
- Race was a significant contributor to rearrest; minority offenders had a 41% increased likelihood of rearrest
- Released males were more likely to be rearrested than females, 58% compared to 46%, respectively

**JUVENILE COHORT RECIDIVISM CHARACTERISTICS**

- 85.0% of the cohort had a new court filing/arrest
- 75.1% of the cohort had a new court filing/arrest that resulted in a new adjudication/conviction
- 38.9% of the cohort had a new court filing/arrest that resulted in a new commitment to a facility
- The average time for a new court filing/arrest was 256 days
- The average time for a new adjudication/conviction was 273 days
- The average time for a new commitment to a State facility was 303 days

**FACTORS ASSOCIATED WITH JUVENILE RECIDIVISM**

- Younger were more likely to recidivate (17.7 years of age vs. 18.1 years of age)
- Males were more likely to recidivate (86.1% recidivating vs. 65.3% of females)
- Youth of color were more likely to recidivate (Asian 100%, all of three releases, African American 87.1%, Hispanic 80.6% and Caucasian 77.1%)
- Residents of the most densely populated cities rather than less populated municipalities had higher recidivism rates (91.0% vs. 80.1%)
- Juveniles with a greater number of total (current and prior) adjudications of delinquency (6.9 vs. 5.1) had higher recidivism rates
- Juveniles who committed CDS offenses compared with other types of offenses returned at a higher rate (91.3% recidivated vs. 87.2% for property, 86.4% for weapons, 84.9% for public order, 83.5% for Violations of Probation, and 79.4% for persons offenses)
- Juveniles who committed 3<sup>rd</sup> degree offenses compared with other degree offense categories returned more frequently
- Reading at a lower grade level equivalent based on a MAP Reading Test (5.0 grade level vs. 5.8) was correlated with higher rates of recidivism

## INTRODUCTION

Recidivism is defined as repetition of criminal behavior patterns. Law enforcement agencies and, indeed, the public at large are most interested in the performance of the criminal justice system from a taxpayer perspective. Moreover, the law enforcement community is particularly invested in preventing future victimization at the hands of those offenders it is tasked with supervising.

Approximately 13,675 adult inmates and 1,000 juvenile offenders are released annually from correctional facilities in New Jersey. This report measures re-arrest, re-conviction and re-incarceration among adults and juveniles released in 2007 from the New Jersey Department of Corrections and the New Jersey Juvenile Justice Commission. These groups will be identified throughout the report as supervised (paroled), unsupervised and juvenile cohorts.

This report – the first of its kind – will meet a legislative mandate instituted by P.L. 2009, c.329, (C.30: 4-91.15). The legislation directs the aforementioned agencies to compose a series of reports that record and examine recidivism rates. With guidance from Governor Christie's Office, a plan for interagency collaboration was developed.

Following the precedent and methodology set by the U.S. Department of Justice, Bureau of Justice Statistics (Langan, P.A., & Levin, D.J. (2002) Report NCJ 193427) and the recent PEW study (Pew Center on the States, *State of Recidivism: The Revolving Door of America's Prisons*, April 2011), a three-year follow-up was undertaken. This time frame allowed for the examination of recidivism patterns and variations among supervision levels and types of offenders, while also contributing to an improved understanding of the factors that impact recidivism.

This report will provide a review of New Jersey's Real Time Recidivism Data Mart, in which various agencies participate and will provide data. This Data Mart will house a wealth of information on offender descriptives and characteristics associated with various levels of offending. The Data Mart will enable New Jersey to produce real-time reports and counts on offender information, which will dramatically increase the State's ability to monitor programmatic demographics, efficiencies and statistical data. The Data Mart is currently under development.

The first sections of the report provide an introduction and the various agencies' mission statements. Additionally, it provides an extensive review of the methodology and definitions used in this report, as they significantly vary among agencies and States.

The following sections address recidivism of the total sample, the supervised and unsupervised adults, the juvenile releases, and the characteristics associated with re-offending and any patterns that have developed.

The final sections focus on a description of the Data Mart and conclusions from the collaborating agencies.

**AGENCY MISSION STATEMENTS****New Jersey Department of Corrections**

The mission of the New Jersey Department of Corrections is to protect the public by operating safe, secure, and humane correctional facilities. The mission is realized through effective supervision, proper classification, appropriate treatment of offenders, and by providing services that promote successful reentry into society. According to the 2012 budget, the department is responsible for managing more than \$1 billion and employing approximately 8,500 persons, including more than 6,000 in custody positions to supervise approximately 25,000 inmates. The NJDOC is responsible for 13 institutions -- 11 adult male correctional facilities, one women's correctional institution and a central reception/intake unit. These facilities collectively house inmates in minimum, medium, and maximum security levels. In addition, the Department contracts with 20 community centers to provide for the transition of minimum security inmates back into the community. The department is committed to providing inmate students with structured learning experiences, both academic and social, which will enhance their return to the community as productive citizens. The NJDOC's goal is to provide the inmate students with the experiences and skills necessary to enter and remain current with the advanced technology influencing the current and future job market. Comprehensive academic education and career technical training, infused with technology based skills, are important elements to a successful transition into society and the workforce. The department offers an array of institutional and community-based program opportunities for offenders, including community labor assistance, academic and vocational educational programs, recreational programs, library (lending and law) services, and substance abuse treatment. Other specialized services include victim awareness, chaplaincy services, county assistance quality assurance, liaison to Intensive Supervision Program and ombudsman services, which is a medium utilized by offenders to seek redress for problems and complaints. Additionally, the NJDOC, acting in conjunction with the NJSPB, provide a continuum of treatment services for offenders as they complete their sentences. Public safety is enhanced through the development, coordination, administration and delivery of these institutional and community-based programs and services.

**New Jersey State Parole Board**

The New Jersey Parole Act of 1979 places with the New Jersey State Parole Board the authority and responsibility of deciding which inmates of the State's and of the counties' correctional institutions shall be granted release on parole and what the conditions of that release will be. Since 2001, the Board has been charged with the responsibility of overseeing all of the functions, powers and duties of the State's 364 parole officers who supervise and monitor parolees. The Parole Act of 1979 created presumptive parole, meaning that, when an inmate appears before a Board Panel, the assumption, before anything is said or reviewed, is that the inmate has a legitimate expectation of release on his or her parole eligibility date. It is therefore important that the Board make appropriate release decisions based on all relevant information. To assist Board members in this important task, the Board obtains a comprehensive pre-parole package that includes a current psychological evaluation of the inmate as well as a risk and needs assessment tool (the LSI-R) to determine what degree of supervision and what program placement may be appropriate if release is authorized. The statute provides, as to offenses committed on or after August 19, 1997, that an adult inmate shall be paroled unless he or she has failed to cooperate in his or her own rehabilitation or there is a reasonable expectation that the inmate will violate conditions of parole. This statutory standard implements an important

objective of parole---namely, to encourage an inmate to avoid institutional disciplinary infractions and to participate in institutional programs while incarcerated. Once an offender is granted parole release, the Board then has the continuing responsibility of ascertaining and monitoring compliance with the conditions of supervision that have been established by the Board. If the parolee does not comply with the conditions of supervision, the Board has the lawful authority to issue a warrant for the arrest of that parolee. Following an administrative hearing, a Board Panel may either "revoke" the grant of parole and return the parolee to prison, or modify the offender's parole conditions.

The mission of the Board is to improve the quality of life for the citizens of New Jersey. The Board seeks to accomplish this through the administration of an innovative parole system. The parole system in New Jersey addresses the needs of the community, victims and offenders through responsible decision-making and supervision processes. The implementation of this system results in effect parole case management and serves to attain the important goals of the Board, to increase public safety and decrease recidivism while promoting successful offender reintegration.

### **New Jersey Juvenile Justice Commission**

The mission of the Juvenile Justice Commission is to lead the reform of the juvenile justice system in New Jersey as mandated by N.J.S.A 52:17B-169 et seq. The agency employees demonstrate leadership, integrity, commitment and respect as we work to protect public safety, reduce delinquency and hold youthful offenders accountable for their delinquent actions by:

- Partnering with local and county jurisdictions in collaborative efforts to prevent youth from entering the juvenile justice system and intervene with court-involved youth;
- Providing youthful offenders with a continuum of rehabilitative services and sanctions in appropriate settings that promote positive growth and development opportunities; and
- Assisting youthful offenders to achieve successful reentry back to their communities through a network of support services and personal skill development that strengthens their levels of self-sufficiency

## METHODOLOGY

This report examines subsequent criminal activity of adult offenders released from the completion of a maximum sentence with the New Jersey Department of Corrections (n= 4,614) and released to a parole term with the State Parole Board (n=8,003) in 2007; this resulted in the review of criminal activity for a total sample of 12,617 adults. This study also examined the release of juveniles (n=913) from the Juvenile Justice Commission in 2007. The subjects were placed into one of the following three categories: the unsupervised cohort (NJDOC), the supervised cohort (SPB) and the juvenile cohort (JJC). It is important to note that the first valid release date was utilized for each adult offender in the cohort, which resulted in a count of offenders, not releases. This is consistent with previous federal studies and the more recent publication from the Pew Center on the States. However, the juvenile analysis included nine youth who were released twice during the 2007 cohort.

Accordingly, the first rearrest was then tracked on various characteristics in an effort to not inflate the statistics. The adults that are excluded from this study are out-of-state releases or offenders who recidivated outside New Jersey, split probation offenders, offenders without a State Bureau of Identification (SBI) number, and offenders who were deported or deceased. This accounted for 7.7% of the universe of releases. Juveniles who were excluded from this study included readmission for probationers, return from escapes, transfers, cases released from county jails/juvenile county detention centers and those released from Camden Prep or any other “stray” non-JJC-related settings. This accounted for 7.0% of the universe of releases.

In an effort to provide the highest degree of data available for review of recidivism, and beyond that supplied by federal studies, the State of New Jersey has provided data on all three levels of criminal activity as well as violations of supervision. Specifically, the adult release cohort was tracked and measured in the following ways:

1. Rearrest: Measured as the first rearrest on felony or misdemeanor charges within the three-year follow-up, regardless of disposition. This count would include a new arrest/crime for a parolee. This date is tracked for a review on time to failure.
2. Reconviction: Measured as the first reconviction from at least one charge within the three-year follow-up. This count is regardless of whether or not the offender went on to be reincarcerated.
3. Reincarceration: Measured as the first return to State prison for any charge within the three-year follow-up. Consistent with the recent Pew study, with the exception of reduced cases due to mismatch identities or missing information (see endnote 1).
4. Technical parole violation: Measured as any supervised offender who returns to State prison or county jail within the three-year follow-up for a technical offense (i.e., dirty urine, curfew infraction). A new crime that results in a rearrest for a supervised offender will be counted under the “rearrest” category.

Additional variables are included in an effort to determine whether an association with recidivism exists. These variables include offense dates, the type of rearrest offense, release age, sentence length, time served, index offense type, gender, race/ethnicity and prior criminal history.

Release data from the New Jersey Department of Corrections' Offender Based Correctional Informational System (OBCIS) was matched against the State Police Offender Based Transaction System/Computerized Criminal History (OBTS/CCH) database. OBTS/CCH is used in the generation of New Jersey's "RAP" sheets – Records of Arrest and Prosecution. The inmate SBI number was used to electronically retrieve arrest, conviction and incarceration information for criminal events both prior and subsequent to their 2007 release.

For the JJC analysis, the measures and definitions of recidivism were consistent with the work of the National Council of Juvenile Correctional Administrators (CJCA). Recidivism was defined as "a new offense that would be a crime if perpetrated by an adult, committed by a previously-adjudicated youth who has been released from a program or returned to the community."<sup>2</sup> The three primary measures of recidivism considered in the study address three distinct questions.

1. Do youth have a subsequent delinquency court filing or adult arrest for a new offense?
2. Do youth have a subsequent adjudication or conviction for a new offense?
3. Do youth experience a subsequent commitment to the JJC or to the New Jersey Department of Corrections for a new offense?

The three measures, therefore, are identified as:

1. New court filing/arrest: This is regardless of disposition and may not continue to an adjudication of delinquency or conviction as an adult
2. New adjudication/conviction
3. New commitment to the JJC or NJDOC

The date recorded for the recidivism event was the available date most closely representing when the juvenile was reported to have committed the new offense. The study used this offense date to determine whether a given recidivism event occurred within three, six, 12, 24, or 36 months.<sup>3</sup> The JJC's Information Technology Unit provided a database, based on its Juvenile Information Management System (JIMS), containing youths' names and relevant information to identify youth released from JJC custody during 2007.<sup>4</sup> For each of the releases initially identified, an additional search was conducted with the assistance of the Administrative Office of the Courts (AOC) and the Department of Law & Public Safety's (DL&PS) Division of Criminal Justice. The AOC (Family Division Statistics) provided recidivism-related data from its Family Automated Case Tracking System database, while the DLPS, Division of Criminal Justice provided recidivism-related data from the State Police Criminal Case History database.

Note that since the average age at release for youth in the study was 17.8 years, many youth turned 18 years of age during the follow-up period.<sup>5</sup> As a result, and as suggested by the three questions noted above, the study reviewed both juvenile and adult records for youth in the study in order to assess recidivism.

## RESULTS

### NJ Department of Corrections and NJ State Parole Board

During calendar year 2007, 13,675 inmates were released from the NJDOC and a sample of 12,617 was used for various operational and data related issues. The supervised offenders represented two-thirds of all offenders released in this cohort. As can be seen in Table 1, of the total sample, 92.5% of offenders were male and 7.5% were female. The racial characteristics of the released offenders (supervised and unsupervised) shows that more African American offenders (60.6%) were released, followed by Caucasian inmates (21.4%) and Hispanic offenders (17.9%). Almost forty-two percent of the sample did not have a prior correctional history, but the remaining 57.9% had a minimum of one additional State incarceration. When one looks closer, 47.2% of the supervised sample had no prior criminal history, while 33.2% of the unsupervised sample had no prior criminal history ( $p < .000$ ). The most prevalent serious offense that the sample committed was a drug offense (42.9%), followed by a violent felony (27.7%). The average release age of all offenders was 34.9, with the unsupervised sample being statistically older at 36.1 ( $p < .000$ ). The median time served for the 2007 release cohort was 17 months, while the unsupervised sample served statistically less time at 14 months ( $p < .000$ ).

**Table 1:** 2007 Release Cohort Characteristics

Variable	Supervised	Unsupervised	Total
<b>Gender*</b>			
Male	7,350	4,326	11,676 (92.5%)
Female	653	288	941 (7.5%)
<b>Race*</b>			
Caucasian	1,695	960	2,655 (21.4%)
African American	4,758	2881	7,639 (60.6%)
Hispanic	1,498	763	2,261 (17.9%)
Asian	47	8	55 (.043%)
<b>Prior History*</b>			
No Prior History	3,780	1,531	5,311 (42.1%)
1 Prior Incarceration	2,277	1,431	3,708 (29.4%)
2 Prior Incarcerations	1,946	1,652	3,598 (28.5%)
<b>Most Serious Offense*</b>			
Violent	2,316	1,151	3,467 (27.7%)
Weapon	370	251	621 (4.9%)
Property	626	469	1,095 (8.7%)
Drugs	3,506	1,861	5,367 (42.9%)
Other	1,148	797	1,945 (15.5%)
<b>Release Age*</b>	Mean= 34.1 (SD= 9.6)	Mean= 36.1 (SD= 9.5)	Mean= 34.9 (SD= 9.6)
<b>Time Served in Months*</b>	Median= 18 (SD= 28.3)	Median= 14 (SD= 31.6)	Median= 17 (SD= 29.6)

\* $p < .000$

As displayed in Table 2, 56.7% of the overall sample was rearrested, 44.5% was reconvicted and 37.0% returned to State incarceration either via a new charge or a technical violation. Of the 8,003 supervised releases, 4,156 (51.9%) were rearrested and 3,847 (48.1%) were not; and of the 4,614 unsupervised releases, 2,999 (65%) were rearrested and 1,615 (35%) were not. The supervised and unsupervised groups were statistically different on all three measures of rearrest, reconviction and reincarceration ( $p<.000$ ); however, the unsupervised cohort had higher rates on rearrest and reconviction, while the supervised group had the highest rate of reincarcerations. Forty percent of the supervised cohort was returned to State incarceration either via a technical violation (32.5%) or a new charge (8.04%).

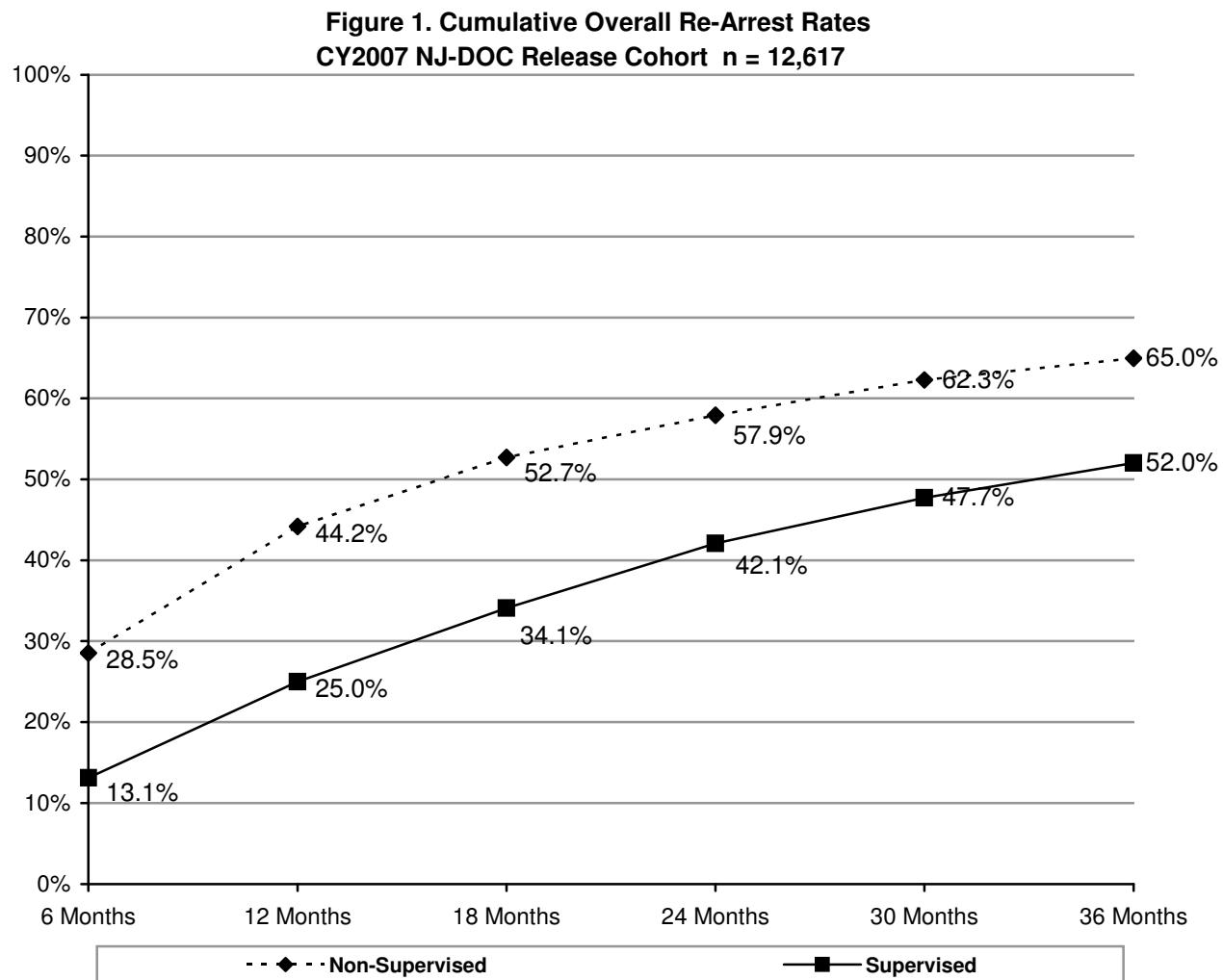
Examining the rearrested groups further reveals a higher and earlier incidence of re-arrest among unsupervised release cohort members. Almost half, 1999 (48.1%) of the “Supervised and Re-arrested” group were rearrested within 12 months of their release. In comparison, for almost as many 1,315 (43.8%) of the “Unsupervised and Re-Arrested” group, the arrest occurred within the first six months, and by 12 months of release the cumulative total re-arrested is 2,040 (68.0%).

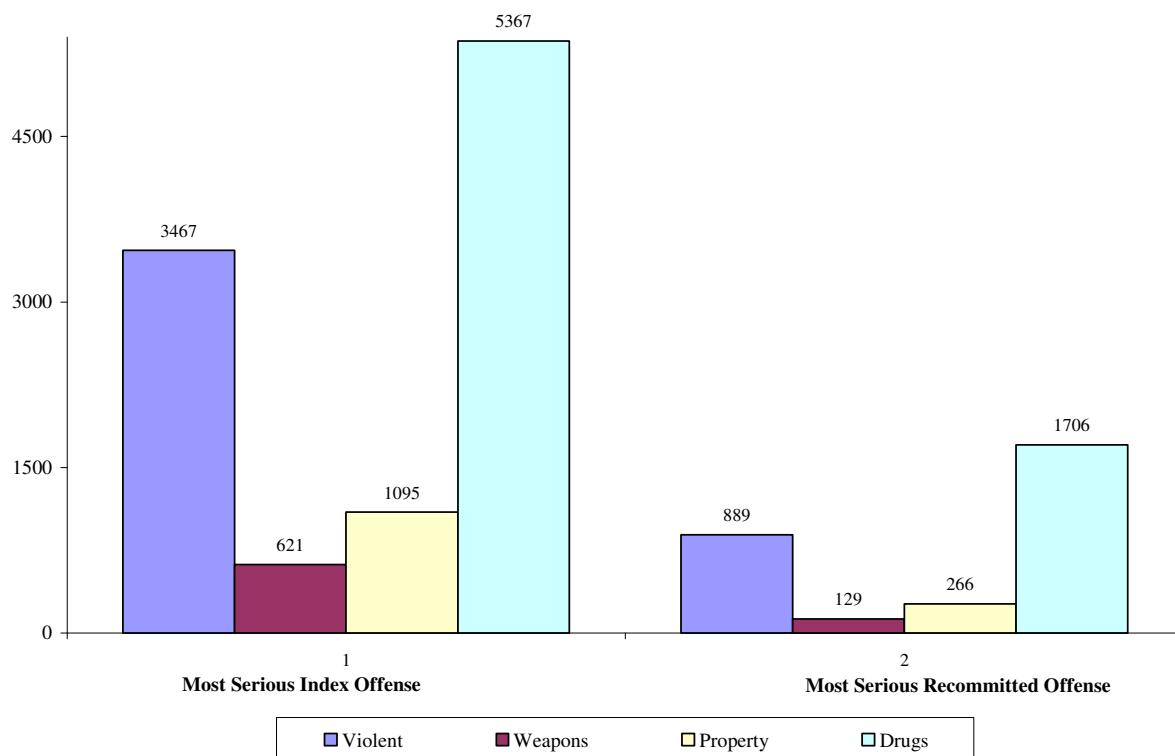
**Table 2: 2007 Release Cohort Recidivism Characteristics**

Variable	Supervised	Unsupervised	Total
<b>Rearrest*</b>			
Yes	4,156	2,999	7,155 (56.7%)
No	3,847	1,615	5,462 (43.3%)
<b>Reconviction*</b>			
Yes	3,129	2,489	5,618 (44.5%)
No	4,874	2,125	6,999 (55.5%)
<b>Reincarceration*</b>			
Yes	3,250	1,373	4,623 (37.0%)
No	4,753	3,241	7,994 (63.0%)
<b>Time to Rearrest*</b>			
6 Months	1,051	1,315	2,366 (33.1%)
7-12 Months	948	725	1,673 (23.4%)
13-18 Months	734	390	1,124 (15.7%)
19-24 Months	635	243	878 (12.3%)
25-30 Months	448	200	648 (9.1%)
31-36 Months	342	126	468 (6.5%)
<b>Time to Rearrest (days)*</b>	Median= 384 (SD=290)	Median= 215 (SD=267)	Median= 307 (SD=287)
<b>Time Parole Violation (days)</b>	Median 210 (SD=180); 75% rearrested with 12 months		

\* $p < .000$

As can be seen in Figure 1 below, overall 52% of inmates released to parole supervision were rearrested, and 65% of inmates released at their maximum custodial term were re-arrested at the 36 month mark. Time to arrest was examined at six month intervals. A substantial proportion of the recidivists were rearrested shortly after release, particularly the unsupervised sample.



**Figure 2. 2007 Release Offenders from NJ-DOC**

As graphically displayed in Figure 2, a breakdown of offense categories<sup>6</sup> was analyzed. Offenders with an instant drug conviction returned to prison at a rate of 32% for a new drug offense; this is the highest proportion of offenders who re-committed the same type of offense. Violent offenders returned 26% of the time for a new violent conviction, while property offenders were recommitted 24% of the time with a new property-related crime. Twenty-one percent of released weapons offenders recommitted another weapons offense. There was not a great deal of offense versatility, as the majority of offenders were rearrested for the same type of offense they committed originally.

### ***Factors Associated with Recidivism***

This outcome study examined differences between those who did and those who did not recidivate in terms of a limited number of factors (i.e., variables) available for examination. The analysis of bivariate relationships revealed that for this released population, six factors were associated with rearrest within three years. These factors included prior correctional history, age at release, length of time served, type of committing/admitting offense, race/ethnicity and gender.

**Prior Correctional History.** Prior correctional history was significantly related to the likelihood of rearrest. Almost 63% of offenders who had served one prior correctional term were rearrested, and almost 72% of offenders who served two were rearrested ( $\chi^2=852.5$ ,  $p<.000$ ). Multivariate statistics shed further light, indicating that if offenders had one prior correctional incarceration, it doubled the odds of a new arrest by a factor of two, while the odds quadrupled to a factor of four for offenders who had two prior correctional incarcerations.

*Age at release.* Younger offenders were more likely to have been rearrested than older offenders; the differences across age were statistically significant. Offenders who recidivated were younger than non-recidivists (33.60 years vs. 36.63,  $t=17.37$ ,  $p<.000$ ). Multivariate statistics indicated that age was inversely related to the odds of rearrest; for every one year increase in age, the offender's odds of a new arrest decreased by a factor of .95.

*Length of time served*<sup>7</sup>. Offenders were more likely to be rearrested for a new crime if they served shorter amounts of time. Offenders who were rearrested served on average 21.6 months in prison, while non-recidivists served 27.6 months ( $t=10.73$ ,  $p<.000$ ). Multivariate statistics indicated that the amount of time served was inversely related to the odds of rearrest; for every one month increase in time served, the offender's odds of a new arrest decreased by a factor of .99.

*Type of Committing Offense.* The type of instant offense the offender committed was significant in bivariate tests of independence and multivariate regression models predicting a new arrest. Specifically, offenders who committed weapons, property and drug offenses (60% across all three offenses) were rearrested proportionally more than offenders who committed a violent crime ( $\chi^2=178.5$ ,  $p<.000$ ). Offenders who committed weapons, property and drug offenses had an increased probability of a new arrest by 21%. This indicates that violent offenders were rearrested proportionally less than other types of offenders.

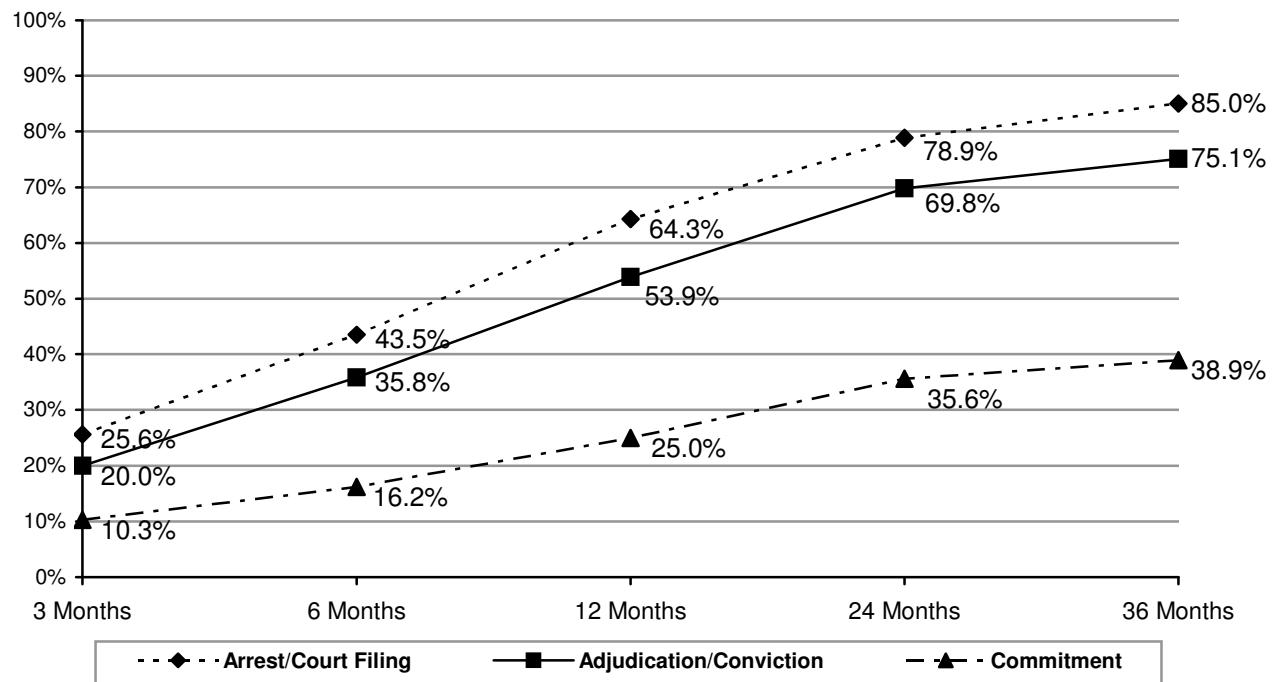
*Race/Ethnicity.* The variable of race/ethnicity was significant in bivariate tests of independence and multivariate regression models. Proportionally, African American offenders (63.2%) were rearrested more, compared to Caucasian (49.0%) and Hispanic (44.0%) offenders ( $\chi^2=366.0$ ,  $p<.000$ ). Multivariate statistics indicated that race/ethnicity was predictive of rearrest, particularly, compared to Caucasians, African Americans and Hispanics had 41% increased odds of a new arrest.

*Gender.* Released males were much more likely to have been rearrested than females (even considering their disproportional representation); the difference was statistically significant. The recidivism rate for males was higher for new arrest within three years of release (58.0% vs. 46.0%,  $\chi^2=45.5$ ,  $p<.000$ ). Utilizing multivariate statistics indicated that being male increased the probability of rearrest by 27%.

## Juvenile Justice Commission

The reporting of results begins with a focus on an examination of the overall recidivism rates for youth released from JJC custody in 2007. As shown in Figure 3, the rate of recidivism increased over time through the three-year period for each of the three measures, although there is a noticeable tapering off beyond 24 months. By one year following release, 64.3% of the 2007 releases resulted in a new court filing/arrest. In addition, more than half (53.9%) committed a new offense resulting in an adjudication/conviction, while 25.0% offended resulting in a new commitment to a State facility. At two years following release, recidivism rates had increased considerably: more than three-quarters (78.9%) had a new court filing/arrest, 69.8% a new adjudication/conviction, and 35.6% a new commitment to a State facility. By three full years after release, recidivism rates rose to more than eight in 10 (85.0%) for new court filings/arrests, 75.1% for new adjudications/convictions, and 38.9% for new commitments.

Figure 3. Overall Recidivism Rates for Youth Released from JJC Custody in 2007



The study also examined average time to recidivate (in days) for all youth re-offending within three years. Average time to recidivate was as follows:

- for those with a new court filing/arrest, 256 days;
- for those with a new adjudication/conviction, 273 days; and
- for those with a new commitment, 303 days.

In other words, it took (on average) more than eight months for youth with new court filings/arrests to re-offend and about nine months for those with new adjudications/convictions to re-offend. Further, those with a new commitment reoffended in approximately 10 months.

A closer look at recidivists in Table 3 revealed that a large share of recidivating youth re-offended within six months of release, with a disproportionate share doing so within one year. Specifically, with regard to youth with a new court filing/arrest, 51.2% recidivated within six months, and 75.6% within the first year. Close to half (47.7%) of youth with a new

adjudication/conviction re-offended within six months, and 71.7% did so within the first year. Finally, 41.7% of those who received a new commitment re-offended within six months, while 64.2% did so within the first year.

A substantial proportion of the recidivists did so shortly after release. Specifically, among the recidivists, 30.2% of those with a new court filing/arrest, 26.7% of those with a new adjudication/conviction, and 26.5% of those with a new commitment re-offended within *three months* of their release from JJC custody.

Table 3: Time to Failure Within 3, 6, 12, 24 and 36 Months Post-Release					
	3 Months	6 Months	12 Months	24 Months	36 Months
Court Filing/ Arrest	234 30.2%	397 51.2%	587 75.6%	720 92.8%	776 100.0%
Adjudication/ Conviction	183 26.7%	327 47.7%	492 71.7%	637 92.9%	686 100.0%
Commitment	94 26.5%	148 41.7%	228 64.2%	325 91.5%	355 100.0%

### ***Recidivism by Offender Status***

Committed and probationer youth were equally likely to receive a new court filing/get arrested within the three-year period (committed = 85.1%; probationers = 84.8%). Committed youth were slightly more likely to re-offend and be adjudicated/convicted (75.3% vs. 74.8%), and somewhat more likely to re-offend and receive a new commitment (40.7% vs. 34.4%). None of the differences were statistically significant.

With regard to the time it took to recidivate, committed youth took somewhat longer than probationers to re-offend for new court filings/arrests (260 days vs. 248 days), and for adjudications/convictions (281 days vs. 255 days). In contrast, probationers took somewhat longer to re-offend for new commitments (335 days vs. 292 days). None of the differences were statistically significant.

### ***Factors Associated with Recidivism***

This recidivism study examined differences between those who did and those who did not recidivate in terms of a limited number of factors (i.e., variables) available for examination. The analysis of bivariate relationships revealed that for this released population, seven factors were associated with recidivism within three years (on one or more of the three measures). These factors included gender, age at release, race/ethnicity, municipality of residence, number of total adjudications of delinquency, type of committing/admitting offense, and degree of committing/admitting offense.

**Gender.** Released males were much more likely to have recidivated than females; the difference was statistically significant for each of the three measures. The recidivism rate for males was substantially higher for new court filing/arrest within three years of release (86.1% vs. 65.3%, p=.000); for new adjudications/convictions (76.3% vs. 55.1%, p=.001); and for new commitments (40.5% vs. 10.2%, p=.000).

*Age at release.* Younger juveniles were more likely to have recidivated than older juveniles; the differences across age were statistically significant for each of the three measures. For new court filings/arrests, recidivists were younger than non-recidivists (17.7 years vs. 18.1, p=.001). Similarly, those with a new adjudication/conviction were significantly younger at the time of release than those without a new adjudication/conviction (17.7 vs. 18.0, p=.000). The same was true for new commitments (17.5 vs. 17.9, p=.000).

*Race/Ethnicity.* Released Asian youth were most likely to have had a new court filing/arrest (100.0%; all three releases), followed by African American youth (87.1%), Hispanic youth (80.6%), and Caucasian youth (77.1%). This difference in new court filings/arrests across race/ethnicity was statistically significant (p=.023). Asian youth (100.0%) were also most likely to have received a new adjudication/conviction, followed by African American youth (77.1%), Hispanic youth (70.3%), and then Caucasian youth (68.7%). Finally, the difference for new commitments across race/ethnicity was statistically significant (p=.000). A total of 42.9% of African American youth received a new commitment, followed by 34.3% of Hispanic youth, 33.3% of Asian youth, and 16.9% of Caucasian youth.

As part of the analysis, race/ethnicity was recoded into “minority” and “nonminority” categories (with Caucasian the sole race/ethnicity category coded as nonminority). Those categorized as minority (i.e., youth of color) were more likely to have recidivated for each of the three measures. The differences were statistically significant for new court filings/arrests (p=.035), and for new commitments (p=.000), where the greatest difference was evident. Specifically, released minority youth received a new commitment at a rate of 41.0%, as compared with 16.9% of nonminority youth.

*Municipality of Residence.* Releases were categorized as residing in one of the six most densely populated New Jersey cities (six Major Urban), or not. Those residing in the Major Urban areas were more likely than those in non-Major Urban areas to have recidivated based on new court filing/arrest (91.0% vs. 80.1%, p=.000); new adjudication/conviction (79.8% vs. 71.4%, p=.004); and new commitment (45.1% vs. 33.8%, p=.000).

*Number of Adjudications.* The average number of adjudications of delinquency at the time of commitment/admission to the JJC (both prior and current adjudications) for the released population was 6.7. The average was significantly greater for youth who experienced a new court filing/arrest within three years of release than for those who did not (6.9 vs. 5.1, p=.000). The same was true for new adjudications/convictions (7.0 vs. 5.5, p=.000), and for new commitments (7.4 vs. 6.2, p=.000).

*Type of Offense.* Youth committed/admitted to the JJC for CDS offenses were most likely to have had a new court filing/arrest within three years (91.3%), followed by those entering with property offenses (87.2%), weapons offenses (86.4%), public order offenses (84.9%), VOPs-violations of parole- (83.5%), and then persons offenses (79.4%). The difference in recidivism by offense type was statistically significant (p=.024). For new adjudications/convictions, the highest recidivism rate was for youth with CDS offenses (83.0%), followed by those with property offenses (79.5%), public order offenses (77.4%), weapons offenses (74.6%), VOPs (71.9%), and, finally, persons offenses (68.9%). The difference was also statistically significant (p=.013). Finally, for new commitments, youth with CDS offenses had the highest recidivism rate (52.9%), followed by those with property offenses (38.5%), public order offenses (37.7%),

weapons offenses (33.9%), VOPs (33.7%), and persons offenses (33.3%). The difference in new commitment rate was also statistically significant ( $p=.000$ ).

*Degree of Offense.* Youth committed/admitted to the JJC for 3<sup>rd</sup> degree offenses were most likely to have a new court filing/arrest within three years (90.0%), followed by those entering with DP/PDP offenses (89.3%), 4<sup>th</sup> degree offenses (86.5%), VOPs, which have no designated degree (83.5%), 2<sup>nd</sup> degree (77.4%), and, finally, 1<sup>st</sup> degree (74.3%). The difference in new court filing/arrest by degree of offense was statistically significant ( $p=.001$ ). For new adjudications/convictions, the highest recidivism rate was also for youth with 3<sup>rd</sup> degree offenses (80.8%), followed by DP/PDP offenses (80.4%), 4<sup>th</sup> degree offenses (79.7%), VOPs (71.9%), 2<sup>nd</sup> degree offenses (68.5%), and 1<sup>st</sup> degree offenses (61.4%). The difference was also statistically significant ( $p=.002$ ). Finally, for new commitments, youth with 3<sup>rd</sup> degree offenses had the highest recidivism rate (48.1%), followed by those with 4<sup>th</sup> degree offenses (37.8%), DP/PDP offenses (37.5%), VOPs (33.7%), 2<sup>nd</sup> degree offenses (30.6%), and 1<sup>st</sup> degree offenses (28.6%). The difference in new commitments was also statistically significant ( $p=.001$ ).

## MOVING FORWARD: JOINT AGENCY REAL TIME RECIDIVISM DATA MART

Prior to this report, The NJDOC, JJC and SPB all maintained separate data processing systems that record offender information, making it difficult — if not impossible — to compile data that spans the three systems. Information tended to be siloed within each agency. Gathering and comparing recidivism data from all three agencies provides the departments with key information that will be useful in determining success or failures in programming, thereby breaking the cycle of crime, punishment and re-offending that continues to be a significant public safety issue.

A solution was needed to integrate the data that crosses agency lines and provide reporting capabilities that will allow staff the flexibility of individual offender or ad-hoc reporting. As such, a data mart is being developed, whereby the data about the offenders release and recidivism rates will be linked to a cluster of variables, such as “Time”, “Location”, “Service”, Severity”, “Age”, “Ethnicity” and other classifications. Reporting from the Data Mart will be re-usable; therefore, each subsequent report need is met more quickly and less expensively. It is anticipated that the data mart will provide users with the ability to produce reports quickly and accurately regarding the time, location and characteristics (sentence type, ethnicity, etc.) of offenders being released. Similarly, the data mart will be used to measure recidivism rates by characteristics or by program participation and education level. This particular function could provide many long-term benefits for the State in terms of measuring the efficacy of the services and programs provided to offenders while incarcerated and in the community. Once the recidivism data base is developed, the State will have the ability to extract sophisticated case level data sets and generate reports within minutes and in real time that otherwise would take weeks or even months to compile.

The goal of the project is to implement a best-in-class process that will drive a more focused and efficient use of re-entry resources. The Data Mart will be the source of collective information that will provide the basis for the State of New Jersey to implement new policies that impact recidivism and will result in an improvement in public safety as well as significant cost savings. The NJDOC is the lead agency for the coordination of this project, which will be managed by the Department’s Office of Information Technology.

An interagency working group has also been established to provide advisory and technical assistance capability in the design and development of the tool. Comprised of representatives from the New Jersey Department of Corrections, State Parole Board, Juvenile Justice Commission, Rutgers University, New Jersey Office of Information Technology, Department of Law and Public Safety, the NJ State Police and Administrative Offices of the Courts, this Data Mart will streamline and ease the production of time-sensitive queries and forthcoming reports.

## CONCLUSION

For the 2007 outcome report, the New Jersey Department of Corrections (NJDOC), the New Jersey State Parole Board (NJSBP) and the Juvenile Justice Commission (JJC) examined the recidivism of a select cohort of offenders (juvenile and adult) who were released from the custody of each respective law enforcement agency in calendar year 2007. The NJDOC examined both supervised (NJSBP) and unsupervised releases. Under legislative mandate, P.L. 2009, c.329, (C.30:4-91.15), the agencies are required to report the recidivism rates for offenders released from the correctional facilities in New Jersey. The agencies examined three measures of recidivism: rearrest, reconviction and reincarceration. These three measures are defined somewhat differently according to the population being studied (juvenile or adult). The NJDOC defines recidivism in agreement with the Department of Justice, Bureau of Justice Statistics and the Pew Center on the States, while the JJC defines recidivism in accordance with the National Council of Juvenile Correctional Administrators (CJAC). All analyses presented the overall recidivism rates for offenders up to 36 months post release.

The rearrest rate for the adults (supervised and unsupervised) was 56.7% at the 36-month mark, while the juvenile sample had a rearrest rate of 85% after 36 months. Of the adult sample, approximately half (1,999) of the supervised offenders who were rearrested (4,156) did so within 12 months of their release, while 44% of the unsupervised offenders who were rearrested did so within the first six months. The results also indicate that juveniles began to re-offend in the early months after release from custody. Specifically, 25.6% of the juveniles were rearrested after three months.

As policymakers galvanize attention toward proven program approaches to reduce criminogenic behavior, the NJDOC, SPB and JJC will adhere to their mission statements and continue the efforts to keep both adult and juvenile offenders from returning to a life behind bars. Commitment to this goal ensures safer communities and provides a benchmark for future success.

## Notes

1. This outcome study uses the same counting measure of readmission to the NJDOC for a new crime or a technical violation as the recent PEW publication, with the exception that 1,037 cases had to be excluded due to missing information and/or mismatched identities. A review of these reincarcerations would bring the NJ reincarceration rate to 40%, a number closer to Pew's finding of 42% reincarceration. This indicates that New Jersey continues to see a decrease in correctional readmission. The mismatches in identity and missing information will be addressed moving forward.
2. CJCA White Paper, page 8.
3. This decision is most relevant for the measures "new adjudication/conviction" and "new commitment to JJC/DOC." For example, "new adjudication/conviction within one year" means that the offense leading to the new adjudication/conviction occurred within one year, even though the actual adjudication/conviction may have occurred sometime after that one-year mark. An end date (December 31, 2010) was utilized for the analysis after which recidivism was not considered for anyone in the study. By that date, all study youth had been released for at least three years. This was done to maximize consistency across annual recidivism analyses.
4. The requested list of 2007 releases excluded committed youth whose admission type was identified as technical parole violators or post incarceration violators; the initial list totaled 983 releases. Release types included maxed out, maxed to P.I., paroled and release completed. Releases identified as transfers to DOC were excluded. Subsequently, a decision was made to exclude a small number of additional youth with admission types of readmission (for probationers), return from escape and transfer (administrative/completed/secure). Also, releases from county jails and juvenile detention facilities were excluded. Therefore, the analysis is focused on youth admitted to JJC custody on the current adjudicated offense(s) as a new admission or as a recommitment from the court. In addition, a small number of youth who could not be identified in the judiciary's FACTS search were dropped from the analysis. Finally, a handful of cases were also excluded due to a lack of relevant valid data, resulting in the final total of 913 releases for which recidivism analysis was conducted.
5. JJC committed juveniles averaged 18.0 years of age at release from custody, while JJC probationers were somewhat younger, averaging 17.3 years. In addition, the average age at admission to JJC for the released population was 17.0 years; 17.1 for committed and 16.8 for probationer youth.
6. These definitions follow the NJ Criminal Codes Parts 1 through 5 (except Weapons and Drug Offenses- defined in Part 5 Crimes against Public Order, Health and Decency) and are extracted for the study purposes. Violent crimes involve Danger to a Person (which includes Criminal Homicide, Cloning, Assault, Reckless Endangering and Threats, Kidnapping, Sexual Offenses, Robbery, Arson and Bias Crimes). Property crimes include Offenses against Property (which includes Criminal Mischief & Other Property Destruction, Burglary & Criminal Intrusion, Theft, Forgery & Fraudulent Practices and Disturbance/Desecration of Human Remains). Weapons offenses are violations of restriction on the possession, use, sales or trafficking, manufacturing, import and export of deadly weapons (firearms and their ammunition, silencers, explosives and certain knives). Drug offenses are violations of restrictions on the possession, manufacture, or distribution of Controlled Dangerous Substances (drugs classified as having a potential for abuse). This also includes Anti-Drug Profiteering, Drug Dealer Liability, and Drug Paraphernalia crimes.
7. Length of Stay means the time an inmate served in custody from the Date of Sentence (or Probable Cause Hearing if the original admission was a Technical Parole Violation) until the date of release to the community either at maximum custodial term or to Parole supervision. This represents the time that the inmate was the responsibility of NJ-DOC regardless of his or her custodial location. Some inmates served additional time in jail custody prior to their conviction and sentencing. There were 9,472 cohort

members who were given credit at their sentencing for time served in jail. If this is calculated into the equation, the median amount of time served becomes approximately 650 days or 22 months.