

Recidivism of Juvenile Offenders One Year Follow Up

Pablo Martinez
Texas State University – San Marcos
JRSA Annual Conference
Portland, Oregon October 16, 2008

We Know Very Little About the Recidivism Rate of Juvenile Offenders

- There are numbers floating around but they represent different measures:
 - Contact with the police
 - Return to juvenile court
 - Return to probation
 - Return to a confined juvenile facility
 - Tracking juveniles for a particular length of time
 - The percent of commitments that are re-commitments

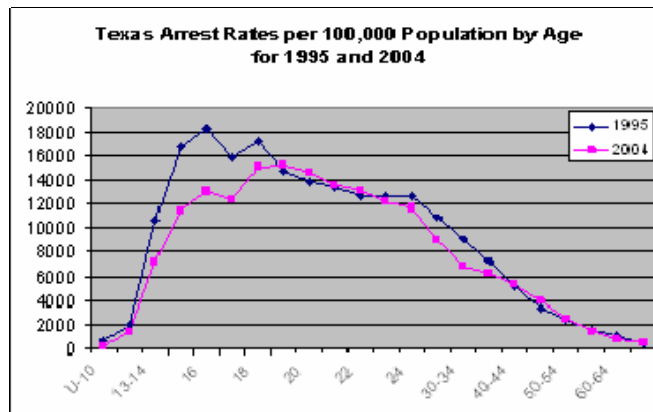
Limited access to records

- Access to records of adult offenders is controlled: However, access to juvenile records is much more restricted
 - The idea that their records will be sealed when they become adults places greater restriction to the information.
 - The juvenile record reopens if the person is convicted of a felony offense as an adult (in some jurisdictions)

Making Comparisons is Difficult

- Amy Korenstein (2006) Compared Ohio's recidivism rate with Missouri's
- The Missouri juvenile system has received considerable attention due to the low recidivism rate
- She pointed out the difficulty of making such comparisons:
 - Populations served by states are not always comparable
 - Offense types and categories are different
 - Definition of recidivism is different

Recidivism Of Juvenile Offender is Expected to be High



Juveniles have not quite reached the peak of the crime curve

SO What is the Recidivism Rate of Offenders Released from a Juvenile Facility?

- Since measures differ, we really do not know
- Perhaps one of the best studies for Missouri is Mendel's 2003 study
(cited by Korenstein, 2006)
- The study tracked youth for 3 years and recorded where in the justice system they were detected after release from the youth facility

Mendel's Findings Three Year Follow Up

Sentenced to adult prison	8%
Sentenced to adult probation	19%
Recommitted to the MDYS	6%
Temporary Return to residential	9%

Other Numbers

- Recombitment Rates:

Missouri: 7.1% for 2005

Ohio : 9.6% for 2005

- But again, populations are different
- What does recommitment mean?

Purpose of This Study

Determine the recidivism rate of juvenile offenders who were released from the Texas Youth Commission

This Study

- Population: Juvenile offenders released from the Texas Youth Commission in 2006
 - A juvenile in Texas is defined as a youth less than 17 years of age
- Time frame: The follow up period was one year after their release
- Offender Type: Only felony offenders

Recidivism Measures

1. Re-arrest for any offense during the 12 months after their release
2. Re-arrest for a violent offense during the 12 months after their release
3. Recommitment to TYC or the Texas Department of Criminal Justice Institutional Division during the 12 months after their release

Sample Characteristics: Age & Ethnicity

Race Ethnicity and Gender composition of Sample

Race/ ethnicity		Gender		Total
		Female	Male	
Black	Number	34	383	417
	Percent	8.15	91.85	30.04
Hispanic	Number	35	599	634
	Percent	5.52	94.48	45.68
White	Number	34	303	337
	Percent	10.09	89.91	24.28
Total	Number	103	1285	1388
	Percent	7.42	92.58	100.00

- Hispanic youth comprised the largest proportion (45.68%) of the sample; followed by African American (at 30.04%) and Anglo youth (at 24.3%)
- The majority of the sample was male, at 92.58% with females making up 7.42%
- This composition reflects the felony offender population of TYC

The Data

- Included all releases in fiscal year 2006
- Data was provided by the Texas Youth Commission, as part of a larger research project

Sample Characteristics: Education, Age and IQ Scores

Descriptive Statistics for Highest grade level, age and IQ Score

Variable Description	N	Minimum	Maximum	Mean	Standard Dev
Grade level at entry to TYC	1404	2	12	8.12	1.21
IQ score	1404	40	130	89.83	12.38
Age at release	1404	12	21	17.16	1.52

- The mean highest grade completed prior to confinement in TYC was 8.12, with 2nd grade being the minimum and 12th grade the maximum
- The mean IQ was 89.93 with a minimum of 40 and a maximum of 130
- The mean age of the youth was 17.16 years old with a minimum of 12 and a maximum of 21

Sample Characteristics: Offenders Type and Gang Membership

Offender Classification		Male		Female		Total	
		Number	Percentage	Number	Percentage	Number	Percentage
Offender Classification Type	Violent A	398	26.6	2	1.8	400	28
	Violent B	487	28.2	35	28.4	522	28.9
	Controlled Substance Dealer	21	0.8	2	1.8	23	0.8
	Controlled Substance Offender	25	1.2	0	0	25	1.1
	Fire Arms Offender	22	1.7	0	0	22	1.6
	General Offender	481	27.7	34	28	515	27.4
	Sentence Offender	227	8.8	20	8.7	247	8.8
	Total	1391	100	108	100	1499	100
Offense Level	Capital	2	0.2	0	0	2	0.0
	Felony A	286	22.2	20	8.7	306	20.9
	Felony B	763	58.6	54	28.4	817	54.9
	Felony C	250	22.2	28	17.8	278	18.9
	Total	1391	100	108	100	1499	100
Gang membership	No	861	66.2	75	72.8	936	66.7
	Yes	440	33.8	28	27.2	468	33.3
	Total	1391	100	108	100	1499	100

Results

One Year Recidivism by Outcome Measure

Outcome Measure		Yes	No	Total
Re-Arrested any offense	Number	680	724	1404
	Percent	48.43	51.57	100.00
Re-Arrested violent offense	Number	102	1302	1404
	Percent	7.26	92.74	100.00
Reincarcerated*	Number	295	1109	1404
	Percent	21.01	78.99	100.00

* Youth was returned to TYC or Sentence to TDCJ (adult prison)

Recidivism Rate by Race/Ethnicity

		Black	Hispanic	White
Rearrested	Number	223	303	347
	Percentage	53.5	47.8	43.8
Rearrest for Violent Offense	Number	43	40	18
	Percentage	10.3	6.3	5.3
Reincarcerated	Number	99	132	99
	Percentage	23.7	20.8	17.5

- African American youth have a higher recidivism rate than either Hispanic or Anglo youth

Controlling For Risk

- Risk is defined as the likelihood of recidivating
- Recidivism as measured by any of the three outcome measures
- The following factors are included in the risk score:
 - Gang member (yes/no)
 - Age at release
 - Observed behavior during the first 30 days at the O&A Unit
 - Prior Felony referrals

It Appears the Risk Score Predicts All the Outcome Measures

Recidivism Rate by Risk Level and Outcome Measure

Risk Group		Arrested Any Offense			Rearrested violent offense			Re-incarcerated *		
		No	Yes	Total	No	Yes	Total	No	Yes	Total
Low	Number	60	18	78	75	3	78	70	8	78
	Percent	76.92	23.08	100	96.15	3.85	100	89.74	10.26	100
Medium	Number	511	413	924	866	58	924	758	166	924
	Percent	55.30	44.70	100	93.72	6.28	100	82.03	17.97	100
High	Number	152	249	401	360	41	401	280	121	401
	Percent	37.91	62.09	100	89.78	10.22	100	69.83	30.17	100
Total	Number	723	680	1403	1301	102	1403	1108	295	1403
	Percent	51.53	48.47	100	92.73	7.27	100	78.97	21.03	100

* Reincarcerated to either the juvenile or the adult system

Other Factors Related to Recidivism: LRA Results

Re-arrested after 1 year		
Variable	b	Odds Ratio
Risk Score**	0.143	1.153
Male**	1.055	2.871
Black	0.227	1.255
Hispanic	-0.38	0.683
Violent A Offender**	-1.116	0.328
Violent B Offender	-0.139	0.87
CSD Offender	-0.235	0.791
FAD Offender	-0.575	0.563
Model Chi-Square or Percent Correctly Classified	131.562 8 62.5	

** Significant at .000

Notably absent is race/ethnicity

Other Factors Related to Recidivism: LRA Results

Re-arrested after 1 year for violent offense		
Variable	b	Odds Ratio
Risk Score**	0.025	1.100
Male**	1.484	4.409
Black**	0.602	1.826
Hispanic	0.094	1.099
Violent A Offender	0.057	1.059
Violent B Offender	0.431	1.538
CSD Offender	1.134	3.048
FAD Offender	-0.418	0.658
Model Chi-Square df	24.802 8	
Percent Correctly Classified	92.7	

**Significant at .002

African American youth have an 82 percent higher likelihood of re-arrest for a violent offense compared to Anglo youth.

Other Factors Related to Recidivism: LRA Results

Re-incarcerated after 1 year		
Variable	b	Odds Ratio
Risk Score**	1.42	1.753
Male	0.472	1.603
Black	0.182	1.199
Hispanic	0.013	1.103
Violent A Offender**	-0.897	0.408
Violent B Offender	0.096	1.058
CSD Offender	-0.394	0.674
FAD Offender	0.327	1.387
Model Chi-Square df	62.137 8	
Percent Correctly Classified	78.9	

**Significant at .000

Again, race/ethnicity is not a factor

Conclusions

- Compare to adults, that in Texas have a 15 % recidivism rate, Juveniles rate of returning to custody is almost twice as high as adults
- Simple use of contingency tables of data tend to give misleading results concerning the race/ethnicity factor in recidivism
- Perhaps what is most striking of this project is not the results of the study but the problem of lack of consensus as to

Conclusions

- There is an imperative to come to an agreement regarding the **definitions** of recidivism
 - Definitions must have several outcome measures
 - Follow up period must be hold constant
 - Population must be clearly defined e.g. under 18, under 17 etc
 - Offender type must also be clearly defined e.g. It includes felony, misdemeanor, status offenders etc

Conclusions

- In a time when we use evidence based, and exemplary programs to recommend jurisdiction, I am not convinced if the programs are always the best
 - Are we penalizing jurisdictions that have a good approach to collect re-arrest information on juveniles?
 - Are we penalizing jurisdictions that have a good tracking system of their juvenile offenders?

Conclusions

- The Parens Patriae Doctrine which was the foundations of the juvenile court in this country was intended to protect children
- Unfortunately that protection has kept records not as accessible for research and we do not know as much about juveniles as we do adults
- There is a lot of research that is agencies do, but they are not widely circulated
- If we want to examine programs that work with juveniles, we must produce uniform **definitions** of recidivism for juvenile offenders