

# OCFS FACT SHEET

## Recidivism Among Juvenile Delinquents and Offenders Released from Residential Care in 2008

October 2011

### **What is recidivism?**

The effectiveness of juvenile justice programming is typically assessed by looking at the rate at which known offenders “recidivate” or relapse back to their prior criminal habits. However, as noted in a Council of Juvenile Correctional Administrators (CJCA) White Paper, *Defining and Measuring Recidivism*, “Recidivism is a concept that can be operationalized in many ways, and there are no agreed-upon standards for measuring recidivism.” (Harris, Lockwood, & Mengers, 2009: 6). Some juvenile justice agencies and programs define recidivism as any new arrest, while others focus on a specific type of rearrest (e.g., felonies), or use reconviction or reincarceration as their measure of recidivism.

The length of the follow-up period over which reoffending is tracked also varies considerably across agencies and programs, creating different windows of opportunity for recidivism to occur. Thus, simply comparing recidivism rates across agencies and programs without considering how and for how long recidivism is measured can result in erroneous conclusions concerning the relative effectiveness of different juvenile justice policies and interventions.

### **Measuring recidivism among OCFS youth**

Until recently, the only information available on recidivism among OCFS youth came from a study conducted by the NYS Division of Criminal Justice Services (DCJS), which examined rates of reoffending over a three-year follow-up period of Juvenile Offenders (JOs) and Juvenile Delinquents (JDs) discharged from OCFS between 1991 and 1995. Given the dramatic policy and programmatic reforms that OCFS has initiated and the significant changes in the number and characteristics of youth placed with OCFS since the 1990s, the recidivism statistics from the DCJS study no longer provide an accurate barometer of how OCFS youth fare upon their release from residential care. Recognizing the need for information on the recidivism outcomes of today’s OCFS population and for a mechanism to assess continuously whether OCFS policy and programmatic initiatives are helping to bring down recidivism rates, the OCFS Bureau of Evaluation and Research launched the Juvenile Recidivism Study.

The Juvenile Recidivism Study explores the rates and patterns of reoffending of successive annual cohorts of JDs and JOs returning to the community after a stay in an OCFS-operated residential facility or an OCFS-supervised voluntary (private) agency placement, starting with youth released in 2006. Consistent with the recommended standards for measuring recidivism specified in the CJCA White Paper (Harris, Lockwood, & Mengers, 2009), the Juvenile Recidivism Study tracks the criminal behavior of youth for 24 months following their release from residential care and uses multiple measures of recidivism—rearrest for any offense, rearrest for a felony-level offense, rearrest for a violent felony offense, reconviction, and reincarceration. Data on arrests and convictions are obtained through a match against a criminal history file maintained by DCJS. A limitation of the DCJS data is that it includes only arrests for offenses committed by adults (age 16 or older) and juveniles

who committed “fingerprintable” offenses, i.e., more serious offenses such as felonies. Consequently, less serious offenses committed by OCFS youth who are released before age 16 but do not return to OCFS are not reflected in the recidivism rates calculated on the basis of these data.

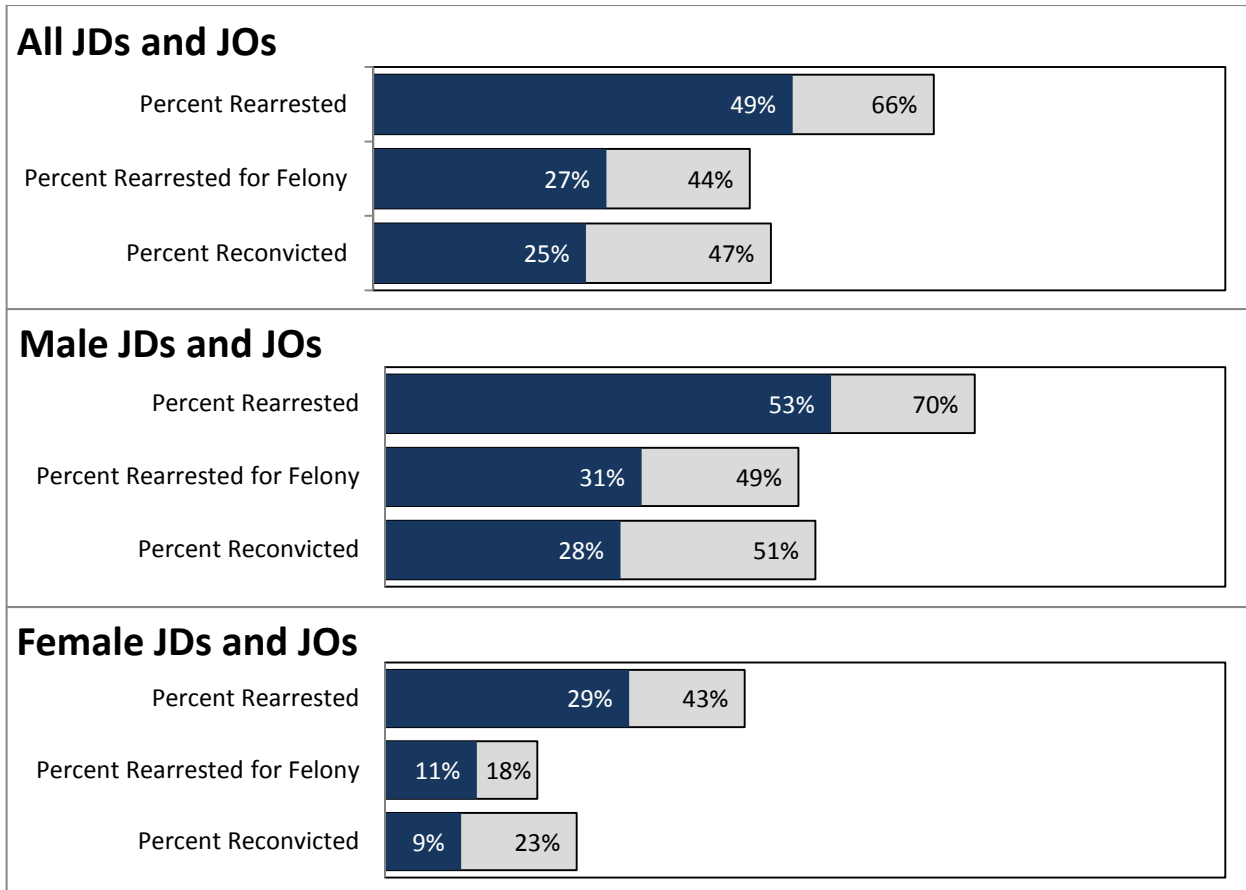
### Recidivism rates for 2008 release cohort

This fact sheet presents selected recidivism rates for the cohort of JDs and JOs released from OCFS residential facilities and voluntary agencies in calendar year 2008. A fuller report that compares recidivism rates for the 2008 release cohort with those for the 2006 and 2007 cohorts and examines how recidivism rates vary by youth characteristics, region of the state, and placement settings is forthcoming.

The chart below displays the percent of JDs and JOs in the 2008 release cohort who were rearrested for any offense, the percent rearrested for a felony, and the percent reconvicted within 12 and 24 months of their return to the community from residential care. Recidivism rates are reported for all JDs and JOs, and separately by gender.

### Recidivism Rates of Juvenile Delinquents and Offenders in 2008 Release Cohort

■ Within 12 Months of Release      □ Within 24 Months of Release



As shown in the chart above, 49% of the JDs and JOs released in 2008 were rearrested within one year and 66% were rearrested within two years of their release from residential care. About a quarter (25%) were reconvicted within one year and 47% were reconvicted within two years of release. Male JDs and JOs were substantially more likely than female JDs and JOs to be rearrested and reconvicted.

Although the recidivism rates for OCFS youth are higher than desired, they are comparable to, and in some cases, lower than the reoffense rates reported for juvenile offenders committed to residential facilities in other large states. The OCFS Bureau of Evaluation and Research reviewed recent research and statistical reports produced by several state departments of juvenile justice, and identified six large states—California, Florida, Maryland, North Carolina, Texas, and Virginia—that defined and measured recidivism in a manner similar to OCFS. The table below displays the recidivism rates for juvenile offenders released from residential facilities that were reported by those states. However, caution should be observed in comparing juvenile recidivism rates across states, due to variations in the law enforcement and court practices, completeness and accuracy of reoffense data, and the characteristics of the juvenile offenders committed to state residential facilities. For example, North Carolina is the only state among the six shown where the upper age for juvenile court jurisdiction is 15, as it is in New York, and consequently, it is the only state where the age distribution of the juvenile offender population resembles the OCFS population.

State	% Rearrested Within...		% Reconvicted Within...	
	12 months	24 months	12 months	24 months
New York	49%	66%	25%	47%
California (FY 2004-05 release cohort)	62%	76%	NA	NA
Florida (FY 2008-09 release cohort)	NA	NA	46%	NA
Maryland (FY 2008 release cohort)	62%	72%	22%	42%
North Carolina (FY 2006-07 entry cohort followed for 3 yrs., with avg. of 12 mos. of confinement)	NA	63%	NA	NA
Texas (FY 2006 release cohort)	43%	63%	NA	NA
Virginia (FY 2007 release cohort)	53%	72%	42%	65%

Harris, P., Lockwood, B., & Mengers, L. (2009). *Defining and Measuring Recidivism*. Braintree, MA: Council of Juvenile Correctional Administrators.

Note: The upper age for juvenile court jurisdiction in New York State is 15. A Juvenile Delinquent (JD) is a youth found by the family court to have committed an act while under age 16 that would constitute a crime if committed by an adult. A Juvenile Offender (JO) is a youth who committed an offense while under age 16 and was tried and convicted in the adult criminal court, rather than the family court, due to the severity of the offense (e.g., murder, rape in the first degree, robbery in the first degree).