



# 2021 and 2022

## PROBATION RECIDIVISM ANNUAL REPORT

NEW JERSEY JUDICIARY ANNUAL REPORT  
TO THE **GOVERNOR** AND **LEGISLATURE**

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## **I. EXECUTIVE SUMMARY**

On November 9, 2015, New Jersey Statutes §2C:45-6 was enacted. This legislation requires that the administrative director of the courts establish a program to record and analyze the recidivism of adult probationers. The information to be recorded includes arrests, convictions resulting from the arrests, participation in treatment and other factors such as race, ethnicity, sex, and age.<sup>1</sup> The following report was prepared pursuant to the statute and provides details and characteristics of recidivism rates for adults sentenced to probation during the 2018 and 2019 calendar years.

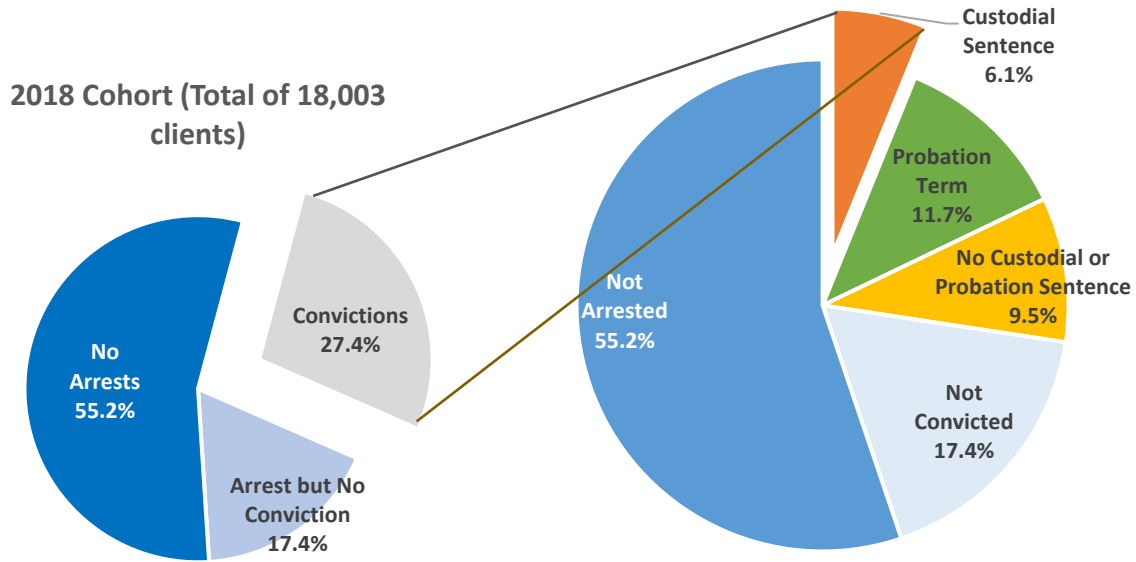
### **Key Findings**

- The report shows that convictions were 27.4% in 2018 and 25.6% in 2019 in the total adult cohort but only 6.1% in 2018 and 5.5% in 2019 of clients on probation were sentenced to custodial sentence. Only one in 10 clients served custodial sentence in both years. This shows that nine out of 10 probationers were deemed not dangerous enough to serve a prison sentence. They were able to live in the community where they could participate in society because of what probation offers.

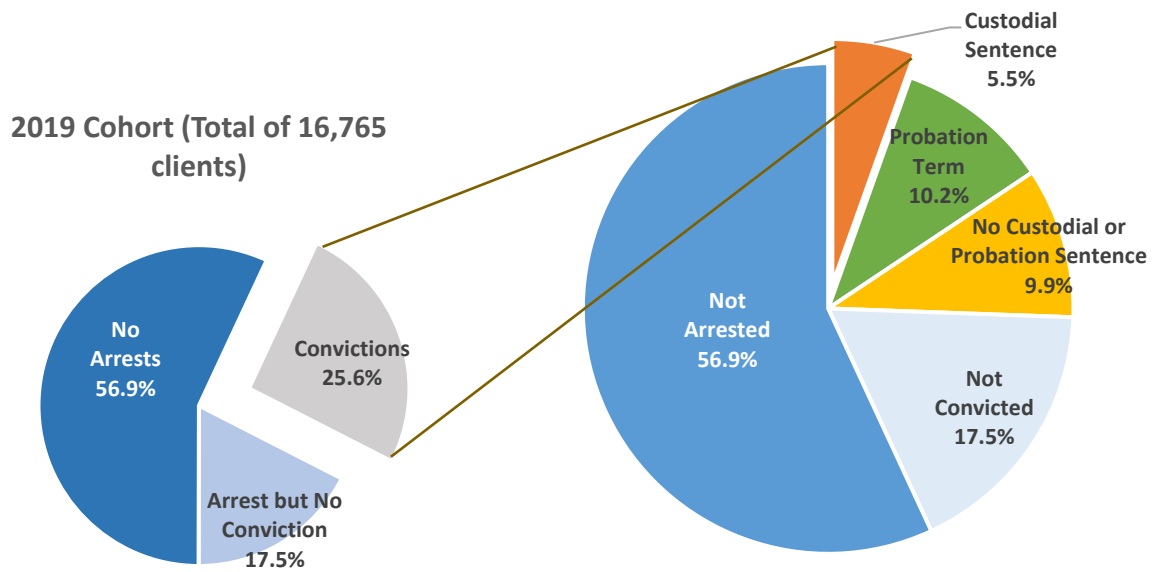
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<sup>1</sup> N.J.S.A. 2C:45-6

### Conviction and Sentencing Distribution of the 2018 Adult Cohort

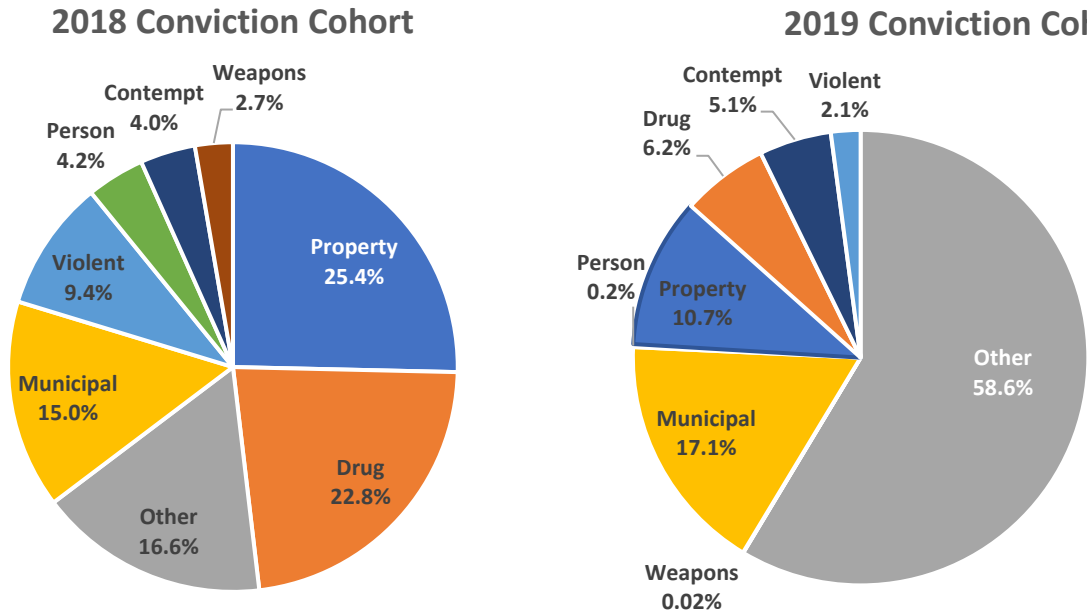


### Conviction and Sentencing Distribution of the 2019 Adult Cohort



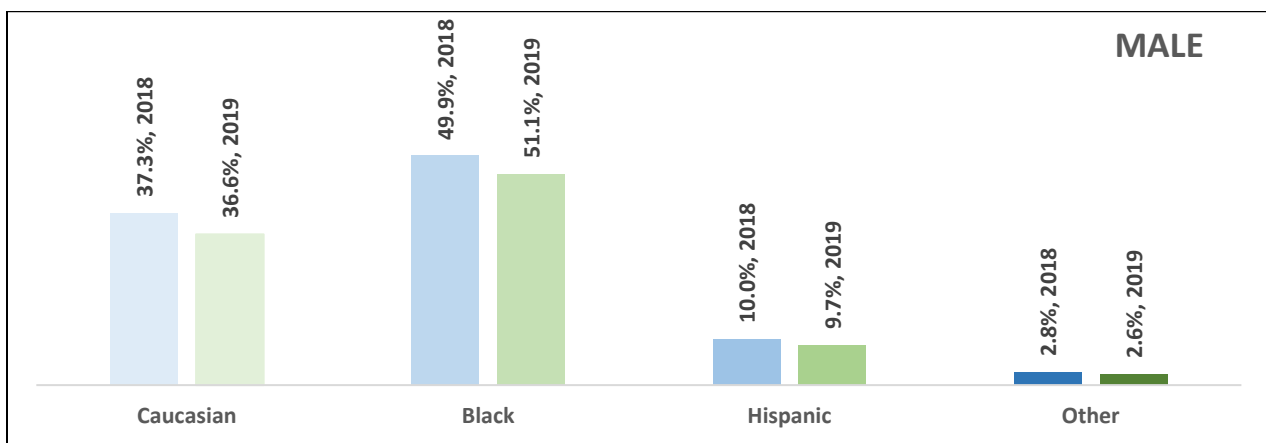
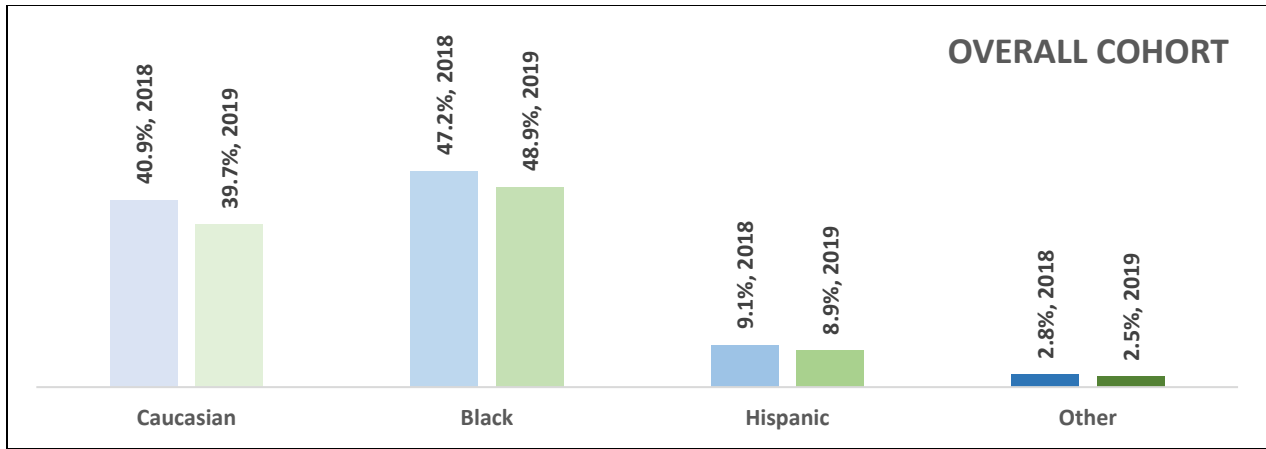
- The majority of clients, 55.2% in 2018 and 56.9% in 2019 were not arrested during the probation term. This supports the effectiveness of probation methods in helping offenders in the probation population avoid recidivating.

- The conviction rate for violent crime was 9.4% in 2018 and 2.1% in 2019 whereas the most serious arrest charge for violent crimes was 27.3% in 2018 and 29.1% in 2019 (Fig. 14). While arrests for violent crime increased from 2018 to 2019, the number of clients sentenced to a custodial term for committing a violent crime on probation has decreased.



Some challenges that the report confirms include:

- Disproportionate representation of Blacks in the probation population, as well as the existence of disparities in recidivism rates among Black males.



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

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

recidivism period. Only adult probationers sentenced to probation in the calendar year 2018 and 2019 are included in the report.

The data for this report has been collected and published over a few years. We have examined client distributions in terms of rearrests, highest degree charges, and final custodial sentencing. This data shows recidivism outcomes as a measure of the continued success of probation and its methods and procedures. It is indicative of probation practices, sorting out the specialized caseloads and providing resources, individualized monitoring, and feedback to best assist the client to become productive citizens.

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



## II. INTRODUCTION

### 2023 PROBATION RECIDIVISM REPORT

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

Probation supervision allows community members who have been convicted the opportunity to remain in the community while maintaining gainful employment and staying connected to their families. Probation officers utilize various intervention strategies that reinforce positive social behavior to ultimately help change the thought process of clients on probation. In determining the appropriate interventions an objective appraisal must be made of each client's background, risk, and needs. Moreover, by identifying criminogenic needs of each individual, probation officers can intervene with evidence-based strategies designed to change behavior. Probation officers seek to assist individuals on probation in maintaining sobriety, locating mental health treatment services, obtaining or maintaining employment, and finding vocational training. A probation officer's primary functions are to promote positive behavior change and enforce court ordered conditions, with the ultimate goal of decreasing crime while increasing community safety. "In a desistance framework, crime reduction is viewed as a complicated change process in which individuals learn to be law abiding over time. In contrast, recidivism is a binary frame—people either succeed or they fail. Desistance allows for degrees of success even if there are occasional setbacks."<sup>3</sup> As necessary, a probation officer will have to utilize sanctions or violate an individual's probation term in order to promote community safety.

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<sup>2</sup> See New Jersey Courts, Office of Probation Services.

[Recommendations Future Probation Supervision-Judicial Council Approved.pdf \(njcourts.gov\)](#)

<sup>3</sup> From "Recidivism Reconsidered: Preserving the Community Justice Mission of Community Corrections" by Jeffrey Butts and Vincent Schiraldi, 2018, Harvard Kennedy School Papers from the Executive Session on Community Corrections.

On November 9, 2015, legislation was enacted requiring the administrative director of the courts to establish a program to record and analyze the recidivism of all individuals sentenced to probation in order to measure the effectiveness of the state’s rehabilitation programs.<sup>4</sup> The definitions of recidivism varies by state, but it generally is defined as a relapse into criminal behavior after a person has been sanctioned for a previous crime.<sup>5</sup> In the statute, recidivism is defined as arrests “for all offenses committed by persons on probation within three years following their sentence of probation.”<sup>6</sup>

Probation Services prepared this report pursuant to the above-mentioned legislation which requires summarizing rates, trends, and patterns be prepared annually for distribution to the Legislature, Governor, and general public.<sup>7</sup> Probation Services collected and analyzed data on all persons sentenced to adult probation in 2018 and 2019 (2018 cohort and 2019 cohort) to assess who was arrested within a three-year period from their sentence date. For the purpose of this report, this three-year period will be referred to as the “recidivism period”.<sup>8</sup> The conviction and sentencing data reported also were outcomes that occurred within this period.

As set forth in the recidivism legislation:

The program shall record data regarding types of crimes committed by offenders that result in a sentence of probation, the arrests for all offenses committed by persons on probation within three years following their sentence of probation and any convictions resulting from the arrests, crimes committed while on probation, the number of repeat offenders and the number of persons on probation concurrently serving a parole sentence. This data shall be analyzed to determine whether the rates and nature of arrests and convictions differ according to the criminal histories and personal characteristics of persons on probation, the treatment they received during the period of probation, participation and involvement in rehabilitation initiatives and programs, and such other factors as may be relevant to the

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<sup>4</sup> New Jersey Statutes Annotated (“N.J.S.A.”), §2C:45-6(a).

<sup>5</sup> See National Institute of Justice, *Measuring Recidivism*.

<https://www.nij.gov/topics/corrections/recidivism/Pages/measuring.aspx> and N.J.S.A. 2C:45-6b (setting forth the data points relevant to recidivism).

<sup>6</sup> N.J.S.A. §2C:45-6(b).

<sup>7</sup> N.J.S.A. §2C:45-6,(c),(d).

<sup>8</sup> The recidivism period for the 2018 adult cohort is measured from the sentencing date in 2018 to three years after.

purposes of this section, including, but not limited to, race, sex, ethnicity, and age.<sup>9</sup>

Criminal Justice Reform (CJR) went into effect on January 1, 2017. CJR represents a fundamental change in how defendants and their cases are processed in New Jersey courts. As mentioned in the memorandum by the attorney general in 2017, “The two overarching goals of the new system largely are being met: prosecutors have detained without bail over 1,200 of the state’s most violent, highest risk offenders, while at the same time, low-risk, indigent defendants are not being incarcerated on low money bails that they cannot pay.”<sup>10</sup>

What it means for probation is explained in the brochure published by the New Jersey Judiciary: “A pretrial services program comprised of many pretrial services officers statewide is responsible for monitoring defendants who are released pending trial, a system similar to the federal system and a number of other jurisdictions. For low-risk defendants, that could amount to nothing more than a phone call or text to remind them to show up in court. As the risk level increases, the nature of the monitoring is enhanced. The officers ensure that defendants are notified of future court appearances, alert the court of any violations of release conditions, and in some instances initiate the release revocation process.”<sup>11</sup> This means in years 2018 and 2019, through pretrial monitoring, probation has seen an uptake in crimes data that would previously lead a client to incarceration. The heavy lifting of the CJR reform is being done by successful probation methodologies like specialized caseloads. When a client is arrested while on probation, their supervision is moved to a specialized caseload. Specialized caseloads include greater resources and monitoring, which may be necessary to promote desistance and prevent recidivism.

In April 2021, Probation Services began working with the Judiciary’s Information Technology Office (ITO) to extract data for this report. More information about methodology and the different databases that were queried, and the evolving method of querying, can be found in *Appendix A*.

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<sup>9</sup> N.J.S.A. §2C:45-6 (b)

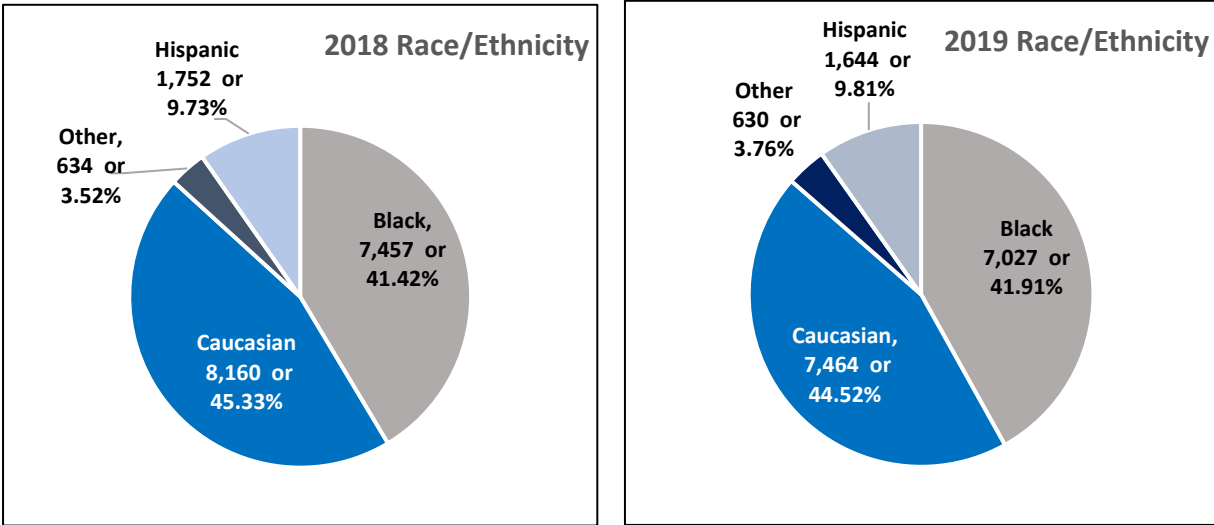
<sup>10</sup> [ag-directive-2016-6 v2-0.pdf \(state.nj.us\)](#)

<sup>11</sup> [Criminal Justice Reform - Frequently Asked Questions \(njcourts.gov\)](#)

### III. DEMOGRAPHICS OF ADULTS SENTENCED TO PROBATION IN 2018 and 2019

The statute requires the Judiciary to measure and analyze demographics of the adult cohort, as well as those who reoffended within the recidivism period.<sup>12</sup> The first section of this report compares the demographics of the adult cohort for 2018 and 2019. The total number of clients that were sentenced to probation services in 2018 and 2019 were 18,003 and 16,765 respectively.

Figure 1. Race/Ethnicity and Sex Distribution of the 2018 and 2019 Adult Cohort

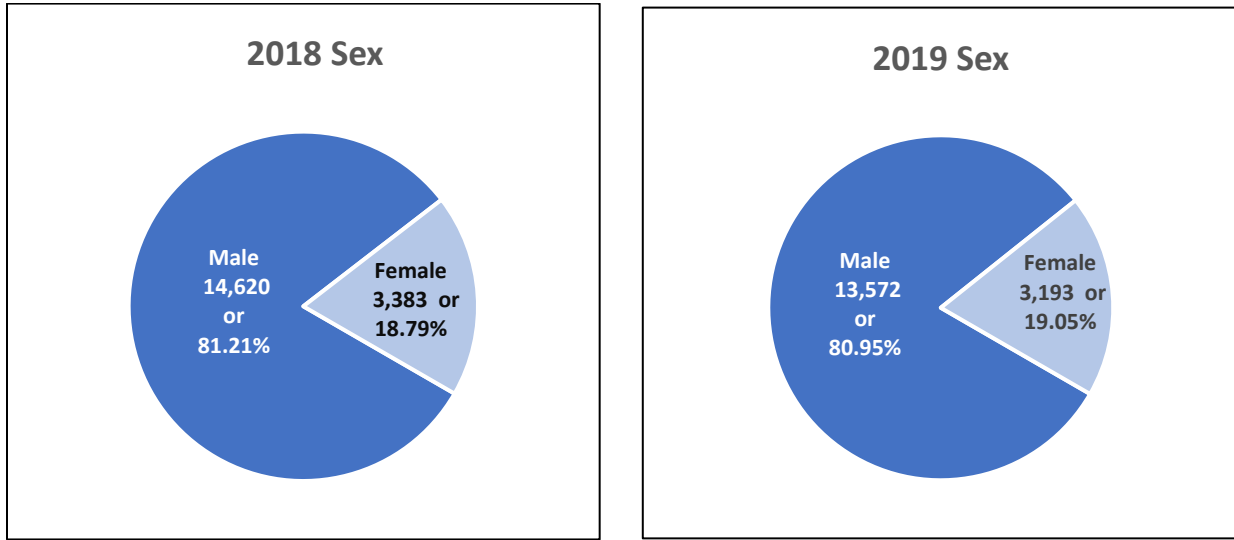


A comparison of the cohort of clients sentenced to probation in 2018 to clients sentenced in 2019 in Figure 1. shows that there was no significant change in the race distribution. The majority of adult cohort was Caucasian, with 45.3% in 2018 and 44.5% in 2019, followed by Black, which was 41.4% in 2018 and 41.9% in 2019. Hispanic distribution remained close both years, at 9.7% in 2018 and 9.8% in 2019 followed by Other race/ethnicity,<sup>13</sup> which was 3.5% in 2018 and 3.8% in 2019.

<sup>12</sup> The statute requires the Judiciary to record “arrests for all offenses committed by persons on probation” and “crimes committed while on probation” (N.J.S.A. §2C:45-6 (b)). However, Probation only has access to data on criminal complaints and subsequent convictions and not on actual reoffending behavior.

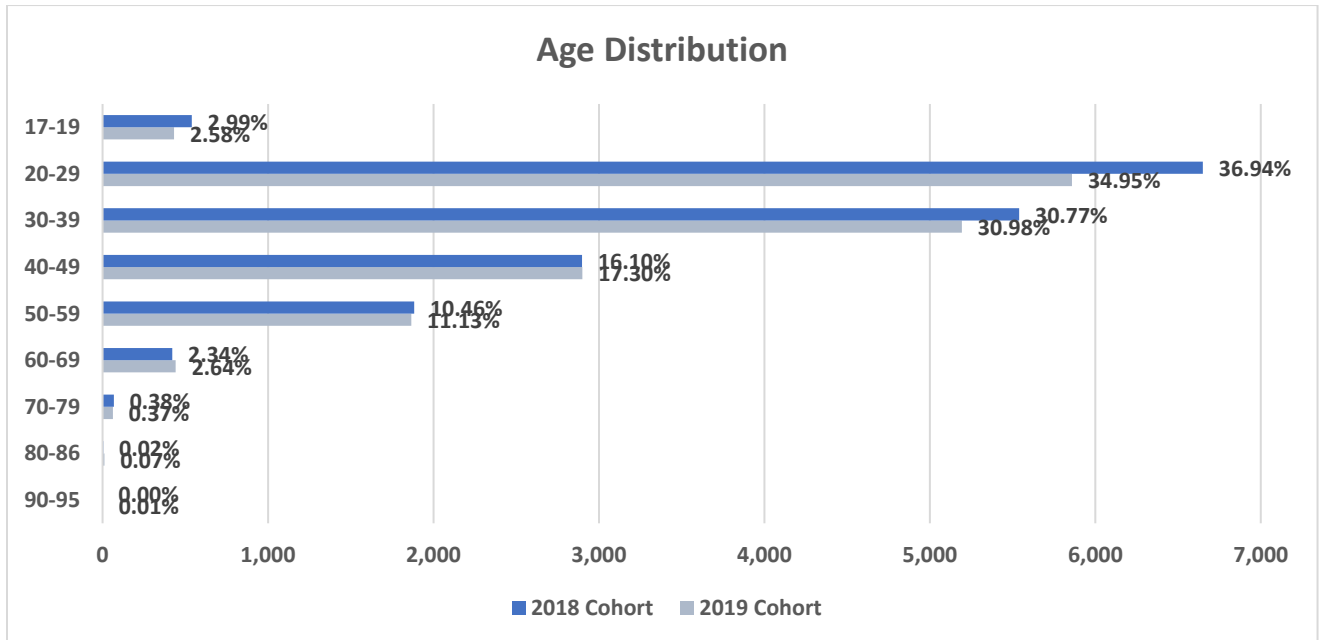
<sup>13</sup> Other includes Alaskan Native, American Indian, Asian, and clients without a category.

### Sex Distribution of the 2018 and 2019 Adult Cohort



There also was no significant change in the sex distribution when comparing the cohort from 2018 and 2019 with males composing the majority of the distribution. They were 81.2% in 2018 and 81% in 2019. Roughly 4 out of 5 people on probation were males.

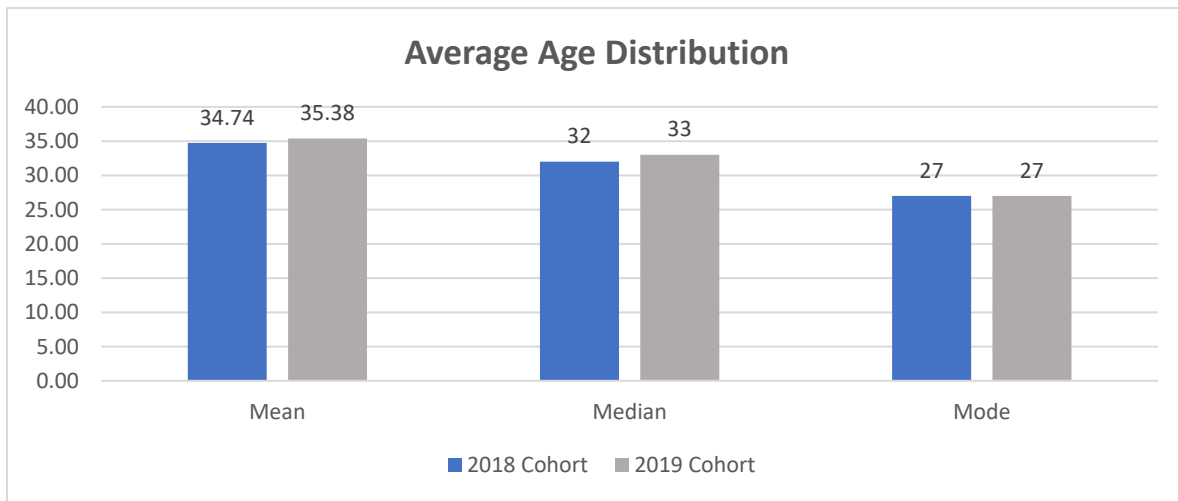
Figure 2. Age Distribution of the 2018 and 2019 Adult Cohort



There was no significant change in the age distribution when comparing the cohort from

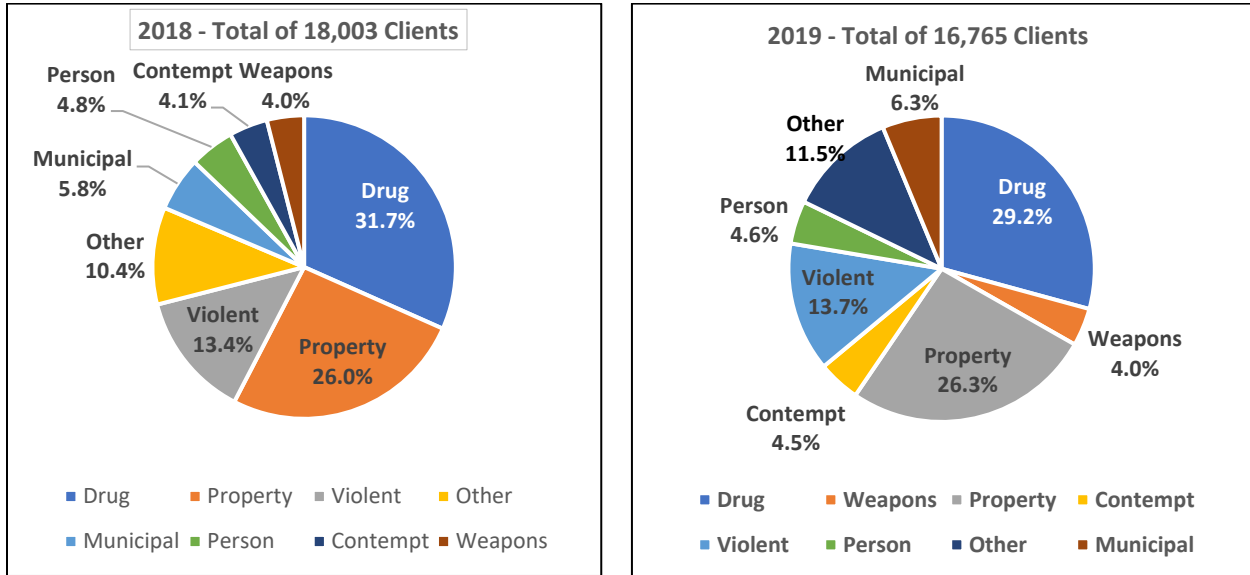
2018 and 2019. In 2018 and 2019 the 20–29 year-old age group represented the largest number of clients who were sentenced to probation. This group was 36.9% in 2018 and 35% in 2019. It was followed by the 30–39 year-old age range. They were 30.8% in 2018 and 31% in 2019. In 2019 most of the groups saw fewer clients compared to 2018.

### Mean, Median, and Mode Age of the 2018 and 2019 Adult Cohort

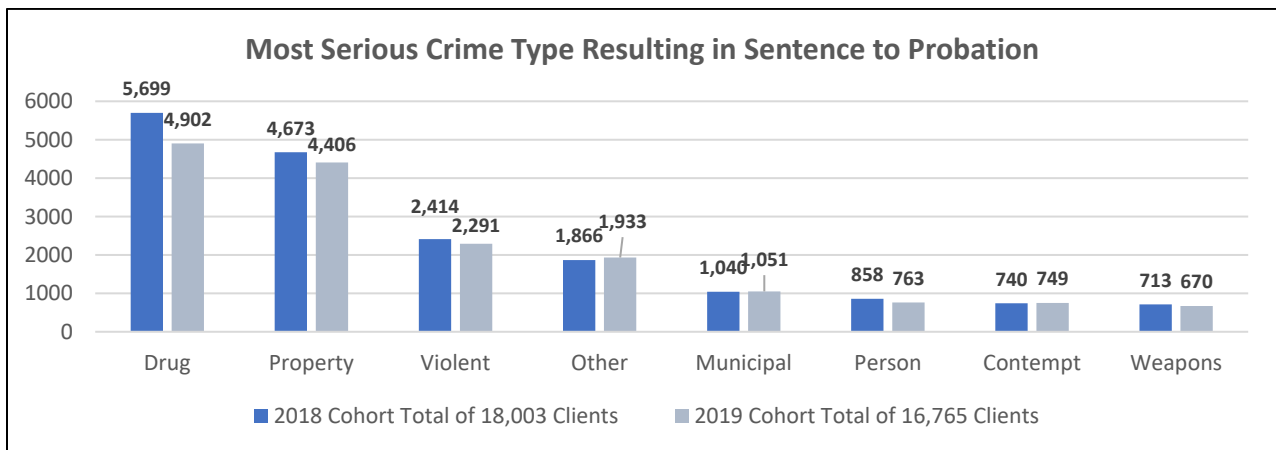


The mean is the average age of the clients within the cohort, the median is the middle age within the cohort, and mode is the most common age that appears multiple times within the data set. The median age within the cohort was 32 in 2018 and 33 in 2019. However, there was no significant change in the mean age and mode age.

Figure 3. Crime Type Distribution of the 2018 and 2019 Adult Cohort



Most clients were sentenced to probation in 2018 and 2019 for drug and property crimes. Drug crimes represented 31.7% of the overall types of crime in 2018 and decreased marginally in 2019 to 29.2%. Property crimes remained nearly the same, at 26% in 2018 and 26.3% in 2019. In contrast, very few clients were sentenced to probation for weapons and persons crimes.

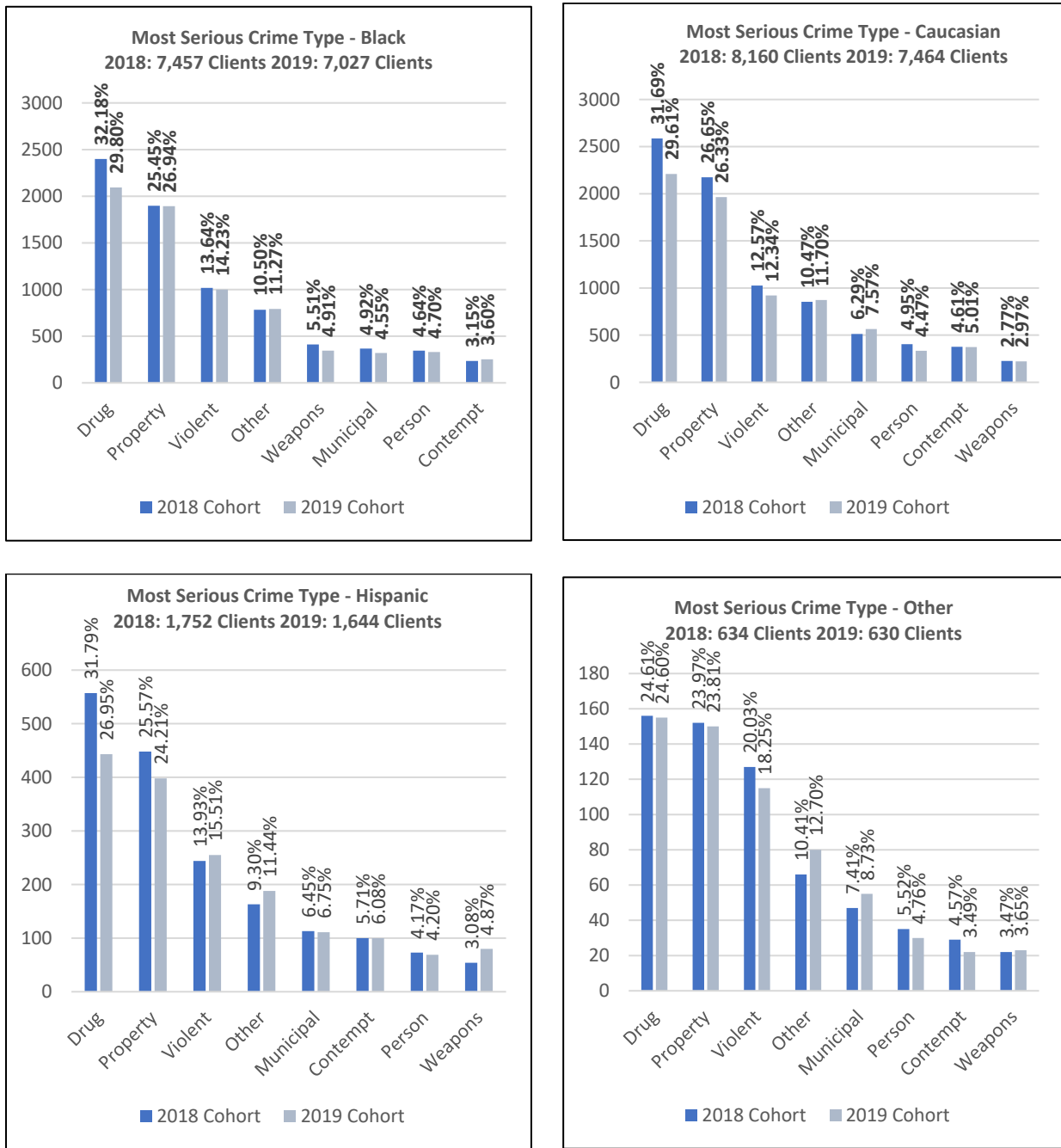


There was no significant change in the crime type distribution between 2018 and 2019. Drug, property, and violent crimes reduced marginally in 2019 compared to 2018. Other crimes<sup>14</sup> accounted for 10.4% in 2018 and 11.5% in 2019 while municipal, contempt, persons and weapons

<sup>14</sup> Other includes crime types classified in Appendix B, as well as crime types that could not be classified.

crimes were the smallest percentage in the group.

**Figure 4. Crime Type Distribution by Race/Ethnicity of the 2018 and 2019 Adult Cohort**

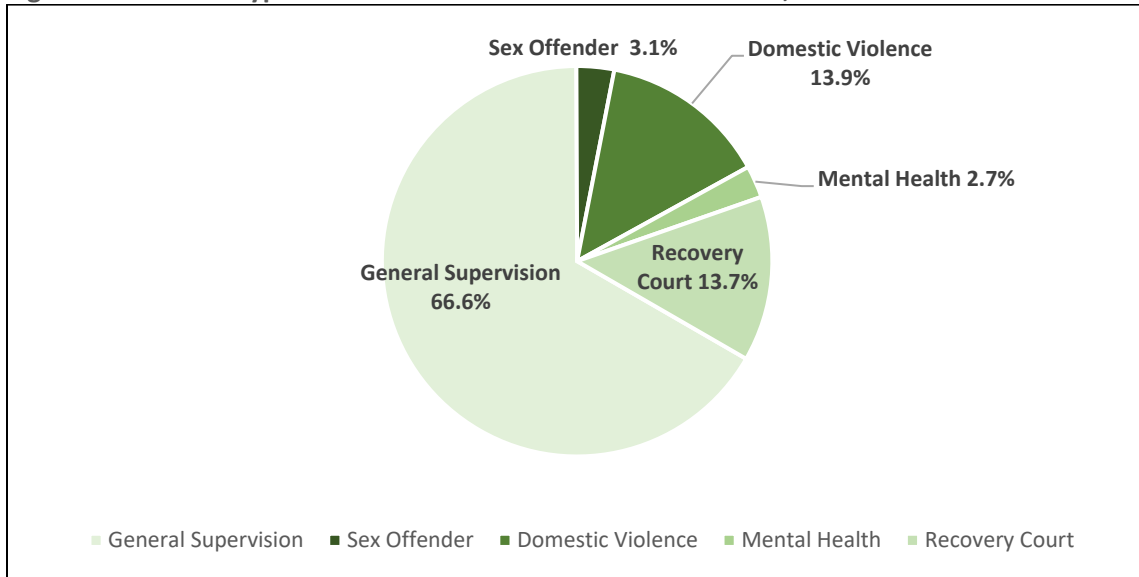


There was no significant change in the crime type by race distribution when comparing the cohort from 2018 and 2019. Most of the clients sentenced to probation in 2018 and 2019 for drug and property crimes were Caucasian with 8,160 clients in 2018 and 7,464 in 2019. Blacks were

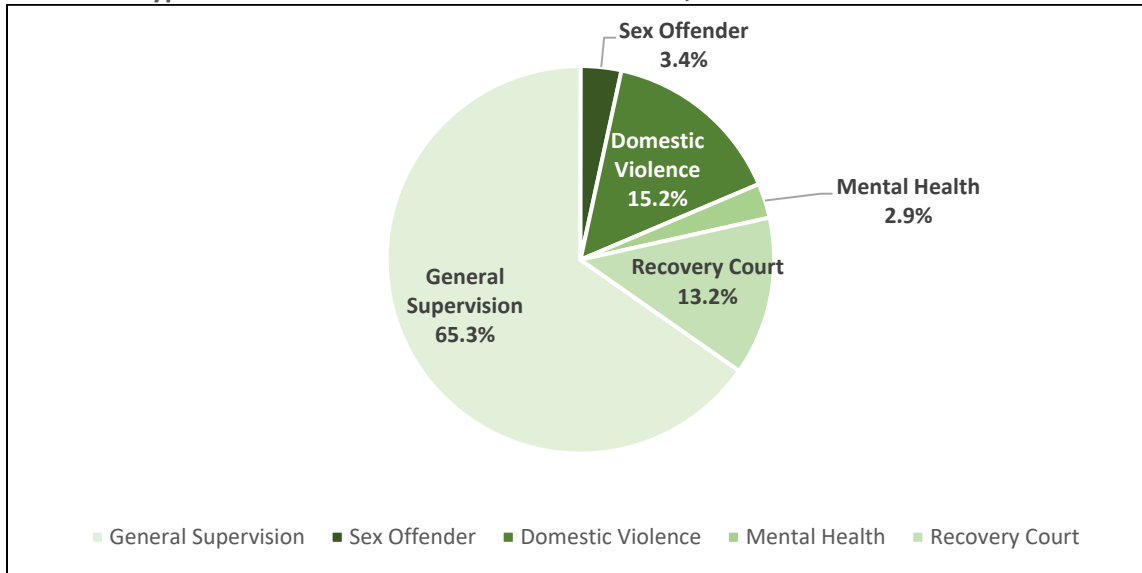


the second largest group, with 7,457 clients in 2018 and 7,027 in 2019. The Caucasian group had marginal decline in 2019 for drug and property crime types compared to 2018. Hispanic population reduced from 31.8% in 2018 to 27% in 2019 for drug crime type. It also reduced from 25.6% in 2018 to 24.2% in 2019 for property crime type. More information about crime type categories can be found in *Appendix B*.

**Figure 5. Caseload Type of Clients in the 2018 Cohort Total of 18,003 Clients**



Caseload Type of Clients in the 2019 Cohort Total of 16,765 Clients



The majority of the clients in the probation cohort, 66.6% in 2018 and 65.3% in 2019 were placed under general supervision for their entire probation term. However, about 3 in 10 clients were transferred to a specialized caseload at some point during their supervision. Each specialized caseload is designed to use interventions that match client needs. Probation officers who work with these clients are also specially trained to deal with the specific challenges of their caseload type. In 2018, 13.9% of clients were in the domestic violence (DV) caseload, and 15.2% of clients were in this caseload in 2019. This was followed by the Recovery Court (RC) caseload with 13.7% of the probation cohort in 2018 and 13.2% in 2019. sex offender (SO) caseload and the mental health (MH) caseloads comprised the smallest percentages of specialized caseloads in 2018 and 2019.

# FOUR YEAR COMPARISON OF PROBATION DEMOGRAPHICS

Figure 6. Demographic Comparison of the 2016, 2017, 2018 and 2019 Adult Cohorts

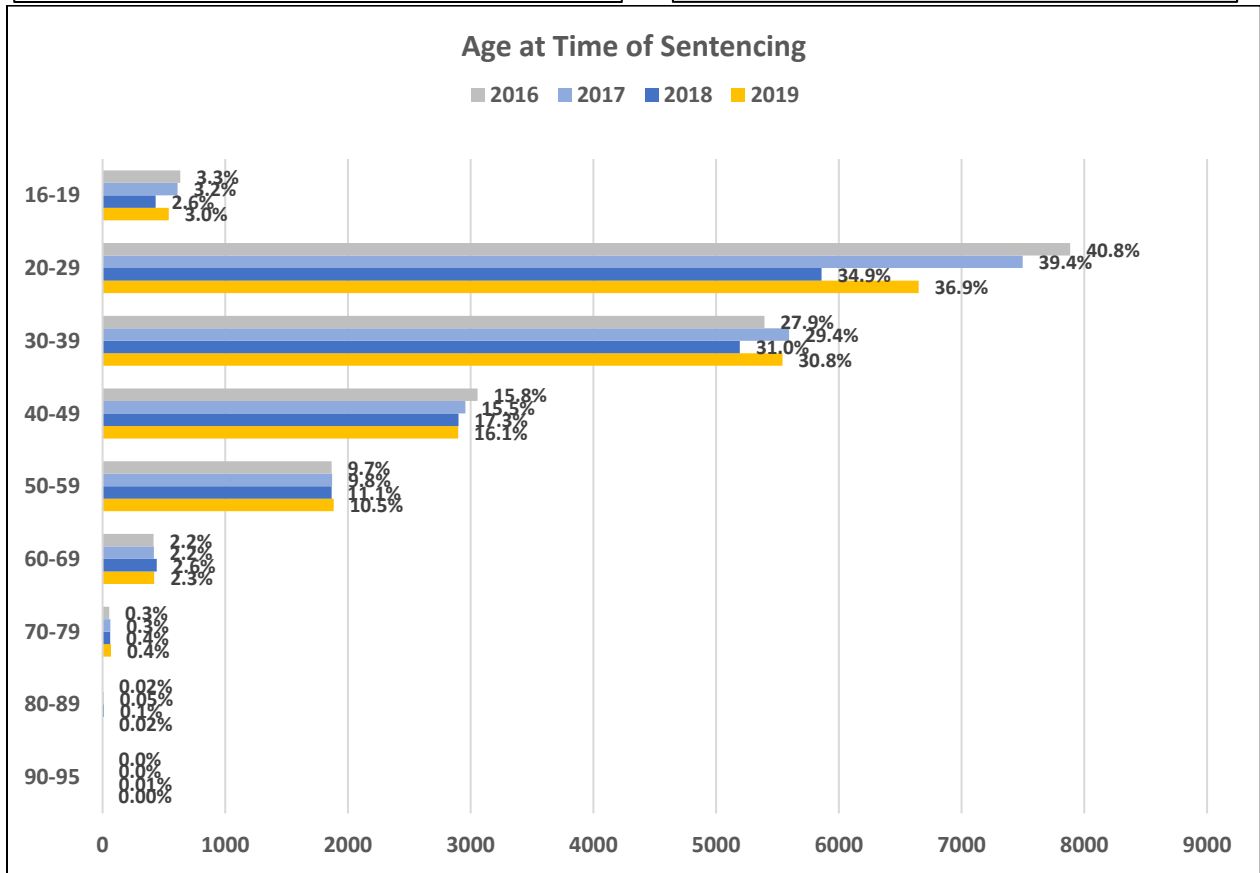
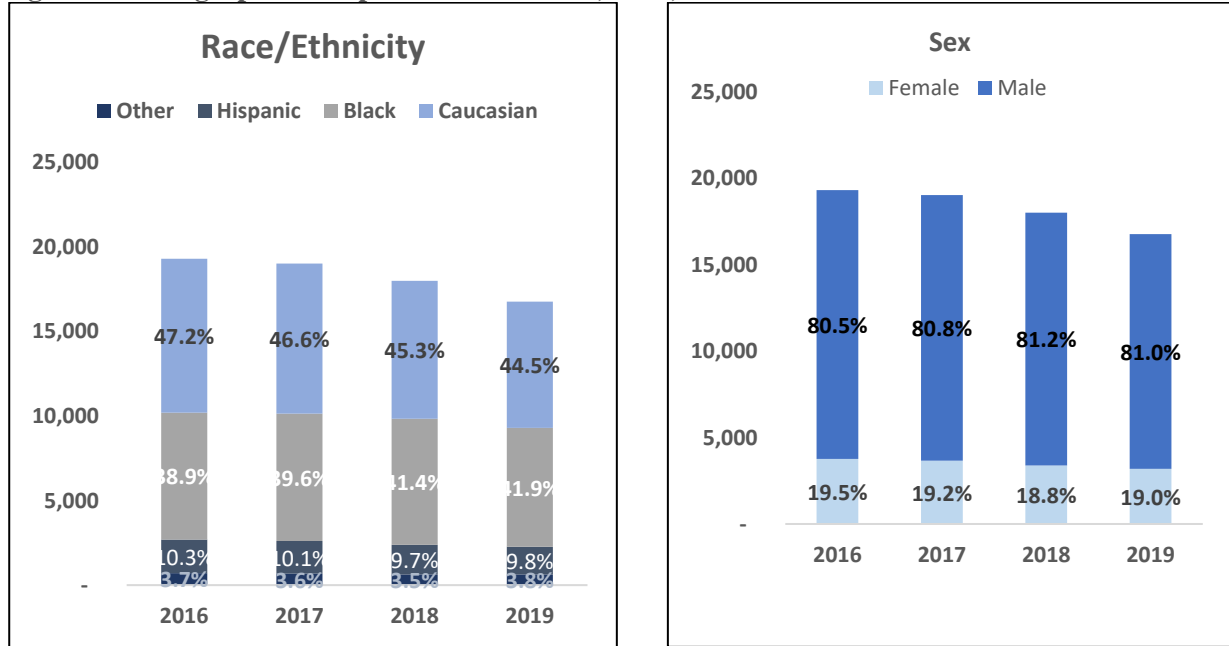


Figure 6. shows a comparison of recidivism study demographics over four years starting with the 2016 adult cohort, followed by the 2017 and 2018 adult cohorts and the most recent 2019 adult cohort. The sex and race/ethnicity distribution has remained relatively consistent in each cohort with minor differences. Caucasian was the most prevalent group among the four years, but decreased marginally from 47.2% in 2016 to 44.5% in 2019. The female distribution decreased slightly over the four years from 19.5% in 2016 to 19% in 2019. There were marginal variations in the age distribution for each cohort, however, the largest number of probationers were between the ages of 20 and 29 at sentencing. This group also has decreased from 40.8% in 2016 to 36.9% in 2019.

**Figure 7. Most Serious Crime-Type Comparison of 2016, 2017, 2018 and 2019 Cohorts**

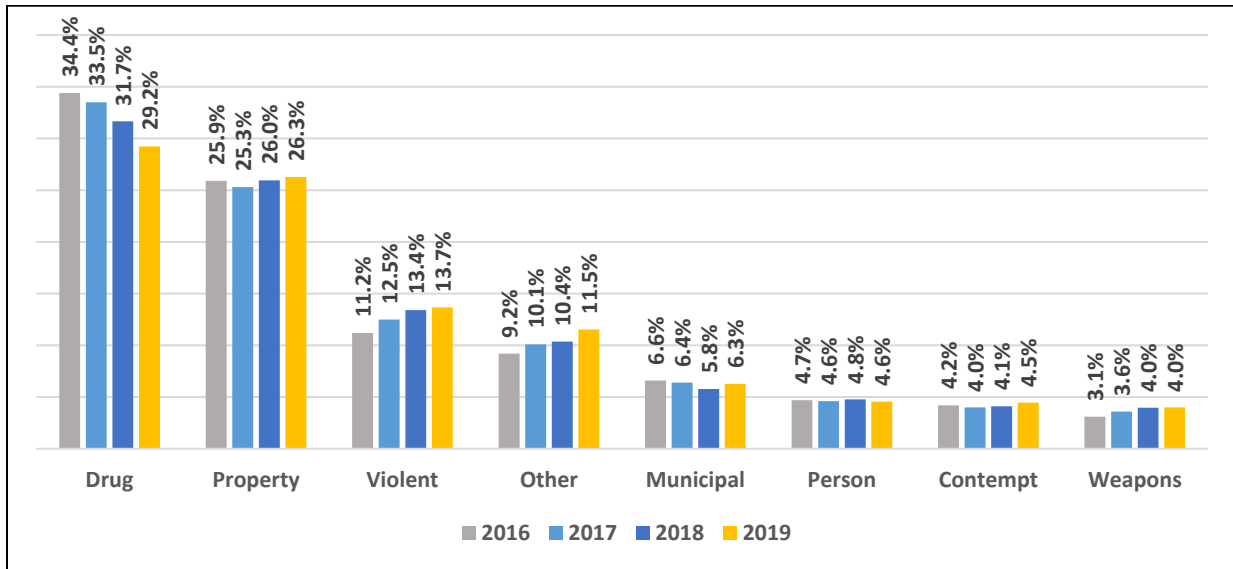


Figure 7 illustrates a comparison of the most serious crime-type which resulted in each client’s sentence to adult probation in 2016, 2017, 2018 and 2019. As shown in the chart, there were no major changes in the distribution rate of the most serious crime-type between the 2016 and 2019 adult cohorts. Drug and property crimes were the most serious crime-types that resulted in the majority of sentences to adult probation in 2016, 2017, 2018 and 2019. The most notable differences were in the drug crime-type which decreased from 34.4% in 2016 to 29.2% in 2019.

## IV. ARRESTS

In this report, recidivism is defined by statute as arrests for any offense committed by a client sentenced to probation within three years following their probation sentence. Pursuant to the statute, the characteristics of arrests for the 2018 and 2019 adult cohort during the recidivism period will be discussed in this section. This section will provide information about the number of individuals who remained arrest free, reflecting the effectiveness of probation officers and client compliance with the terms of supervision. The arrest data is comprised of adult clients who were arrested within the three-year recidivism period after their initial probationary sentence. Of the 18,003 clients in the 2018 cohort, a total of 8,068 clients were arrested at least once. This indicates a recidivism rate of 44.8%. The majority of clients (55.2%) remained arrest free during the recidivism period. Of the 16,765 clients in the 2019 cohort, a total of 7,224 clients were arrested at least once. This indicates a recidivism rate of 43.1%. The majority of clients (56.9%) remained arrest free during the recidivism period. Figure 8 illustrates this data.

**Figure 8. Number of Clients Arrested or Not Arrested in the 2018 and 2019 Adult Cohort**

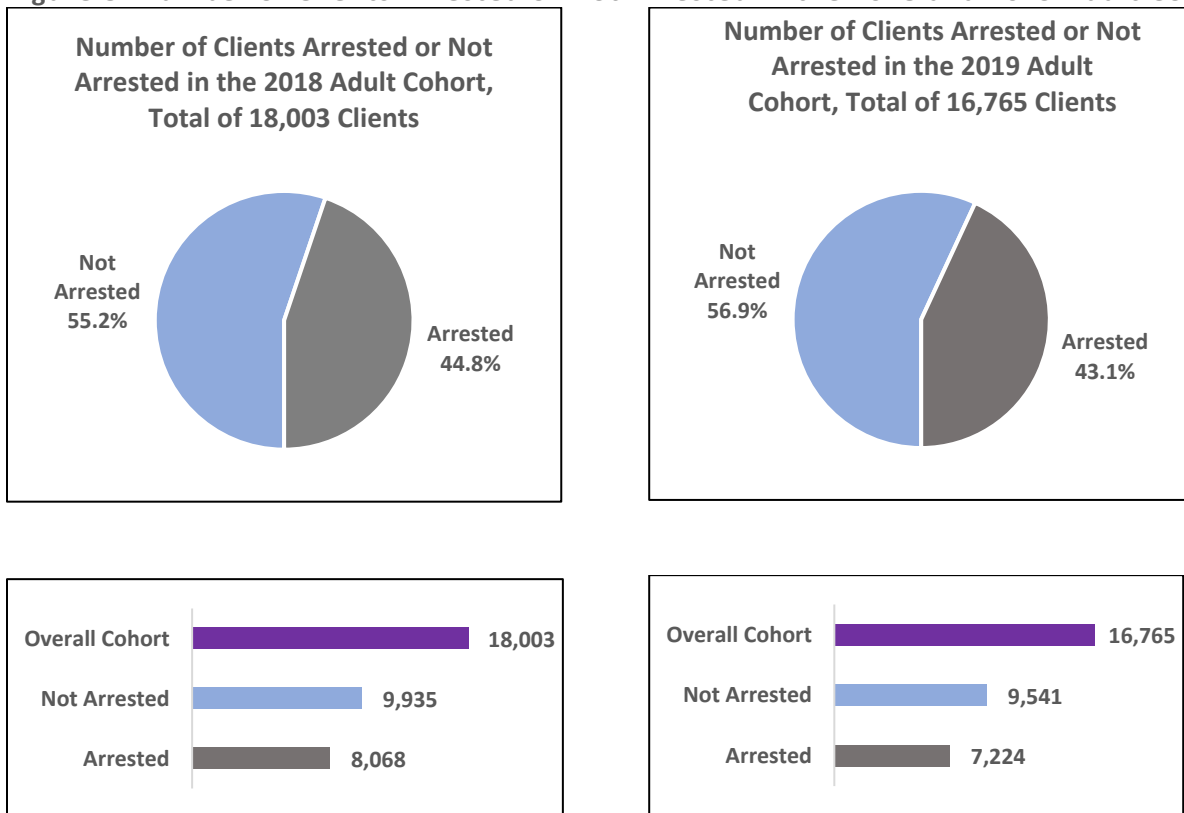
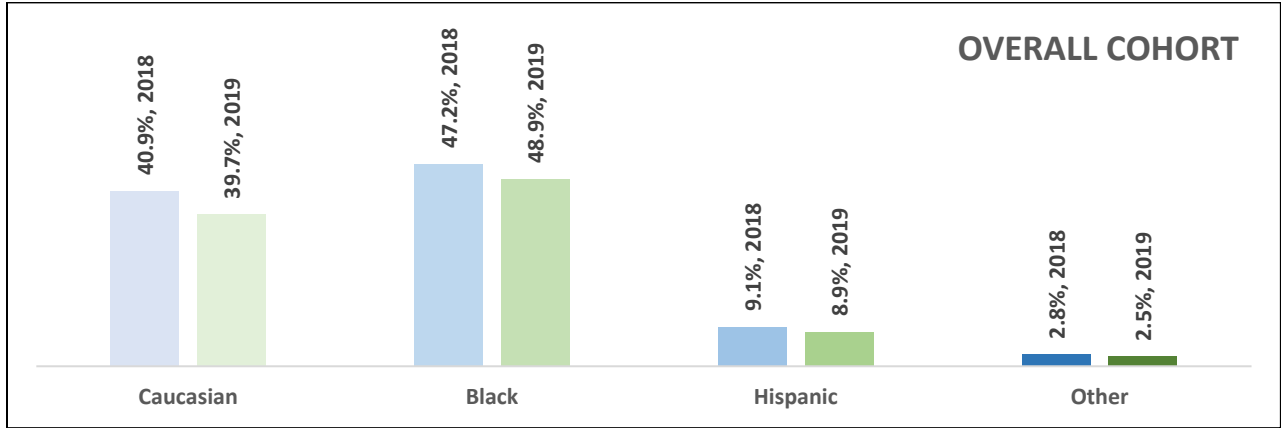


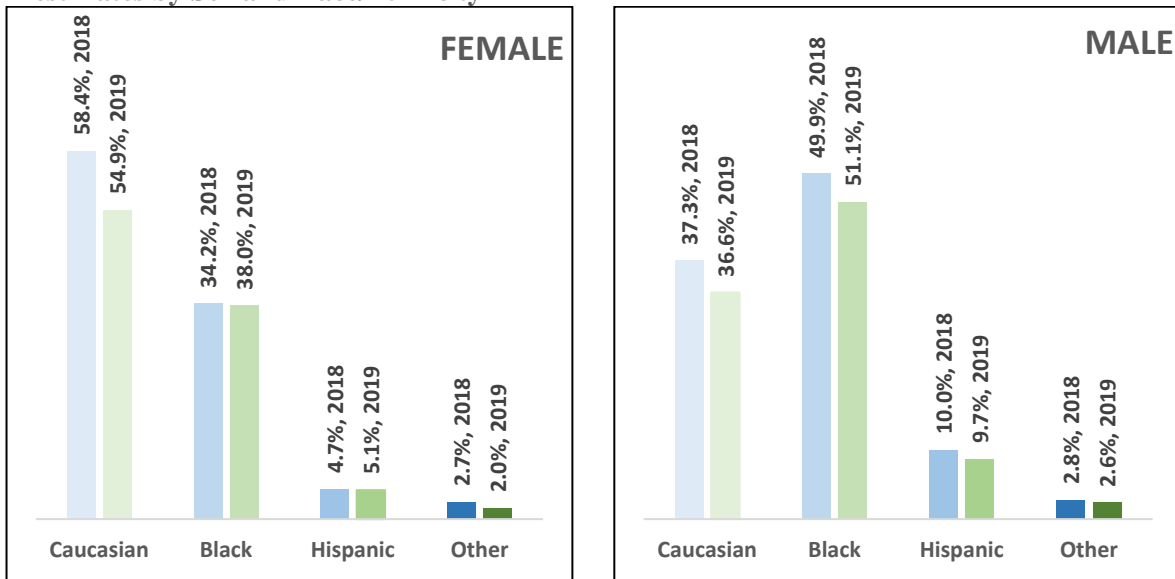
Figure 9. Arrest Rates by Race/Ethnicity



### ARREST RATES BY SEX AND RACE/ETHNICITY

Figure 9 shows the arrest rates during the three-year recidivism period for the 2018 and 2019 cohort broken down by sex and race/ethnicity. Overall, Blacks had the highest arrest rates for both years with 47.2% in 2018 and 48.9% in 2019. Caucasian was the second highest group, at 40.9% in 2018 and 39.7% in 2019. Hispanic and other groups accounted for the least percentage in this cohort.

### Arrest Rates by Sex and Race/Ethnicity



The breakdown shows that among female probation clients, caucasian females had the highest arrest rate during the three-year recidivism period for both years: 58.4% in 2018 and 54.9% in 2019. Black females had the second highest percentage at 34.2% in 2018 and 38.0% in 2019. In 2019, Caucasian females showed a lower arrest rate compared to 2018, while the arrest rate remained almost the same for the Black and Hispanic groups during 2018 and 2019.

Among the men, Black male probation clients had the highest arrest rate during the three-year recidivism period for both years: 49.9% in 2018 and 51.1% in 2019. Caucasian males had a 37.3% arrest rate in 2018 and a 36.6% arrest rate in 2019. In 2019 all male groups demonstrated a lower arrest rate than 2018. A full breakdown of the arrest and non-arrest totals and percentages by sex and race/ethnicity is illustrated in *Appendix C*.

### ARREST RATES BY CASELOAD TYPE

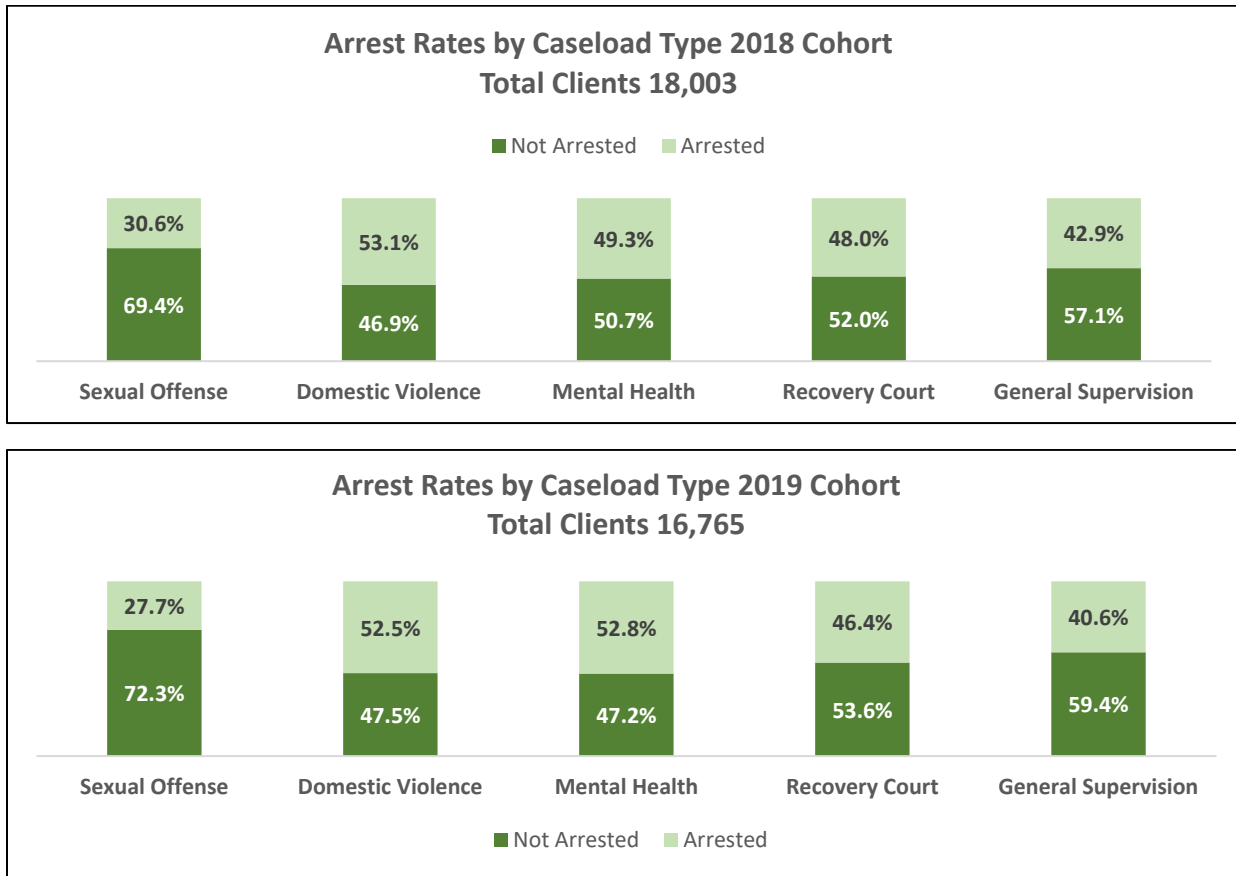
The adult probation population is divided into four major caseload types or supervision indicators. The primary caseload in which the majority of clients are supervised under is known as General Supervision. To address the challenges of supervised clients, Probation Services also includes specialized supervision for domestic violence, sex offenses, drug offenses and mental health. The Adult Mental Health Supervision Program is designed to help probation clients with mental illnesses. The recovery Court supervision program helps clients with drug offenses. Clients

can be referred to the mental health caseload in a number of ways, most often during probation orientation or by a probation officer. In addition, there are probation clients, who are charged with domestic violence or sex offenses and sentenced to a term of probation with varying conditions. The sex offender and domestic violence caseloads were designed to be segregated and supervised by probation officers specially trained in the dynamics of sex offender or domestic violence supervision. The goals of the initiative are to improve offender accountability and community protection. All three of these specialized caseloads have specially trained probation officers and use interventions to match client needs.

Figure 10 shows the arrest rates for the 2018 and 2019 cohort broken down by caseload type. Overall, during the three-year recidivism period, the domestic violence caseload had the highest arrest rate: 53.1% in 2018 and 52.5% in 2019. This group showed marginal improvement in 2019 with lower arrest rate. The mental health caseload accounted for 49.3% of arrests during the three-year recidivism period in 2018 and 52.8% in 2019. Recovery Court clients showed some improvement in the two years, with a 48% arrest rate in 2018 and 46.4% arrest rate in 2019. The sex offender caseload had the lowest arrest rate. This shows an increase in the specialized caseloads. As discussed in key findings, this is perhaps an outcome of CJR and new and effective probation caseload methodologies. In contrast when we observe sentencing data in fig 23, we see a major reduction in sentenced population percentages at the end of the arrest cycle. Further breakdowns by race/ethnicity are shown in *Appendix D*.



**Figure 10. Arrest Rates by Caseload Type**

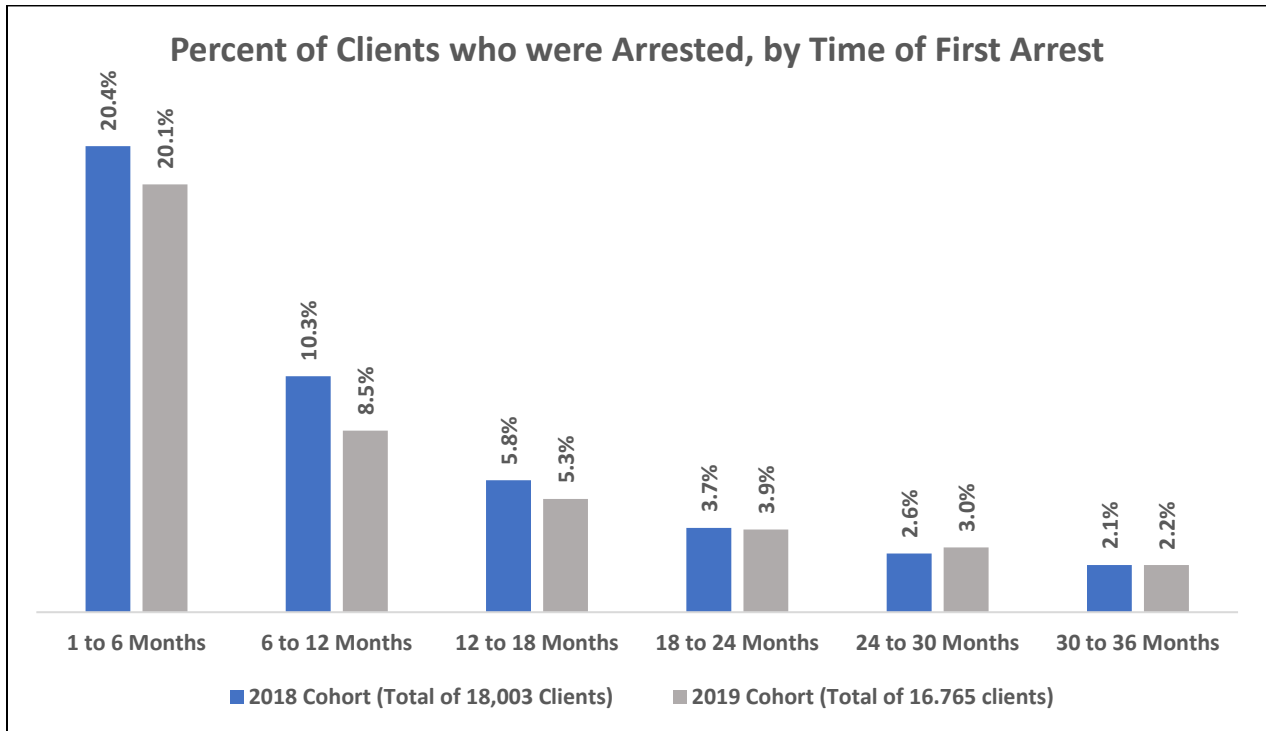


**REARREST LESS LIKELY THE LONGER A CLIENT NAVIGATES PROBATION**

Examining the time to first arrest/recidivism can be useful in differentiating between clients who are arrested early from those who remain arrest free for longer periods. Measuring the length of time to the recidivism event also can help policymakers determine an appropriate period of supervision for clients sentenced to probation.<sup>15</sup>

<sup>15</sup> U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. *2018 Update on Prisoner Recidivism: A 9-Year Follow-up Period 2005-2014*. (2018) and United States Sentencing Commission. *Recidivism Among Federal Offenders: A Comprehensive Overview*. (2016).

**Figure 11. Percent of Clients in the 2018 and 2019 Adult Cohort who were Arrested, by Time of First Arrest**



Arrest data for both the 2018 and 2019 adult cohort indicates that there was a steady decrease in rearrests throughout the three-year recidivism period. The frequency of rearrests broken down into timeframes is important because it helps probation officers determine when interventions are most needed.

Figure 11 shows rearrest rates broken down into six-month intervals during the three-year recidivism period. For the 2018 cohort it shows a gradual decline in the rearrest rate from 20.4% in the first six months to 10.3% in the second six months and continues to decline gradually over the next two years. In the 2019 cohort the rearrest rate improved overall and shows the same trend of decline every six months from 20.1% in the first six months to 8.5% in the second six months. This trend of decline was consistent across sex and race/ethnicity. Additional breakdowns with totals are shown in *Appendix E*.

On average across both cohorts in the final year of the three-year recidivism period, about nine in 10 clients remain rearrest free. This indicates that there is increased compliance as clients have more contact with Probation Services

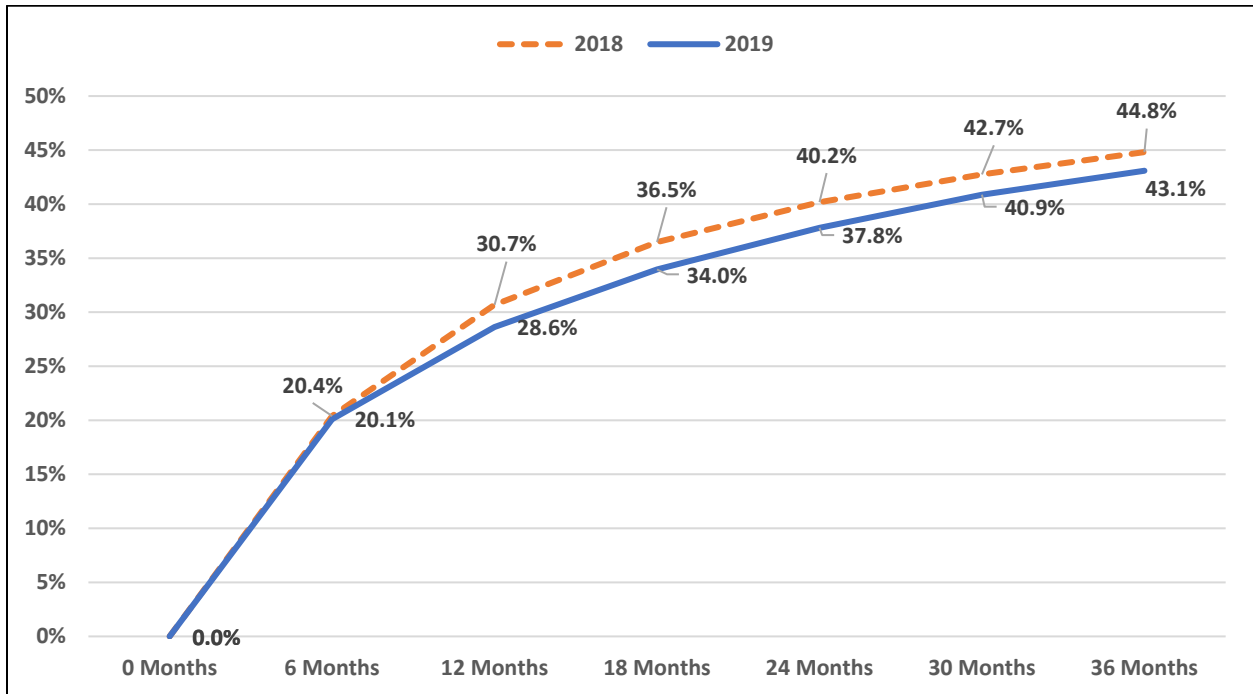
## ARREST RATES IMPROVED IN 2019 COMPARED TO 2018

Figure 12 shows the cumulative percent of clients who were arrested, by the period of their first arrest/recidivism event for the 2018 and 2019 adult cohorts. The chart illustrates the first arrest/recidivism rate over the three-year period broken down into six-month intervals for each cohort. The overall curve suggests that as time goes on, the recidivism rises at a lesser rate every six months. The chart also illustrates that client in 2019 remained arrest free longer than those in 2018. For example, by the end of three-year period, 43.1% of clients in 2019 were rearrested compared to 44.8% in 2018. Improvements in recidivism rates from 2018 to 2019 were consistent across sex and race/ethnicity.

Time After Probation Sentence 2018 Cohort	%	Cumulative %
1 to 6 Months	20.39%	20.39%
6 to 12 Months	10.29%	30.68%
12 to 18 Months	5.81%	36.49%
18 to 24 Months	3.69%	40.18%
24 to 30 Months	2.57%	42.75%
30 to 36 Months	2.07%	44.81%

Time After Probation Sentence 2019 Cohort	%	Cumulative %
1 to 6 Months	20.10%	20.10%
6 to 12 Months	8.53%	28.63%
12 to 18 Months	5.32%	33.95%
18 to 24 Months	3.85%	37.80%
24 to 30 Months	3.07%	40.88%
30 to 36 Months	2.21%	43.09%

Figure 12. Time to First Arrest for the 2018 and 2019 Adult Cohorts

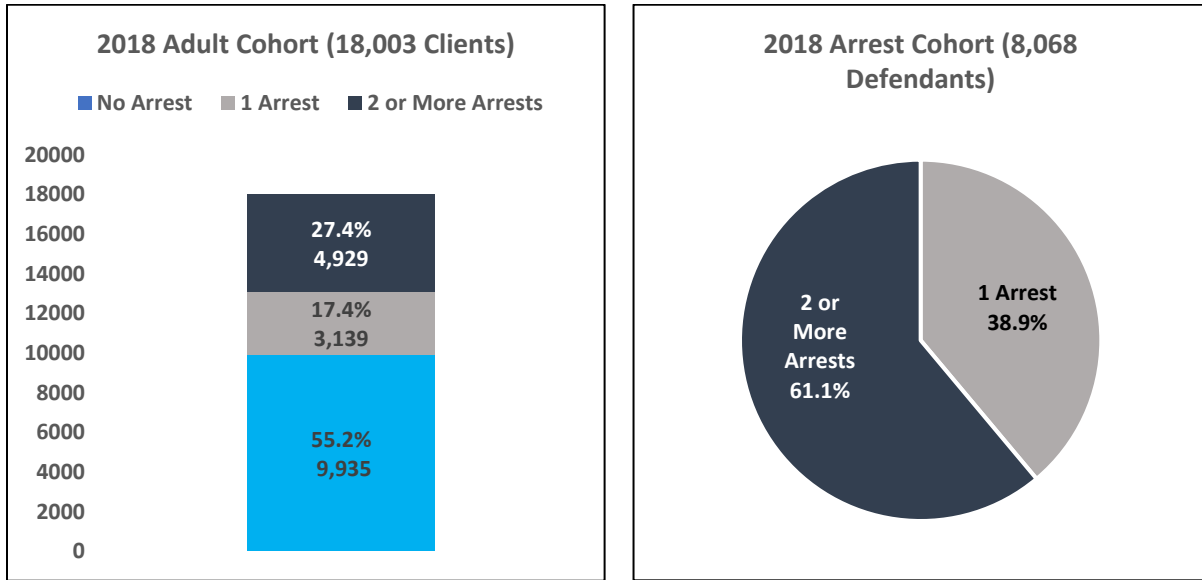


### ARREST DISTRIBUTION PER CLIENT

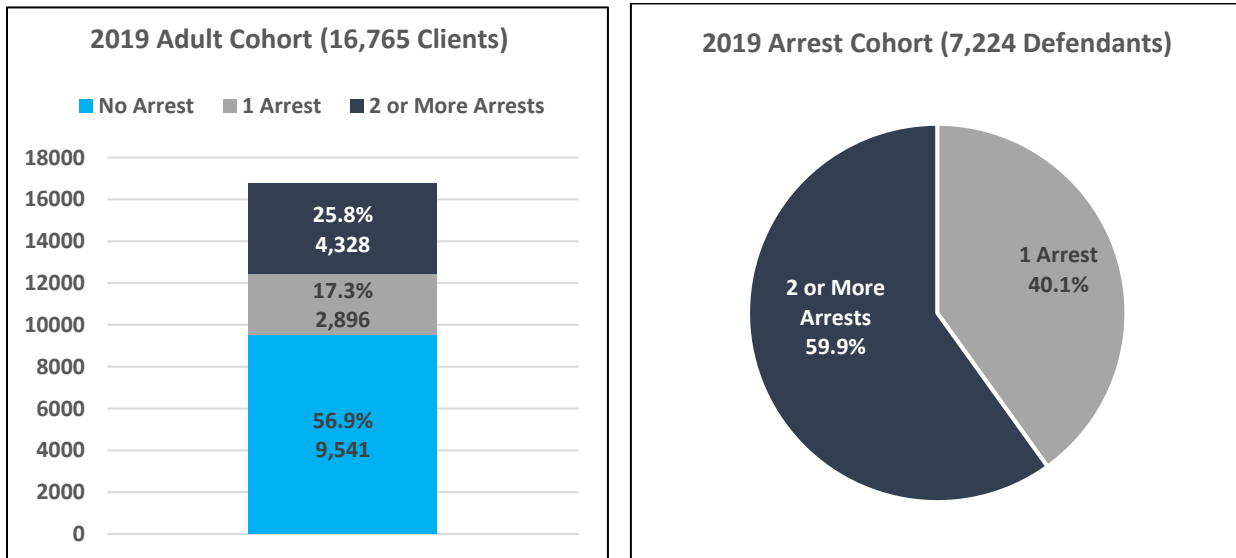
The statute also requires the Judiciary to identify “the number of repeat offenses.”<sup>16</sup> Figure 13 shows the rate of clients who remained arrest free, those who were arrested once, and clients who were arrested two or more times during the recidivism period. This is a simple count showing the number and percentage of clients who fell into each category. The column in figure 13 shows the entire adult cohort and the pie chart shows the subpopulation of clients who were arrested at least once. As shown in the column of the chart, the majority of clients were not arrested at all (55.2% in 2018 and 56.9% in 2019). However, those who were arrested, were slightly more likely to be arrested more than once. As shown in the pie chart in Figure 13, of the 8,068 clients arrested in the 2018 cohort, 61.1% of them were arrested twice or more. Out of the 7,224 clients arrested in 2019, 59.9% were arrested twice or more. For arrest distributions broken down by sex and race/ethnicity, see *Appendix F*.

<sup>16</sup> N.J.S.A. 2C:45-6 (b).

**Figure 13. Arrest Distribution Per Client in the 2018 Adult Cohort**



**Arrest Distribution Per Client in the 2019 Adult Cohort**

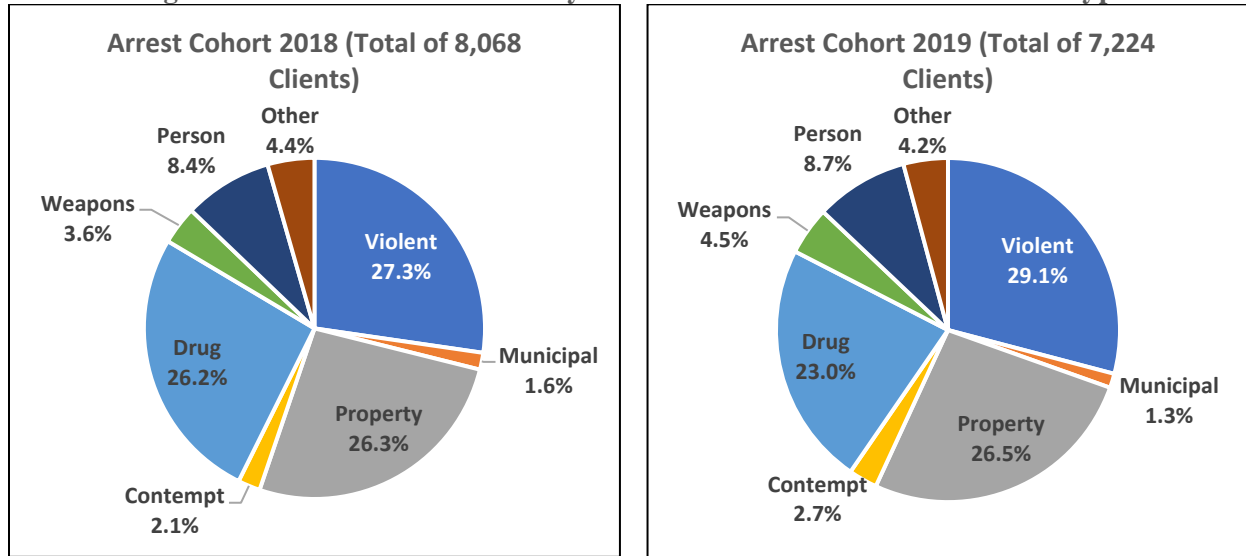


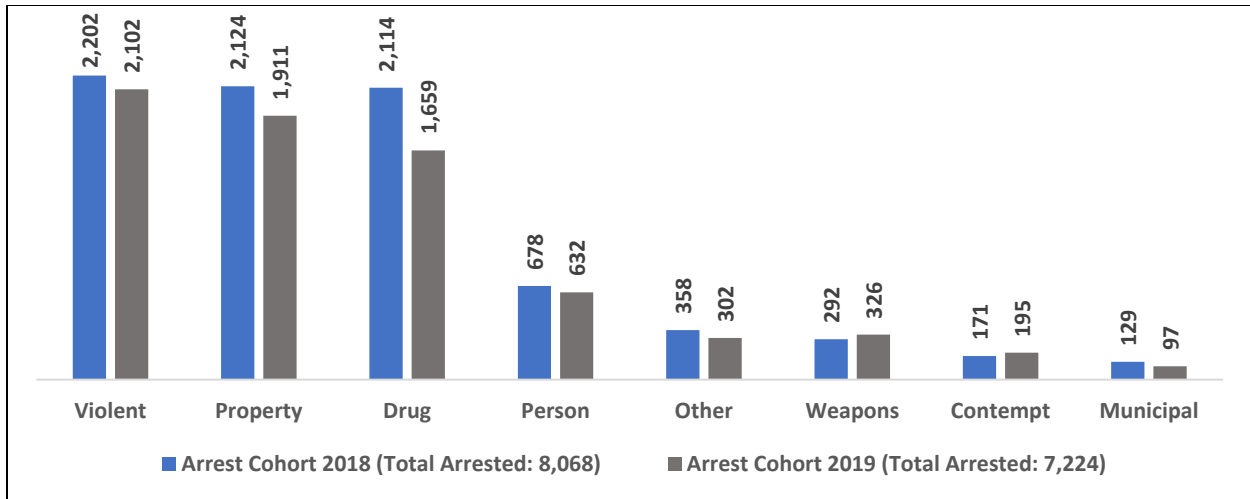
Note: The column chart shows the percentage of clients in each category, as a percent of the entire cohort. The pie chart shows the percentage of clients in each category, as a percent of those who were arrested (arrest cohort).

## MOST SEVERE ARREST BY CRIME-TYPE

This section summarizes the most severe charge by crime-type for which clients in the 2018 and 2019 cohort were arrested. Because some clients were arrested multiple times during the recidivism period, the data in this section considers all arrests that occurred during the three-year period and identifies and analyzes only the most serious/severe charge for each client. The crime-type subcategories are listed in *Appendix B*. The methodology for identifying the degree of the crime included the actual degree (first, second, third, fourth, disorderly persons, and petty disorderly persons), as reflected in the Judiciary’s systems. Offenses that did not have a degree listed in the system were ranked according to the category hierarchy as reflected in *Appendix B* in the following order in decreasing severity: Violent, Person, Property, Weapons, Drugs, Contempt, Other and Municipal. With system-wide technology enhancements that are currently being implemented, the degrees of arrest offenses will be reflected more clearly in future annual reports. The percentages in this section are calculated as a percent of the subpopulation of adult clients who recidivated (arrest cohort).

**Figure 14. Arrest Per Client by Most Serious Recidivism Crime-Type**





Note: Clients could have been arrested or charged for more than one offense or crime-type during the three-year recidivism period; the most serious/severe one is reported in this chart.

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

Figure 14 shows the most serious crime-type which resulted in the arrest of each client during the recidivism period. It demonstrates that even when a client has multiple arrests, the majority of most serious offenses involved drug, property and violent charges. This paralleled the trend of the original most severe charges<sup>17</sup> shown in the previous section, which also showed drug, property and violent crimes as the leading offenses which resulted in initial sentences to probation in 2018 and 2019. Of the 8,068 clients arrested in the 2018 cohort, 26.2% of the most serious arrests were drug related. In 2019, of the 7,224 clients arrested, 23% of the most serious arrests were drug related. This was followed by property offenses at 26.3% in 2018 and 26.5% in 2019. Violent crimes accounted for 27.3% in 2018 and 29.1% in 2019. Breakdowns by sex and race/ethnicity are shown in *Appendix G*.

<sup>17</sup> Original most serious charge refers to the most severe charge which resulted in the initial probation sentence in 2018 and 2019.

**Figure 15. Comparison of the Most Serious Recidivism and Original Crime-Type Per Client in the 2018 and 2019 Arrest Cohort**

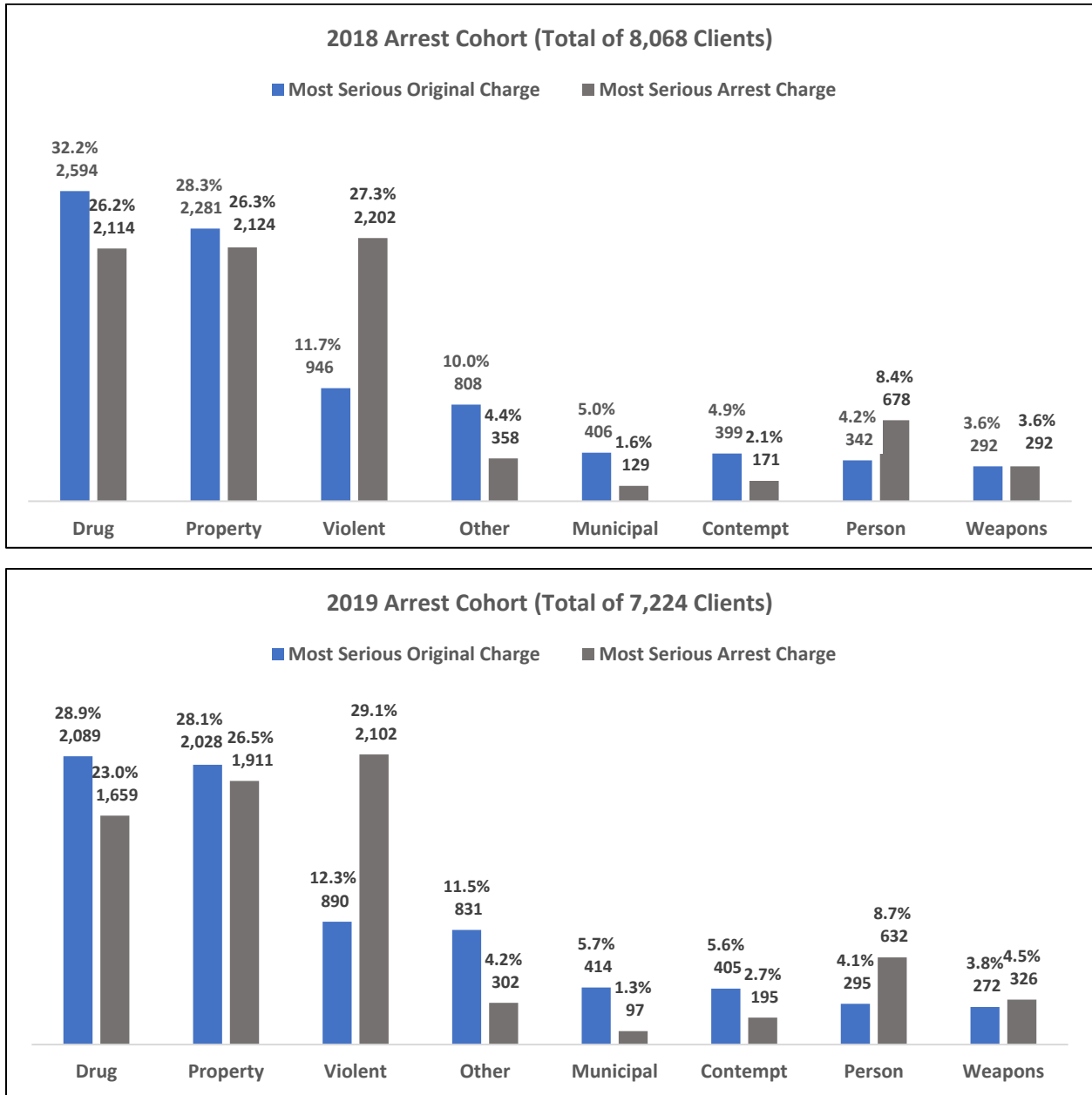


Figure 15 is a comparison of the most serious original crime-type which resulted in the initial 2018 and 2019 probation sentence for the subpopulation of adult clients who recidivated, and the most serious recidivism crime-type for which each client was arrested during the recidivism period. This chart does not include the original charge before sentencing to probation.



The original charge before sentencing is typically higher than what a client is finally charged with as we observe in the criminal justice system.

As shown in the chart, the distribution of recidivism crime-types followed the same general trend as the original most serious crime-types with some small variations. The rates of drug and property charges remained relatively reduced, while violent and person crime-type rates were higher than the original most serious charge.

### **SEVERITY COMPARISON OF THE MOST SERIOUS ORIGINAL AND ARREST CHARGES**

In addition to recidivism as a method of determining the success of clients under supervision, Probation Services also takes desistance into account. Where recidivism is a binary framework defined by a single event in which a client is arrested, desistance is a process that is not limited to abstinence from crime, but also includes reduction in the frequency and/or seriousness of offending.<sup>18</sup> This section explores the severity of the arrests. For this analysis, the most serious original and most serious arrest charge of each client in the arrest cohort was identified and compared. Each client was then categorized as having a most serious arrest charge that was more severe, less severe or the same severity as the original most serious charge. Figure 16 shows this comparison of the severity of original and arrests/recidivating charges. It addresses the question of whether arrest charges were more severe, less severe or the same severity as the original charge. The percentages in Figure 16 are calculated as a percent of the subpopulation of adult clients who recidivated (arrest cohort).

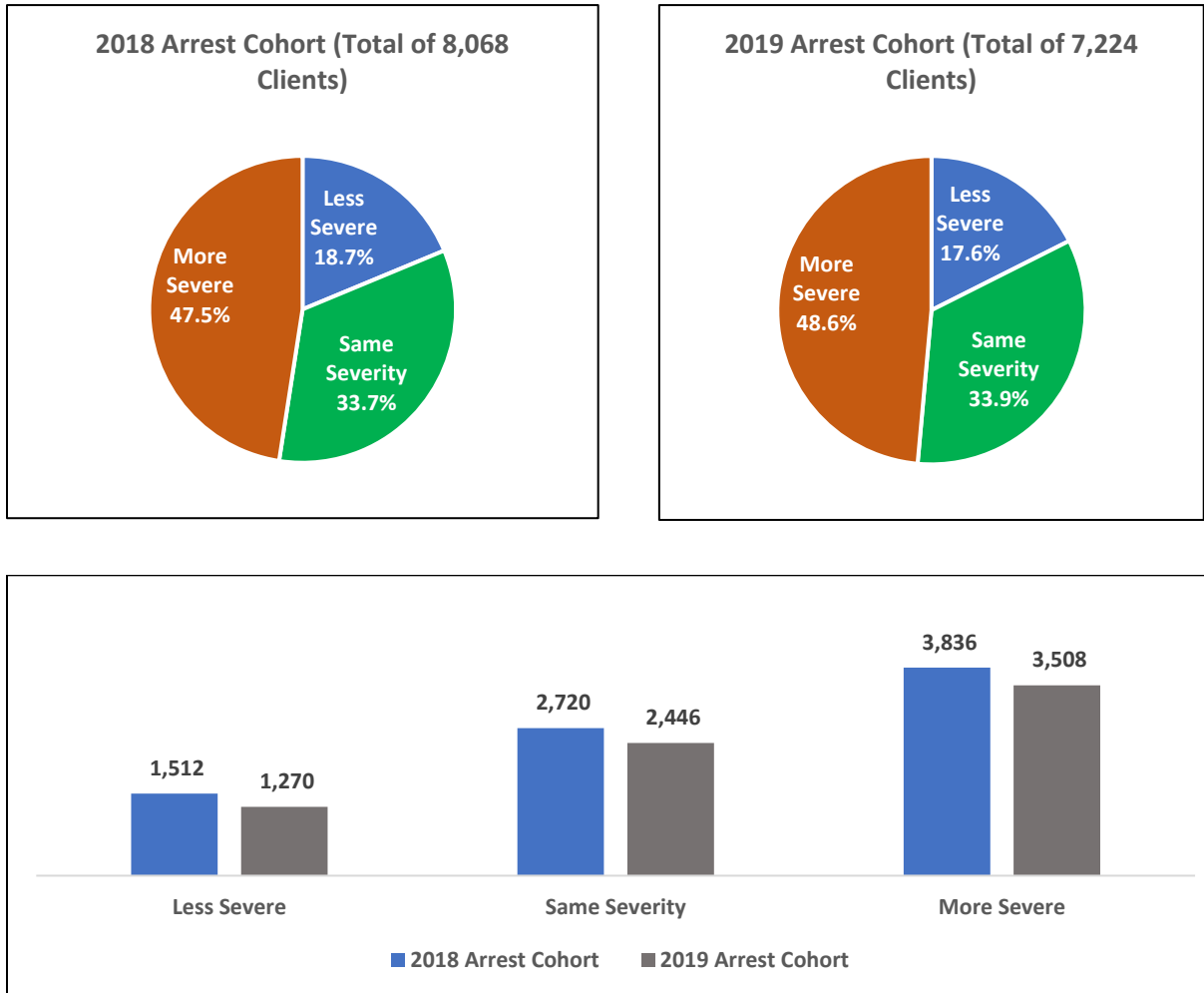
As shown in Figure 16, 47.5 percent had a most serious arrest charge that was more severe than the original most serious charge in 2018, and 48.6% had a most serious arrest charge that was more severe than the original most serious charge in 2019. Another 33.7% had an arrest charge that was the same severity in 2018, while 33.9% had an arrest charge of the same severity in 2019. Those with less severe arrest charges accounted for 18.7 % in 2018 and 17.6% in 2019. The chart

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<sup>18</sup> John H. Laub and Robert J. Sampson, *Understanding Desistance from Crime*, 28 *Crime and Justice* 1 (2001).

also shows that combined, the majority of most serious arrests were charges that were the same or less severe than the original most serious charge which resulted in initial probationary sentences. Additional breakdowns of severity comparisons by sex and race/ethnicity are shown in *Appendix H*.

**Figure 16. Severity Comparison of Most Serious Original and Most Serious Arrest Charge**



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

## V. CONVICTIONS

This section examines the characteristics of the convictions resulting from arrests that occurred during the recidivism period. When a client is arrested for an offense, the matter must be brought to a resolution, which may or may not result in a conviction. A conviction will arise on any charge through a verdict of guilt by jury or by an admission of guilt by plea—or, in the case of quasi-criminal municipal offenses, a finding of guilt by a judge.<sup>19</sup> Typical non-conviction resolutions include dismissal of the charges, withdrawal of the complaint or charging document, or a non-guilty verdict. It should also be noted that the data extraction methods used were not able to capture the specific reasons for non-convictions. Therefore, some clients may still have cases pending a resolution at the time the conviction data was gathered. In future reports we will attempt to distinguish non-convictions which have been resolved from those that are still undecided.

The conviction data was obtained from adult clients in the 2018 and 2019 cohorts, who after their initial probationary sentence, were arrested within the recidivism period, and subsequently convicted during the three-year recidivism period. If any arrest during the recidivism period resulted in a conviction during the three-year window, the individual was counted as convicted. Multiple convictions were not accounted for. The analysis captures whether a client was or was not convicted during the recidivism period.

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

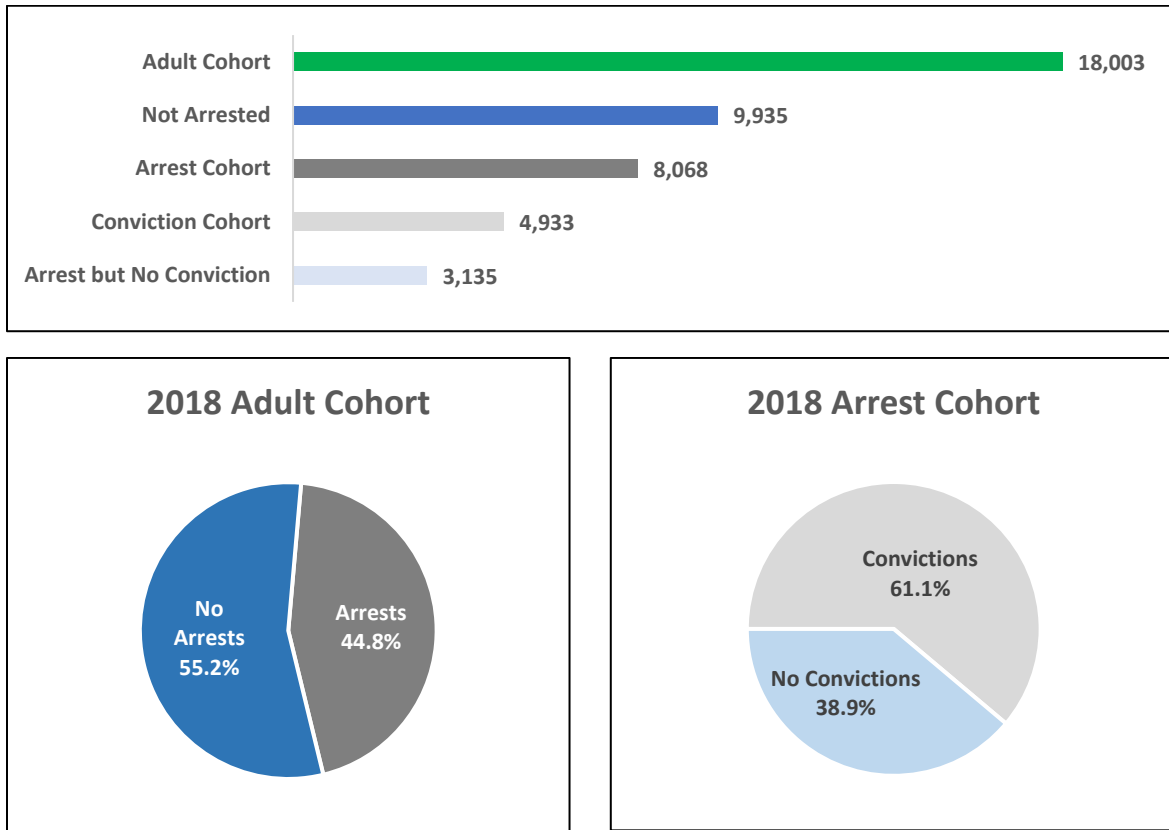
According to the conviction data, as shown in Figure 17, of the 8,068 clients arrested in the 2018 cohort, 38.9% were not convicted. In 2019, of the 7,224 clients arrested, 40.7% were not convicted. This indicates that more than a quarter of arrested clients were not convicted of any

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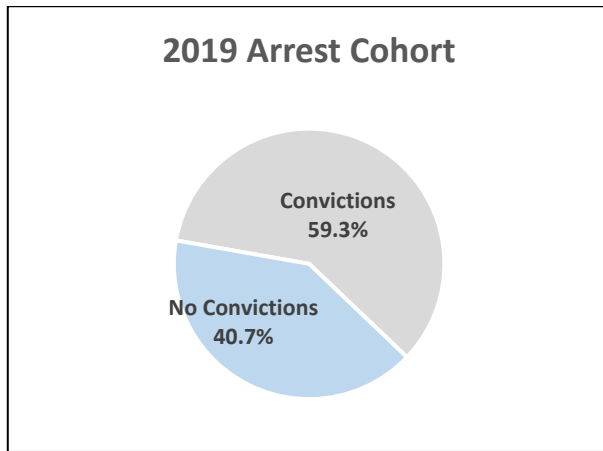
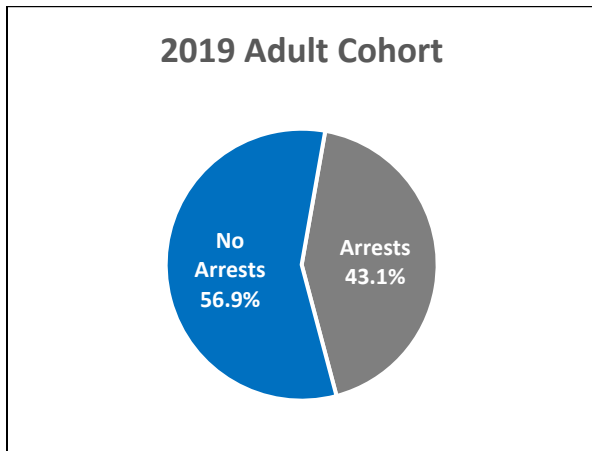
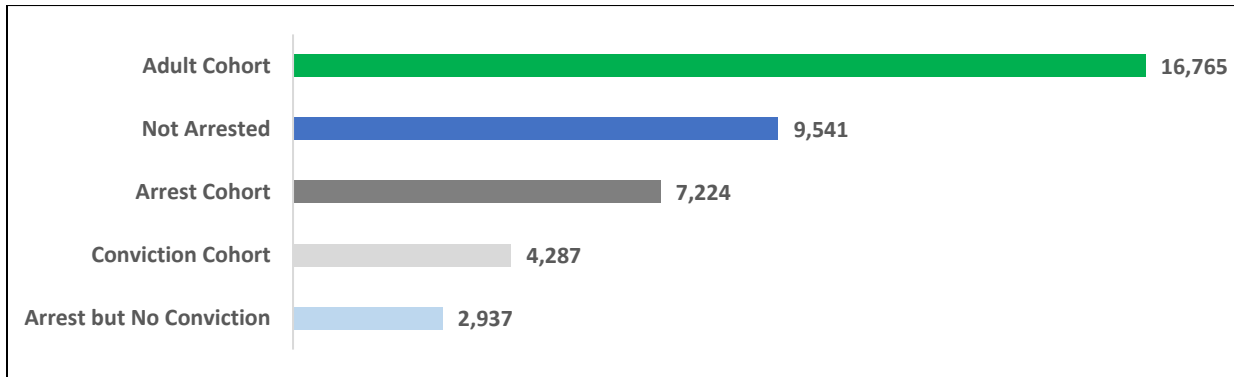
<sup>19</sup> N.J.S.A. 2C:44-4a.

offenses during the three-year time window. More specifically, 3135 arrested clients from the 2018 cohort remained conviction free during the recidivism period of 2018. In 2019, 2,937 arrested clients remained conviction free. Breakdowns of conviction totals and rates by sex and race/ethnicity are illustrated in *Appendix I*.

**Figure 17. Conviction Outcomes in the 2018 Adult Cohort and Arrest Cohort**



### Conviction Outcomes in the 2019 Adult Cohort and Arrest Cohort

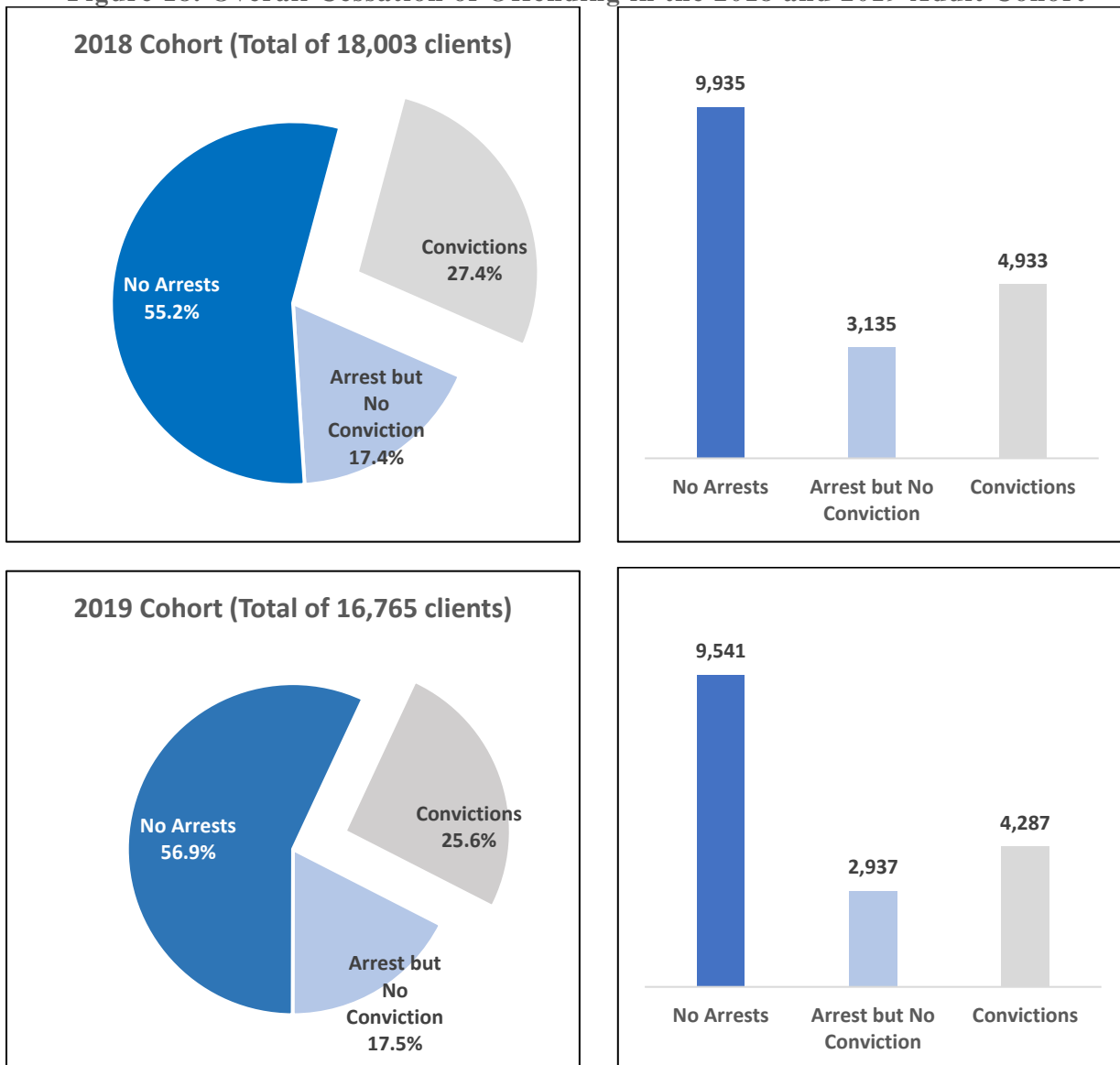


### CONVICTION AS A MEASURE OF RECIDIVISM

Although by statute this report classifies a person as a recidivist if he or she has been arrested for a new crime, convictions are also a widely accepted measure of recidivism. Using convictions as the measure of recidivism, a person would only be classified a recidivist if an arrest resulted in a subsequent conviction during the recidivism period. Based on the conviction data for the 2018 and 2019 cohort this would indicate a lower recidivism rate since not all arrests result in a conviction. Figure 18 shows the conviction, non-conviction and non-arrests as percentages of the entire adult cohort for the two years. As shown in Figure 18, the percentage of clients who were arrested and convicted in the entire 2018 cohort was 27.4%, and 25.6% in 2019. In effect, six in 10 adult clients were not convicted or arrested of any offenses during the

recidivism period. Combining the number of clients who were not arrested with the clients who were arrested but not convicted, it suggests that Probation Services had a success rate of about 72.6% in the 2018 cohort and 74.4% in 2019. By the end of the three-year recidivism period, 7 in 10 clients sentenced to probation in 2018 and 2019 remained in the community with no new convictions.

**Figure 18. Overall Cessation of Offending in the 2018 and 2019 Adult Cohort**

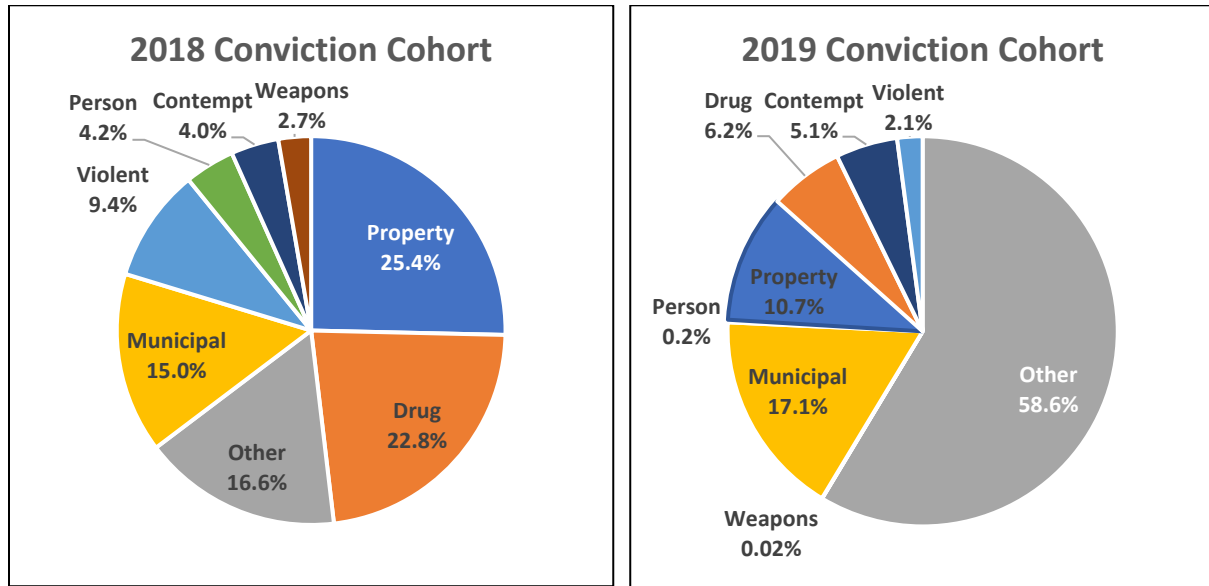


## MOST SERIOUS CONVICTION OFFENSES BY CRIME-TYPE

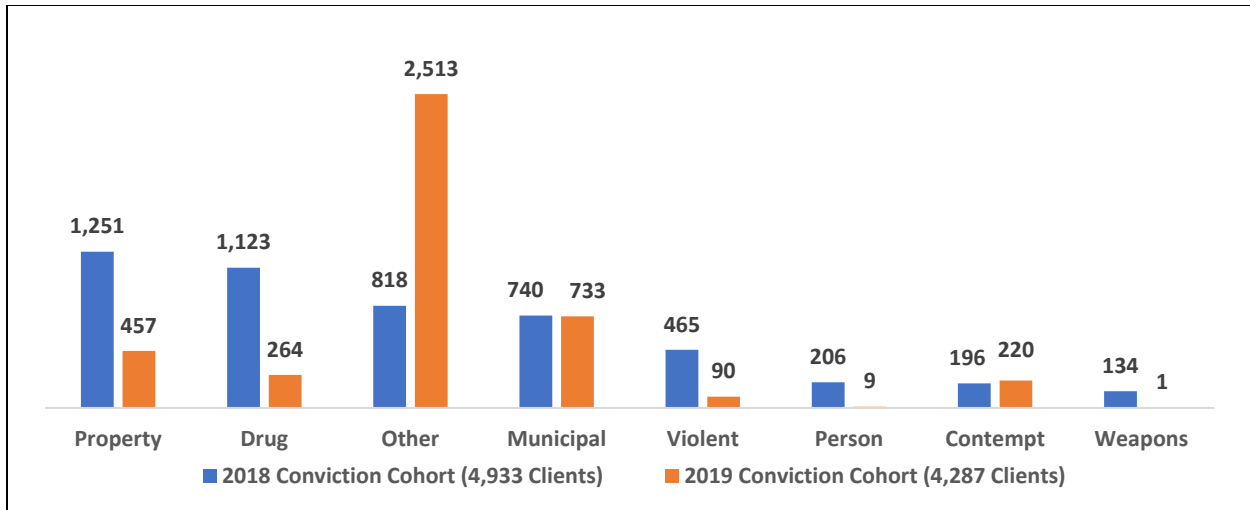
This section summarizes the most serious offense by crime-type per client resulting in a conviction. Figure 19 illustrates the most serious conviction crime-types in the 2018 and 2019 conviction cohort.

Earlier, the arrest section of this report identified drug offenses as the leading most serious arrest crime-type, followed by property offenses. Conviction data for both cohorts followed the same general trend, but with an overall decline in the most severe crime-types. Property related crimes made up 25.4% of the most serious crime-types in 2018, followed by drug related crimes which were 22.8%. This was followed by ‘Other’ crime types which made up 16.6% of most serious crime-types in 2018. Together the additional five crime-types (violent, municipal, contempt, persons, and weapons crimes) made up less than 40% of most serious crime-types. 2019 showed a vast reduction in the percentages of the same crime types. Property crimes reduced to 10.7%, while drug related convictions reduced to 6.2%. The ‘Other’ crime types were the majority in 2019 with being 58.6% of the cohort. Additional breakdowns of these crime-types by sex and race/ethnicity are shown in *Appendix J*.

**Figure 19. Conviction Charge Per Client by the Most Serious Crime Type<sup>20</sup>  
2018 and 2019 Conviction Cohort**



<sup>20</sup> The most serious conviction charge is the most severe charge which resulted in a recidivist’s conviction after their initial probation sentence. i.e. If a client was convicted of multiple charges, the most severe charge supersedes the less severe charges.



Note: Clients could have been convicted or charged for more than one offense or crime-type; the most serious/severe one for each client is reported in this chart. This chart only includes convicted clients. For ‘other’ category see Appendix B

### SEVERITY OF ORIGINAL OFFENSE COMPARED TO CONVICTION CHARGE

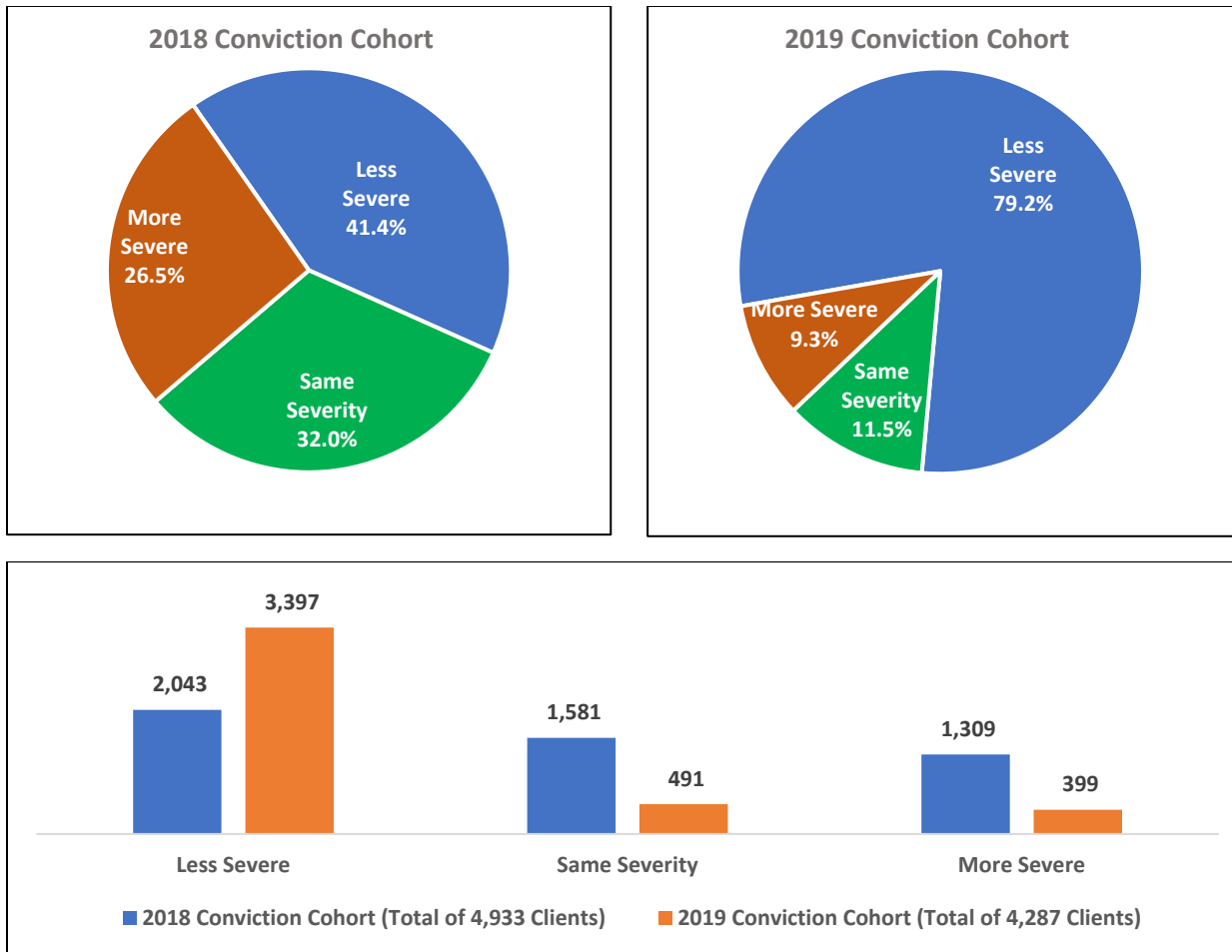
Earlier in the arrest section, severity of the original and arrest offenses was compared. Like the arrest section, the most serious conviction charges were compared to the most serious original charge to examine whether convictions were more severe, less severe or the same severity as the original charge.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

The vast majority of clients in the 2018 and 2019 cohort leave the three-year recidivism period with no convictions<sup>21</sup>. Of the clients who were convicted of a crime, most charges were for offenses that were less severe than the original offense being 41.4% in 2018 and 79.2% in 2019. This was followed by charges of the same severity with 32% in 2018 and 11.5% in 2019. Charges that were more severe were the least in both years. In 2018 they were 26.5% while in 2019 they were 9.3%. As shown in figure 20, about 73.4% of most serious convictions in 2018 were for charges that were the same or less severe than the original most serious charge that resulted in initial probationary sentences. In 2019, about 90.7% were the same or lesser severity.

<sup>21</sup> No convictions includes resolved cases and pending cases that were not resolved within the three-year recidivism period.



Figure 20. Severity of Most Serious Original Charge Compared to Most Serious Conviction Charge



Note: Clients could have been convicted for more than one offense or crime-type during the three-year recidivism period. Similarly, the client's initial sentence to probation could have been for more than one offense. The most serious/severe charges are compared in this chart.

## VI. SENTENCING

A sentence occurs after conviction when a judge imposes punishment and/or treatment. The sentence may include fines, penalty fees, community service, and assessments. The sentence will also include, where appropriate, restitution to the victim for any financial loss. Very often, the sentence will also impose a term of probation and/or imprisonment<sup>22</sup>. Outcomes shown are the results of data available within three years of their sentence to probation.

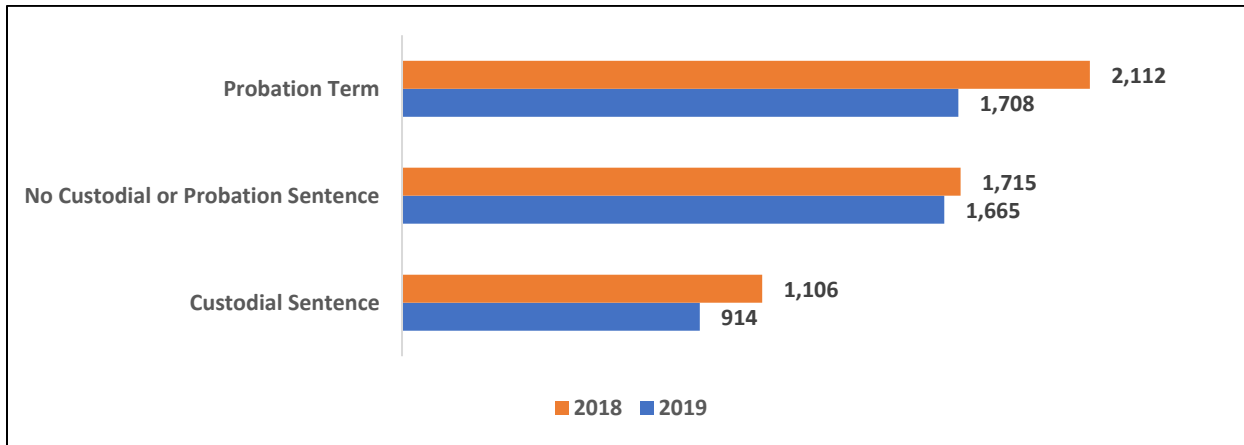
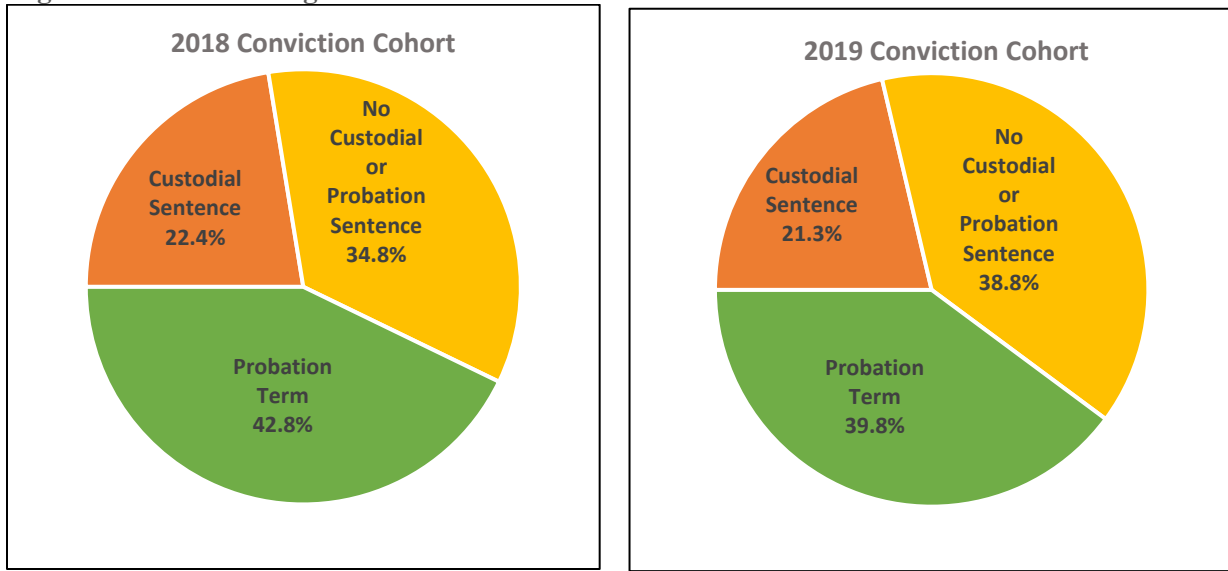
This section discusses sentencing data of clients who were arrested during the recidivism period and subsequently convicted. The data is categorized by convicted recidivated adult clients who received a sentence of incarceration, probation<sup>23</sup> or neither incarceration nor probation within the three-year recidivism period. It should also be noted that the data extraction methods used were not able to capture the specific reasons for the neither incarceration nor probation category. Some clients may have been convicted of offenses that were not serious enough to warrant a severe sentence of probation or incarceration— their sentence may have included community service and/or fines. Other clients may still have cases pending a sentencing resolution as of the time the data was harvested.

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<sup>22</sup> See N.J.S.A. 2C:43-2b.

<sup>23</sup> Split sentences where the defendant was sentenced to both probation and a custodial sentence was included in the probation sentence category.

**Figure 21. Sentencing Outcomes for Convicted Clients Conviction Cohort**



Note: Split sentences where the defendant was sentenced to both probation and a custodial sentence was included in the probation sentence category.

**SENTENCING OUTCOMES AMONG CONVICTED CLIENTS**

Figure 21 illustrates that during the three-year recidivism period, most convicted clients were sentenced to a probation term. In 2018, 42.8% of convicted clients were sentenced to probation. In 2019, 39.8% of the clients were sentenced to probation. Of the convicted clients, 22.4% were subsequently sentenced to a custodial term in 2018. In 2019, the figure dropped slightly to 21.3%. In addition, some convicted clients were awaiting sentencing or received no custodial or probation sentence. As shown in the chart, 34.8% of convicted clients from the 2018

cohort were awaiting sentencing or received no probation or custodial sentence. This figure was 38.8% in 2019.

Figure 22. Sentencing Outcomes by Sex and Race/Ethnicity



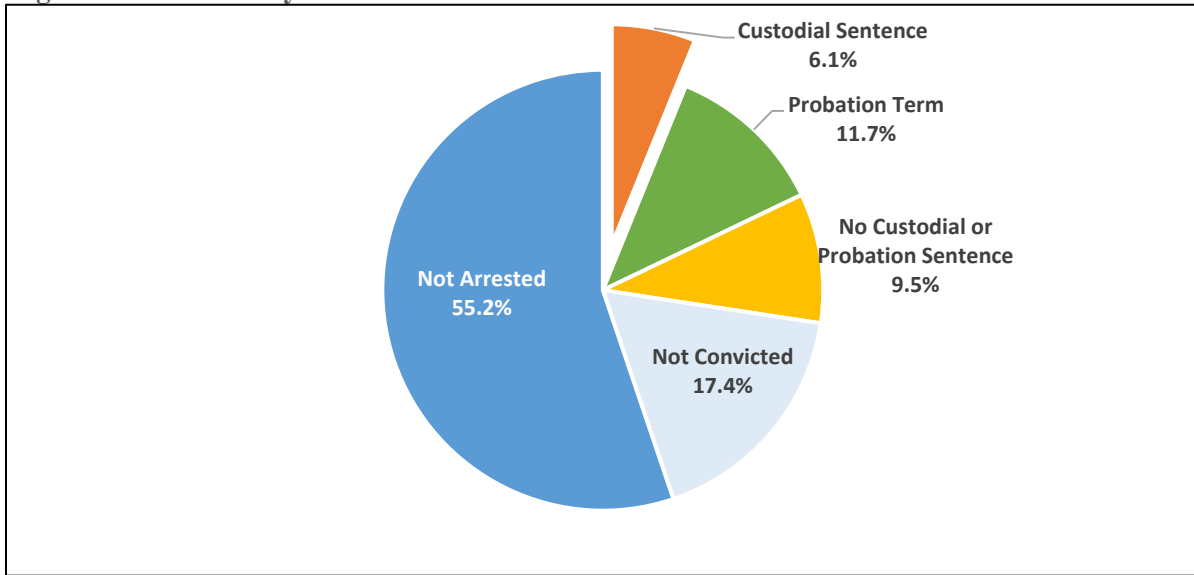
## **SENTENCING OUTCOMES BY SEX AND RACE/ETHNICITY**

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

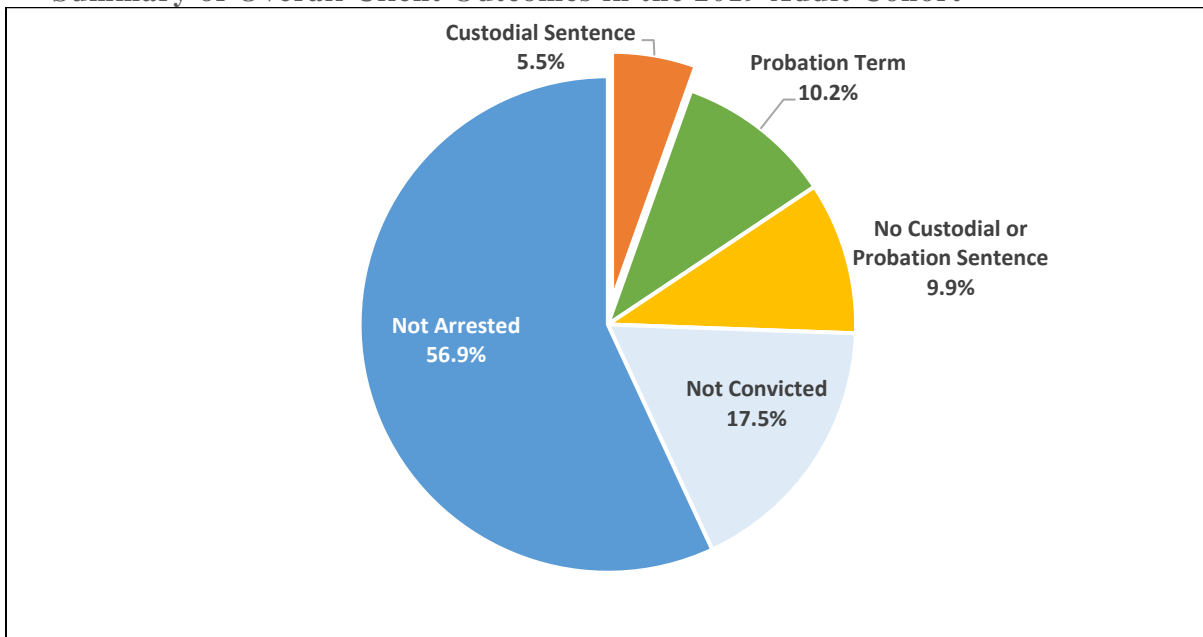
## **OVERALL CLIENT OUTCOMES**

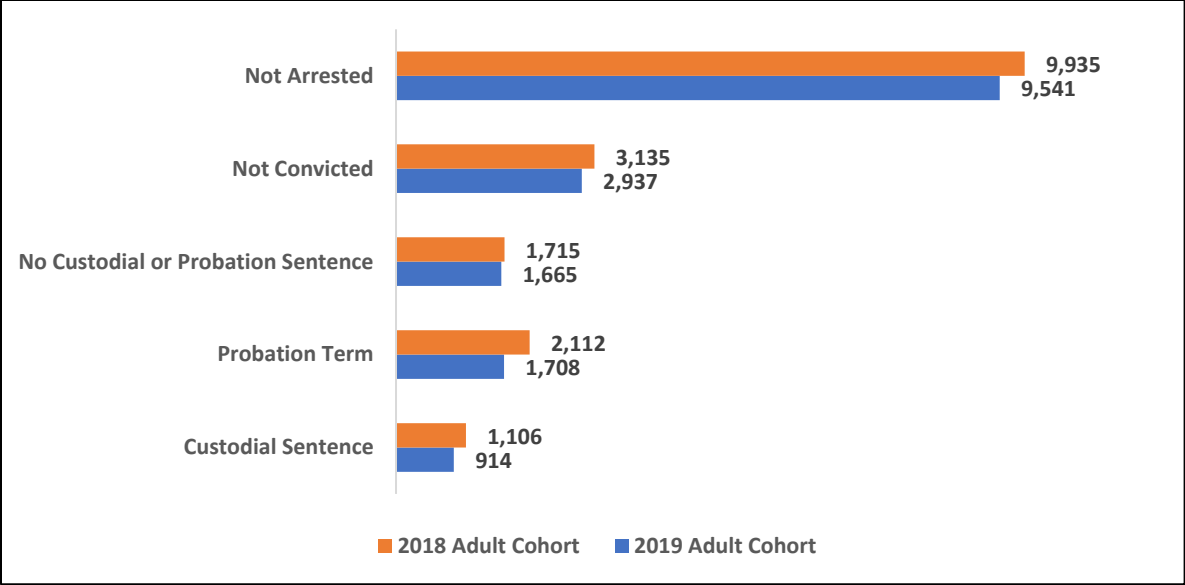
Figure 23 shows the overall summary of client outcomes in the entire 2018 and 2019 adult cohort. Of the overall client outcomes, most clients remained free of arrests and convictions. Of the clients who were convicted, most were sentenced to probation or received no probation or custodial sentence. Combined with the number of clients who were not arrested or convicted, this means that the vast majority of clients remained in the community after the three-year recidivism period. As shown in Figure 23, about 93.9% of clients in the 2018 and 94.5% of clients in 2019 cohort or about 9 in 10 clients sentenced to probation for both years continued to live in the community where they could still be productive citizens. A complete breakdown of these outcomes by sex and race/ethnicity are illustrated in *Appendix L*.

**Figure 23. Summary of Overall Client Outcomes in the 2018 Adult Cohort**



**Summary of Overall Client Outcomes in the 2019 Adult Cohort**





## VII. ONGOING INITIATIVES: TREATMENT

Treatment, through probation, is a therapeutic program administered by mental health and medical professionals in areas involving mental health, drugs and alcohol, domestic violence, and sexually abusive behavior. A client may be referred for such treatment in one of two ways. First, the court may order the client to complete treatment. Such an order constitutes a special condition of probation, with which the client is obligated to comply. Second, a client may be referred to treatment by a probation officer—after having been sentenced. In such a scenario, the court may not have imposed treatment on the client, but they may nevertheless be identified as a person in need of treatment by a probation officer. A standard condition of probation authorizes a probation officer to order an evaluation and course of treatment.<sup>24</sup>

Probation treatment data is limited due to challenges related to data collection and varying treatment resources throughout the state. The data is reliant on the entries made by probation officers into the probation legacy system. In addition to possible data entry errors, the system was designed to document many details about cases in free form text, making it necessary to read case note narratives to determine additional information about treatment. While this is useful from a case management perspective, it makes extracting meaningful data for statistical analysis problematic and time consuming.

With ongoing developments of new data collection protocols and technology Probation Services intends to ensure that improvements continue to be made. In 2019 the Automated Trial Court Services Unit (ATCSU) initiated comprehensive enhancements to the Probation Services legacy system that will help provide more precise treatment data in future reports. In addition, Probation Services has started the implementation of policies to provide specific training, quality assurance measures, and distribution of various outlier reports. These outlier reports will assist managers, supervisors, and probation officers with identification of cases requiring additional entry of treatment codes. Probation Services also has developed a tracking system known as the Mental Health Case Tracking System (MH-CATS), which has been collecting detailed data about the mental health caseload since 2019. It was written in Office VBA, however, with the help of ITO, it will eventually be transitioned into the WebFOCUS environment. This transition will aid

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<sup>24</sup> At intake, standard conditions of probation are provided-to and signed-by the client. See N.J.S.A. 2C:45-1f and R. 3:21-7(a). Standard condition number seven reads: "You shall cooperate in any medical and/or psychological examinations, tests and/or counseling your probation officer recommends."



in detailed reports by tying the MH-CATS data directly to the CAPS database. There will be sufficient data to provide enhanced recidivism information for the 2020 mental health adult cohort. As enhancements are made to the probation legacy system and MH-CATS continues to collect detailed data, Probation Services aims to provide more in-depth and accurate data about treatment and outcomes in future reports.

In addition to challenges with data quality, the availability of treatment resources varies throughout the state. The state relies on services from third-party treatment providers, and the availability of these providers may vary based on various factor such as transportation, language barriers, and funding. These areas of treatment include mental health treatment, domestic violence treatment (batterer's intervention counseling), sex-specific treatment, and drug/alcohol treatment. As part of its ongoing efforts to produce positive outcomes for the population of clients in need of treatment options, Probation Services currently is developing policies and procedures to enhance relationships with community partners, which will increase communication to solve ongoing problems—such as reduction of wait-time for treatment. Regardless of whether the client was sentenced to treatment, or when the client tests positive for drugs and/or alcohol, the probation officer will refer the client to obtain a substance abuse evaluation. Most of these evaluations are conducted by licensed substance abuse evaluators who are employed by the Judiciary. The substance abuse evaluators first determine whether treatment is necessary, and if so, the level of treatment. They connect the client to inpatient or outpatient services. The substance abuse evaluators take on the crucial role of building relationships with community resources. They also address difficulties that may arise with linking clients to the appropriate services. Probation is continuing to implement new policies and procedures to improve access to other areas of community treatment and services.

## **VIII. ENHANCED OUTCOME BASED SUPERVISION (EOBS)**

Probation Services is continuing to develop the use of evidence-based supervision strategies, otherwise known as Enhanced Outcome Based Supervision (EOBS). The core of evidence-based supervision is to base practices and programming on research rather than on anecdotal stories and innuendo. This change entails a strategic paradigm shift from focusing largely on punishment, enforcement, and monitoring, to using evidence-based practices aimed at promoting positive behavior change and desistance among probation clients<sup>25</sup>. The implementation of these strategies has been accomplished through statewide trainings in various EOBS tools, the implementation of the Ohio Risk Assessment System (ORAS) and Ohio Youth Assessment System (OYAS), quality assurance, and the enhancement of probation systems to support EOBS.

In 2018 Probation Services adopted the use of Core Correctional Practices (CCP), and by the end of 2019 training of all existing managers, officers, and staff was completed. The training was developed by the University of Cincinnati and focuses on the core skills needed to support cognitive behavioral programming including relationships skills, effective use of reinforcement, effective use of disapproval, effective use of authority, prosocial modeling, cognitive restructuring, social skills training and problem-solving skills. By equipping probation officers with these additional skills, Probation Services aims to improve the effectiveness of community supervision and overall desistance.

The Judiciary continues to work with the University of Cincinnati to implement the ORAS and OYAS— an actuarial risk and needs assessment that identifies a client’s criminogenic needs or static and dynamic factors that push a person toward anti-social or criminal behavior. The ORAS and OYAS will help officers to assess clients, target interventions, and inform case planning and treatment referrals based on each individual client’s needs<sup>26</sup>. In 2020, Probation Services initiated trainings of both tools, and is working with the University of Cincinnati to update systems to facilitate the use of the instruments. The ORAS/OYAS trainings are a three-day course developed by the University of Cincinnati. The trainings focus on certifying participants on the

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<sup>25</sup> Harvard Kennedy School Executive Session on Community Corrections, *Towards an Approach to Community Corrections for the 21<sup>st</sup> Century: Consensus Document of the Executive Session on Community Corrections* (2017).

<sup>26</sup> Ohio Department of Rehabilitation and Corrections. Ohio Risk Assessment System. <https://www.drc.ohio.gov/oras> (last visited April 23, 2020).

scoring of the ORAS/OYAS, teaching participants effective interviewing skills and creating individualized case plans using results from the ORAS/OYAS. The implementation of these tools is an essential part of effectively implementing evidence-based supervision. Information acquired from the ORAS/OYAS will help to ensure that each client receives the appropriate risk classification and interventions needed to promote desistance.

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

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

## **IX. SUMMARY**

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

By statute for purposes of this report, a person is classified as a recidivist if they have been arrested for a new crime within three years following their sentence to probation. However, arrest data in the absence of subsequent outcomes only presents one aspect of recidivism. Therefore, this report also examines conviction and sentencing data to provide a more holistic view of reoffending. In calendar year 2018, a total of 18,003 people were sentenced to adult probation. In 2019, a total of 16,765 people were sentenced to adult probation. The report shows that the majority of these clients who were sentenced to probation in 2018 and 2019 were not arrested and/or convicted of an offense during the recidivism period. In addition, the report shows that recidivism rates continued to improve in the 2019 adult cohort compared to the 2018 adult cohort.

Regarding recidivism by conviction, the conviction data was taken from adult clients who, after their initial probationary sentence, were arrested and convicted within the three-year recidivism period. The conviction data shows that seven in 10 adult clients in the 2018 and 2019 cohort were not convicted or arrested of any offenses during the recidivism period. While the recidivism rate, by arrest, was 44.8% in 2018 and 43.1% in 2019, the percentage of clients who were convicted and arrested was only 27.4% in 2018 and 25.6% in 2019. This demonstrates that all adult clients who were sentenced to probation in 2018 and 2019, only two in 10 were subsequently convicted of an offense during the three-year recidivism period.

Regarding the clients who were arrested and/or convicted of an offense after their initial probation sentence, the report indicates an overall de-escalation in the severity of offenses with which recidivists were charged. Figures 14 and 19 show the majority of the most serious arrest and

conviction charges were drug-related followed by property-related. Figures 16 and 20 illustrate that arrest and conviction charges were more likely to be less than or equal to the original charge that resulted in initial probation sentences.

The report also examines other patterns including the time to first arrest/recidivism event, which can be useful in differentiating between clients who are arrested early from those who remain arrest free for longer periods. Figure 11 shows that the rate of first arrest is highest within the first six months of the recidivism period, then gradually decreases over the following 36 months. Measuring the length of time to the recidivism event also can help policymakers determine an appropriate period of supervision for clients sentenced to probation. Figure 12 illustrates that recidivists in the 2019 cohort remained arrest free longer than those in the 2018 cohort, which ultimately resulted in a lower recidivism rate. The recidivism rate went from 44.8% in the 2018 cohort, to 43.1% in the 2019 cohort.

The sentencing section of the report indicates that most clients sentenced to probation in 2018 and 2019 received positive outcomes during the recidivism period. The majority of clients were not arrested or convicted of an offense during the recidivism period. Figure 21 shows that of the clients who were convicted, most were sentenced to probation or received no probation or custodial sentence. Combined with the number of clients who were not arrested or convicted, this means that about nine in 10 clients remained in the community where they can still be productive citizens. Figure 23 illustrates that custodial sentences made up a small amount of the overall outcomes for clients in the 2018 and 2019 cohort. Only about one in 10 clients sentenced to probation in both years were subsequently sentenced to incarceration.

Finally, the report also highlights some challenges within probation as well as other limitations of data quality described in the treatment and methodology (*Appendix A*) sections. The primary challenges that the report confirms includes: a disproportionate representation of Blacks in the probation population, as well as the existence of disparities in recidivism rates among Black males; Identifying the needs of clients and securing appropriate resources to assist in preventing new arrests and employing rehabilitation strategies to help reduce addiction and drug usage. However, Probation Services is committed to continuously identifying challenges, and progressively making improvements to better serve its clients and the larger community.

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

## **Appendix A: Methodology**

The data for this report includes persons sentenced to adult probation in the calendar year 2018 and 2019 and summarizes the characteristics of those persons who recidivated within three years from their sentence. The cohort only include persons sentenced to adult probation from municipal, superior, domestic violence and drug court, and excludes other cases supervised by Probation Services, such as persons sentenced to conditional discharge, community service, pretrial intervention, or collections only.

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

The analysis was then narrowed to adult clients who incurred a new arrest(s) within three years following their probation sentence (2018 and 2019 arrest cohort). The first arrest during the three-year period determined whether a person was said to have recidivated. The arrest/recidivism rate presented shows the percentage of clients from the adult cohort who were arrested for a new offense within the recidivism period. However, many clients had more than one arrest. As a result, the report also captures the number of persons who were arrested once and those who were arrested two or more times. In the analysis of arrest crime-types and severity, the report considers all arrests that occurred during the recidivism period and identifies and analyzes only the most serious/severe offense for each client. If an individual was arrested twice during the recidivism period, the most

serious crime is used for crime-type and severity analysis and may not necessarily be the first arrest. The conviction and sentencing outcomes were the results of those arrests that occurred during the recidivism period. If any arrest during the recidivism period led to a conviction or sentence during the three-year window, the client was included in the conviction and sentencing data.

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

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

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



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

### **1. VIOLENT**

Homicide

Assault

Disarming Officer

Terrorism

Sexual Offenses

### **2. PERSON**

Child Labor

Children and Family

Kidnapping and Related

Prostitution

Reckless Endangering

Robbery

Threats

Stalking

Sex Offender Registration

### **3. PROPERTY**

Burglary and Intrusion

Fraud

Fraud and Forgery

Property

Theft

Racketeering

Casino Related

Gambling Offense

### **4. WEAPONS**

Firearm Related

Weapons

### **5. DRUGS**

Drug Related

DWI

## **6. CONTEMPT**

Contempt

Perjury and Falsification

Nonsupport

## **7. OTHER**

Agriculture

Animal Related

Arts

Biased

Code Related

Explosives

Hazardous Waste

Health Related

License Related

Maritime

Medical

Motor Vehicle

White Collar

Permit and Code

School

Sentence

State Park Code

Transportation

Fishing

Alcohol Related

Contract

Accomplice

Inchoate

Fines and Restitution

Obstructing

## **8. Municipal**

Ordinances

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

2018							
Race/Ethnicity	Sex	Not Arrested	Arrested	Cohort Total	Arrest Rate	Percent Not Arrested	Total
Caucasian	Female	1,152	801	1,953	41.0%	59.0%	100.0%
	Male	3,707	2,500	6,207	40.3%	59.7%	100.0%
	<b>Total:Caucasian</b>	<b>4,859</b>	<b>3,301</b>	<b>8,160</b>	<b>40.5%</b>	<b>59.5%</b>	<b>100.0%</b>
African American	Female	651	469	1,120	41.9%	58.1%	100.0%
	Male	2,996	3,341	6,337	52.7%	47.3%	100.0%
	<b>Total:African American</b>	<b>3,647</b>	<b>3,810</b>	<b>7,457</b>	<b>51.1%</b>	<b>48.9%</b>	<b>100.0%</b>
Hispanic	Female	131	65	196	33.2%	66.8%	100.0%
	Male	886	670	1,556	43.1%	56.9%	100.0%
	<b>Total:Hispanic</b>	<b>1,017</b>	<b>735</b>	<b>1,752</b>	<b>42.0%</b>	<b>58.0%</b>	<b>100.0%</b>
Other	Female	77	37	114	32.5%	67.5%	100.0%
	Male	335	185	520	35.6%	64.4%	100.0%
	<b>Total:Other</b>	<b>412</b>	<b>222</b>	<b>634</b>	<b>35.0%</b>	<b>65.0%</b>	<b>100.0%</b>
Sex	<b>Total: Female</b>	<b>2,011</b>	<b>1,372</b>	<b>3,383</b>	<b>40.6%</b>	<b>59.4%</b>	<b>100.0%</b>
	<b>Total: Male</b>	<b>7,924</b>	<b>6,696</b>	<b>14,620</b>	<b>45.8%</b>	<b>54.2%</b>	<b>100.0%</b>
<b>TOTAL</b>		<b>9,935</b>	<b>8,068</b>	<b>18,003</b>	<b>44.8%</b>	<b>55.2%</b>	<b>100.0%</b>

## Appendix C Cont.: Non-Recidivists and Recidivists Totals and Rates by Sex and Race/Ethnicity

2019							
Race/Ethnicity	Sex	Not Arrested	Arrested	Cohort Total	Arrest Rate	Percent Not Arrested	Total
Caucasian	Female	1,125	672	1,797	37.4%	62.6%	100.0%
	Male	3,474	2,193	5,667	38.7%	61.3%	100.0%
	<b>Total:Caucasian</b>	<b>4,599</b>	<b>2,865</b>	<b>7,464</b>	<b>38.4%</b>	<b>61.6%</b>	<b>100.0%</b>
African American	Female	641	465	1,106	42.0%	58.0%	100.0%
	Male	2,854	3,067	5,921	51.8%	48.2%	100.0%
	<b>Total:African American</b>	<b>3,495</b>	<b>3,532</b>	<b>7,027</b>	<b>50.3%</b>	<b>49.7%</b>	<b>100.0%</b>
Hispanic	Female	133	63	196	32.1%	67.9%	100.0%
	Male	866	582	1,448	40.2%	59.8%	100.0%
	<b>Total:Hispanic</b>	<b>999</b>	<b>645</b>	<b>1,644</b>	<b>39.2%</b>	<b>60.8%</b>	<b>100.0%</b>
Other	Female	70	24	94	25.5%	74.5%	100.0%
	Male	378	158	536	29.5%	70.5%	100.0%
	<b>Total:Other</b>	<b>448</b>	<b>182</b>	<b>630</b>	<b>28.9%</b>	<b>71.1%</b>	<b>100.0%</b>
Sex	<b>Total: Female</b>	<b>1,969</b>	<b>1,224</b>	<b>3,193</b>	<b>38.3%</b>	<b>61.7%</b>	<b>100.0%</b>
	<b>Total: Male</b>	<b>7,572</b>	<b>6,000</b>	<b>13,572</b>	<b>44.2%</b>	<b>55.8%</b>	<b>100.0%</b>
<b>TOTAL</b>		<b>9,541</b>	<b>7,224</b>	<b>16,765</b>	<b>43.1%</b>	<b>56.9%</b>	<b>100.0%</b>

## Appendix D: Non-Recidivists and Recidivists Totals and Rates by Caseload Type and Sex and Race/Ethnicity

2018															
Race/Ethnicity	Sexual Offense			Domestic Violence			Mental Health			Recovery Court			General Supervision		
	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL
Caucasian	218	68	286	539	530	1,069	138	120	258	744	586	1,330	3,220	1,997	5,217
African American	92	85	177	428	614	1,042	79	94	173	400	467	867	2,648	2,550	5,198
Hispanic	58	16	74	148	143	291	20	18	38	104	97	201	687	461	1,148
Other	22	3	25	60	44	104	7	5	12	33	32	65	290	138	428
Sex	Sexual Offense			Domestic Violence			Mental Health			Recovery Court			General Supervision		
	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL
Female	7	3	10	142	114	256	71	65	136	294	217	511	1,497	973	2,470
Male	383	169	552	1,033	1,217	2,250	173	172	345	987	965	1,952	5,348	4,173	9,521
<b>COHORT TOTAL</b>	<b>562</b>			<b>2,506</b>			<b>481</b>			<b>2,463</b>			<b>11,991</b>		

2019															
Race/Ethnicity	Sexual Offense			Domestic Violence			Mental Health			Recovery Court			General Supervision		
	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL
Caucasian	226	70	296	551	512	1,063	126	108	234	681	473	1,154	3,015	1,702	4,717
African American	108	67	175	434	644	1,078	71	120	191	386	452	838	2,496	2,249	4,745
Hispanic	45	15	60	154	141	295	19	19	38	84	82	166	697	388	1,085
Other	31	5	36	72	42	114	13	9	22	36	22	58	296	104	400
Sex	Sexual Offense			Domestic Violence			Mental Health			Recovery Court			General Supervision		
	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL
Female	14	7	21	121	128	249	83	70	153	259	171	430	1,492	848	2,340
Male	396	150	546	1,090	1,211	2,301	146	186	332	928	858	1,786	5,012	3,595	8,607
<b>COHORT TOTAL</b>	<b>567</b>			<b>2,550</b>			<b>485</b>			<b>2,216</b>			<b>10,947</b>		

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

2018

Race/Ethnicity	Sex	0-6 Months	6-12 Months	12-18 Months	18-24 Months	24-30 Months	30-36 Months	Total
Caucasian	Female	382	155	100	73	41	50	801
	Female %	47.7%	19.4%	12.5%	9.1%	5.1%	6.2%	100.0%
	Male	1,124	585	345	200	127	119	2,500
	Male %	45.0%	23.4%	13.8%	8.0%	5.1%	4.8%	100.0%
	<b>Total: Caucasian</b>	1,506	740	445	273	168	169	3,301
	<b>Caucasian %</b>	45.6%	22.4%	13.5%	8.3%	5.1%	5.1%	100.0%
African American	Female	209	102	66	35	28	29	469
	Female %	44.6%	21.7%	14.1%	7.5%	6.0%	6.2%	100.0%
	Male	1,514	799	408	278	206	136	3,341
	Male %	45.3%	23.9%	12.2%	8.3%	6.2%	4.1%	100.0%
	<b>Total: African American</b>	1,723	901	474	313	234	165	3,810
	<b>African American %</b>	45.2%	23.6%	12.4%	8.2%	6.1%	4.3%	100.0%
Hispanic	Female	32	11	10	4	7	1	65
	Female %	49.2%	16.9%	15.4%	6.2%	10.8%	1.5%	100.0%
	Male	318	143	84	58	37	30	670
	Male %	47.5%	21.3%	12.5%	8.7%	5.5%	4.5%	100.0%
	<b>Total: Hispanic</b>	350	154	94	62	44	31	735
	<b>Hispanic %</b>	47.6%	21.0%	12.8%	8.4%	6.0%	4.2%	100.0%
Other	Female	17	11	2	2	3	2	37
	Female %	45.9%	29.7%	5.4%	5.4%	8.1%	5.4%	100.0%
	Male	75	53	25	14	13	5	185
	Male %	40.5%	28.6%	13.5%	7.6%	7.0%	2.7%	100.0%
	<b>Total: Other</b>	92	64	27	16	16	7	222
	<b>Other %</b>	41.4%	28.8%	12.2%	7.2%	7.2%	3.2%	100.0%
<b>TOTAL</b>		<b>3,671</b>	<b>1,859</b>	<b>1,040</b>	<b>664</b>	<b>462</b>	<b>372</b>	<b>8,068</b>
<b>%</b>		<b>45.5%</b>	<b>23.0%</b>	<b>12.9%</b>	<b>8.2%</b>	<b>5.7%</b>	<b>4.6%</b>	<b>100.0%</b>

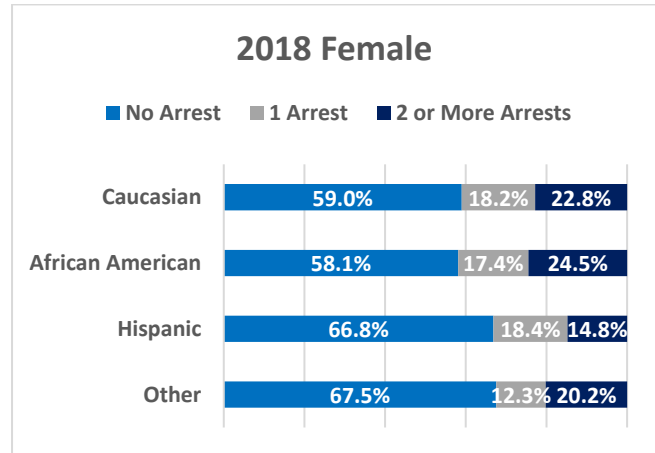
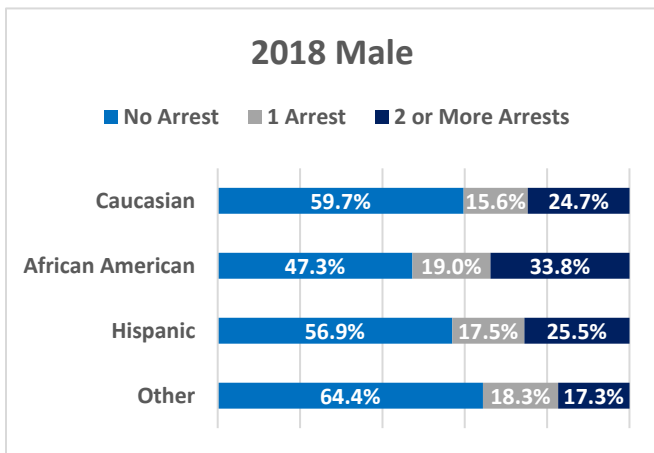
**Appendix E Cont.: First Arrest/Recidivism Event Broken Down into Six Month Intervals  
by Sex and Race/Ethnicity**

2019

Race/Ethnicity	Sex	0-6 Months	6-12 Months	12-18 Months	18-24 Months	24-30 Months	30-36 Months	Total
<b>Caucasian</b>	Female	316	144	76	52	49	35	672
	Female %	47.0%	21.4%	11.3%	7.7%	7.3%	5.2%	100.0%
	Male	1,025	407	277	203	173	108	2,193
	Male %	46.7%	18.6%	12.6%	9.3%	7.9%	4.9%	100.0%
	<b>Total: Caucasian</b>	1,341	551	353	255	222	143	2,865
	<b>Caucasian %</b>	46.8%	19.2%	12.3%	8.9%	7.7%	5.0%	100.0%
<b>African American</b>	Female	222	92	59	46	20	26	465
	Female %	47.7%	19.8%	12.7%	9.9%	4.3%	5.6%	100.0%
	Male	1,446	618	384	268	202	149	3,067
	Male %	47.1%	20.1%	12.5%	8.7%	6.6%	4.9%	100.0%
	<b>Total: African American</b>	1,668	710	443	314	222	175	3,532
	<b>African American %</b>	47.2%	20.1%	12.5%	8.9%	6.3%	5.0%	100.0%
<b>Hispanic</b>	Female	27	13	4	10	4	5	63
	Female %	42.9%	20.6%	6.3%	15.9%	6.3%	7.9%	100.0%
	Male	249	119	72	55	48	39	582
	Male %	42.8%	20.4%	12.4%	9.5%	8.2%	6.7%	100.0%
	<b>Total: Hispanic</b>	276	132	76	65	52	44	645
	<b>Hispanic %</b>	42.8%	20.5%	11.8%	10.1%	8.1%	6.8%	100.0%
<b>Other</b>	Female	12	4	3	1	2	2	24
	Female %	50.0%	16.7%	12.5%	4.2%	8.3%	8.3%	100.0%
	Male	73	33	17	16	12	7	158
	Male %	46.2%	20.9%	10.8%	10.1%	7.6%	4.4%	100.0%
	<b>Total: Other</b>	85	37	20	17	14	9	182
	<b>Other %</b>	46.7%	20.3%	11.0%	9.3%	7.7%	4.9%	100.0%
<b>TOTAL</b>		<b>3,370</b>	<b>1,430</b>	<b>892</b>	<b>651</b>	<b>510</b>	<b>371</b>	<b>7,224</b>
<b>%</b>		<b>41.8%</b>	<b>17.7%</b>	<b>11.1%</b>	<b>8.1%</b>	<b>6.3%</b>	<b>4.6%</b>	<b>89.5%</b>

## Appendix F: Arrest Distribution Per Client by Sex and Race/Ethnicity

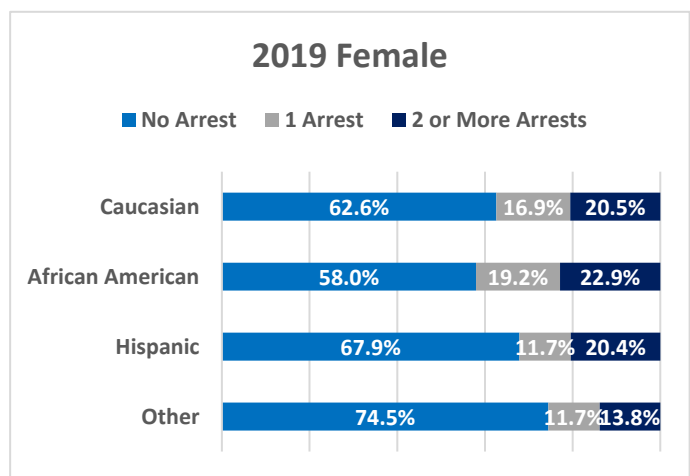
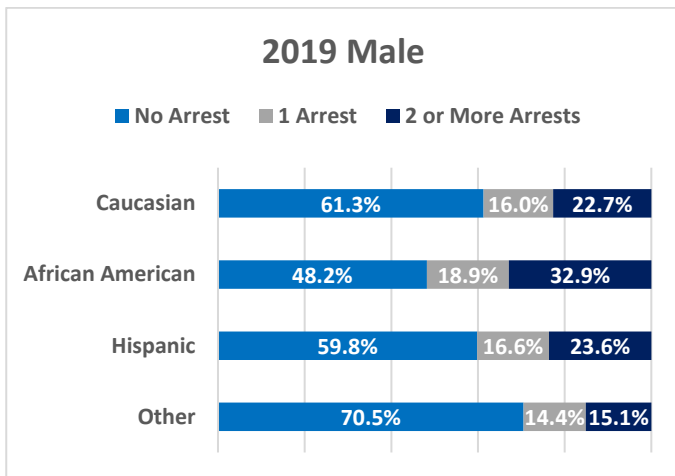
2018					
Race/Ethnicity	Sex	No Arrest	1 Arrest	2 or More	Total
<b>Caucasian</b>	Female	1,152	356	445	1,953
	Male	3,707	968	1,532	6,207
	<b>Total:Caucasian</b>	<b>4,859</b>	<b>1,324</b>	<b>1,977</b>	<b>8,160</b>
<b>African American</b>	Female	651	195	274	1,120
	Male	2,996	1,202	2,139	6,337
	<b>Total:African American</b>	<b>3,647</b>	<b>1,397</b>	<b>2,413</b>	<b>7,457</b>
<b>Hispanic</b>	Female	131	36	29	196
	Male	886	273	397	1,556
	<b>Total:Hispanic</b>	<b>1,017</b>	<b>309</b>	<b>426</b>	<b>1,752</b>
<b>Other</b>	Female	77	14	23	114
	Male	335	95	90	520
	<b>Total:Other</b>	<b>412</b>	<b>109</b>	<b>113</b>	<b>634</b>
<b>TOTAL</b>		<b>9,935</b>	<b>3,139</b>	<b>4,929</b>	<b>18,003</b>





## Appendix F Cont.: Arrest Distribution Per Client by Sex and Race/Ethnicity

2019					
Race/Ethnicity	Sex	No Arrest	1 Arrest	2 or More	Total
Caucasian	Female	1,125	303	369	1,797
	Male	3,474	909	1,284	5,667
	<b>Total:Caucasian</b>	<b>4,599</b>	<b>1,212</b>	<b>1,653</b>	<b>7,464</b>
African American	Female	641	212	253	1,106
	Male	2,854	1,121	1,946	5,921
	<b>Total:African American</b>	<b>3,495</b>	<b>1,333</b>	<b>2,199</b>	<b>7,027</b>
Hispanic	Female	133	23	40	196
	Male	866	240	342	1,448
	<b>Total:Hispanic</b>	<b>999</b>	<b>263</b>	<b>382</b>	<b>1,644</b>
Other	Female	70	11	13	94
	Male	378	77	81	536
	<b>Total:Other</b>	<b>448</b>	<b>88</b>	<b>94</b>	<b>630</b>
<b>TOTAL</b>		<b>9,541</b>	<b>2,896</b>	<b>4,328</b>	<b>16,765</b>



**Appendix G: Arrest Per Client by Most Serious Recidivism Crime-Type Broken Down by Sex and Race/Ethnicity**

<b>FEMALES: Most Serious Crime-Type 2018</b>									
<b>Race/Ethnicity</b>	<b>Contempt</b>	<b>Drug</b>	<b>Municipal</b>	<b>Other</b>	<b>Person</b>	<b>Property</b>	<b>Violent</b>	<b>Weapons</b>	<b>Total</b>
<b>Caucasian</b>	13	263	16	37	60	270	133	9	801
	1.6%	32.8%	2.0%	4.6%	7.5%	33.7%	16.6%	1.1%	100%
<b>African American</b>	7	84	12	24	46	151	135	10	469
	1.5%	17.9%	2.6%	5.1%	9.8%	32.2%	28.8%	2.1%	100%
<b>Hispanic</b>	0	16	2	1	5	23	16	2	65
	0.0%	24.6%	3.1%	1.5%	7.7%	35.4%	24.6%	3.1%	100%
<b>Other</b>	1	9	1	3	0	14	9	0	37
	2.7%	24.3%	2.7%	8.1%	0.0%	37.8%	24.3%	0.0%	100%
<b>TOTAL</b>	21	372	31	65	111	458	293	21	1,372
	1.5%	27.1%	2.3%	4.7%	8.1%	33.4%	21.4%	1.5%	100%
<b>MALES: Most Serious Crime-Type 2018</b>									
<b>Race/Ethnicity</b>	<b>Contempt</b>	<b>Drug</b>	<b>Municipal</b>	<b>Other</b>	<b>Person</b>	<b>Property</b>	<b>Violent</b>	<b>Weapons</b>	<b>Total</b>
<b>Caucasian</b>	69	715	44	105	181	712	637	37	2,500
	2.8%	28.6%	1.8%	4.2%	7.2%	28.5%	25.5%	1.5%	100%
<b>African American</b>	55	812	39	147	307	739	1,038	204	3,341
	1.6%	24.3%	1.2%	4.4%	9.2%	22.1%	31.1%	6.1%	100%
<b>Hispanic</b>	20	163	13	29	65	168	189	23	670
	3.0%	24.3%	1.9%	4.3%	9.7%	25.1%	28.2%	3.4%	100%
<b>Other</b>	6	52	2	12	14	47	45	7	185
	3.2%	28.1%	1.1%	6.5%	7.6%	25.4%	24.3%	3.8%	100%
<b>TOTAL</b>	150	1,742	98	293	567	1,666	1,909	271	6,696
	2.2%	26.0%	1.5%	4.4%	8.5%	24.9%	28.5%	4.0%	100%

**Appendix G Cont.: Arrest Per Client by Most Serious Recidivism Crime-Type Broken  
Down by Sex and Race/Ethnicity**

<b>FEMALES: Most Serious Crime-Type 2019</b>									
<b>Race/Ethnicity</b>	<b>Contempt</b>	<b>Drug</b>	<b>Municipal</b>	<b>Other</b>	<b>Person</b>	<b>Property</b>	<b>Violent</b>	<b>Weapons</b>	<b>Total</b>
<b>Caucasian</b>	12	225	12	33	28	222	135	5	672
	1.8%	33.5%	1.8%	4.9%	4.2%	33.0%	20.1%	0.7%	100%
<b>African American</b>	8	68	8	21	53	157	140	10	465
	1.7%	14.6%	1.7%	4.5%	11.4%	33.8%	30.1%	2.2%	100%
<b>Hispanic</b>	2	15	1	1	3	19	22	0	63
	3.2%	23.8%	1.6%	1.6%	4.8%	30.2%	34.9%	0.0%	100%
<b>Other</b>	0	6	0	1	2	9	6	0	24
	0.0%	25.0%	0.0%	4.2%	8.3%	37.5%	25.0%	0.0%	100%
<b>TOTAL</b>	22	314	21	56	86	407	303	15	1,224
	1.8%	25.7%	1.7%	4.6%	7.0%	33.3%	24.8%	1.2%	100%
<b>MALES: Most Serious Crime-Type 2019</b>									
<b>Race/Ethnicity</b>	<b>Contempt</b>	<b>Drug</b>	<b>Municipal</b>	<b>Other</b>	<b>Person</b>	<b>Property</b>	<b>Violent</b>	<b>Weapons</b>	<b>Total</b>
<b>Caucasian</b>	80	570	30	89	175	633	565	51	2,193
	3.6%	26.0%	1.4%	4.1%	8.0%	28.9%	25.8%	2.3%	100%
<b>African American</b>	61	638	37	116	287	690	1,013	225	3,067
	2.0%	20.8%	1.2%	3.8%	9.4%	22.5%	33.0%	7.3%	100%
<b>Hispanic</b>	24	107	7	29	60	152	172	31	582
	4.1%	18.4%	1.2%	5.0%	10.3%	26.1%	29.6%	5.3%	100%
<b>Other</b>	8	30	2	12	24	29	49	4	158
	5.1%	19.0%	1.3%	7.6%	15.2%	18.4%	31.0%	2.5%	100%
<b>TOTAL</b>	173	1,345	76	246	546	1,504	1,799	311	6,000
	2.9%	22.4%	1.3%	4.1%	9.1%	25.1%	30.0%	5.2%	100%

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

2018					
Race/Ethnicity	Sex	Less Severe	Same Severity	More Severe	Total
Caucasian	Female	145	296	360	801
	Male	481	880	1,139	2,500
	<b>Total:Caucasian</b>	626	1,176	1,499	3,301
African American	Female	94	166	209	469
	Male	621	1,039	1,681	3,341
	<b>Total:African American</b>	715	1,205	1,890	3,810
Hispanic	Female	11	24	30	65
	Male	109	234	327	670
	<b>Total:Hispanic</b>	120	258	357	735
Other	Female	10	18	9	37
	Male	41	63	81	185
	<b>Total:Other</b>	51	81	90	222
<b>Sex</b>					
	<b>Total: Female</b>	260	504	608	1,372
	<b>Total: Male</b>	1,252	2,216	3,228	6,696
<b>TOTAL</b>		<b>1,512</b>	<b>2,720</b>	<b>3,836</b>	<b>8,068</b>

**Appendix H Cont.: Severity of Most Serious Original Charge Compared to Most Serious Arrest Charge, by Sex and Race/Ethnicity**

2019					
Race/Ethnicity	Sex	Less Severe	Same Severity	More Severe	Total
Caucasian	Female	111	256	305	672
	Male	412	730	1,051	2,193
	<b>Total:Caucasian</b>	523	986	1,356	2,865
African American	Female	91	180	194	465
	Male	520	1,011	1,536	3,067
	<b>Total:African American</b>	611	1,191	1,730	3,532
Hispanic	Female	14	19	30	63
	Male	90	189	303	582
	<b>Total:Hispanic</b>	104	208	333	645
Other	Female	3	11	10	24
	Male	29	50	79	158
	<b>Total:Other</b>	32	61	89	182
<b>Sex</b>					
	<b>Total: Female</b>	219	466	539	1,224
	<b>Total: Male</b>	1,051	1,980	2,969	6,000
<b>TOTAL</b>					
		<b>1,270</b>	<b>2,446</b>	<b>3,508</b>	<b>7,224</b>

## Appendix I: Conviction Totals and Rates by Sex and Race/Ethnicity

2018							
Race/Ethnicity	Sex	Arrested but Not Convicted	Convicted	Arrest Cohort Total	Adult Cohort Total	% of Clients in Arrest Cohort Convicted	% of Clients in Adult Cohort Convicted
Caucasian	Female	306	495	801	1,953	61.8%	25.3%
	Male	905	1,595	2,500	6,207	63.8%	25.7%
	<b>Total:Caucasian</b>	<b>1,211</b>	<b>2,090</b>	<b>3,301</b>	<b>8,160</b>	<b>63.3%</b>	<b>25.6%</b>
African American	Female	213	256	469	1,120	54.6%	22.9%
	Male	1,337	2,004	3,341	6,337	60.0%	31.6%
	<b>Total:African American</b>	<b>1,550</b>	<b>2,260</b>	<b>3,810</b>	<b>7,457</b>	<b>59.3%</b>	<b>30.3%</b>
Hispanic	Female	30	35	65	196	53.8%	17.9%
	Male	243	427	670	1,556	63.7%	27.4%
	<b>Total:Hispanic</b>	<b>273</b>	<b>462</b>	<b>735</b>	<b>1,752</b>	<b>62.9%</b>	<b>26.4%</b>
Other	Female	16	21	37	114	56.8%	18.4%
	Male	85	100	185	520	54.1%	19.2%
	<b>Total:Other</b>	<b>101</b>	<b>121</b>	<b>222</b>	<b>634</b>	<b>54.5%</b>	<b>19.1%</b>
Sex	<b>Total: Female</b>	565	807	1,372	3,383	58.8%	23.9%
	<b>Total: Male</b>	2,570	4,126	6,696	14,620	61.6%	28.2%
<b>TOTAL</b>		<b>3,135</b>	<b>4,933</b>	<b>8,068</b>	<b>18,003</b>	<b>61.1%</b>	<b>27.4%</b>

## Appendix I Cont.: Conviction Totals and Rates by Sex and Race/Ethnicity

2019							
Race/Ethnicity	Sex	Arrested but Not Convicted	Convicted	Arrest Cohort Total	Adult Cohort Total	% of Clients in Arrest Cohort Convicted	% of Clients in Adult Cohort Convicted
<b>Caucasian</b>	Female	316	356	672	1,797	53.0%	19.8%
	Male	813	1,380	2,193	5,667	62.9%	24.4%
	<b>Total:Caucasian</b>	<b>1,129</b>	<b>1,736</b>	<b>2,865</b>	<b>7,464</b>	<b>60.6%</b>	<b>23.3%</b>
<b>African American</b>	Female	230	235	465	1,106	50.5%	21.2%
	Male	1,223	1,844	3,067	5,921	60.1%	31.1%
	<b>Total:African American</b>	<b>1,453</b>	<b>2,079</b>	<b>3,532</b>	<b>7,027</b>	<b>58.9%</b>	<b>29.6%</b>
<b>Hispanic</b>	Female	32	31	63	196	49.2%	15.8%
	Male	238	344	582	1,448	59.1%	23.8%
	<b>Total:Hispanic</b>	<b>270</b>	<b>375</b>	<b>645</b>	<b>1,644</b>	<b>58.1%</b>	<b>22.8%</b>
<b>Other</b>	Female	13	11	24	94	45.8%	11.7%
	Male	72	86	158	536	54.4%	16.0%
	<b>Total:Other</b>	<b>85</b>	<b>97</b>	<b>182</b>	<b>630</b>	<b>53.3%</b>	<b>15.4%</b>
<b>Sex</b>	<b>Total: Female</b>	<b>591</b>	<b>633</b>	<b>1,224</b>	<b>3,193</b>	<b>51.7%</b>	<b>19.8%</b>
	<b>Total: Male</b>	<b>2,346</b>	<b>3,654</b>	<b>6,000</b>	<b>13,572</b>	<b>60.9%</b>	<b>26.9%</b>
<b>TOTAL</b>		<b>2,937</b>	<b>4,287</b>	<b>7,224</b>	<b>16,765</b>	<b>59.3%</b>	<b>25.6%</b>

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

<b>FEMALES: Most Serious Conviction Crime-Type 2018</b>									
<b>Race/Ethnicity</b>	<b>Contempt</b>	<b>Drug</b>	<b>Municipal</b>	<b>Other</b>	<b>Person</b>	<b>Property</b>	<b>Violent</b>	<b>Weapons</b>	<b>Total</b>
<b>Caucasian</b>	14	141	79	86	6	146	22	1	495
	2.8%	28.5%	16.0%	17.4%	1.2%	29.5%	4.4%	0.2%	100%
<b>African American</b>	7	34	35	49	9	89	28	5	256
	2.7%	13.3%	13.7%	19.1%	3.5%	34.8%	10.9%	2.0%	100%
<b>Hispanic</b>	1	7	8	7	0	10	1	1	35
	2.9%	20.0%	22.9%	20.0%	0.0%	28.6%	2.9%	2.9%	100%
<b>Other</b>	0	4	4	2	0	9	2	0	21
	0.0%	19.0%	19.0%	9.5%	0.0%	42.9%	9.5%	0.0%	100%
<b>TOTAL</b>	22	186	126	144	15	254	53	7	807
	2.7%	23.0%	15.6%	17.8%	1.9%	31.5%	6.6%	0.9%	100%
<b>MALES: Most Serious Conviction Crime-Type 2018</b>									
<b>Race/Ethnicity</b>	<b>Contempt</b>	<b>Drug</b>	<b>Municipal</b>	<b>Other</b>	<b>Person</b>	<b>Property</b>	<b>Violent</b>	<b>Weapons</b>	<b>Total</b>
<b>Caucasian</b>	75	361	241	249	78	414	157	20	1,595
	4.7%	22.6%	15.1%	15.6%	4.9%	26.0%	9.8%	1.3%	100%
<b>African American</b>	66	480	280	332	93	455	212	86	2,004
	3.3%	24.0%	14.0%	16.6%	4.6%	22.7%	10.6%	4.3%	100%
<b>Hispanic</b>	27	81	74	76	18	98	34	19	427
	6.3%	19.0%	17.3%	17.8%	4.2%	23.0%	8.0%	4.4%	100%
<b>Other</b>	6	15	19	17	2	30	9	2	100
	6.0%	15.0%	19.0%	17.0%	2.0%	30.0%	9.0%	2.0%	100%
<b>TOTAL</b>	174	937	614	674	191	997	412	127	4,126
	4.2%	22.7%	14.9%	16.3%	4.6%	24.2%	10.0%	3.1%	100%



**Appendix J Cont.: Conviction Per Client by Most Serious Conviction Crime-Type Broken  
Down by Sex and Race/Ethnicity**

<b>FEMALES: Most Serious Conviction Crime-Type 2019</b>									
<b>Race/Ethnicity</b>	<b>Contempt</b>	<b>Drug</b>	<b>Municipal</b>	<b>Other</b>	<b>Person</b>	<b>Property</b>	<b>Violent</b>	<b>Weapons</b>	<b>Total</b>
<b>Caucasian</b>	8	43	73	183	1	42	6	0	356
	2.2%	12.1%	20.5%	51.4%	0.3%	11.8%	1.7%	0.0%	100%
<b>African American</b>	8	10	37	140	1	35	4	0	235
	3.4%	4.3%	15.7%	59.6%	0.4%	14.9%	1.7%	0.0%	100%
<b>Hispanic</b>	6	3	10	11	0	1	0	0	31
	19.4%	9.7%	32.3%	35.5%	0.0%	3.2%	0.0%	0.0%	100%
<b>Other</b>	0	1	1	8	0	1	0	0	11
	0.0%	9.1%	9.1%	72.7%	0.0%	9.1%	0.0%	0.0%	100%
<b>TOTAL</b>	22	57	121	342	2	79	10	0	633
	3.5%	9.0%	19.1%	54.0%	0.3%	12.5%	1.6%	0.0%	100%
<b>MALES: Most Serious Conviction Crime-Type 2019</b>									
<b>Race/Ethnicity</b>	<b>Contempt</b>	<b>Drug</b>	<b>Municipal</b>	<b>Other</b>	<b>Person</b>	<b>Property</b>	<b>Violent</b>	<b>Weapons</b>	<b>Total</b>
<b>Caucasian</b>	97	131	252	705	2	161	32	0	1,380
	7.0%	9.5%	18.3%	51.1%	0.1%	11.7%	2.3%	0.0%	100%
<b>African American</b>	62	58	279	1,227	5	176	36	1	1,844
	3.4%	3.1%	15.1%	66.5%	0.3%	9.5%	2.0%	0.1%	100%
<b>Hispanic</b>	32	17	60	189	0	37	9	0	344
	9.3%	4.9%	17.4%	54.9%	0.0%	10.8%	2.6%	0.0%	100%
<b>Other</b>	7	1	21	50	0	4	3	0	86
	8.1%	1.2%	24.4%	58.1%	0.0%	4.7%	3.5%	0.0%	100%
<b>TOTAL</b>	198	207	612	2,171	7	378	80	1	3,654
	5.4%	5.7%	16.7%	59.4%	0.2%	10.3%	2.2%	0.0%	100%

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

2018					
Race/Ethnicity	Sex	Less Severe	Same Severity	More Severe	Total
Caucasian	Female	212	156	127	495
	Male	657	507	431	1,595
	<b>Total:Caucasian</b>	<b>869</b>	<b>663</b>	<b>558</b>	<b>2,090</b>
African American	Female	104	90	62	256
	Male	824	643	537	2,004
	<b>Total:African American</b>	<b>928</b>	<b>733</b>	<b>599</b>	<b>2,260</b>
Hispanic	Female	18	11	6	35
	Male	176	135	116	427
	<b>Total:Hispanic</b>	<b>194</b>	<b>146</b>	<b>122</b>	<b>462</b>
Other	Female	10	6	5	21
	Male	42	33	25	100
	<b>Total:Other</b>	<b>52</b>	<b>39</b>	<b>30</b>	<b>121</b>
<b>Sex</b>					
	<b>Total: Female</b>	<b>344</b>	<b>263</b>	<b>200</b>	<b>807</b>
	<b>Total: Male</b>	<b>1,699</b>	<b>1,318</b>	<b>1,109</b>	<b>4,126</b>
<b>TOTAL</b>					
		<b>2,043</b>	<b>1,581</b>	<b>1,309</b>	<b>4,933</b>

**Appendix K Cont.: Severity of Most Serious Original Charge Compared to Most Serious Conviction Charge, by Sex and Race/Ethnicity**

<b>2019</b>					
<b>Race/Ethnicity</b>	<b>Sex</b>	<b>Less Severe</b>	<b>Same Severity</b>	<b>More Severe</b>	<b>Total</b>
<b>Caucasian</b>	Female	272	41	43	356
	Male	1,022	181	177	1,380
	<b>Total:Caucasian</b>	1,294	222	220	1,736
<b>African American</b>	Female	185	32	18	235
	Male	1,548	177	119	1,844
	<b>Total:African American</b>	1,733	209	137	2,079
<b>Hispanic</b>	Female	25	5	1	31
	Male	266	46	32	344
	<b>Total:Hispanic</b>	291	51	33	375
<b>Other</b>	Female	9	1	1	11
	Male	70	8	8	86
	<b>Total:Other</b>	79	9	9	97
<b>Sex</b>					
	<b>Total: Female</b>	491	79	63	633
	<b>Total: Male</b>	2,906	412	336	3,654
<b>TOTAL</b>					
		<b>3,397</b>	<b>491</b>	<b>399</b>	<b>4,287</b>

## Appendix L: Overall Client Outcomes by Sex and Race/Ethnicity

2018							
Race/Ethnicity	Sex	Not Arrested	Arrested but Not Convicted	No Custodial or Probation Sentence	Probation Term	Custodial Sentence	Adult Cohort Total
Caucasian	Female	1,152	306	221	207	67	1,953
	Male	3,707	905	542	744	309	6,207
	<b>Total:Caucasian</b>	<b>4,859</b>	<b>1,211</b>	<b>763</b>	<b>951</b>	<b>376</b>	<b>8,160</b>
African American	Female	651	213	98	114	44	1,120
	Male	2,996	1,337	641	817	546	6,337
	<b>Total:African American</b>	<b>3,647</b>	<b>1,550</b>	<b>739</b>	<b>931</b>	<b>590</b>	<b>7,457</b>
Hispanic	Female	131	30	20	11	4	196
	Male	886	243	143	172	112	1,556
	<b>Total:Hispanic</b>	<b>1,017</b>	<b>273</b>	<b>163</b>	<b>183</b>	<b>116</b>	<b>1,752</b>
Other	Female	77	16	11	10	-	114
	Male	335	85	39	37	24	520
	<b>Total:Other</b>	<b>412</b>	<b>101</b>	<b>50</b>	<b>47</b>	<b>24</b>	<b>634</b>
Sex	<b>Total: Female</b>	2,011	565	350	342	115	3,383
	<b>Total: Male</b>	7,924	2,570	1,365	1,770	991	14,620
<b>TOTAL</b>		<b>9,935</b>	<b>3,135</b>	<b>1,715</b>	<b>2,112</b>	<b>1,106</b>	<b>18,003</b>

## Appendix L Cont.: Overall Client Outcomes by Sex and Race/Ethnicity

2019							
Race/Ethnicity	Sex	Not Arrested	Arrested but Not Convicted	No Custodial or Probation Sentence	Probation Term	Custodial Sentence	Adult Cohort Total
Caucasian	Female	1,125	316	165	155	36	1,797
	Male	3,474	813	549	604	227	5,667
	<b>Total:Caucasian</b>	<b>4,599</b>	<b>1,129</b>	<b>714</b>	<b>759</b>	<b>263</b>	<b>7,464</b>
African American	Female	641	230	98	98	39	1,106
	Male	2,854	1,223	664	696	484	5,921
	<b>Total:African American</b>	<b>3,495</b>	<b>1,453</b>	<b>762</b>	<b>794</b>	<b>523</b>	<b>7,027</b>
Hispanic	Female	133	32	14	12	5	196
	Male	866	238	135	106	103	1,448
	<b>Total:Hispanic</b>	<b>999</b>	<b>270</b>	<b>149</b>	<b>118</b>	<b>108</b>	<b>1,644</b>
Other	Female	70	13	5	5	1	94
	Male	378	72	35	32	19	536
	<b>Total:Other</b>	<b>448</b>	<b>85</b>	<b>40</b>	<b>37</b>	<b>20</b>	<b>630</b>
Sex	<b>Total: Female</b>	1,969	591	282	270	81	3,193
	<b>Total: Male</b>	7,572	2,346	1,383	1,438	833	13,572
<b>TOTAL</b>		<b>9,541</b>	<b>2,937</b>	<b>1,665</b>	<b>1,708</b>	<b>914</b>	<b>16,765</b>



**ADMINISTRATIVE OFFICE OF THE COURTS**

**STUART RABNER**  
CHIEF JUSTICE

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

**BRENDA BEACHAM**  
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**JANUARY 2024**