

*State of New Jersey*

*Department of Corrections*

*State Parole Board*

*Juvenile Justice Commission*

**RELEASE OUTCOME 2011: A  
THREE-YEAR FOLLOW-UP**

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## **EXECUTIVE SUMMARY**

### **OVERALL ADULT FINDINGS**

- In 2011, the State of New Jersey maintained the same adult recidivism rates from 2010 for rearrest post-release (i.e., 53%). Notably, the reconviction rate decreased by 4.8% and the reincarceration rate decreased by 3.12% when compared to 2010 rates.
- Approximately 69% of adult inmates released in 2011 did not return to prison within the 3-year analysis of this report. These offenders have likely returned to their communities as productive citizens. The programs that the DOC offers to inmates are substantial in size and value, including academic and certification courses.

### **SAMPLE CHARACTERISTICS OF 2011 RELEASE COHORT**

- The adult cohort was composed of 10,835 released inmates: 6,563 supervised releases (60.6%) and 4,272 (39.4%) unsupervised offenders.
- The racial composition of the cohort consisted of black (57.0%), white (25.8%) and Hispanic (16.1%). Only 0.6% of inmates were of “other” race/ethnicity.
- Male releases made up 93.0% of the released cohort while female releases represented 7.0%.
- The mean time served for the adult cohort was 772 days.
- The most serious offense on record for adult inmates was commonly a drug offense (33.9%) followed by a violent offense (27.1%).
- Nearly 44% of the adult sample had no prior Department of Corrections (DOC) admission while 14.9% had one previous admission, 24% had 2-3 previous admissions, and the remaining 17.2% had 4+ previous NJDOC admissions.

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

- 52.7% of the cohort was rearrested, representing a similar rate to that of the 2010 cohort. The number of arrests for each released individual ranged from 0-23 rearrests throughout the 36-month follow-up period.
- 39.8% of the cohort was reconvicted, which represents a decrease of 4.8% from the 2010 release cohort. The number of reconvictions ranged from 0-12 throughout the 36-month follow-up period.
- Results showed a 3.12% decrease in reincarceration from 2010, resulting in only 31.3% of the cohort being reincarcerated again after release. The number of reincarcerations ranged from 0-8 throughout the 36-month follow-up period. This is consistent with the recent praise New Jersey has received from the Brennan Center for Justice at the New York University School of Law for its prison population reduction.
- For those inmates who were rearrested, the average time between release and rearrest was 396.2 days (sd= 295.2).
- For those parolees who received a technical parole violation in the follow-up period, the average time to parole violation was 367 days (sd= 258.5)

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

- Compared to supervised releases (46.0% rearrest, 31.5% reconviction), unsupervised releases (63.1% rearrest, 52.5% reconviction) had higher rates of rearrest and reconviction however, supervised offenders had a higher rate of reincarceration (35.8%) compared to unsupervised

offenders (24.4%). The results of comparative analyses between supervised and unsupervised offenders may be misinterpreted as supervised offenders are subject to greater scrutiny than unsupervised offenders, and thus may be returned to prison with greater frequency due to technical violations or other reasons that would not occur among an unsupervised population.

- A proportionally larger amount of the unsupervised group of released inmates were rearrested within the first year (63.2) compared to the supervised releases (46.6).
- Of the full sample who were rearrested during the 36-month follow-up period, approximately 54% were rearrested within the first 12-months post-release. This highlights the rapid rate at which recidivism occurs after release.

### **FACTORS ASSOCIATED WITH ADULT OFFENDER RECIDIVISM**

- The offender's release type (supervised vs. unsupervised) was a significant predictor of whether the offender was rearrested. Unsupervised releases were arrested more frequently, while supervised releases were reincarcerated more frequently.
- Prior arrest history was significantly related to the likelihood of a rearrest. For every additional prior arrest an offender had, the odds of rearrest were increased by a factor of 1.1. Offenders with one prior arrest were rearrested 35.3% of the time, if inmate had two prior arrests, they were arrested 44.9% of the time, those with three prior arrests were rearrested at 51.3% and inmates with four plus prior arrests were rearrested 62.4% of the time ( $\chi^2=942.6$ ,  $df= 4$ ,  $p\leq.001$ ).
- Prior correctional history was significantly related to the likelihood of rearrest. For every additional prior state incarceration, the odds of rearrest were increased by a factor of 1.2. Fifteen percent of the full sample of released offenders had a minimum of one prior state incarceration and an additional 40% had two or more prior state incarceration terms, totaling 56% of the sample of inmates. Highlighting the importance of this variable, the results indicate that 56.8% of those with one prior state prison term were rearrested, 60.5% of those with two prior terms, 65.8% of those with three prior terms and 74.9% of those with four or more prior incarcerations were rearrested ( $\chi^2=948.6$ ,  $df =4$ ,  $p\leq.001$ ).
- Younger offenders were more likely to be rearrested; every additional year of age reduced an offender's odds of rearrest by a factor of almost one (0.93).
- Offenders who committed crimes of property, weapon, drug and "other" on record had an increased probability of a new arrest when compared to violent offenders, while releases who committed property crimes had the highest odds of rearrest (1.6).
- Race/ethnicity was significantly predictive of rearrest; compared to white offenders, black offenders had 1.22 increased odds of rearrest, while Hispanic and "other" race offenders had decreased odds of rearrest when compared to whites.
- Released males were statistically more likely to be rearrested than females. Males had 1.4 times the odds of rearrest.

### **OVERALL JUVENILE FINDINGS**

- In 2011, the Juvenile Justice Commission maintained a nearly consistent recidivism rate for new adjudications/convictions as compared to 2010. The rate of new court filings decreased by approximately 2.1%, while the recidivism rate for new juvenile commitments decreased by 4.5%.

- Approximately 67.6% of juvenile offenders did not return to a juvenile or adult facility within the three year analysis of this report.

### **CHARACTERISTICS OF 2011 JUVENILE RELEASE COHORT**

- The juvenile cohort was comprised of 652 releases.
- The race of the juvenile cohort was comprised of 72.1% African American, 17.5% Hispanic, 10.3% Caucasian, and 0.2% Asian.
- Male juvenile offenders comprised 93.3% of the release cohort and the female cohort comprised 6.7%.
- The average time served for juvenile cohort was 299 days.
- The majority of the juvenile offenders served sentences for persons offenses (35.8%), followed by violations of probation (23.3%), property offenses (13.9%), and drug offenses (10.3%).

### **JUVENILE COHORT RECIDIVISM CHARACTERISTICS**

- 84.0% of the cohort had a new court filing/arrest, which represents a decrease of 2.1% from the 2010 release cohort.
- 71.9% of the cohort had a new court filing/arrest that resulted in a new adjudication/conviction, which remained nearly consistent with the 2010 cohort.
- Notably, there was a 4.5% decrease from 2010 in the amount of juveniles who had a new court filing or arrest that resulted in a new commitment to a State facility, totaling only 32.4% of the cohort.
- The average time to re-offend for a new court filings/arrest was 272 days.
- The average time to re-offend for a new adjudications/conviction was 282 days.
- The average time to re-offend for a new commitment to a State facility was 304 days.

### **FACTORS ASSOCIATED WITH JUVENILE RECIDIVISM (New Court Filing/Arrest)**

- Females were slightly more likely to recidivate (84.1% recidivating vs. 84.0% of males).
- Recidivating youth had accumulated a greater number of total adjudications of delinquency than non-recidivists (7.3 vs. 4.4). The greater number of adjudications related to the significance of recidivating.
- Recidivating youth were reading at a lower grade level equivalent based on a MAP Reading Test than non-recidivists (5.6 grade level vs. 7.1).
- Recidivating youth scored at a lower grade level equivalent based on a MAP Math Test than non-recidivists (5.7 grade level vs. 7.1).
- Recidivating youth had a lower composite score on the Kaufman Brief Intelligence Test (indicating level of functional intelligence) than non-recidivists (82.9% vs. 86.4%).
- Recidivating youth had a higher score on the JJC's Initial Classification & Custody Document than non-recidivists (13.0 vs. 12.5).
- Recidivating youth were found to have higher levels of substance abuse need than non-recidivists, based on the JJC's Comprehensive Information Assessment (CIA) (4.4 vs. 3.9).
- With regard to multiple needs, recidivating youth were found to have the higher number of staff assessed areas of need than non-recidivists, based on the JJC's CIA (3.8 vs. 2.7).
- Youth receiving special education and/or related services ("classified youth") were more likely to recidivate than other youth (88.3% vs. 80.5%).

- Youth of color (combining African American, Hispanic and “Other” youth of color) were more likely to recidivate than Caucasian youth (85.0% vs. 76.1%).
- Youth residing in the 15 most densely populated cities were more likely to recidivate compared with other youth (85.7% vs. 82.7%).
- Juveniles committed/admitted on property charges (as their most serious offense) were most likely to recidivate (92.3%), followed by 91.3% for drug, 90.6% for public order, 86.6% for Violation of Probation, 78.0% for weapons, and 77.1% for persons offenses.
- Juveniles committed/admitted on 4<sup>th</sup> degree offenses (as their most serious offense) were most likely to recidivate 94.3%, followed by 93.6% for 3<sup>rd</sup> degree offenses, 87.0% for disorderly persons or petty disorderly persons (DP/PDP), 86.6% for Violation of Probation, 75.9% for 2<sup>nd</sup> degree offenses, and 70.0% for 1<sup>st</sup> degree offenses.

## INTRODUCTION

This report is the result of a legislative mandate instituted by P.L. 2009, c.329, (C.30: 4-91.15). The law enforcement agencies of the New Jersey Department of Corrections (NJDOC), New Jersey State Parole Board and the New Jersey Juvenile Justice Commission are tasked by the legislature to compile a series of reports that record and examine annual recidivism rates. This report is the fifth in a series of reports that measures overall recidivism levels, describes adult and juvenile cohort characteristics, and analyzes recidivism factors.

The initial sections of the report provide an introduction and the various agencies’ mission statements. Moreover, it provides an extensive review of the methodology and definitions used in this report as they may significantly differ between agencies. The following sections address recidivism of the total sample, the supervised and unsupervised adults, the juvenile releases, and the characteristics associated with re-offending for the overall sample. Furthermore, the factors associated with recidivism are examined, as are any patterns that have developed. The final section focuses on the conclusions from the collaborating agencies.

Correctional agencies have invested numerous resources to assist offenders in transitioning back to the community. Many of the resources focus on educational programs, drug cessation, family re-unification and post release employment and educational prospects. In addition, criminologists and researchers in the criminal justice field have consistently examined the reasons why offenders who are released from a term of custodial punishment recidivate and return back to prison. Most of the research shows that prisoners are disproportionately younger, substance abuse users, which contributes to recidivistic behavior. Within the present cohort, the most serious offense on record for the sample was a drug offense.

When a former offender released from prison or a juvenile facility relapses back into criminal behavior, they are charged with a new crime which may result in a return to prison for a technical violation or a new criminal sentence. How lawmakers, criminal justice reformers and policy makers help to prevent these offenders from returning to prison can be a daunting task. Law enforcement agencies are commissioned with protecting the public and providing security within prisons. Offenders who return to prison, as well as those who are first time offenders who find themselves in prison, are encouraged and provided with many programs and educational

opportunities. The programs available are aimed at promoting reentry of offenders so they may return to the community as productive citizens.

For this report, the recidivism levels of all offenders released in 2011 are analyzed. They are divided into three groupings: unsupervised adult releases from the NJDOC; adult offenders supervised with the NJ State Parole Board; and juveniles released from the NJ Juvenile Justice Commission. For the juvenile analysis, recidivism is 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. For the adult analysis, recidivism is defined as any rearrest, reconviction, reincarceration or technical violation that occurs during the follow-up period.

In terms of New Jersey's incarcerated population, approximately 10,835 adult inmates and 652 juvenile offenders were released in 2011 from State correctional facilities. These groups will be identified throughout the report as supervised (e.g., under parole or Intensive Supervision Program [ISP] supervision), unsupervised, and juvenile cohorts.

## **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 2015 budget, the department is responsible for managing nearly \$1 billion and employing approximately 8,000 persons, including more than 5,800 in custody positions, to supervise approximately 22,000 offenders. The NJDOC is responsible for 13 institutions – eight adult male correctional facilities, three youth 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 various Residential Community Release Program centers to provide for the transition of minimum security inmates back into the community.

The Department is committed to providing offender 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 offender students with the experiences and skills necessary to enter the job market. Comprehensive academic education and career technical training 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 one of many options available to offenders to seek redress for problems and complaints. Additionally, the NJDOC, acting in conjunction with the New Jersey State Parole Board, provides 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 372 sworn 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 Board is committed to a mission of promoting public safety and fostering rehabilitation of offenders by implementing policies that result in effective parole case management. 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 effective 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 New Jersey Juvenile Justice Commission (JJC) is the state agency responsible for providing juvenile rehabilitation and parole services. Established in 1995 by statute, the JJC

serves to coordinate services, planning, and policies affecting delinquent youth throughout the State. From prevention to parole, the JJC is a partner in the entire juvenile justice system, redirecting the lives of young people.

As a partner with communities, the JJC works to identify and address specific issues that face at-risk youth. The JJC awards millions of dollars in state, federal, and private funding each year to communities allowing them to implement programs and services that help at-risk and court-involved youth grow into successful adults. Many youth receive the necessary interventions and rehabilitative assistance in their communities and never enter a JJC facility or program.

For those who require further contact with the juvenile justice system, a comprehensive classification process, which involves in-depth evaluations and assessments, determines each resident's placement in the JJC's continuum of secure-care facilities, residential community homes, transitional programs and day programs. These tools also direct the rehabilitative services each young person receives. Medical needs, education level, mental health diagnosis, substance abuse involvement, suicide risk level, and gang affiliation are also examined and used to guide services. Routine assessments measure progress and direct adjustments to each resident's placement and programming.

The JJC also oversees juvenile parole and reentry services striving to help youth stay on track after they return home. Each juvenile leaves the JJC with a structured reentry plan that includes a monitoring schedule, required services, and goals. JJC Parole Officers document each parolee's success with these plans and help each youth reconnect with their community through education, work, and mentoring.

The JJC has additional significant responsibilities which include: partnering with counties in implementing juvenile justice reforms designed to improve outcomes for young people and communities; coordinating through County Youth Services Commissions the planning and expansion of local services and interventions; establishing standards for county detention facilities and monitoring compliance; overseeing the implementation of education programs in county detention facilities; and, in partnership with the Governor's Juvenile Justice & Delinquency Prevention (JJDP) Committee, monitoring compliance with the core requirements of the federal JJDP Act.

## **METHODOLOGY**

This report examines subsequent criminal activity of adult offenders released from the completion of a maximum sentence with the NJDOC (n=4,272) and released to supervision by the State Parole Board or the Administrative Office of the Courts (AOC) Intensive Supervision Program (n=6,563) in 2011; this resulted in the review of criminal activity for a total sample of 10,835 adults. This study also examines the release of juveniles (n=652) from the Juvenile Justice Commission in 2011. The subjects were placed into one of the following three categories: the unsupervised cohort (NJDOC), the supervised cohort (SPB) and the juvenile cohort (JJC).

The adults who are excluded from this study are offenders who were arrested outside

New Jersey, offenders without a State Bureau of Identification (SBI) number, and offenders who were deceased.

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: Defined as a rearrest on felony charges within the three-year follow-up (i.e., 1095 days) regardless of outcome. This count includes technical violations for releases on supervision. The rearrest date is tracked for a review on time to failure.
2. Reconviction: Defined as a felony reconviction from at least one charge within the three-year follow-up. This count is collected regardless of whether or not the offender went on to be readmitted to the NJDOC.
3. Reincarceration: Defined as a DOC readmission for an outstanding felony indictment or a technical parole violation within the three-year follow-up period. This is consistent with the Pew's definition of recidivism (Pew Center on the States, 2011). *State of Recidivism: The Revolving Door of America's Prisons*. Washington, DC: The Pew Charitable Trusts.  
[http://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs\\_assets/2011/PewStateofRecidivismpdf.pdf](http://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs_assets/2011/PewStateofRecidivismpdf.pdf)
4. Technical parole violation: Defined as any supervised offender who returns to a DOC facility within the three-year follow-up for a technical violation of parole and revocation condition only (e.g., dirty urine, curfew infraction). An offender with a technical parole violation and an arrest for a new crime is classified under the "rearrest" category.

Crime categories were separated consistent with the federal government's crime types including weapons offenses, drug offenses, property offenses, violent offenses and "other" offenses. The category of "other" crimes includes offenses that do not fit into the 5 typologies, such as crimes against the courts (contempt), community supervision violations, and traffic offenses.

Additional variables are included in an effort to determine whether an association with recidivism exists. These variables include supervision level, release age, Level of Service Inventory-Revised (LSI-R) score, time served on sentence, original admission offense type, gender, race/ethnicity, the number of total programs completed, the number of halfway house placements and prior criminal history. Inmate State Bureau Identification (SBI) number was used to electronically retrieve arrest, conviction and incarceration information for criminal events both prior and subsequent to their 2011 release. This has allowed researchers to track the number of rearrests, reconvictions, and reincarcerations over the three-year follow-up.

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.” Measurement of recidivism refers to the type(s) of data used to identify an individual as a recidivist or non-recidivist. While there are various ways that recidivism can be measured, the present study focused on three measures. 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 (regardless of whether it results in 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 committed (or allegedly 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. 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 2011. 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 and PS) Division of Criminal Justice. The AOC (Family Division Statistics) provided recidivism-related data from its Family Automated Case Tracking System database, while the DL&PS, 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 17.6 years, many youth turned 18 years of age during the follow-up period. 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**

During calendar year 2011, 10,835 inmates were released from the NJDOC. Of the final sample, 6,563 offenders (60.5%) were released as supervised (e.g., under parole, probation, or Intensive Supervision Program supervision) and 4,272 inmates (39.4%) were released as unsupervised (i.e., max-outs). As can be seen in Table 1, of the total sample, 93.0% of inmates were male and 7.0% were female. The racial/ethnic characteristics of the full sample detail that the majority of released inmates were black (57.0%), followed by white (25.8%) and Hispanic (16.1%). An overwhelming majority of inmates self-reported their marital status as “single” (82.5%). More than 50% of inmates were high school graduates or had a General Education Development (GED) degree. The average number of arrests on record for inmates, non-inclusive

of the offense for which they were released in 2011, was 7.3 (sd= 7.2; median=5.0); the prior number of arrests on record ranged from 0 to 59. The average number of convictions on record for inmates, non-inclusive of the offense for which they were released in 2011, was slightly lower than arrests at 4.2 (sd= 4.5; median=3.0), and prior convictions ranged from 0 to 49.

Incarceration history was also explored. The average number of prior DOC admissions on record, again non-inclusive of the offense for which they were released in 2011, was 1.7 (sd= 2.1; median=1.0), and the prior number of DOC incarcerations ranged from 0 to 16. Additionally, nearly 44% of the total sample did not have a prior correctional history, but the remaining 56% had a minimum of one additional State incarceration. A closer examination reveals that approximately 58% of the supervised sample had no prior DOC incarceration, compared with 23% of the unsupervised sample; this difference represented a statistically significant difference ( $p \leq .001$ ). The most serious offense on record can be deemed the most serious offense for which the inmate was ever incarcerated in a DOC facility. In this cohort, a drug offense was the largest category of offense for which an inmate was incarcerated in a DOC facility, totaling 34%, followed by violent offenses (27%). The average age of release for inmates was 35 years of age (sd= 10.2; median=33.0), and unsupervised inmates tended to be slightly older than supervised inmates at release ( $p \leq .001$ ). The average amount of time served for the entire sample was 771.5 days; unsupervised inmates served significantly less time than supervised inmates ( $p \leq .01$ ). The majority of inmates had a Level of Service Inventory-Revised (LSI-R) score rating of "Medium" risk (i.e., 82.9%) and the average number of programs completed while incarcerated was nearly 2; supervised inmates were statistically more likely to complete programming while incarcerated than inmates who were unsupervised at release ( $p \leq .001$ ). Finally, the average number of halfway house placements was 1.0 (sd= 1.6); there was no statistically significant difference between the supervised and unsupervised samples on this measure.

**Table 1. 2011 Release Cohort Demographics**

<b>Variable</b>	<b>Supervised Counts (%)</b> n=6,563	<b>Unsupervised Counts (%)</b> n=4,272	<b>Total Counts (%)</b> N=10,835
<b>Gender***</b>			
Male	6,054 (92.2)	4,042 (94.2)	10,078 (93.0)
Female	509 (7.8)	248 (5.8)	757 (7.0)
<b>Race***</b>			
White	1,774 (27.2)	1,017 (23.9)	2,791 (25.8)
Black	2,578 (60.6)	3,600 (55.2)	6,178 (57.0)
Hispanic	643 (15.1)	1,102 (16.9)	1,745 (16.1)
Other	14 (0.3)	51 (0.8)	65 (0.6)
<b>Marital Status**</b>			
Single	4,792 (82.1)	3,164 (83.3)	7,956 (82.5)
Married	549 (9.4)	271 (7.1)	820 (8.5)
Divorced	275 (4.7)	204 (5.4)	479 (5.0)
Separated	191 (3.3)	129 (3.4)	320 (3.3)
Widowed	33 (0.6)	30 (0.8)	63 (0.7)
<b>Education Level***</b>			
Some schooling, not a HS graduate	1,884 (35.3)	1,407 (40.2)	3,291 (37.2)
HS graduate/GED	3,002 (56.3)	1,863 (53.2)	4,865 (55.1)
Some college, not a graduate	304 (5.7)	171 (4.9)	475 (5.4)
Associate's Degree	27 (0.5)	11 (0.3)	38 (0.4)
Bachelor's Degree	64 (1.2)	17 (0.5)	81 (0.9)
Post-graduate	10 (0.2)	4 (0.1)	14 (0.2)
Certificate	44 (0.8)	27 (0.8)	71 (0.8)
<b>Mean Prior Arrests***</b>	6.1 (sd=6.4)	9.05 (sd=7.8)	7.3 (sd=7.2)
<b>Mean Prior Convictions***</b>	3.5 (sd=4.0)	5.4 (sd=5.0)	4.2 (sd=4.5)
<b>Mean Prior DOC admissions***</b>	1.1 (sd=1.7)	2.6 (sd=2.3)	1.7 (sd=2.1)
<b>Prior DOC History</b>			
No prior admissions	3,800 (57.9)	960 (22.5)	4,760 (43.9)
1 prior admission	965 (14.7)	650 (15.2)	1,615 (14.9)
2 prior admissions	688 (10.5)	831 (19.5)	1,519 (14.0)
3 prior admissions	491 (7.5)	591 (13.8)	1,082 (10.0)
4+ prior admissions	619 (9.4)	1,240 (29.0)	1,859 (17.2)
<b>Most Serious Offense on Record***</b>			
Violent	1,977 (30.8)	954 (23.0)	2,931 (27.1)
Weapons	500 (7.8)	360 (8.7)	860 (7.9)
Property	1,139 (17.7)	927 (22.4)	2,066 (19.1)
Drugs	2,282 (35.5)	1389 (33.5)	3,671 (33.9)
Other	531 (8.3)	517 (12.5)	1,048 (9.6)

Variable	Supervised Counts (%) n=6,563	Unsupervised Counts (%) n=4,272	Total Counts (%) N=10,835
<b>Mean Release Age***</b>	33.7 (sd=10.2)	36.14 (sd=10.1)	34.7 (sd=10.2)
<b>Mean Time Served (days)**</b>	793.5 (sd=957.09)	737.7 (sd=971.2)	771.5 (sd=963.0)
<b>Intake LSI-R Rating***</b>			
Low	294 (13.4)	142 (8.7)	436 (11.4)
Medium	1,808 (82.3)	1,359 (83.7)	3,167 (82.9)
High	95 (4.3)	122 (7.5)	217 (5.7)
<b>Mean Total Programs Completed in Prison***</b>	2.0 (sd=3.6)	1.44 (sd=2.8)	1.75 (sd=3.5)
<b>Mean HWH Placements</b>	1.0 (sd=1.6)	1.0 (sd=1.7)	1.0 (sd=1.6)

Notes: \*\* $p < .01$ ; \*\*\* $p < .001$

Percentages may not sum to 100 due to missing information.

GED is the abbreviation of General Education Development test.

LSI-R is the abbreviation of Level of Service Inventory-Revised.

HWH is the abbreviation for halfway house.

As displayed in Table 2, 52.7% of the overall sample was rearrested, 39.8% was reconvicted and 31.3% was reincarcerated in a DOC facility. Of the 6,563 supervised releases, 3,017 (46.0%) were rearrested and 3,546 (54.0%) were not; of the 4,272 unsupervised releases, 2,697 (63.1%) were rearrested and 1,575 (36.9%) were not. This pattern is repeated for reconvictions, as approximately 53% of the unsupervised releases were reconvicted compared with 32% of the supervised offenders. Conversely, 36% of the supervised releases were returned to prison, while 24.4% of the unsupervised releases returned to prison. All of these differences meet statistical significance ( $p \leq .001$ ), in that more of the unsupervised offenders at release were rearrested and reconvicted and more supervised offenders at release returned to prison. It should be noted that these differences may be attributable to differences in supervision levels. The results of comparative analyses between supervised and unsupervised offenders may be misinterpreted because supervised offenders are subject to greater scrutiny than unsupervised offenders, and thus may be returned to prison with greater frequency due to technical violations or other reasons that would not occur among an unsupervised population.

**Table 2. 2011 Release Cohort Recidivism**

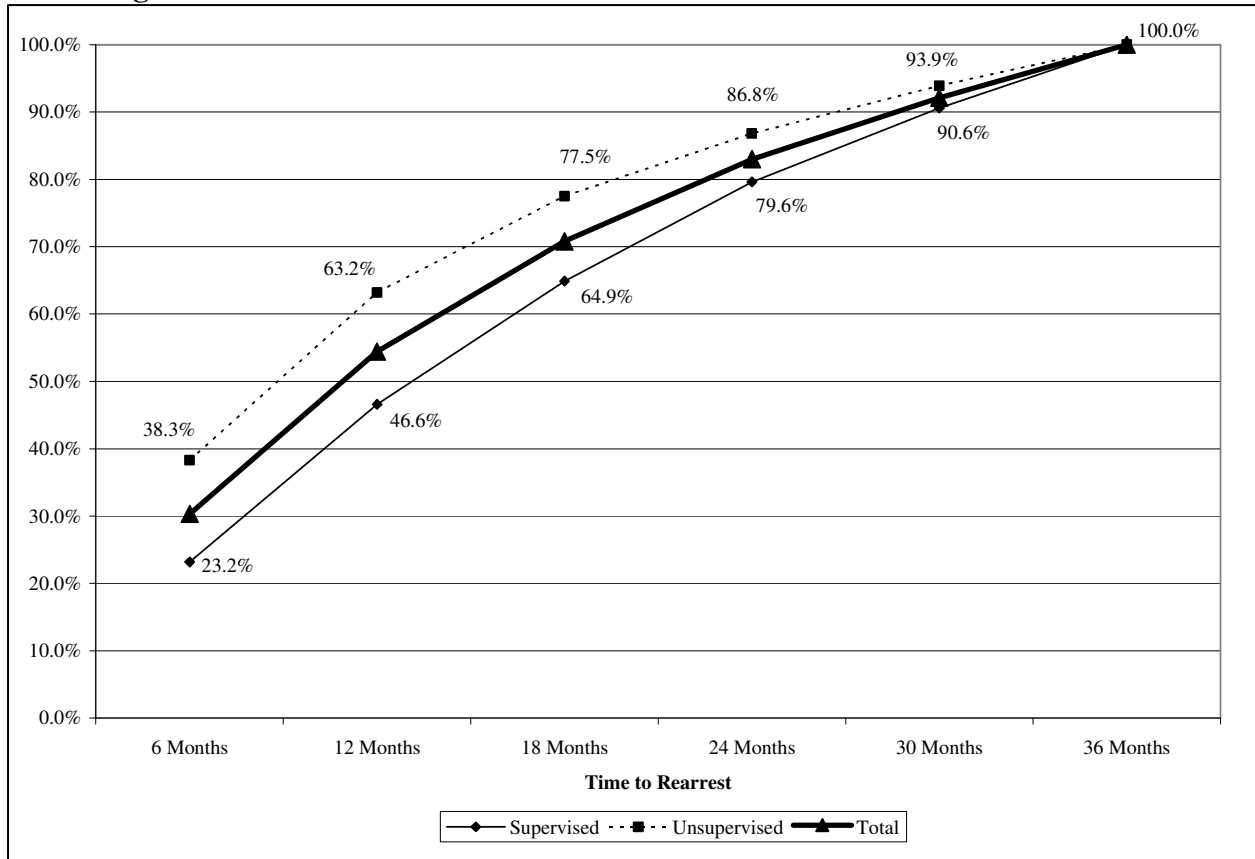
<b>Variable</b>	<b>Supervised Counts (%)</b> n=6,563	<b>Unsupervised Counts (%)</b> n=4,272	<b>Total Counts (%)</b> N=10,835
<b>Rearrest***</b>			
Yes	3,017 (46.0)	2,697 (63.1)	5,714 (52.7)
No	3,546 (54.0)	1,575 (36.9)	5,121 (47.3)
<b>Reconviction ***</b>			
Yes	2,070 (31.5)	2,241 (52.5)	4,311 (39.8)
No	4,493 (68.5)	2,031 (47.5)	6,524 (60.2)
<b>Reincarceration***</b>			
Yes	2,351 (35.8)	1,041 (24.4)	3,392 (31.3)
No	4,212 (64.2)	3,231 (75.6)	7,443 (68.7)
<b>Time to Rearrest***</b>			
6 months	692 (23.2)	1,029 (38.3)	1721 (30.3)
12 months	700 (23.4)	669 (24.9)	1,369 (24.1)
18 months	548 (18.3)	385 (14.3)	933 (16.4)
24 months	439 (14.7)	251 (9.3)	690 (12.2)
30 months	328 (11.0)	190 (7.1)	518 (9.1)
36 months	282 (9.4)	163 (6.1)	445 (7.8)
<b>Mean Time to Rearrest (days)***</b>	446.1 (297.1)	340.1 (283.1)	396.2 (295.2)
<b>Time to Parole Violation (days)</b>	367.3 (258.5)	-	-

Notes: \*\*\* $p < .001$

Examining the rearrested groups further reveals that for 1,029 (38.3%) of the unsupervised at release group, the arrest occurred within the first six months, and within 12-months post-2011 release, the cumulative total rearrested was 1698 (63.2%). In contrast, at 6-months post-2011 release, 23.2% of the supervised sample was rearrested, and within 12-months post-2011 release, the cumulative total rearrested was 1,392 (46.6%). These differences were statistically significant ( $p \leq .001$ ), as proportionally more of the unsupervised sample was rearrested within the first year, particularly the first six months post-release. Inmates, on average, were rearrested 396 days ( $sd = 295.23$ ) after release; supervised releases were rearrested later than unsupervised releases (446.1 days [ $sd = 297.1$ ] vs. 340.1 days [ $sd = 283.1$ ]), and this represented a statistically significant difference ( $p \leq .001$ ). The average length of time in the community for supervised inmates with a parole technical violation on record post-release was 367 days ( $sd = 258.5$ ), or approximately one year.



**Figure 1. Cumulative Rearrest Rates 36-months Post-2011 Release**



*Note:* Only inmates with a known rearrest date are included.

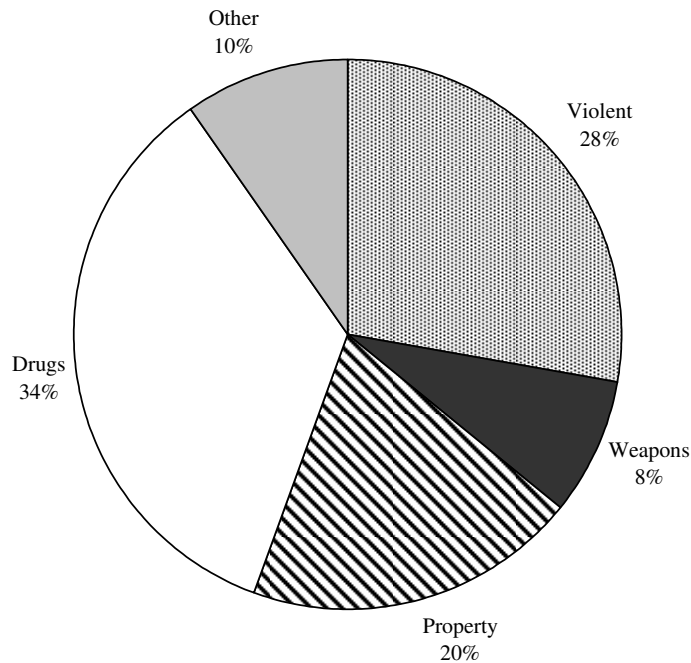
Figure 1 shows those inmates who were rearrested within three years post-release. The total sample, as well as supervised and unsupervised samples individually, are displayed. Overall, 30.3% of the total sample was rearrested within 6 months of release while 54.4% of inmates were rearrested by 12-months post-release. At 12-months post-release, 63.2% of the unsupervised releases were rearrested compared to 46.6% of those offenders released under supervision. Figure 1 illustrates that recidivism often takes place quickly within the first year of release, and with each subsequent time period, decelerates gradually.

Table 3 displays the recidivism percentages for rearrest, reconviction, and reincarceration for the 2011 release cohort, as well as the recidivism percentages for the previous three release cohorts from 2008, 2009, and 2010. The 2011 release cohort experienced no change in the rate of rearrest from the prior 2010 cohort. For reconviction, a 4.8% decrease was noted. A decrease of 3.12% was also noted for reincarceration when compared to the 2010 release cohort.

**Table 3. Four-year Comparison of Recidivism Percentages**

Release Year	Rearrest	Reconviction	Reincarceration
2008	54%	42%	35%
2009	53%	39%	32%
2010	53%	42%	32%
2011	53%	40%	31%

**Figure 2. Most Serious Type of Offense on Record**



Graphically displayed in Figure 2 above is the overall sample's most serious offense on record. This is categorized by the most serious offense for which the inmate was ever incarcerated in a DOC facility. Based on the New Jersey Criminal Code, offenses were independently identified as belonging to one of five categories: violent, weapons, property, drug, and other. The "other" category is a general category for offenses not captured by the other four main crime types and may include administrative offenses, public order offenses, and community supervision violations, among others. These offense types are based on the most serious offense that occurred; for example, if an inmate was incarcerated for both a drug and a weapons offense,

the most serious offense was deemed the weapons offense. The chart above indicates that 34% of the 2011 released sample's most serious offense on record was a drug offense.

### **Factors Associated with Recidivism**

This outcome study examined differences between those who were and those who were not rearrested on a number of variables often assumed to contribute to recidivistic behavior. The analysis revealed that for the population released in 2011, seven factors, out of the nine entered into the model, were associated with rearrest within three years. As can be seen in Table 4, these factors included release status, gender, prior arrest, prior correctional history, age at release, type of committing/admitting offense and race/ethnicity. The factors entered in the model explained 25.0% of the variance in the dependent variable of rearrest; furthermore, the model was significant ( $\chi^2=2132.7$ ,  $df= 14$ ,  $p\leq.001$ ).

*Gender.* Gender was significantly related to the likelihood of rearrest. Specifically, compared to females, males had 1.4 times the odds of rearrest within the 36 month follow-up period ( $p\leq.001$ ).

*Race/Ethnicity.* The variable of race/ethnicity was significant in bivariate tests of independence and multivariate regression models. Proportionally, black offenders were rearrested more, compared to white and Hispanic offenders ( $\chi^2=236.5$ ,  $df= 3$ ,  $p\leq.001$ ). In totality, 64% of offenders who were rearrested were black. Multivariate statistics indicated that race/ethnicity was predictive of rearrest, particularly, compared to whites, blacks had increased odds of a rearrest of 1.22. However, when compared to whites, Hispanics and "other" races had decreased odds of a rearrest.

*Prior Arrest History.* Prior arrest history was significantly related to the likelihood of a rearrest. For every additional prior arrest an inmate had, the odds of rearrest were increased by a factor of 1.1. This shows an expected ratio of one prior arrest to each rearrest. The average number of prior arrests for the full sample of offenders was 7.3 ( $sd= 7.2$ ), indicating the sample of releases had extensive criminal histories. The bivariate results indicated that 35.3% of those with one prior arrest on record were rearrested, 44.9% of those with two prior arrests were rearrested, 51.3% of those with three prior arrests were rearrested, and 62.4% of those with four or more prior arrests were rearrested ( $\chi^2 =942.6$ ,  $df = 4$ ,  $p\leq.001$ ).

*Prior Correctional History/DOC Admissions.* Prior correctional history was significantly related to the likelihood of rearrest. For every additional prior state incarceration, the odds of rearrest were increased by a factor of 1.2. Fifteen percent of the full sample of released offenders had a minimum of one prior state incarceration and an additional 40% had two or more prior state incarceration terms, totaling 56% of the sample of inmates. Highlighting the importance of this variable as a contributor to continued offending, the results indicate that 56.8% of those with one prior state prison term were rearrested, 60.5% of those with two prior terms were rearrested, 65.8% of those with three prior terms were rearrested, and 74.9% of those with four or more prior incarcerations were rearrested ( $\chi^2 =948.6$ ,  $df = 4$ ,  $p\leq.001$ ).

*Age at release.* Younger offenders were more likely to be rearrested than older offenders; the differences across age were statistically significant. Offenders who recidivated were younger

than non-recidivists (33.3 years [sd= 10.8] vs. 36.2 years [sd= 9.4],  $t=14.54$ ,  $df= 10,833$   $p\leq.001$ ). 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 almost one (0.93).

*Most Serious Offense on Record.* The most serious offense on record was significant in bivariate tests of independence and multivariate regression models predicting a new arrest. Offenders who committed property, weapon, drug and “other” crimes had an increased probability of a new arrest when compared to violent offenders, with property crimes maintaining the highest odds of rearrest (1.6). Specifically, offenders who committed property (61% rearrest), “other” (59.4% rearrest) and drug (56% rearrest) offenses were rearrested proportionally more than offenders who committed a violent offense (42% rearrest) ( $\chi^2=2178.4$ ,  $df=15$ ,  $p\leq.001$ ).

*Release Status.* The offender’s release type (supervised vs. unsupervised) was a significant predictor of whether the offender was rearrested, with unsupervised releases maintaining statistically higher rearrests.

**Table 4. Logistic Regression Analysis Predicting Rearrest**

Predictor Variable	$\beta$	ExpB	Significance
<b>Gender</b>	.336	1.4	.000
<b>Prior Arrest History</b>	.095	1.1	.000
<b>Prior Incarceration History</b>	.202	1.2	.000
<b>Release Age</b>	-0.07	0.9	.000
<b>Admission Offense (Reference: Violent)</b>			.000
Weapon Offense	.172	1.2	.000
Property Offense	.494	1.6	.000
Drug Offense	.226	1.3	.000
Other Offense	.490	1.6	.000
<b>Race: (Reference: White)</b>			.000
Black	0.19	1.22	.000
Hispanic	-.252	0.78	.000
Other	-1.36	0.26	.000
<b>Release Status</b>	-.358	0.70	.000

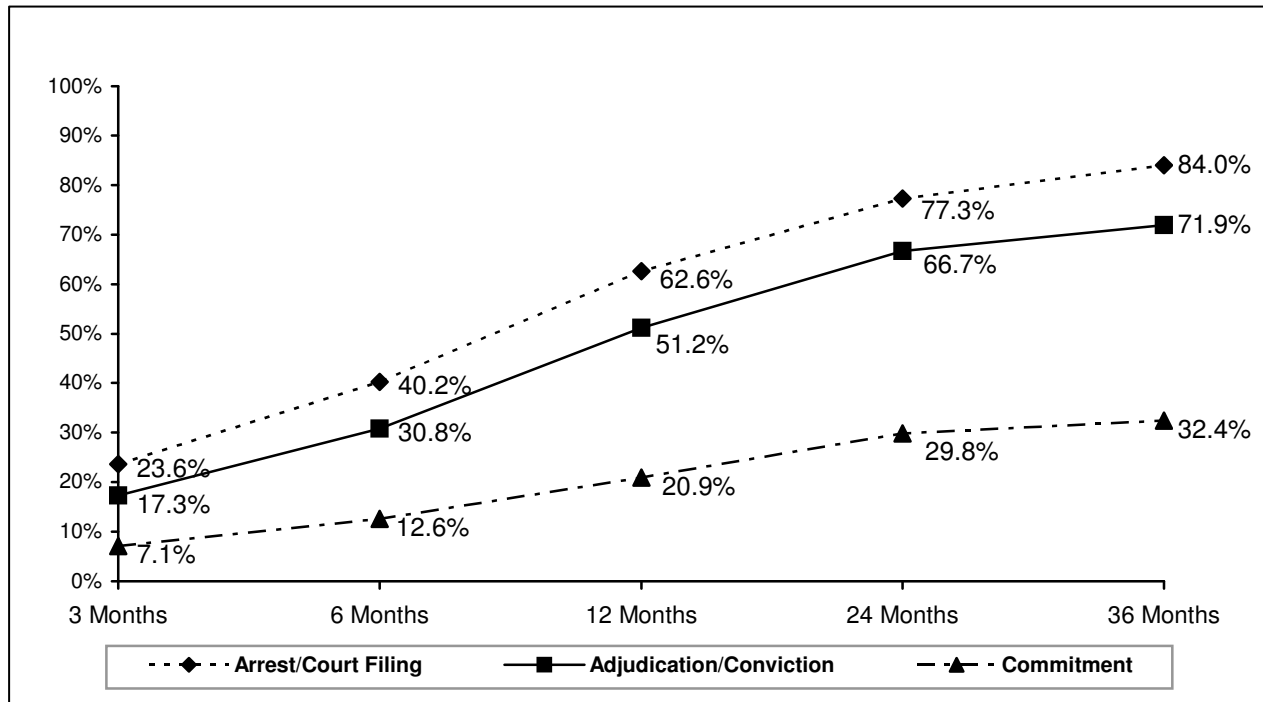
### Juvenile Justice Commission

The reporting of results begins with a focus on an examination of the overall recidivism rates for youth released from JJC custody in 2011. 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, 62.6% of the youth released in 2011 had a new court filing/arrest. In addition, more than one-half (51.2%) committed a new offense resulting in an adjudication/conviction, while 20.9% re-offended resulting in a new commitment to a State facility. At two years following release, recidivism rates had increased considerably: more than three-quarters (77.3%) had a new court filing/arrest, 66.7% had a new adjudication/conviction, and 29.8% had a new commitment to a State facility.

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

- for those with a new court filing/arrest, 272 days;
- for those with a new adjudication/conviction, 282 days; and
- for those with a new commitment, 304 days.

**Figure 3. Overall Recidivism Rates for Youth Released from JJC Custody in 2011**



By three years after release more than eight in ten youth had new court filings/arrests (84.0%), 71.9% had new adjudications/convictions, and 32.4% had new commitments, representing 211 of the 652 youth.

In other words, it took approximately eight months for youth with new court filings/arrests to re-offend, and almost nine months for those with new adjudications/convictions to re-offend. Further, those with a new commitment took more than nine months to re-offend.

A closer look at recidivists only revealed that a large share of recidivating youth re-offended within six months of release, with a disproportionate share did so within one year of release. Specifically, of the youth with a new court filing/arrest, 47.9% recidivated within six months, and 74.6% reoffended within the first year. In addition, 42.9% of youth with a new adjudication/conviction re-offended within six months, and 71.4% did so within the first year.

Finally, 39.0% of those who received a new commitment re-offended within six months, while 64.8% did so within the first year.

A substantial proportion of the *recidivists* re-offended shortly after release. Specifically, among the recidivists, 28.2% of those with a new court filing/arrest, 24.1% of those with a new adjudication/conviction, and 21.9% of those with a new commitment re-offended within three months of their release from JJC custody.

### Recent Trends in Juvenile Recidivism

As part of the analysis, a comparison was made with the previous years' findings with regard to the three measures of juvenile recidivism. As indicated in the table below, new court filings/arrests have varied slightly over time, with a more than 2% decrease from 2010 to 2011. New adjudications/convictions have changed somewhat, resulting in a slightly lower recidivism percentage for the past two years. Most importantly, the data demonstrates that over time there has been a significant decrease in the percentage of juvenile offenders recidivating and returning to the system with a new commitment. This positive movement shows that close to 67.6% of juveniles remain successful in the community after release.

**Table 5. Recent Trend in Juvenile Recidivism, 2008 to 2011**

Release Year	Court Filing/Arrest	Adjudication/Conviction	Commitment
2008	85.0%	73.3%	38.7%
2009	84.8%	73.4%	34.7%
2010	86.1%	71.6%	36.9%
2011	84.0%	71.9%	32.4%

The JJC also studied the time it took for youth to re-offend, measured in days from the date of a youth's release to the date of re-offense. The chart below demonstrates that juveniles who had a new court filing/arrest as well as those with a new adjudication/conviction remained successful in the community longer in 2011 than in 2010. For those juveniles who are ultimately charged with a new juvenile or adult offense, the number of days to recidivate varied over time, and showed a decrease of 23 days from 2010 to 2011.

**Table 6. Average Time To Recidivate In Days, 2008 to 2011**

Release Year	Court Filings/Arrest	Adjudication/Conviction	Commitment
2008	236	256	281
2009	269	288	342
2010	262	276	327
2011	272	282	304

## **Recidivism by Offender Status**

Small to moderate differences were found between committed and probationer youth with regard to their likelihood of recidivating. Committed youth were more likely to receive a new court filing/arrest within the three-year period (committed = 86.5%; probationer = 79.8%). Committed youth were also more likely to re-offend and receive an adjudication/conviction (74.4% vs. 67.6%). Finally, committed youth were more likely to re-offend and receive a new commitment (34.3% vs. 29.0%).

With regard to the time it took to recidivate, committed youth took longer than probationer youth to re-offend for new court filings/arrests (280 days vs. 276 days), adjudications/convictions (291 days vs. 287 days), and new commitments (331 days vs. 259 days).

## **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 for the released population examined in this report, among the variables having substantial portions of both committed and probationer youth data available, six factors were associated with recidivism within three years. These factors included gender, race/ethnicity, municipality of residence, number of total adjudications of delinquency, type of committing/admitting offense, and degree of committing/admitting offense. There are two other factors: Reading and Math Proficiencies that indicate differences between recidivists and non-recidivists, however these differences did not reach the level to be statistically significant or the results were mixed. Additionally, Education Classification Status indicates some recidivating differences between those who are educationally classified vs. those who are not classified that are described below.

*Gender.* In regards to new court filings/arrests, released females were substantially more likely to have recidivated than males. The recidivism rate for females was slightly higher for new court filings/arrests within three years of release (84.1% vs. 84.0%); males was significantly higher for new adjudications/convictions (72.4% vs. 65.9%); and for new commitments (33.2% vs. 20.5%). In comparison this finding varies considerably from 2010, when males recidivated a significantly higher rate than females (87.1% to 72.3%) for new court filings/arrests.

*Race/Ethnicity.* Released black youth were most likely to have had a new court filing/arrest (86.8%), followed by Hispanic youth (78.1%), and Caucasian youth (76.1%). This difference in new court filings/arrests across race/ethnicity shows statistical significance ( $p=.003$ ). Again African American youth were most likely to have received a new adjudication/conviction (74.0%), followed by Caucasian youth (67.2%), and Hispanic youth (66.7%). Finally, African American youth were more likely to have received a new commitment (33.8%) followed by Hispanic youth (32.5%), and Caucasian youth (22.4%). Both adjudication/conviction and new commitments were not statistically significant. In all three measures, Other (Asian = 1 juvenile) did not recidivate.

As part of the analysis, race/ethnicity was recoded into “minority” and “nonminority” categories (with Caucasian as the sole race/ethnicity category coded as nonminority). Minority

youth were more likely to have had a new court filing/arrest (85.0% vs. 76.1%); a new adjudication/conviction (72.5% vs. 67.2%); and a new commitment (33.5% vs. 22.4%).

*Municipality of Residence.* Released youth were categorized as residing in one of the fifteen most densely populated New Jersey cities (the Urban 15 areas), or not.<sup>4</sup> Those residing in the Urban 15 areas were more likely than those in non-Urban 15 areas to have recidivated based on new court filings/arrests (85.7% vs. 82.7%); new adjudications/convictions (73.1% vs. 70.9%); and new commitments (34.7% vs. 30.4%).

*Number of Adjudications.* The average number of adjudications of delinquency accumulated by the time of commitment/admission to the JJC (both prior and current adjudications) for the released population was 6.9. The average number for youth who experienced a new court filing/arrest within three years of release was higher than for those who did not (7.3 vs. 4.4,  $p=.000$ ). The same was true for new adjudications/convictions (7.6 vs. 5.0,  $p=.000$ ), and for new commitments (8.0 vs. 6.3,  $p=.001$ ). All three measures were statistically significant demonstrating a strong correlation between the number of adjudications and the likelihood of recidivism.

*Type of Offense.* Youth committed/admitted to the JJC for property offenses were most likely to have had a new court filing/arrest within three years (92.3%), followed by those entering with drug offenses (91.3%), public order offenses (90.6%), Violation of Probation, VOPs (86.6%), weapons offenses (78.0%), and then persons offenses (77.1%):  $p=.001$ . For new adjudications/convictions, the highest rate was for CDS offenses (87.0%), followed by public order offenses (84.9%), property offenses (80.2%), VOPs (76.5%), weapons offenses (67.8%), and, finally, persons offenses (59.3%):  $p=.000$ . Finally, for new commitments, the highest rate was for public order offenses (45.3%), followed by CDS offenses (42.0%), property offenses (36.3%), VOPs (33.6%), weapons offenses (32.2%), and then persons offenses (24.2%):  $p=.012$ . Both new court filing/arrests and adjudications/convictions were statistically significant.

*Degree of Offense.* Youth committed/admitted to the JJC for 4<sup>th</sup> degree offenses were most likely to have had a new court filing/arrest within three years (94.3%), followed by those entering with 3<sup>rd</sup> degree offenses (93.6%), disorderly persons or petty disorderly persons offenses (DP/PDP) (87.0%), Violation of Probation, VOPs offenses (which have no designated degree) (86.6%), 2<sup>nd</sup> degree offenses (75.9%), and finally, 1<sup>st</sup> degree (70.0%). The difference in new court filing/arrest by degree of offense is statistically significant ( $p=.000$ ). For new adjudications/convictions, the highest rate was for youth with 4<sup>th</sup> degree offenses (88.6%), followed by 3<sup>rd</sup> degree offenses (82.0%), DP/PDP offenses (80.4%), VOPs (76.5%), 2<sup>nd</sup> degree offenses (65.3%), and then 1<sup>st</sup> degree offenses (43.8%). The difference is statistically significant ( $p=.000$ ). Finally, for new commitments, youth with 4<sup>th</sup> degree offenses had the highest recidivism rate (48.6%), followed by 3<sup>rd</sup> degree offenses (38.4%), VOPs (33.6%), DP/PDP offenses (32.6%), 2<sup>nd</sup> degree offenses (27.6%), and 1<sup>st</sup> degree offenses (20.0%). The difference in new commitments was not statistically significant ( $p=.013$ ).

*Reading Proficiency (Grade Level Equivalency).* The MAP (Measurement of Academic Progress) Reading Test is a standardized assessment tool used as an indicator of preparedness for NJ high school proficiency exams. It is considered to be one of several available ways to assess



academic achievement. The average grade level equivalent for Reading based on the MAP Test was 5.9. Statistically significant differences were not found for any of the three measures. For new court filings/arrests, the average grade level for recidivists was lower (5.6 vs. 7.1,  $p=.092$ ). The same was true for new adjudications/convictions (5.6 vs. 6.6,  $p=.007$ ), and new commitments (5.2 vs. 6.2,  $p=.017$ ).

*Math Proficiency (Grade Level Equivalency).* The MAP (Measurement of Academic Progress) Math Test also serves as an indicator of preparedness, here with regard to the area of Math proficiency. The average grade level equivalent for Math based on the MAP Test was 6.0. Statistically significant differences, again, were not found for all three measures. It is also noted that for all three measures, the average grade level for recidivists were lower: new court filings/arrests (5.7 vs. 7.1,  $p=.151$ ), new adjudications/convictions (5.6 vs. 6.8,  $p=.251$ ), and new commitments (5.5 vs. 6.2,  $p=.517$ ).

*Education Classification Status (Special Education).* For the overall released youth population, 46.3% were classified to special education, while the remaining 53.7% received regular education activities. For new court filings/arrests, 88.3% of the educationally classified youth recidivated compared with 80.5% of those not classified. For new adjudications/convictions, 77.0% of the educationally classified youth recidivated compared with 67.8% of those not classified. Finally, for new commitments, 34.3% of the educationally classified youth recidivated compared with 30.5% of those not classified.

Finally, in addition to the recidivism analyses, several additional characteristics of released juveniles were examined, with a primary concern for their relationship *with the new court filings/arrests measure*. The focus of the further analysis was on areas of youths' functioning and needs. For these additional variables, data is collected either exclusively or largely on JJC's committed youth (rather than on JJC's probationers). As a result, the findings are relevant largely for the JJC's committed population.

- Recidivists were found to score higher on the JJC's Initial Classification & Custody Document (ICCD) which guides placement decisions and serves as a broad measure of risk for subsequent behavior problems. The average ICCD score for recidivists was 13.0, compared with 12.5 for non-recidivists.
- Recidivists were found to have higher need scores than non-recidivists regarding substance abuse, 4.4 vs. 3.9; educational/vocational, 3.7 vs. 2.9; and peers/role models, 3.5 vs. 3.0. On the contrary; non-recidivists had higher need scores than recidivists regarding family/household, 4.4 vs. 4.0, and medical/physical health, 1.6 vs. 1.4. The Comprehensive Informational Assessment tool assesses levels of need on eight separate life domains along with an overall assessment of total need. The domains include: family/household; educational/vocational; substance abuse; peers/role models; attitudes/behaviors; use of time/leisure activity; medical/physical health; and psychological/mental health. Peers/role models ( $p=.004$ ), psychological/mental health ( $p=.003$ ), and overall total need ( $p=.004$ ) were statistically significant. None of the remaining need areas were found to have a statistically significant relationship with new court filings/arrests.

- Recidivists were found to have a higher number of staff assessed areas of need than the non-recidivists based on the CIA (3.8 vs. 2.7,  $p=0.025$ ).
- Recidivists had a somewhat lower composite score of functional intelligence than non-recidivists (82.9 vs. 86.4,  $p=.017$ ), based on the Kaufman Brief Intelligence Test (KBIT). The average score for the released population on the KBIT was 83.3. Test results indicated that the JJC youth typically functioned well below the average range in terms of intelligence.

## CONCLUSION

This report is the fifth in a series of reports measuring various outcomes relative to New Jersey's adult and juvenile offender populations and meets a legislative mandate. To this end, the New Jersey Department of Corrections (NJDOC), the New Jersey State Parole Board (NJSPB) and the Juvenile Justice Commission (JJC) examined the recidivism of a select cohort of offenders (juvenile and adult) released from the custody of each respective law enforcement agency in calendar year 2011. In addition to measuring overall recidivism levels, this report describes adult and juvenile cohort characteristics and analyzes those factors associated with recidivism. Both supervised (NJSPB) and unsupervised (NJDOC) releases were examined in the analyses.

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). For the adult analysis, recidivism was defined as a rearrest, reconviction, reincarceration, or technical parole violation that occurred subsequent to release. For the juvenile analysis, 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. A three-year follow-up period was utilized for all analyses.

For adult offenders in 2011, the State of New Jersey maintained the same recidivism rates from 2010 for rearrest post-release (i.e., 53%). However, a decrease of 4.8% was noted in the rate of reconviction and a decrease of 3.12% was noted in the rate of reincarceration as compared to the 2010 release cohort. Approximately 69% of adult inmates released in 2011 did not return to prison within the three-year follow-up period. Overall, these rates are consistent with prior annual findings and are lower than national estimates. A 2014 Bureau of Justice Statistics (BJS) report analyzing recidivism rates in 30 states found that after a three-year period, 67.8% of inmates were rearrested and 45.2% were reconvicted. Further, 49.7% of inmates experienced a return to prison, defined as an arrest that resulted in a conviction with a disposition of a prison sentence or return to imprisonment due to a technical parole violation.<sup>1</sup> This places New Jersey well below the estimates for these 30 states.

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<sup>1</sup> Durose, M., Cooper, A., & Snyder, H. (2014). Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005 to 2010. Bureau of Justice Statistics, US Dept of Justice, & Office of Justice Programs.

In a recent publication from the Brennan Center for Justice at the New York University School of Law, New Jersey is praised for its crime rate and prison population reduction. From 2011-2014, New Jersey reduced its prison population by 9.5%<sup>2</sup> and crime also fell by 20% during this period. This is significant considering the existence of a current national trend toward incarceration and recidivism reductions. New Jersey has demonstrated the ability to simultaneously reduce recidivism and the crime rate, while maintaining public protection.

The results of the analysis for the adult sample also emphasize the speed at which offenders tend to recidivate once released into the community. The average time released inmates spend in the community prior to a first arrest post-release was slightly more than one year, suggesting that nearly half of all arrests occur within the first 12 months of release. After this one-year mark, rearrest rates drop significantly, with only 30% of offenders arrested during the second year post-release and 17% during the third year post-release. These results are similar to those noted within the 2014 BJS report, as more than half (i.e., 56.7%) of offenders who were rearrested within the sample of 30 states were rearrested within the first year of release.<sup>1</sup>

For the juvenile cohort, the Juvenile Justice Commission followed the justice system activity of its released youth for three full years after each had been released from custody. Specifically, at the three-year point, 84.0% of the youth released resulted in a court filing/arrest, 71.9% resulted in a re-offense leading to an adjudication/conviction, and 32.4% resulted in a re-offense leading to a new commitment to the JJC or to State prison. An examination of juvenile recidivism rates over a three year period (2009 to 2011) for adjudication/conviction generally remained stable. The three year period showed slightly mixed results in court filing/arrests and new commitments. Even though from 2010 to 2011, there were significant decreases in court filing/arrests and new commitments.

Similar to the adult cohort, the findings of the analyses for the juvenile cohort reveal that many youth begin to re-offend in the early months after their release from custody. Specifically, by the time youth had been released for three months, 23.6% of the released youth had a new court filing/arrest, 17.3% re-offended and were subsequently adjudicated/convicted, and 7.1% re-offended and were subsequently committed. As for 2011, both court filing/arrest and adjudication/conviction measures showed that it took juveniles longer to offend compared to 2010. The commitment measure showed that juveniles re-offended more quickly in 2011 than in 2010.

To provide context for these results, it is worth noting that the juvenile justice literature reports that juveniles placed in State correctional programs across the country return to offending and to the correctional system at high rates, and often very quickly. The 2014 publication by the Pew Charitable Public Trusts entitled, "Measuring Juvenile Recidivism," notes the difficulties in comparing states' juvenile recidivism rates due to varying data collection techniques. Some

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<sup>2</sup> Eisen, L-B., & Chettiar, I. (2015). The Reverse Mass Incarceration Act. Brennan Center for Justice at New York University School of Law. Available at: <https://www.brennancenter.org/publication/reverse-mass-incarceration-act>

correctional agencies do not track recidivism regularly or include detailed measures of recidivism. In addition, the length of time offenders are followed may also vary from state to state.

The present analysis also explored the demographic and incarceration variables associated with recidivism. For the adult cohort, several variables were predictive of recidivism: release age, gender, race/ethnicity, most serious offense on record, supervision status (i.e., supervised vs. unsupervised), arrest history and DOC admission history. In criminological research, age is consistently considered a significant predictor of recidivism in that offenders tend to age out of crime; this expected trend was supported within the current cohort as older offenders at release were less likely to be rearrested in the follow-up period. Race was also found to be associated with recidivism, in that black offenders were more likely to have a rearrest within the three-year follow-up period when compared with other racial/ethnic offender designations. The majority of offenders with a rearrest had prior arrests and DOC admissions, and the modal most serious offense on record was a property offense. Supervised offenders were less likely to be rearrested.

Notably, over 69% of offenders within the adult sample did not return to prison within the three-year analysis of this report. These offenders have likely returned to their communities as productive citizens. The programs that the DOC offers to inmates are substantial in size and value, including academic and certification courses.

The differences between those youth who did and did not recidivate within three years of release were also examined. In the overall analysis of bivariate relationships, three factors were identified as being significantly associated with recidivism as measured by new court filings/arrests. They included: race/ethnicity; number of delinquency adjudications (those having a greater number of prior and current delinquency adjudications) recidivated at higher rates); and type of offense (those with property offenses at admission/commitment were the most likely to recidivate).

The extent of identified personal, family and community/neighborhood risk factors faced by youth placed with the JJC underscore the challenges to achieving sustained, successful reintegration back to the community. The JJC continues to work to strengthen communities and families.

It is important to note that all juveniles leaving JJC custody receive parole supervision, unlike the adult system. The JJC's Office of Juvenile Parole and Transitional Services begin working with residents early in their stay to prepare an individualized transition-release plan. In addition, while this report focuses solely on the 652 individuals released from the JJC's care in 2011, the JJC serves a total population of more than 10,000 annually including youth served through its Office of Local Programs and Services, and its secure and residential programs. The Office of Local Programs and Services administers funding to develop and implement a coordinated, community-based continuum of programs and services to address the needs of at-risk and court-involved youth in the community. This continuum of services includes delinquency prevention programs, court diversion programs, detention alternatives, dispositional options, and re-entry programs. The juvenile arrest rate in New Jersey, and nationally, has

decreased steadily over the past decade. This data demonstrates that the JJC's efforts, including parole services, Juvenile Detention and Alternatives Initiative and prevention programs, are having a significant impact on overall public safety. Since the empirical research in the field indicates that placement in a correctional facility is among the strongest predictors of recidivism, the importance of the JJC's work as it relates to serving youth in these community-based settings is clear.

In summary, the results of the present analysis show that the majority of adult and juvenile offenders are not reincarcerated within three-years of release from a correctional facility. However, if an offender does reoffend by way of a rearrest, this arrest typically occurs within the first 12 months after release.