

Pennsylvania's Juvenile Justice Recidivism Project: Juveniles with Cases Closed in 2007, 2008, or 2009

2013 Pennsylvania Conference on Juvenile Justice

November 7, 2013

Harrisburg Hilton, Harrisburg, PA

Justine Fowler*

* Questions about this presentation can be directed to Justine Fowler (c-jfowler@pa.gov; (717)783-7836).

Introduction

Background

- Pennsylvania's Juvenile Justice System Enhancement Strategy (JJSES)
- Need recidivism benchmark to examine impact of JJSES

Definition: A subsequent delinquency adjudication or conviction in criminal court for a felony or misdemeanor offense within two years of case closure

Goals

- Establish baseline statewide recidivism rate and recidivism rates for each of Pennsylvania's 67 counties
- Examine differences between recidivists and non-recidivists

Methodology

- Used the Pennsylvania Juvenile Case Management System (PaJCMS) to determine the juvenile delinquency cases which were closed in 2007, 2008, or 2009
 - Needed to have a **valid disposition**: 1.) informal adjustment, 2.) consent decree, 3.) probation, 4.) placement, 5.) probation with day treatment, 6.) deferred adjudication, 7.) deferred placement, 8.) courtesy supervision, 9.) other, 10.) warned, counseled, case closed, 11.) protective supervision, dependent, and 12.) fines and costs ordered
- Sent the list of base juveniles to Administrative Office Pennsylvania Courts (AOPC) to determine who recidivated in criminal court.
- Used PaJCMS to determine which juveniles had a subsequent adjudication of delinquency and to pull demographics and other key variables (developed from extensive literature review).

Variables

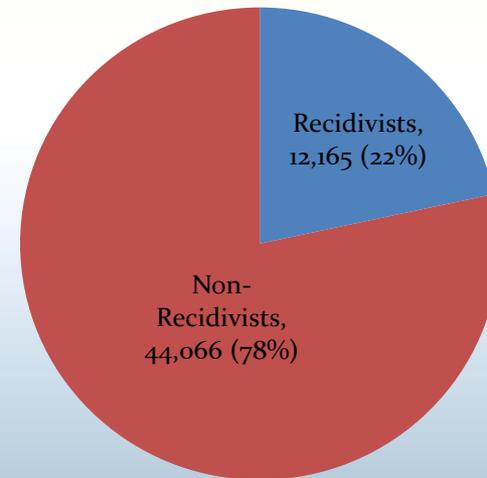
- Demographics
- Offense and Disposition
- Out-of-Home Service
- Serious, Violent, Chronic (SVC), and Child Offenders

County-Specific Recidivism Rates and General Findings

Three-Year Recidivism Average

- **56,231** juveniles with a case closure in 2007, 2008, or 2009.
- **12,165** recidivated.
- Three-year statewide recidivism average: **22%**.
- Please refer to Handout 1.
- A note on expunged cases...

Proportion of Recidivists to Non-Recidivists:
Juveniles with Cases Closed in 2007, 2008, or
2009

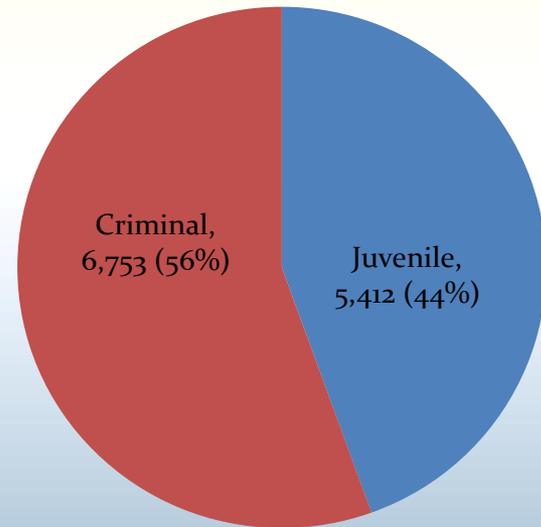


N= 56,231

Court of First Recidivating Case

- Approximately 44% of juveniles recidivated first in juvenile court.
- Approximately 56% of juveniles recidivated first in criminal court.
- Average age at case closure: 17 years.
- Average age at recidivism: 18 years.

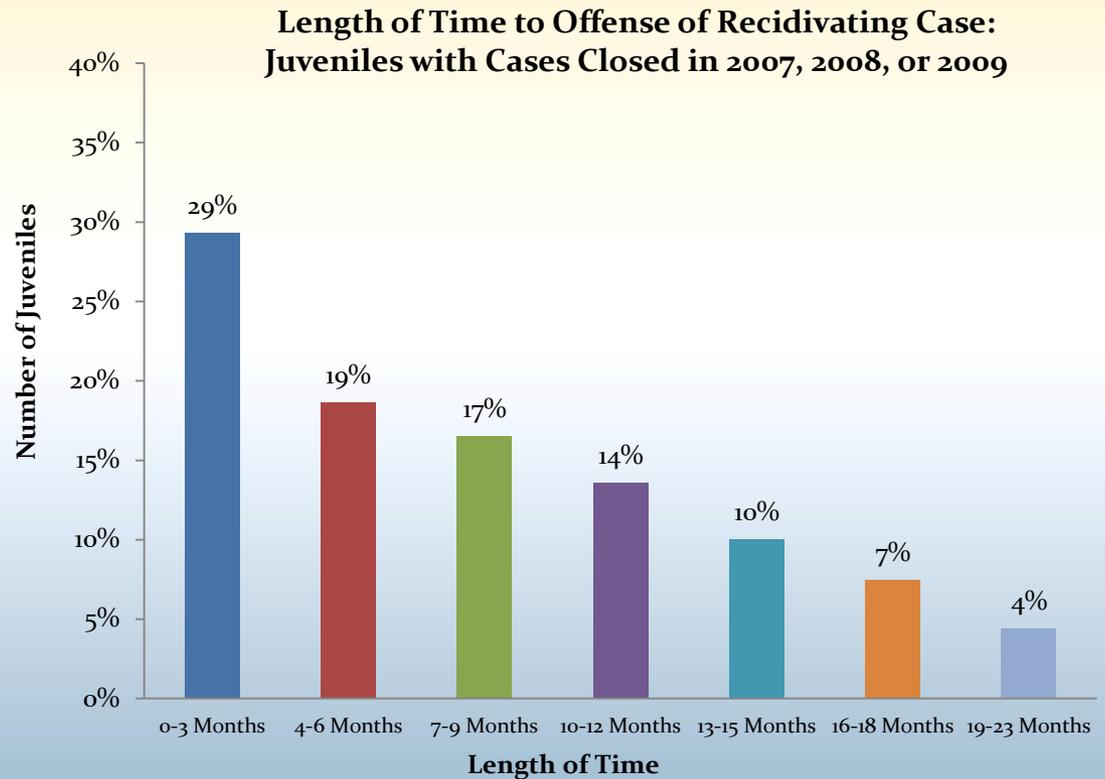
**Court of First Recidivating Case:
Juveniles with Cases Closed in 2007, 2008, or 2009**



N= 12,165

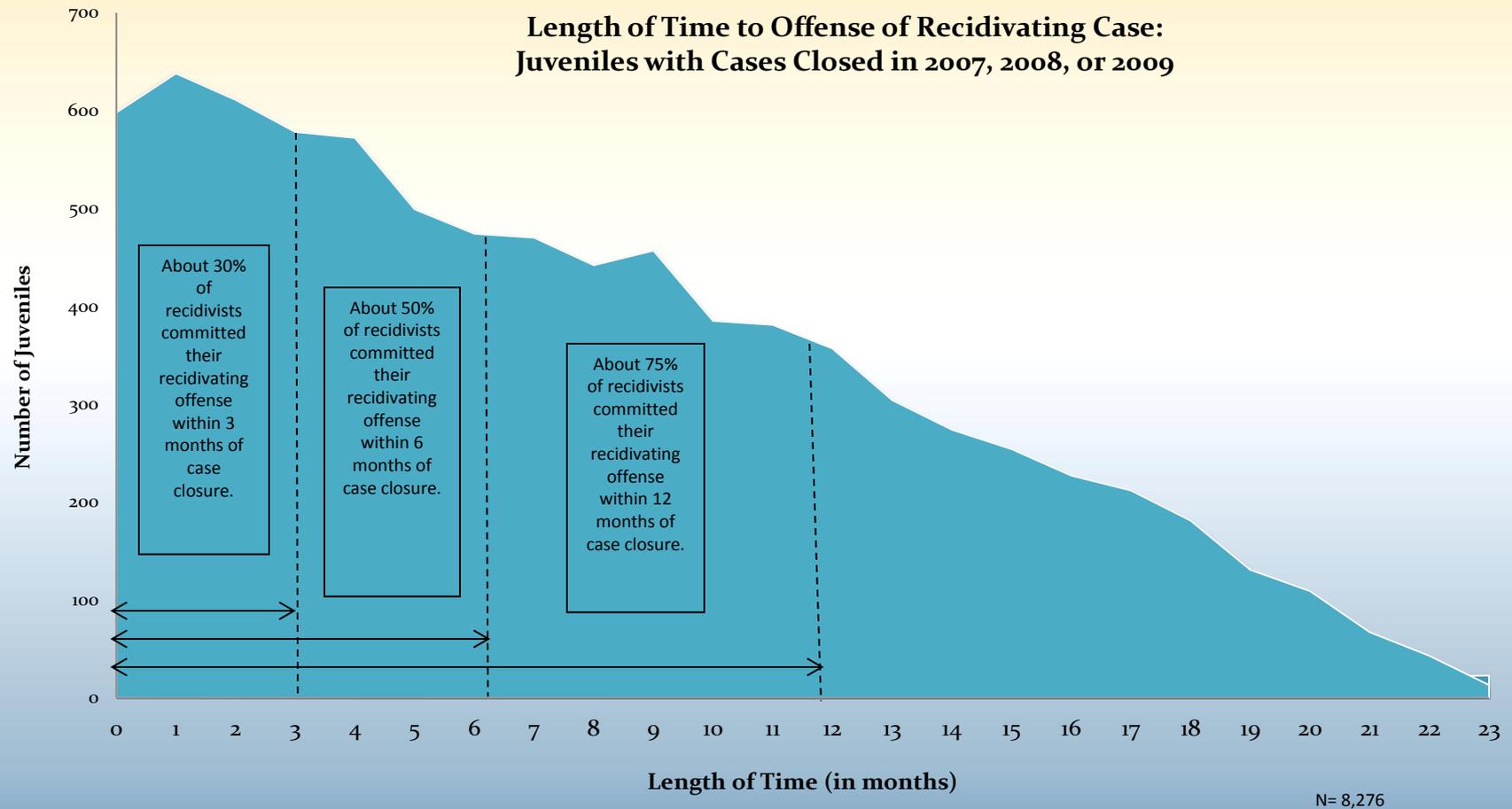
Length of Time to Offense of Recidivating Case

- Average length of time to offense of recidivating case: **8 months**.
- Median length of time to offense of recidivating case: **7 months**.
- Approximately **30%** of offenses occurred within **3 months** after case closure.
- Approximately **75%** of offenses occurred within **12 months** after case closure.



N= 8,276

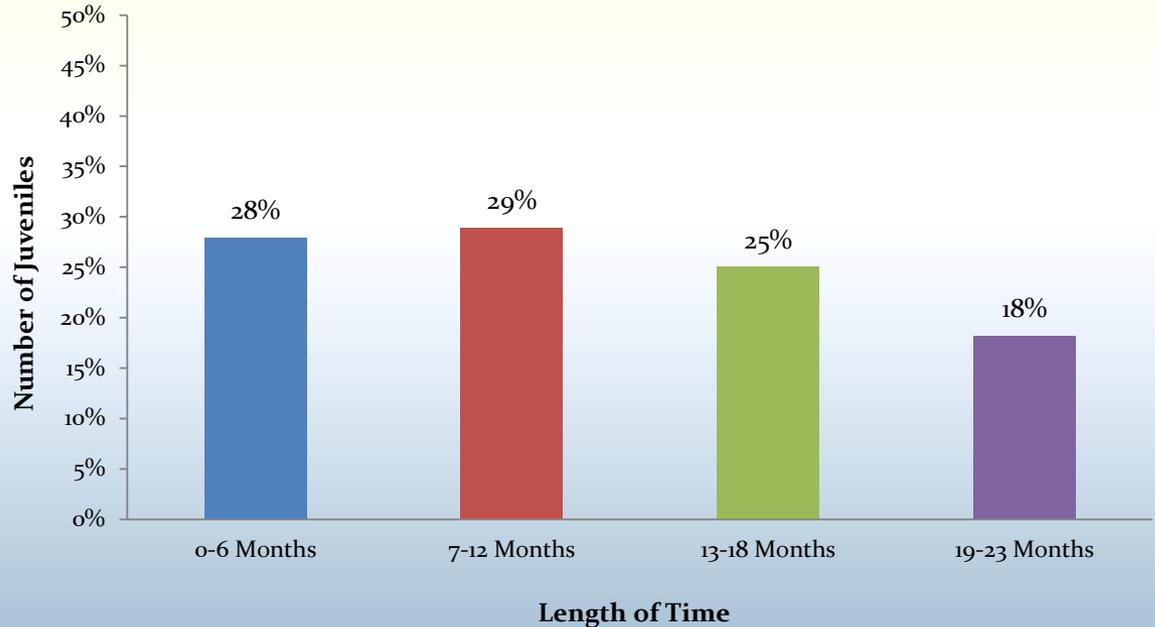
Length of Time to Offense of Recidivating Case (Continued)



Length of Time to Subsequent Adjudication or Criminal Conviction

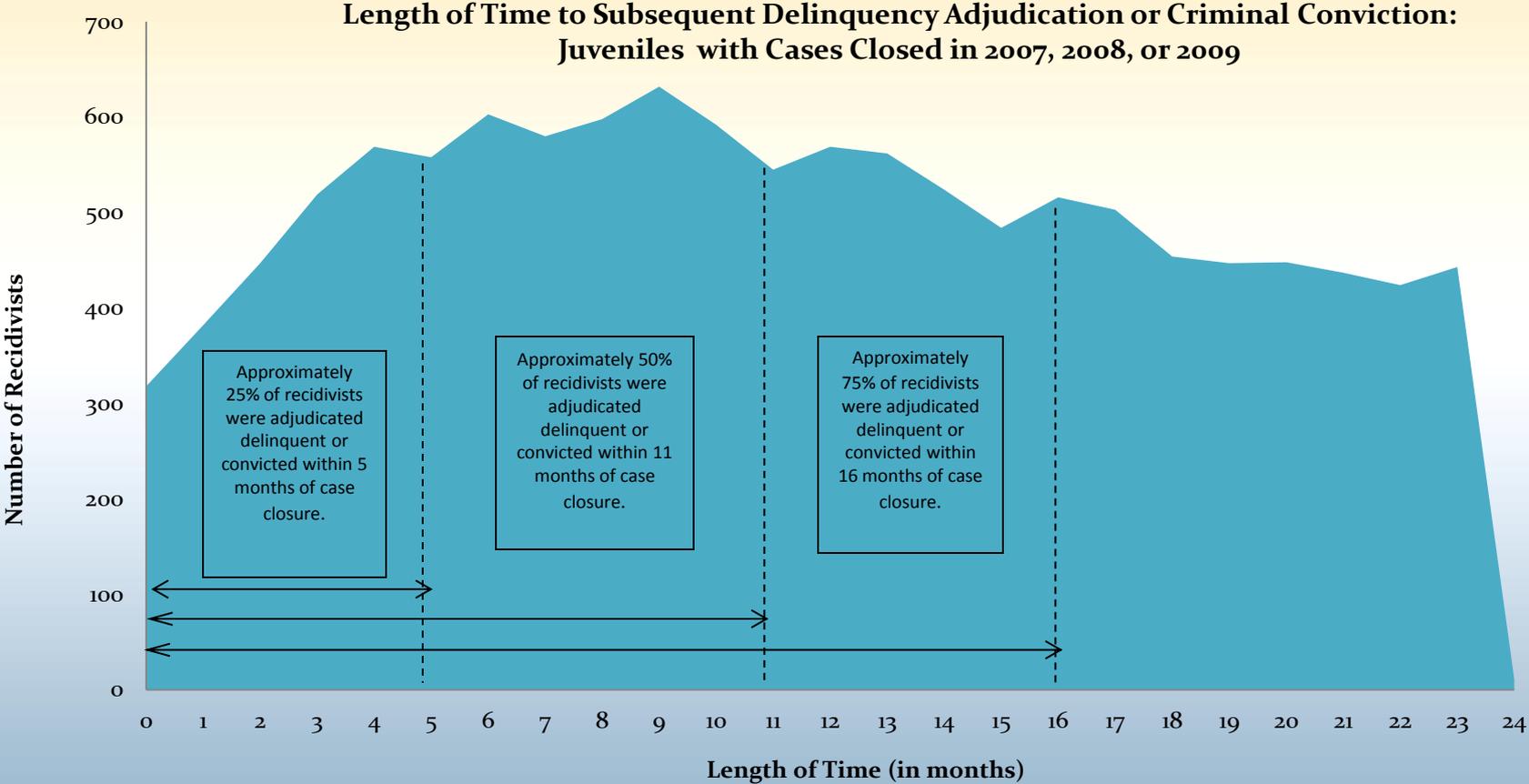
- Average and median length of time to subsequent adjudication or criminal conviction: **11 months**.
- Approximately **30%** of subsequent adjudications and criminal convictions occurred within **6 months** after case closure.
- Approximately **60%** of subsequent adjudications and criminal convictions occurred within **12 months** after case closure.

Length of Time to Subsequent Delinquency Adjudication or Criminal Conviction: Juveniles with Cases Closed in 2007, 2008, or 2009



N= 12,165

Length of Time to Subsequent Adjudication or Criminal Conviction (Continued)



Delinquency Adjudication History

- Recidivists were much more likely to have been adjudicated delinquent in their offending history than non-recidivists.
- There was a statistically significant relationship* between having a prior delinquency adjudication and being a recidivist.

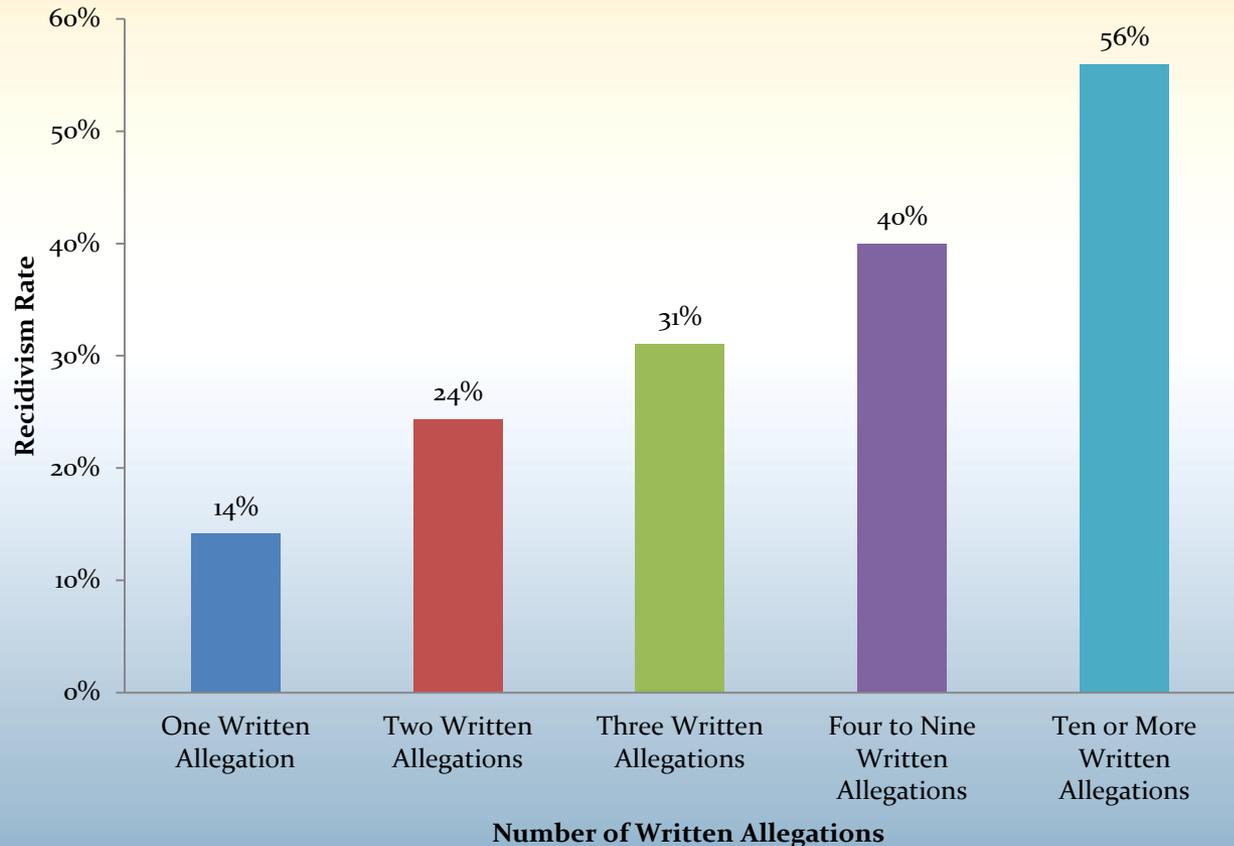
Delinquency Adjudication History: Juveniles with Cases Closed in 2007, 2008, or 2009			
	Total Number of Juveniles with a History of Adjudication	Total Number of Juveniles with Case Closure	Adjudication Rate
Recidivists	7,366	12,118	61%
Non-Recidivists	18,700	43,820	43%
Total	26,066	55,938	47%

* $\chi^2 = 45.083$; $p < 0.0001$.

Written Allegation History

- As the number of total referrals a youth had to a juvenile probation department increased, so did the likelihood of recidivism.
- There was a statistically significant relationship* between the number of total written allegations to a juvenile probation department and the likelihood of recidivating.
- Juveniles who had **two or more** total referrals were significantly more likely to recidivate.
- Juveniles with only **one** referral (for the case that was closed in 2007, 2008, or 2009) were significantly less likely to recidivate.

Recidivism Rates by Total Number of Written Allegations:
Juveniles with Cases Closed in 2007, 2008, or 2009



N= 55,938

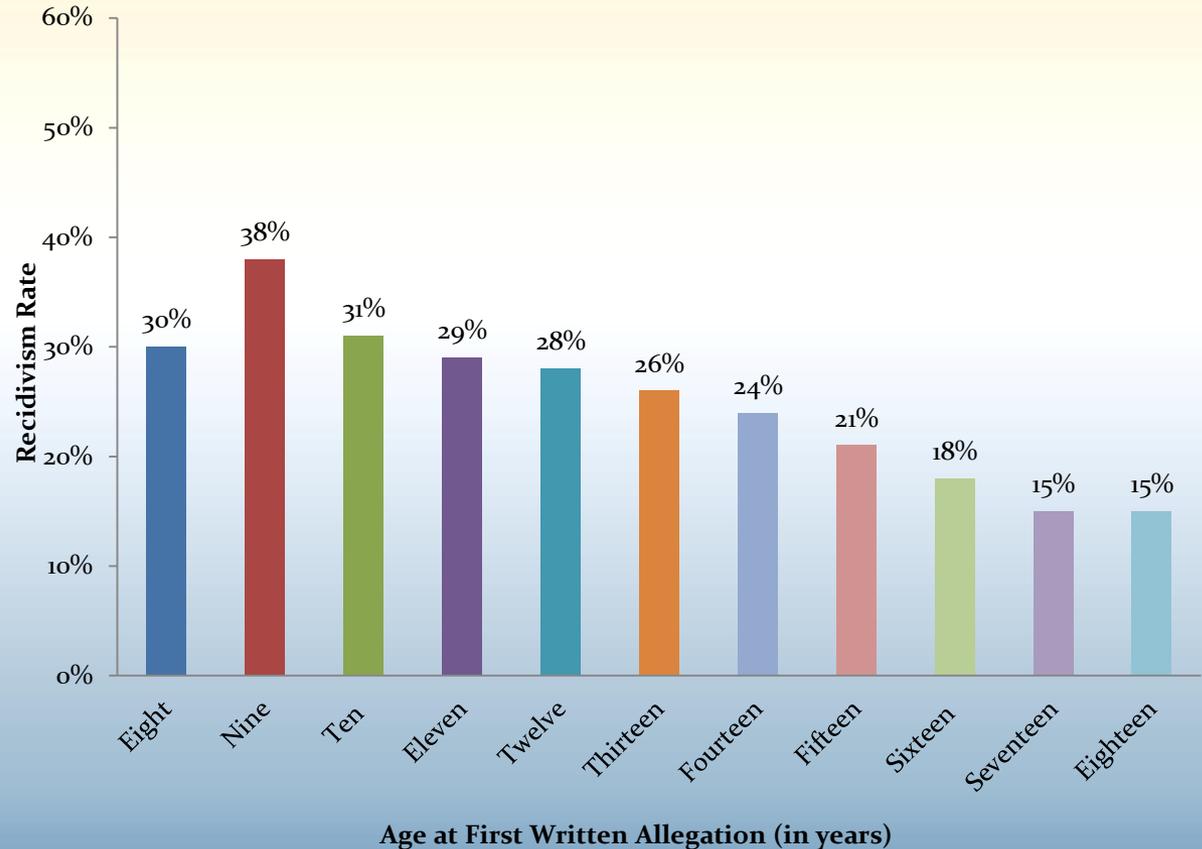
* $\chi^2= 143.565$; $p<0.0001$

Demographic Variables

Age at First Written Allegation

- As age at the time of the youth's first written allegation to a juvenile probation department **increased**, the likelihood of recidivism **decreased**.
- A significant relationship* existed between the age of the juvenile at the time of his or her first written allegation to a juvenile probation department and recidivism:
- Juveniles aged **twelve or younger** at the time of their first written allegation were significantly *more* likely to recidivate.
- Juveniles aged **sixteen or older** at the time of their first written allegation were significantly *less* likely to re-offend.

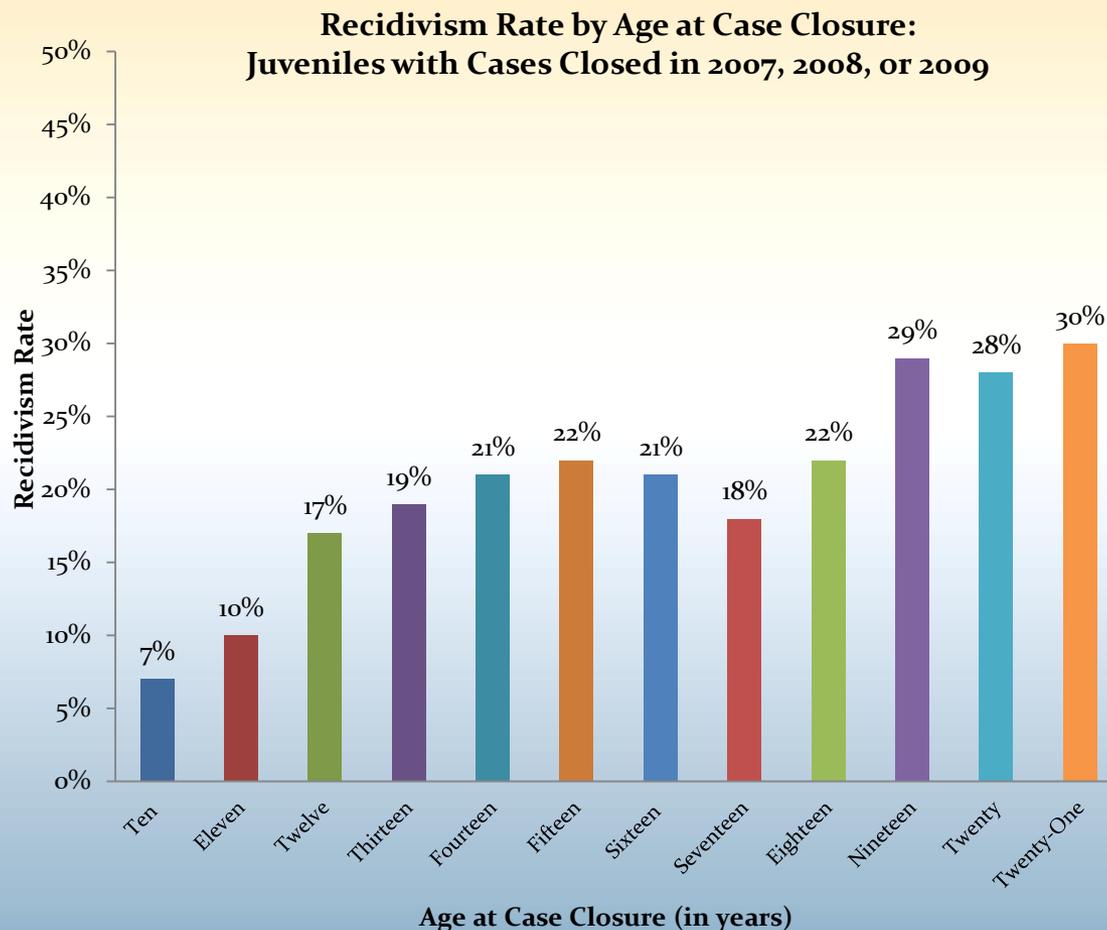
**Recidivism Rate by Age at First Written Allegation:
Juveniles with Cases Closed in 2007, 2008, or 2009**



* $\chi^2 = 19.173$; $p < 0.0001$

Age at Case Closure

- The average and median age of recidivists and non-recidivists at the time of case closure: **17 years**.
- In general, as age at the time of the juvenile's case closure increased, so did the likelihood of recidivism.
- Individuals aged **nineteen, twenty, and twenty-one** were most likely to recidivate, and this relationship was statistically significant*.

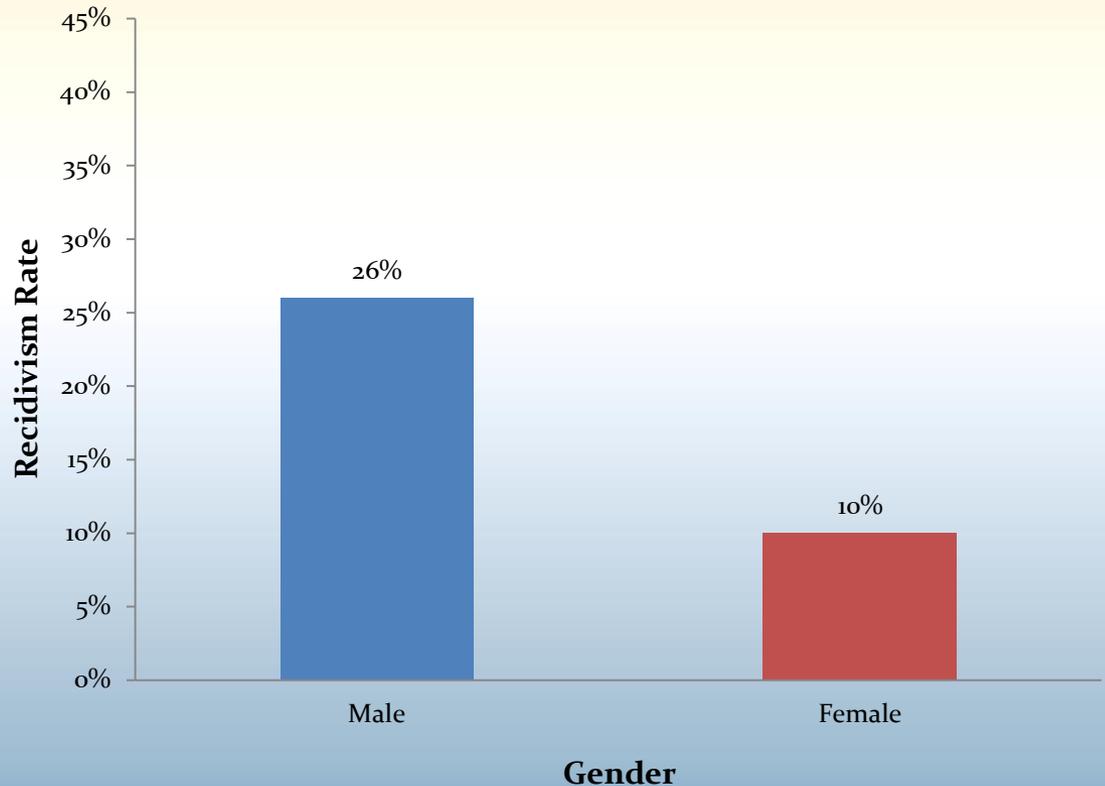


* $\chi^2 = 19.173$; $p < 0.0001$

Gender

- Males were **2.5 times** more likely to recidivate than females.
- There was a significant relationship* between gender and re-offending.
- Males were significantly more likely to recidivate.
- Females were significantly less likely to recidivate.

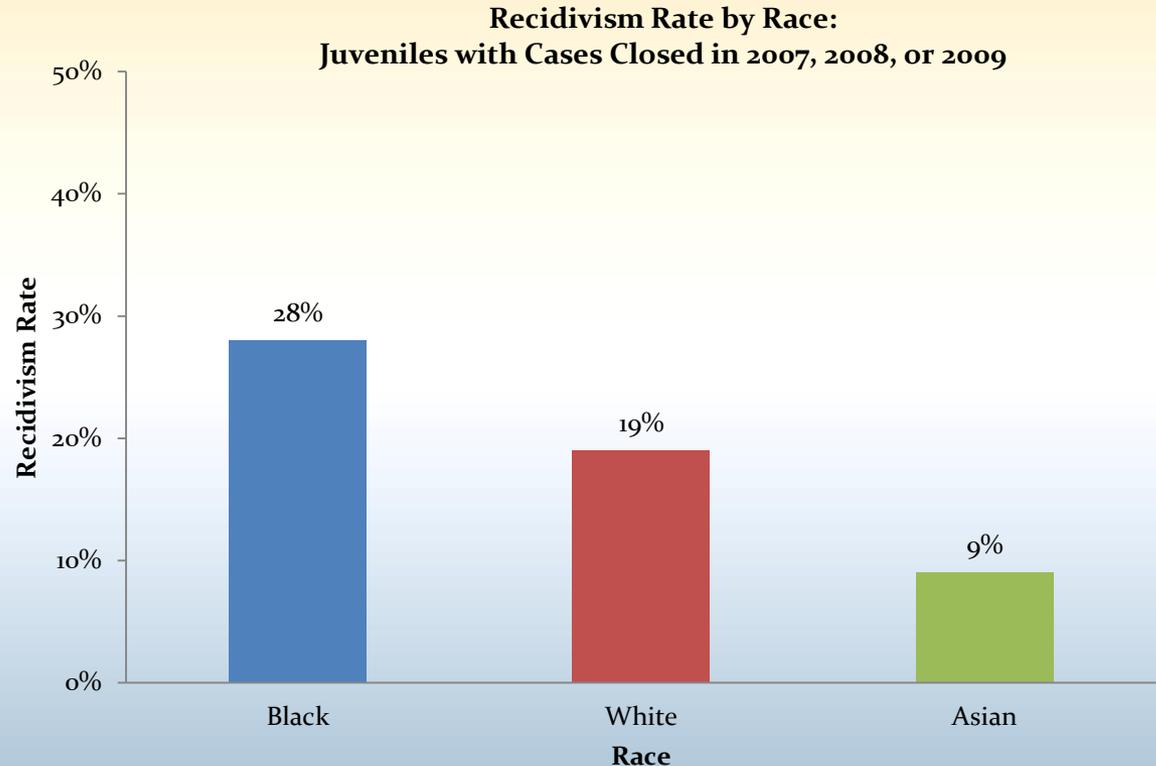
Recidivism Rate by Gender:
Juveniles with Cases Closed in 2007, 2008, or 2009



* $\chi^2= 50.046$; $p<0.0001$

Race*

- The majority (99%; N= 54,671) of offenders who had a case closed in 2007, 2008, or 2009 were either Black or White.
- There was a statistically significant relationship* between race and the likelihood of recidivating.
- **Black juveniles** were significantly more likely to recidivate.
- **White juveniles** were significantly less likely to recidivate.
- There were no significant differences for **Asian juveniles**.



N= 55,035

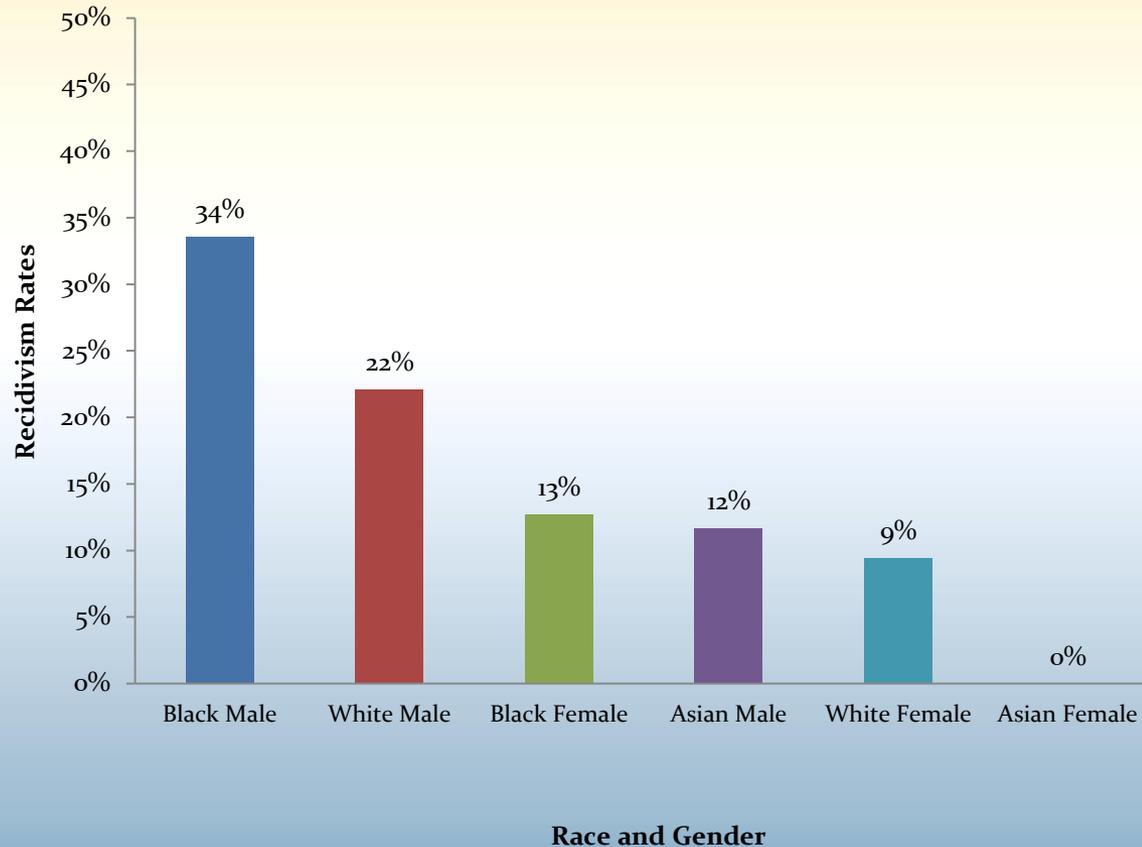
* $\chi^2 = 26.934$; $p < 0.0001$

*Due to the small number of American Indian or Alaska Native and Native Hawaiian or Pacific Islander youth in the sample, they were excluded from this analysis.

Gender and Race

- Black males re-offended at the highest rate: **34%**. This association was statistically significant*.
- White males recidivated at a rate of **22%**.
- Black females re-offended at a rate of **13%**.
- Approximately **12%** of Asian males recidivated.
- About 1 in 11 (**9%**) White females re-offended.
- No Asian females recidivated.

**Recidivism Rate by Race and Gender:
Juveniles with Cases Closed in 2007, 2008, or 2009**

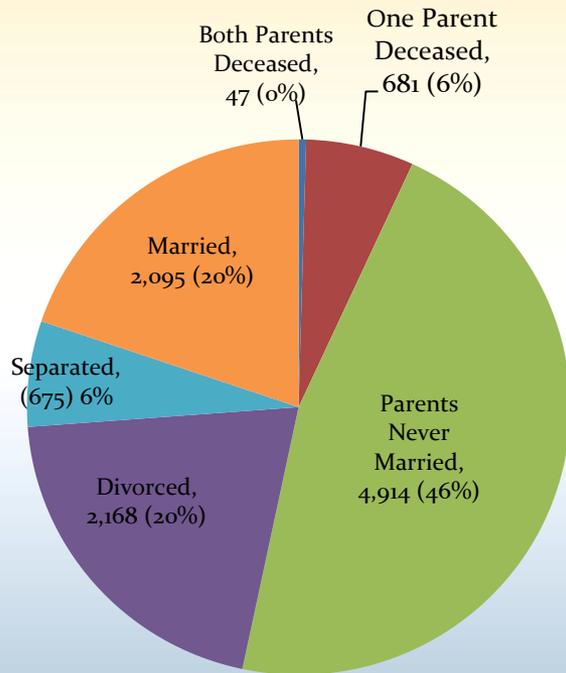


N= 54,269

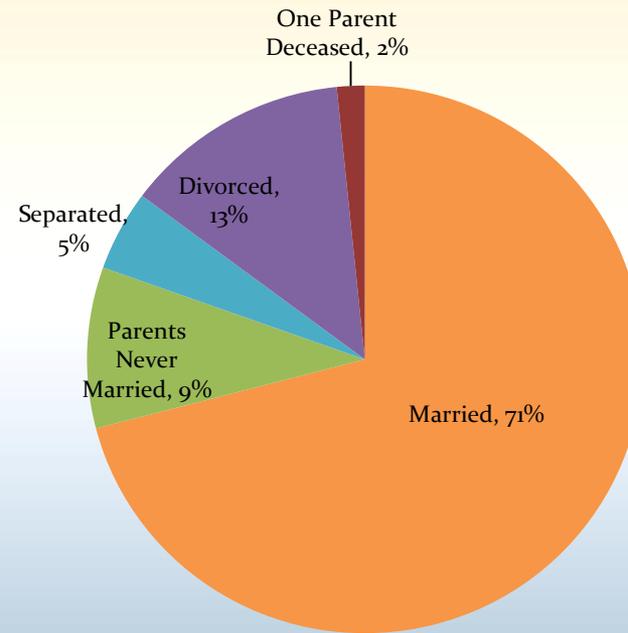
* $\chi^2= 95.731; p<0.0001$

Family Status

**Family Status of Recidivists:
Juveniles with Cases Closed in 2007, 2008, or
2009**



**Family Status of All Juveniles Aged 9-17 in the
United States:
Estimates for 2007, 2008, and 2009**

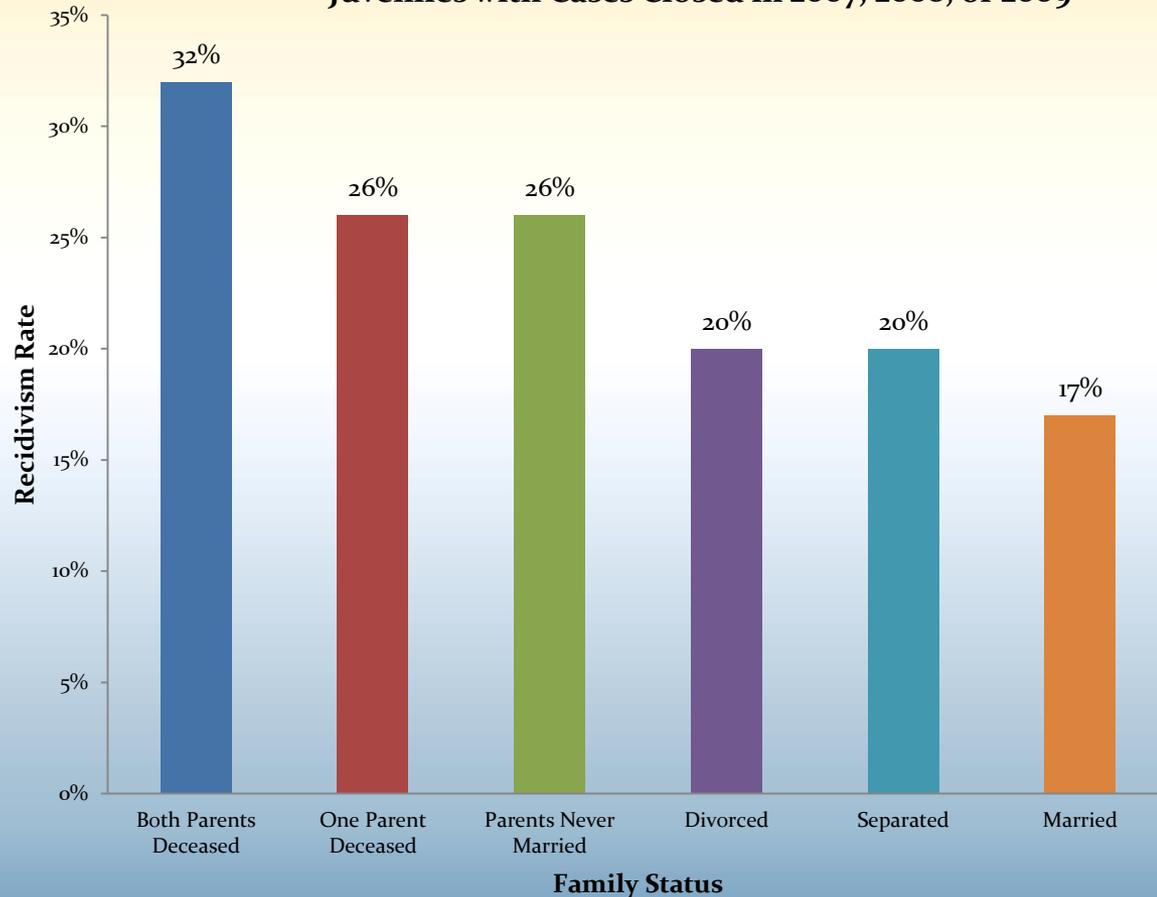


- Juveniles whose parents were: deceased, never married, divorced, or separated were over-represented in the recidivist population.
- Juveniles whose parents were married were under-represented in the recidivist population.

Family Status (Continued)

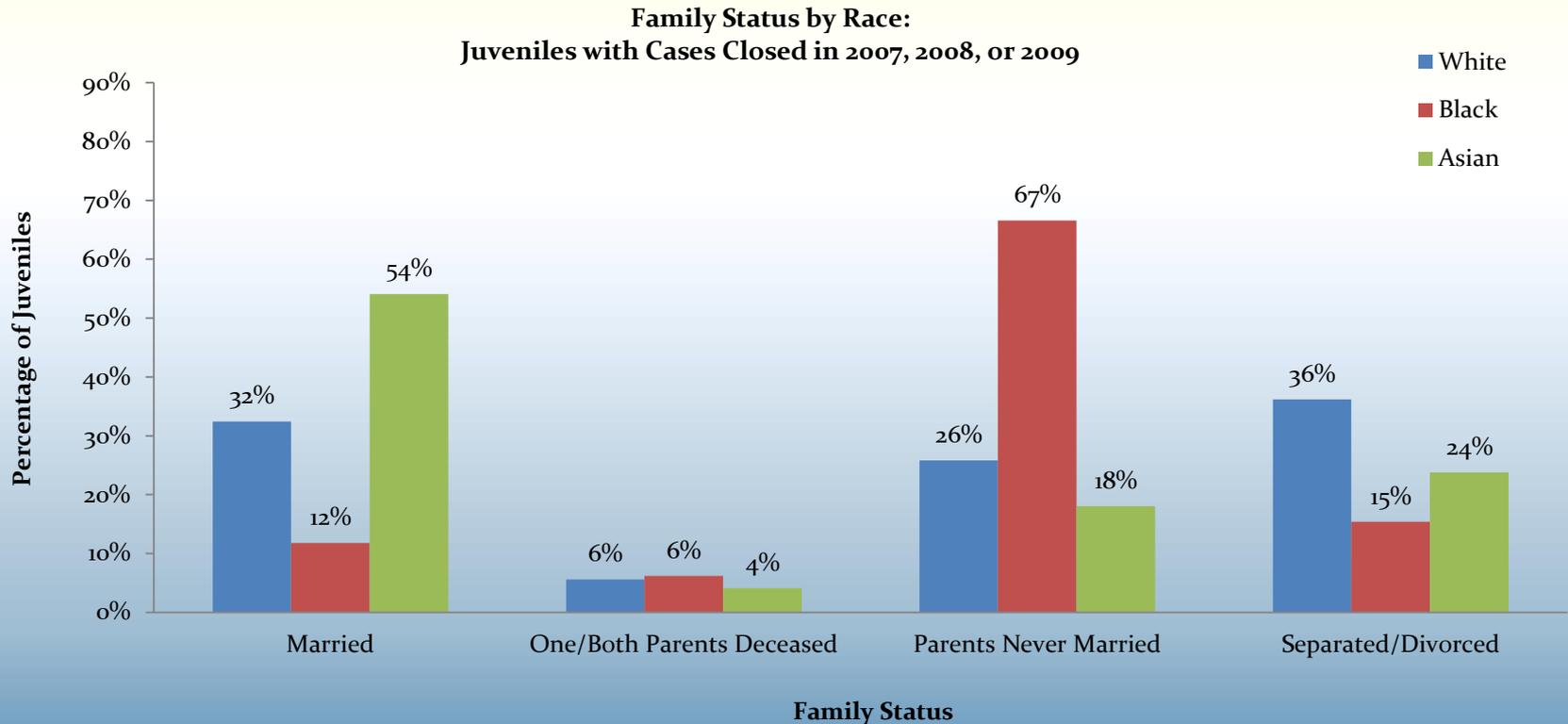
- Juveniles with both biological parents deceased recidivated at the highest rate of **32%**
- Juveniles with one biological parent deceased recidivated at a rate of **26%**.
- Juvenile offenders whose biological parents were never married re-offended at a rate of **26%**.
- Juveniles whose biological parents were divorced or separated recidivated at a rate of **20%** each.
- Juveniles whose biological parents were married re-offended at the lowest rate: **17%**.

**Recidivism Rate by Family Status:
Juveniles with Cases Closed in 2007, 2008, or 2009**



Family Status by Race

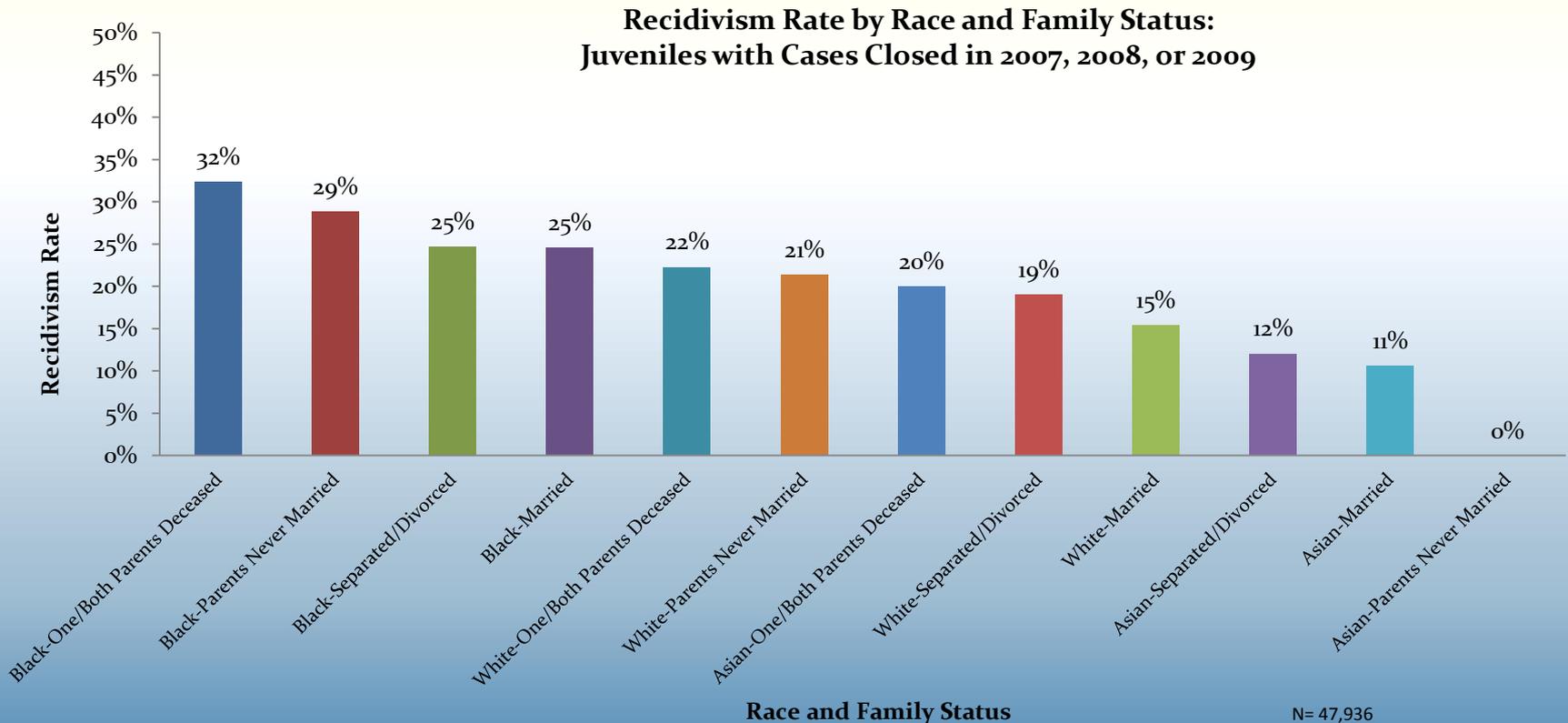
- White juveniles were most likely to have a family status of separated/divorced (35%).
- Black juveniles were most likely to have a family status of parents never married (67%).
- Asian juveniles were most likely to have a family status of married (54%).



N= 47,936

Recidivism Rate by Race and Family Status

- Between the three major race groups, Black juvenile offenders were most likely to recidivate, regardless of their family status, compared to White juvenile offenders and Asian juvenile offenders.
- Within each race group, juveniles with a family status of one or both parents deceased re-offended at the highest rates.



Offense* and Disposition Variables

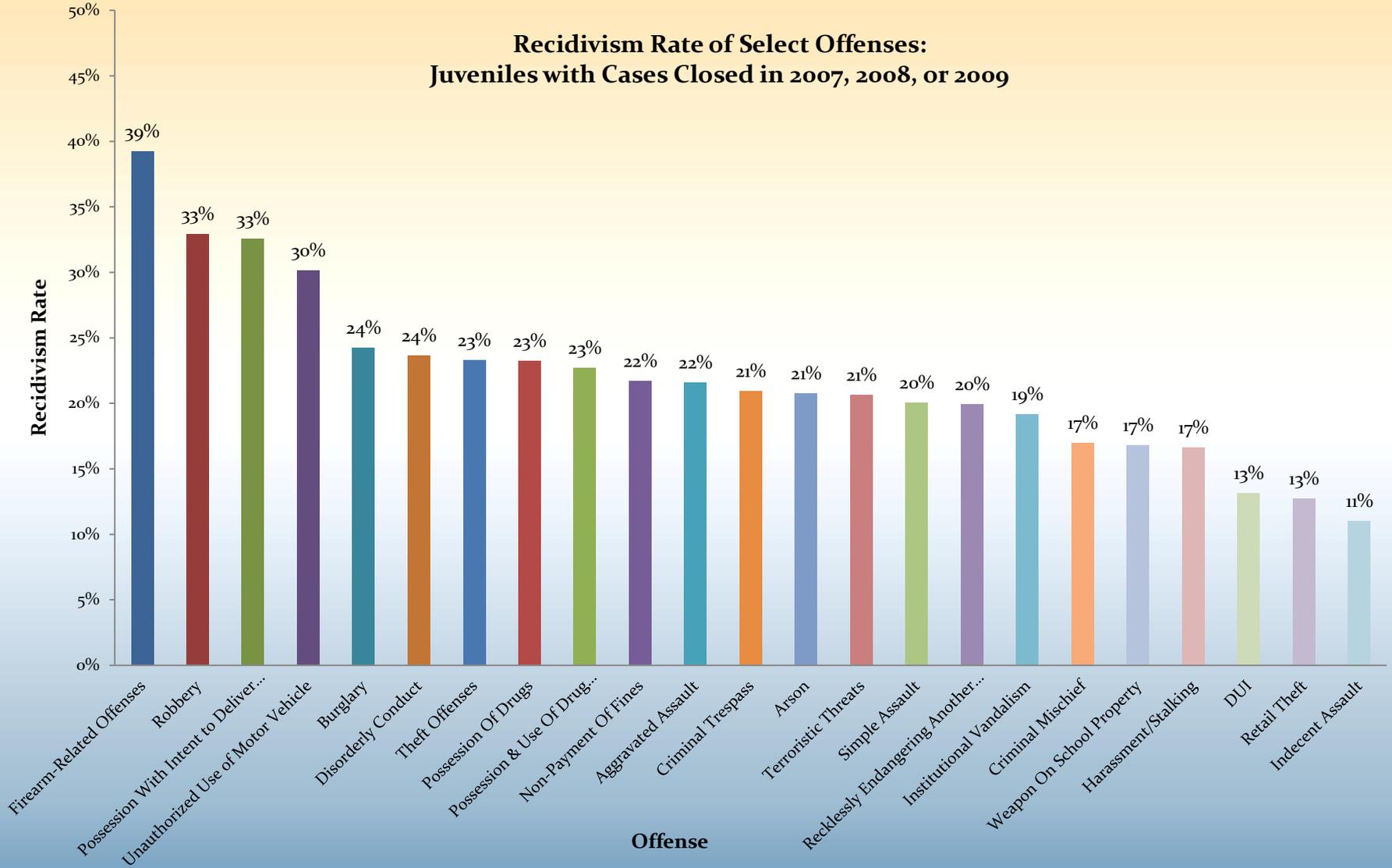
* Data in the following slides was based on the most serious *substantiated* offense of the juvenile's base and recidivating case. The *base* case is the case that occurred most recent to (immediately prior to) the juvenile's 2007, 2008, or 2009 close date that had a valid disposition. The *recidivating* case is the first case that resulted in an adjudication of delinquency or conviction in criminal court following the juvenile's 2007, 2008, or 2009 close date.

Offense of Base Case* (Continued)

- Juveniles who committed the following offenses recidivated at a rate considerably **lower** (5 or more percentage points) than the three-year average of **22%**:
 - **Indecent Assault: 11%**
 - **DUI: 13%**
 - **Retail Theft: 13%**
 - **Criminal Mischief: 17%**
 - **Harassment/Stalking: 17%**
 - **Weapon on School Property: 17%**
- Juveniles who committed the following offenses recidivated at a rate considerably **higher** (5 or more percentage points) than the three-year average of **22%**:
 - **Unauthorized Use of a Motor Vehicle: 30%**
 - **Possession with Intent to Deliver: 33%**
 - **Robbery: 33%**
 - **Firearm-Related Offenses: 39%**

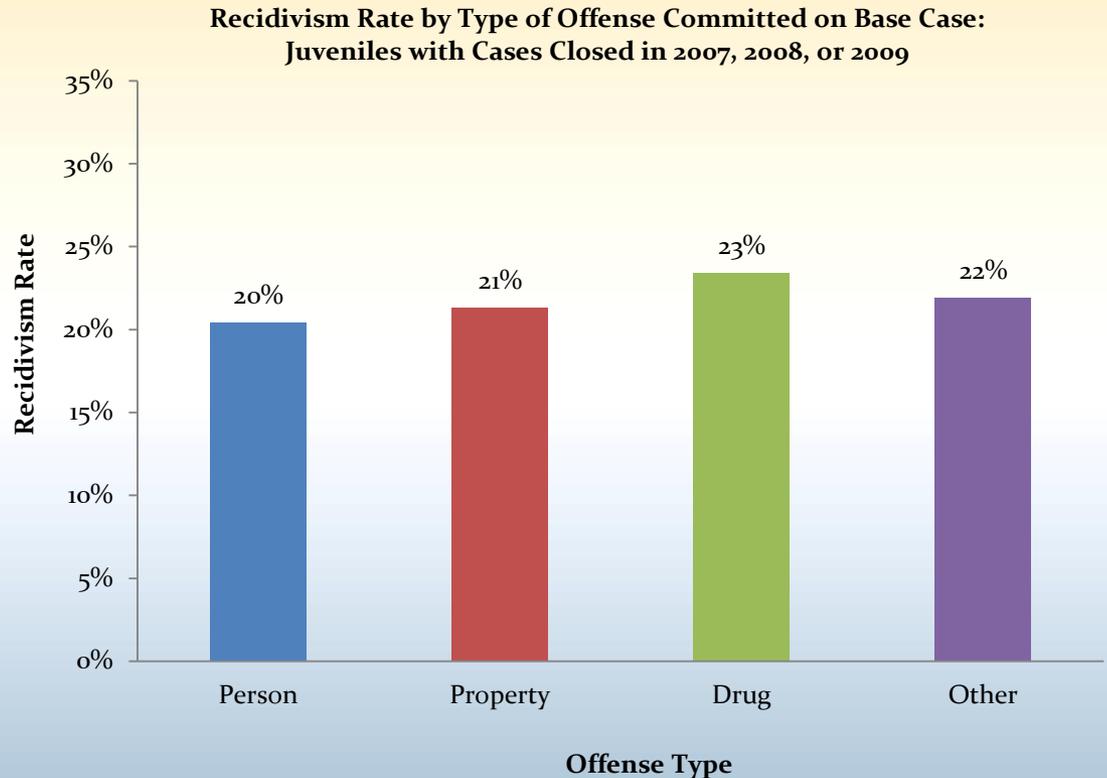
Offense of Base Case

**Recidivism Rate of Select Offenses:
Juveniles with Cases Closed in 2007, 2008, or 2009**



Type of Offense of Base Case

- Drug offenders recidivated at the highest rate: **23%**.
- Other* offenders recidivated at a rate of **22%**.
- Property offenders reoffended at a rate of **21%**.
- Person offenders recidivated at the lowest rate: **20%**.



N= 55,469

*The category of Other includes such offenses as nonpayment of fines, criminal coercion, indecent exposure, perjury, providing false statements to an officer, possession of a firearm by a minor, and city or local ordinance violations.

Offense Type Specialization

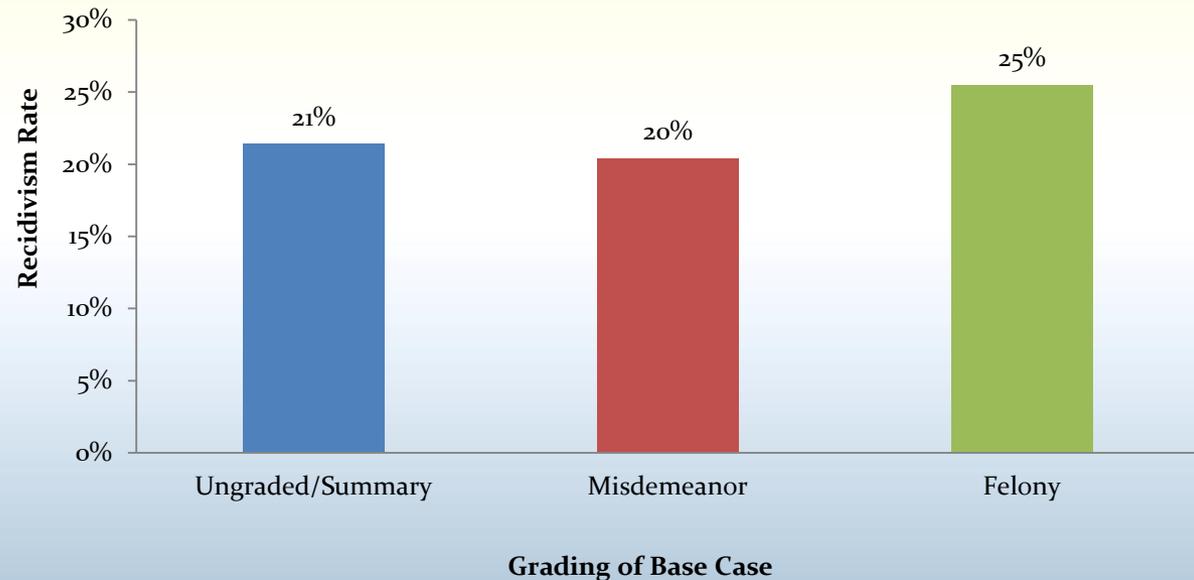
- Person, Property, and Drug offenders all exhibited offense type specialization, with Drug offenders exhibiting the greatest likelihood to commit the same type of offense when they recidivated.
- Other offenders were the least likely to commit to the same type of offense when they recidivated.

Recidivism Rate by Offense Type Specialization: Juveniles with Cases Closed in 2007, 2008, or 2009					
Offense Type Committed on Base Case	Offense Type of First Recidivating Case				
	Person	Property	Drug	Other	Total
Person	35% (N= 933)	23% (N= 614)	26% (N= 706)	17% (N= 446)	2,699
Property	19% (N= 580)	38% (N= 1,158)	30% (N= 921)	13% (N= 399)	3,058
Drug	15% (N= 323)	19% (N= 424)	54% (N= 1,186)	12% (N= 273)	2,206
Other	25% (N= 993)	30% (N= 1,228)	28% (N= 1,118)	17% (N= 689)	4,028
Total	2,829	3,424	3,931	1,807	11,991

Grading of Offense of Base Case

- Juveniles who committed misdemeanor offenses recidivated at the lowest rate: **20%**.
- Juveniles who committed ungraded/summary* offense re-offended at a rate of **21%**.
- Juveniles who had committed felony offenses had the highest recidivism rates: **25%**.
- There was a statistically significant** relationship between committing a felony offense and recidivating.

Recidivism Rate by Grading of Base Case Offense:
Juveniles with Cases Closed in 2007, 2008, or 2009

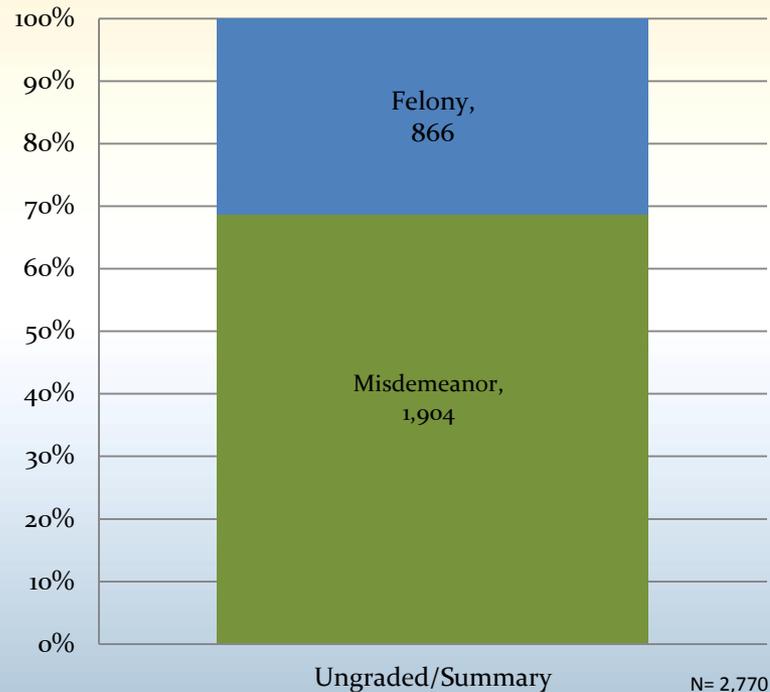


*Ungraded and summary offenses include: failure to pay fines and costs, violations of probation, violations of a court order, and dependency referrals.

** $\chi^2 = 79.556$; $p < 0.0001$

Change in Offense Severity: Ungraded/Summary Offenders

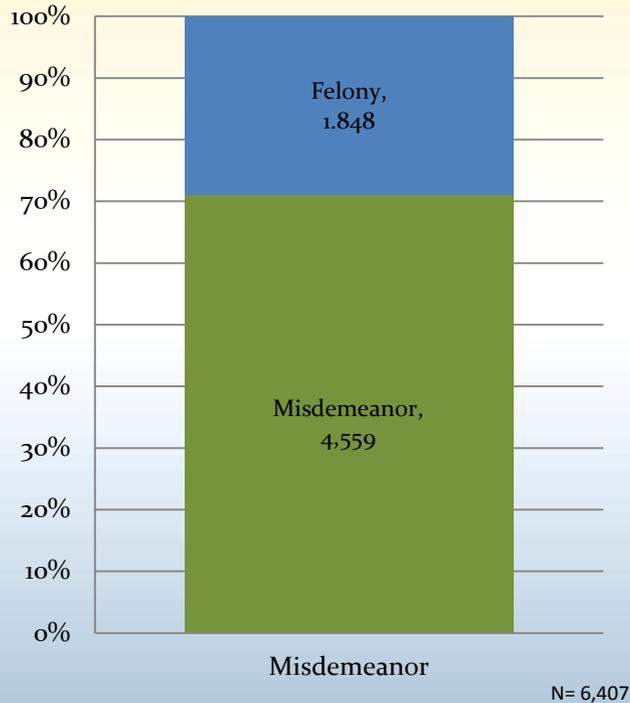
Change in Offense Severity between
Base Case and Recidivating Case:
Ungraded/Summary Offenders



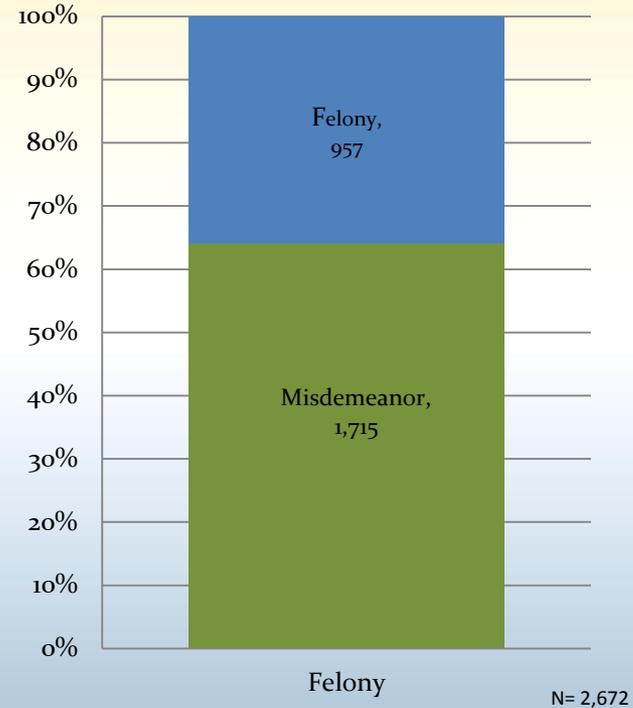
- It was discovered that regardless of the grading of the base offense, most juveniles committed misdemeanor offenses when they recidivated.
- For example, approximately 70% of juveniles who committed an ungraded/summary offense on their base case committed a misdemeanor on their recidivating case.

Change in Offense Severity: Misdemeanor and Felony Offenders

Change in Offense Severity between
Base Case and Recidivating Case:
Misdemeanor Offenders



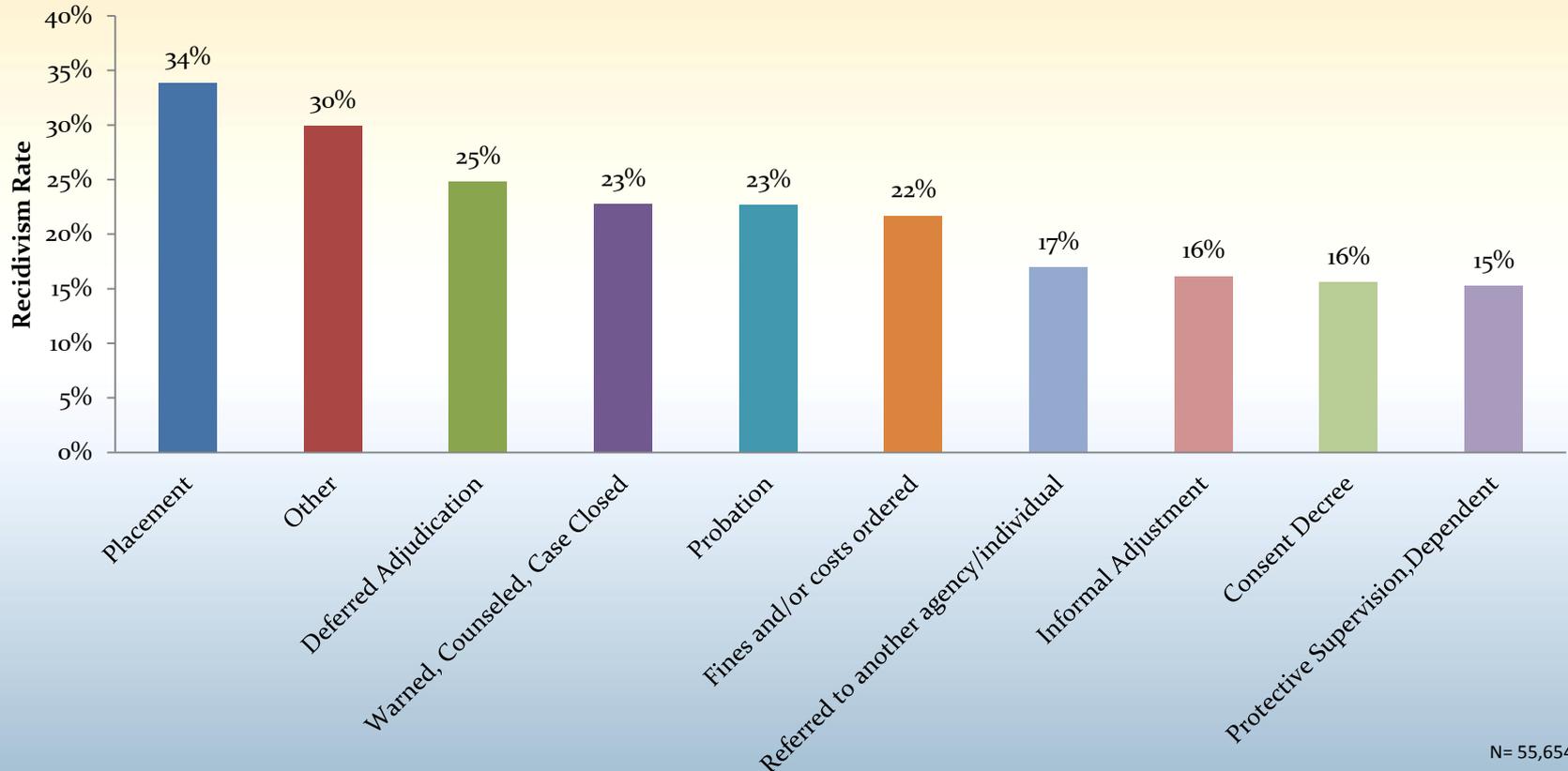
Change in Offense Severity between
Base Case and Recidivating Case:
Felony Offenders



- Approximately **70%** of misdemeanor offenders recidivated with another misdemeanor offense (i.e., stayed the same), while **30%** committed a felony offense (i.e., increased in severity).
- Approximately **65%** of felony offenders committed a misdemeanor offense when they recidivated (i.e., decreased in severity), while approximately **35%** committed another felony offense (i.e., stayed the same).

Final (Most Recent) Disposition on Base Case

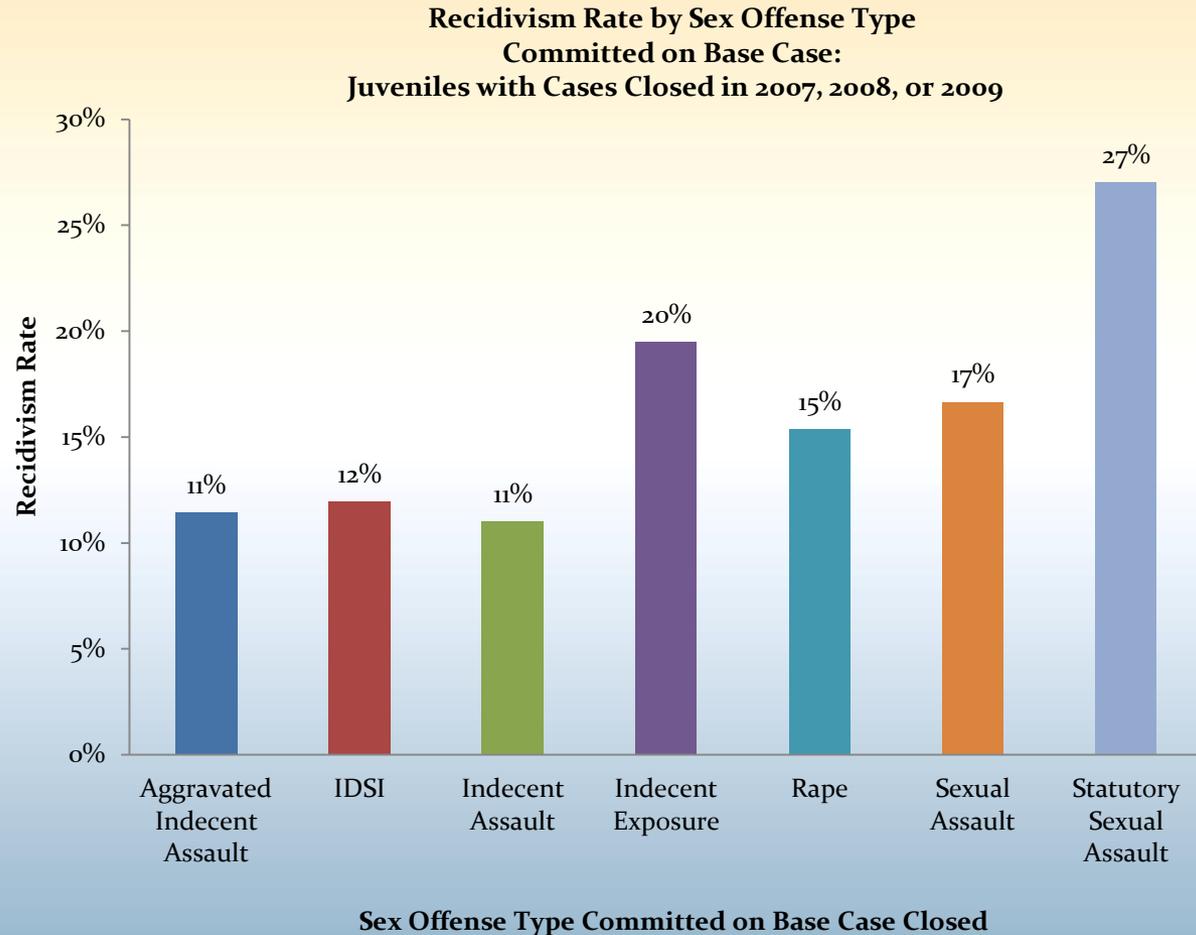
Recidivism Rate by Final (Most Recent) Disposition on Base Case:
Juveniles with Cases Closed in 2007, 2008, or 2009



- In general, juveniles who had more formal dispositions (e.g., placement, deferred adjudication, formal probation) were more likely to recidivate than those who had less formal dispositions (e.g., informal adjustment, consent decree).

Sex Offender Analysis

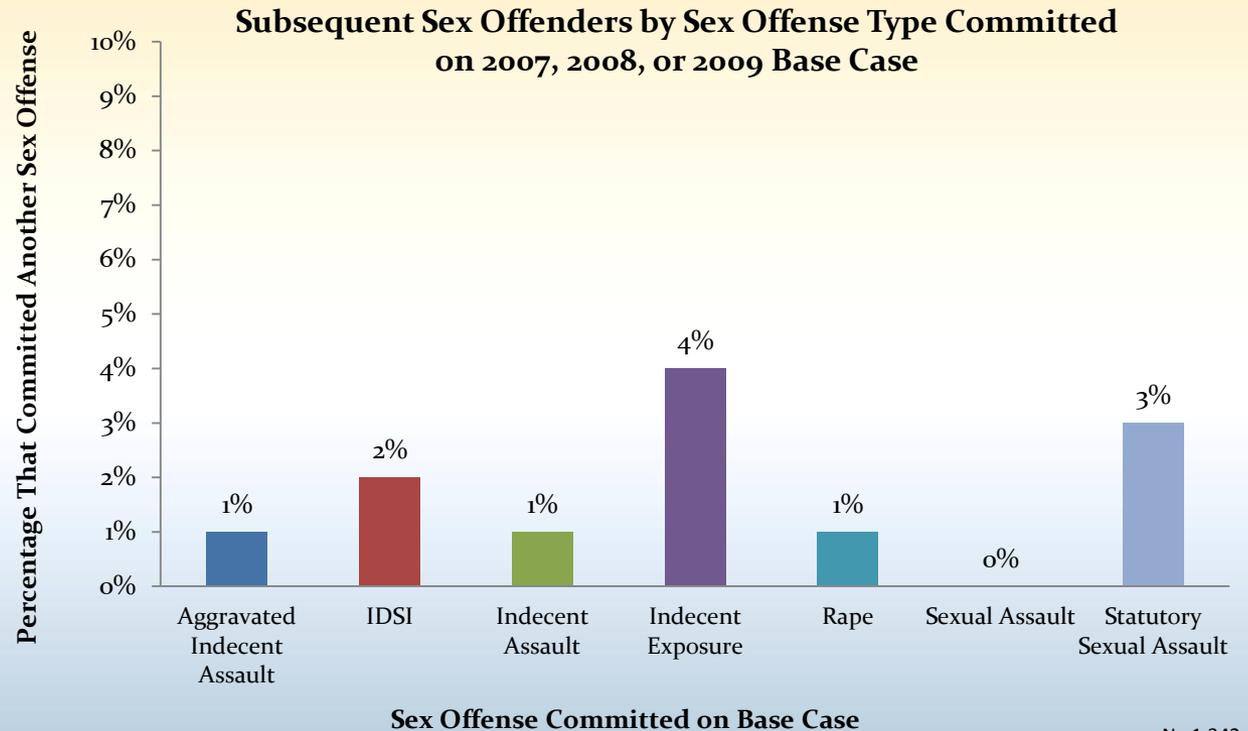
- Sex offenders had a notably lower overall recidivism rate (for both sex and non-sex offenses) compared to the overall average: **13% vs. 22%**.
- 1,342 juveniles under supervision for committing a sex offense had case closed.
- 175 of juveniles re-offended (for both sex offenses and non-sex offenses).
- Juveniles who committed statutory sexual assault recidivated at the highest rate: **27%**.



N= 1,342

Sex Offender Analysis (Continued)

- Approximately **1.4%** of sex offenders with a case closed in 2007, 2008, 2009 committed another sex offense within 2 years of case closure.
- Juveniles who committed **indecent exposure*** committed another sex offense at the highest rate (**4%**), followed by juveniles who committed **statutory sexual assault (3%)**.

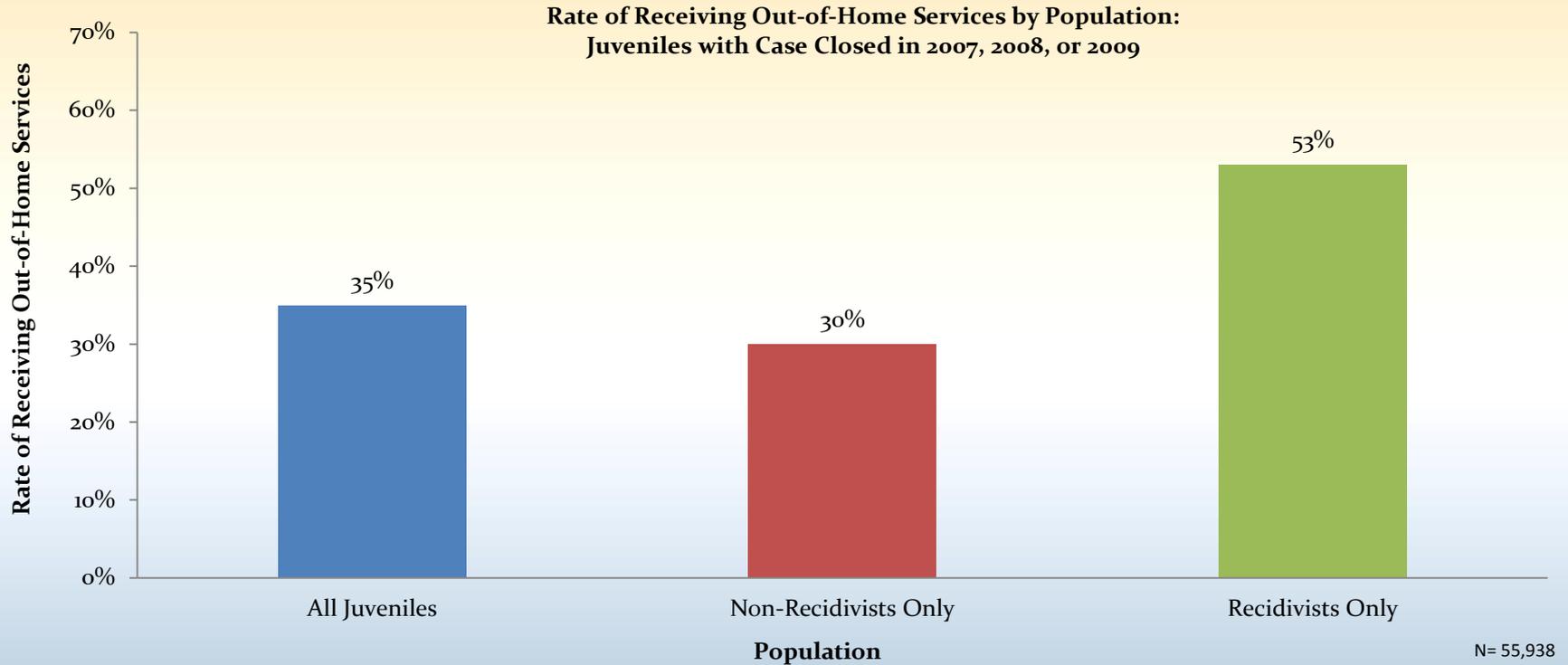


* Of the 123 juveniles with cases closed in 2007, 2008, or 2009 whose most serious **substantiated** offense was indecent exposure, the most serious **alleged** offense for 90 of these juveniles was also indecent exposure. The most serious alleged offense for the remaining juveniles was as follows: indecent assault (N= 8), IDSI (N= 8), rape (N= 3), aggravated indecent assault (N= 2), aggravated assault (N= 1), making of child pornography (N= 1), possession of weapon on school property (N= 1), and terroristic threats (N= 1). The most serious alleged offense was unknown for 8 juveniles.

Out-of-Home Service* Variables

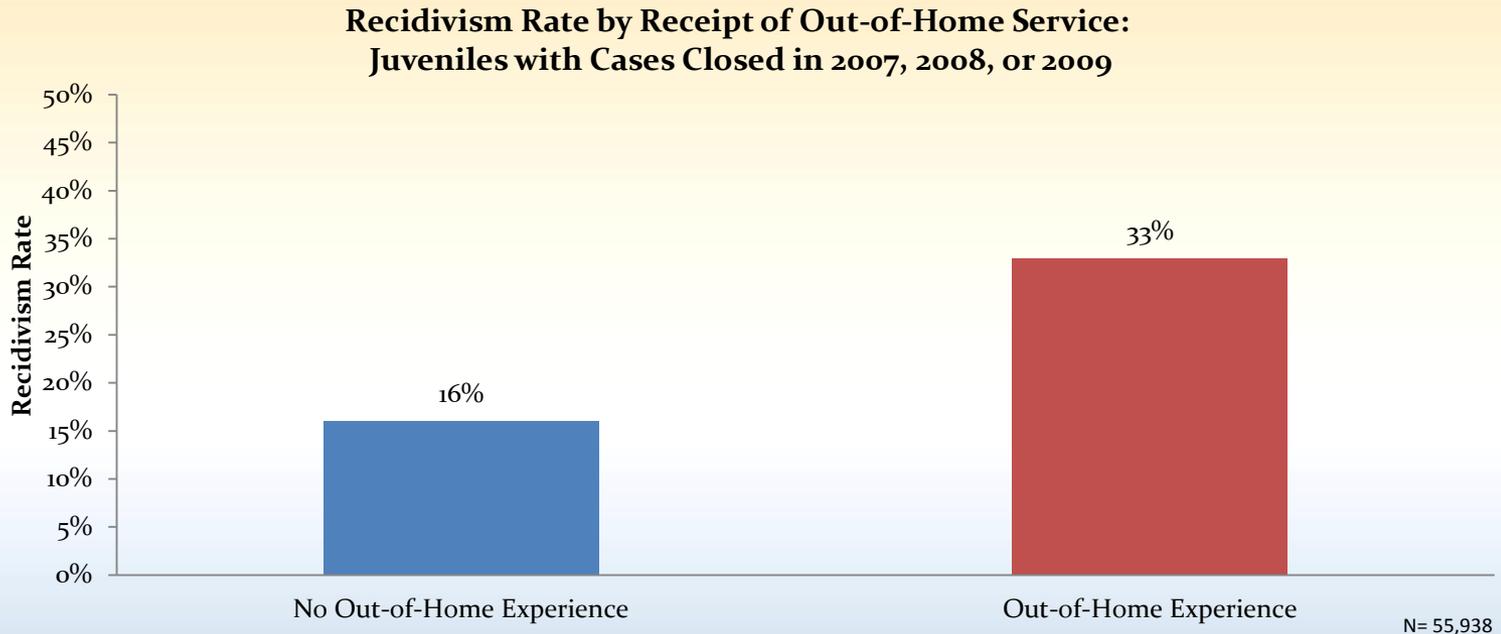
* Out-of-home experiences are categorized into one of two groups: 1.) detention/shelter and 2.)dispositional placement. The former group indicates experiences at temporary holding facilities, while the latter indicates experiences at programs utilized as a juvenile court disposition. The term out-of-home service is used to describe, in general, experiences in either detention/shelter facilities or placement facilities.

Rate of Receiving Out-of-Home Services



- Recidivists were more likely than non-recidivists to have had a detention/shelter or dispositional placement experience (53% vs. 30%, respectively).

Out-of-Home Service Experiences

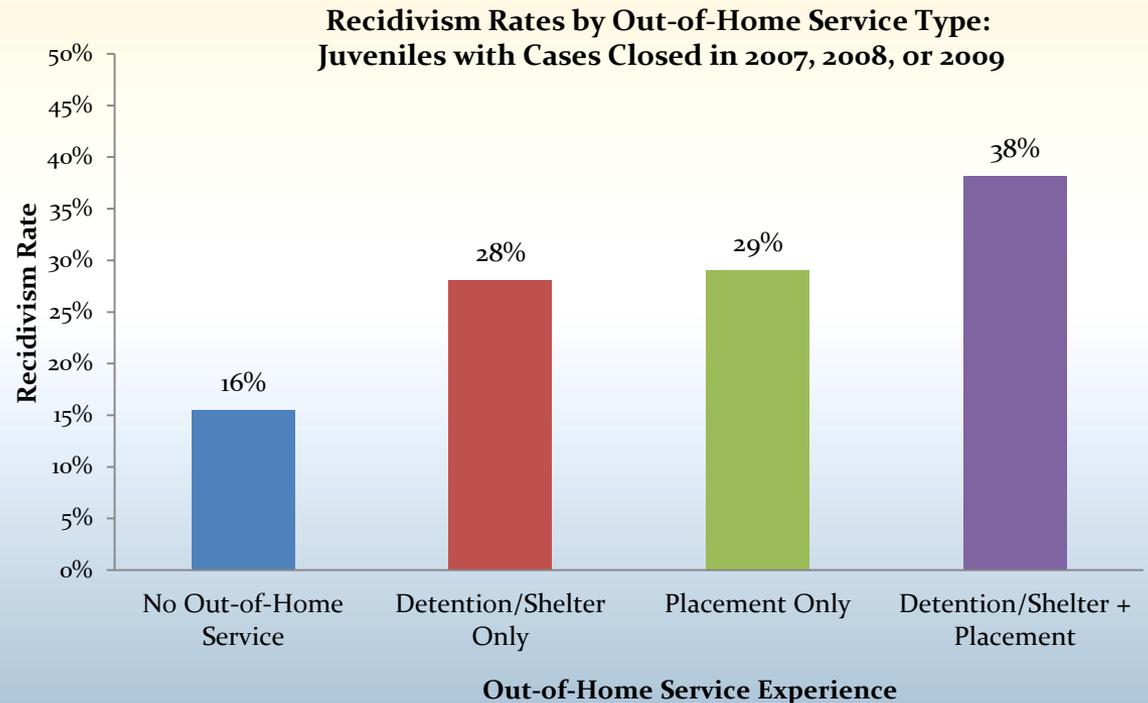


- Juveniles who had at least one detention/shelter or dispositional placement experience recidivated at a rate twice that of juveniles who had no out-of-home experience (16% vs. 33%, respectively).
- There was a statistically significant relationship* between having a detention/shelter or dispositional placement experience and recidivating.

* $\chi^2 = 143.700$; $p < 0.0001$

Out-of-Home Service Type

- Juveniles with no out-of-home experience recidivated at the lowest rate: **16%**.
- Juveniles with a detention/shelter placement only recidivated at a rate of **28%**.
- Juveniles with a dispositional placement experience only recidivated at a rate of **29%**.
- Juveniles with a detention/shelter experience AND placement experience recidivated at the highest rate: **38%**.

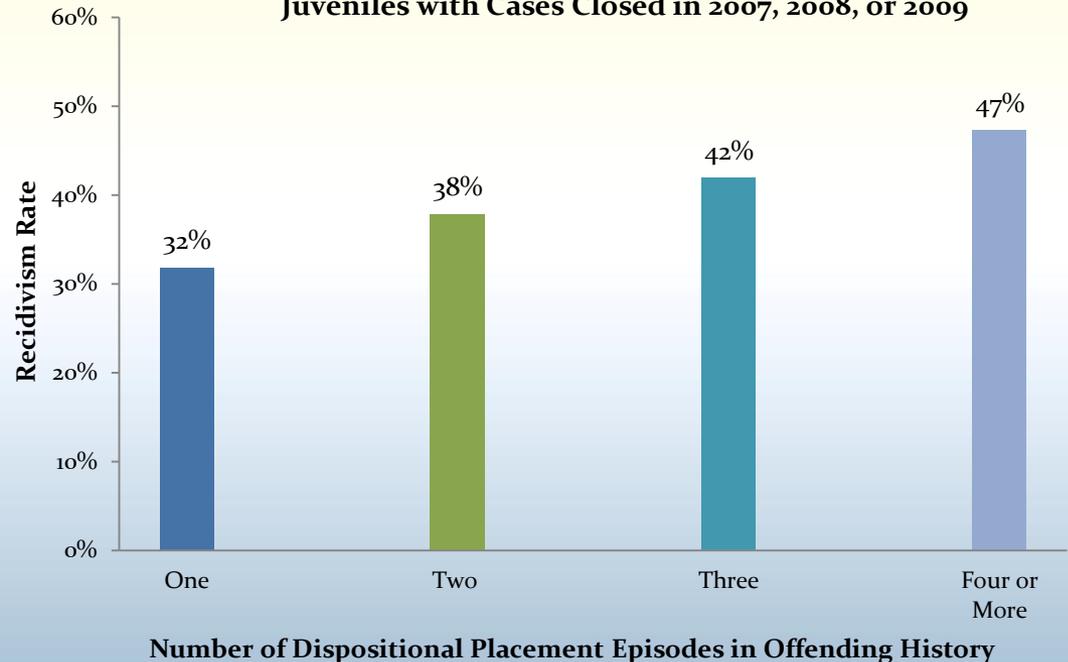


N= 19,562

Dispositional Placement Episodes

- As the number of total placement episodes in a juvenile's offending history increased, so did the likelihood of recidivism.
- Juveniles with one dispositional placement episode recidivated at the lowest rate: **32%**.
- Juveniles with two dispositional placements recidivated at a rate of **38%**.
- Juveniles with three total dispositional placements recidivated at a rate of **42%**.
- Juveniles with four or more total dispositional placements re-offended at the highest rate: **47%**.

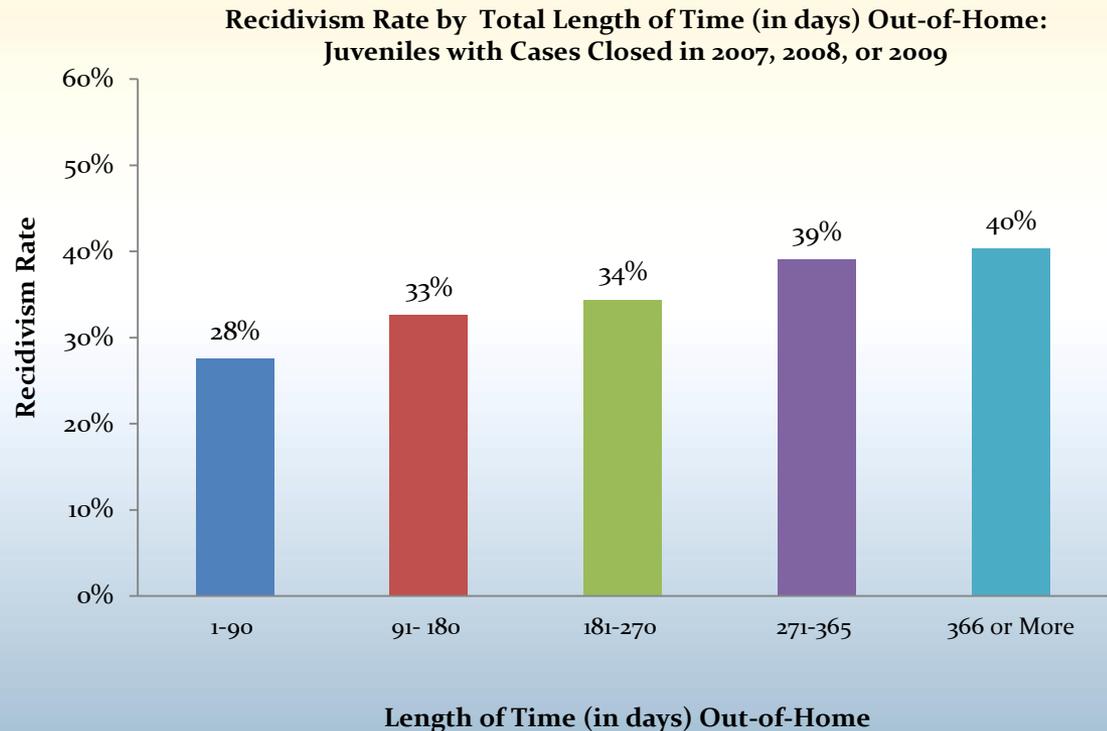
**Recidivism Rate by Total Number of Dispositional Placement Episodes in Juvenile Offending History:
Juveniles with Cases Closed in 2007, 2008, or 2009**



N= 12,395

Length of Time Out-of-Home

- The longer the juvenile spent out-of-home (detention/shelter and dispositional placement), the more likely he/she was to recidivate.
- Juveniles who spent between 1 and 90 days total out-of-home recidivated at a rate of **28%**.
- Conversely, juveniles who spent a total of one year or longer out-of-home recidivated at a rate of **40%**.



N= 19,562

Serious, Violent, Chronic (SVC), and Child Offenders

Definitions

- Serious Offender: a juvenile who has been adjudicated delinquent at any point in his or her juvenile offending history for one of the following offenses: burglary, theft (felonies only), arson, drug trafficking (manufacture/deliver/possession with intent to deliver), and extortion (theft by extortion).
- Violent Offender: a juvenile who has been adjudicated delinquent at any point in his or her juvenile offending history for one of the following offenses: homicide or non-negligent manslaughter, rape, robbery, aggravated assault, kidnapping, and select firearms/weapons offenses.
- Chronic Offender: a juvenile who has four or more previous written allegations for separate incidents that occurred prior to the date of the 2007, 2008, or 2009 case closure.
- Child Offender: a juvenile who was under the age of 13 as of the date of his or her first adjudication of delinquency.

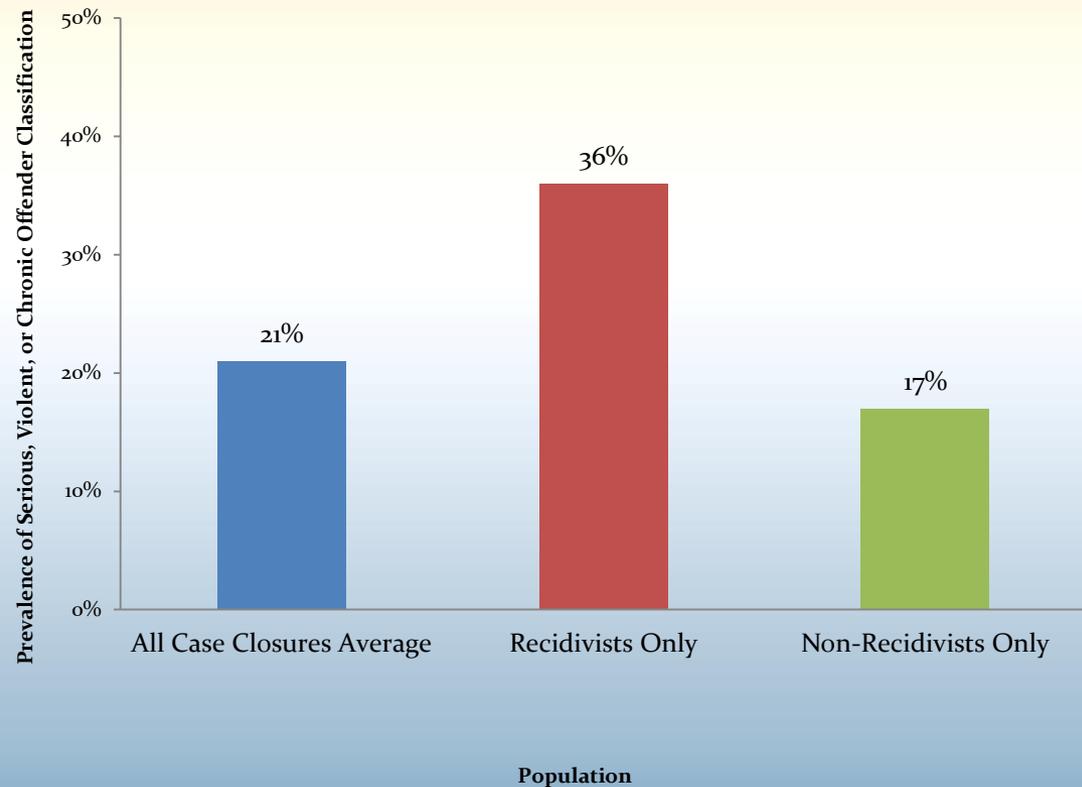
Goals

- 1.) Calculate the prevalence of serious, violent, and/or chronic (SVC) offenders among all juveniles with cases closed in 2007, 2008, or 2009.
- 2.) Determine if juveniles who were serious, violent, and/or chronic offenders were ultimately recidivists/non-recidivists by the current study's definition.
- 3.) Analyze certain demographics and other variables related to the SVC offender populations.
- 4.) Do the same for child offenders within the population of case closures that occurred in 2007, 2008, or 2009.

Prevalence of Serious, Violent, and/or Chronic Offenders

- Approximately **20%** of all juveniles with a case closed in 2007, 2008, or 2009 were a serious offender, a violent, and/or a chronic offender.
- **36%** of recidivists were a serious offender, a violent offender, and/or a chronic offender.
- **17%** of non-recidivists were a serious offender, a violent offender, and/or a chronic offender.

Prevalence of Serious, Violent, OR Chronic Offenders Among Juveniles with Cases Closed in 2007, 2008, or 2009



Serious Offenders

- 6% of **ALL** juveniles with a 2007, 2008, or 2009 case closure were serious offenders.
- 10% of **recidivists** were serious offenders.
- Only 5% of **non-recidivists** were serious offenders.
- 37% of all serious offenders were recidivists.

Serious Offenders: Juveniles with Cases Closed in 2007, 2008, or 2009			
	Number of Serious Offenders	Total Number of Juveniles in Population	Percentage of Population Who Were Serious Offenders
Recidivists	1,173	12,118	10%
Non-Recidivists	2,040	43,820	5%
Total of Combined Populations	3,213	55,938	6%

Violent Offenders

- 6% of **ALL** juveniles with a 2007, 2008, or 2009 case closure were violent offenders.
- 10% of the **recidivist** population were violent offenders.
- Only 5% of the **non-recidivist** population were violent offenders.
- 36% of all violent offenders were recidivists.

Violent Offenders: Juveniles Cases Closed in 2007, 2008, or 2009			
	Number of Violent Offenders	Total Number of Juveniles in Population	Percentage of Population Who Were Violent Offenders
Recidivists	1,165	12,118	10%
Non-Recidivists	2,035	43,820	5%
Total of Combined Populations	3,200	55,938	6%

Chronic Offenders

- 14% of **ALL** juveniles with a 2007, 2008, or 2009 case closure were chronic offenders.
- 25% of **recidivists** were chronic offenders.
- Only 10% of **non-recidivists** were chronic offenders.
- **41%** of chronic offenders were recidivists.

Chronic Offenders: Juveniles with Cases Closed in 2007, 2008, or 2009			
	Number Who Were Chronic Offenders	Total Number of Juveniles in Population	Percentage of Population Who Were Chronic Offenders
Recidivists	3,081	12,118	25%
Non-Recidivists	4,519	43,820	10%
Total	7,600	55,938	14%

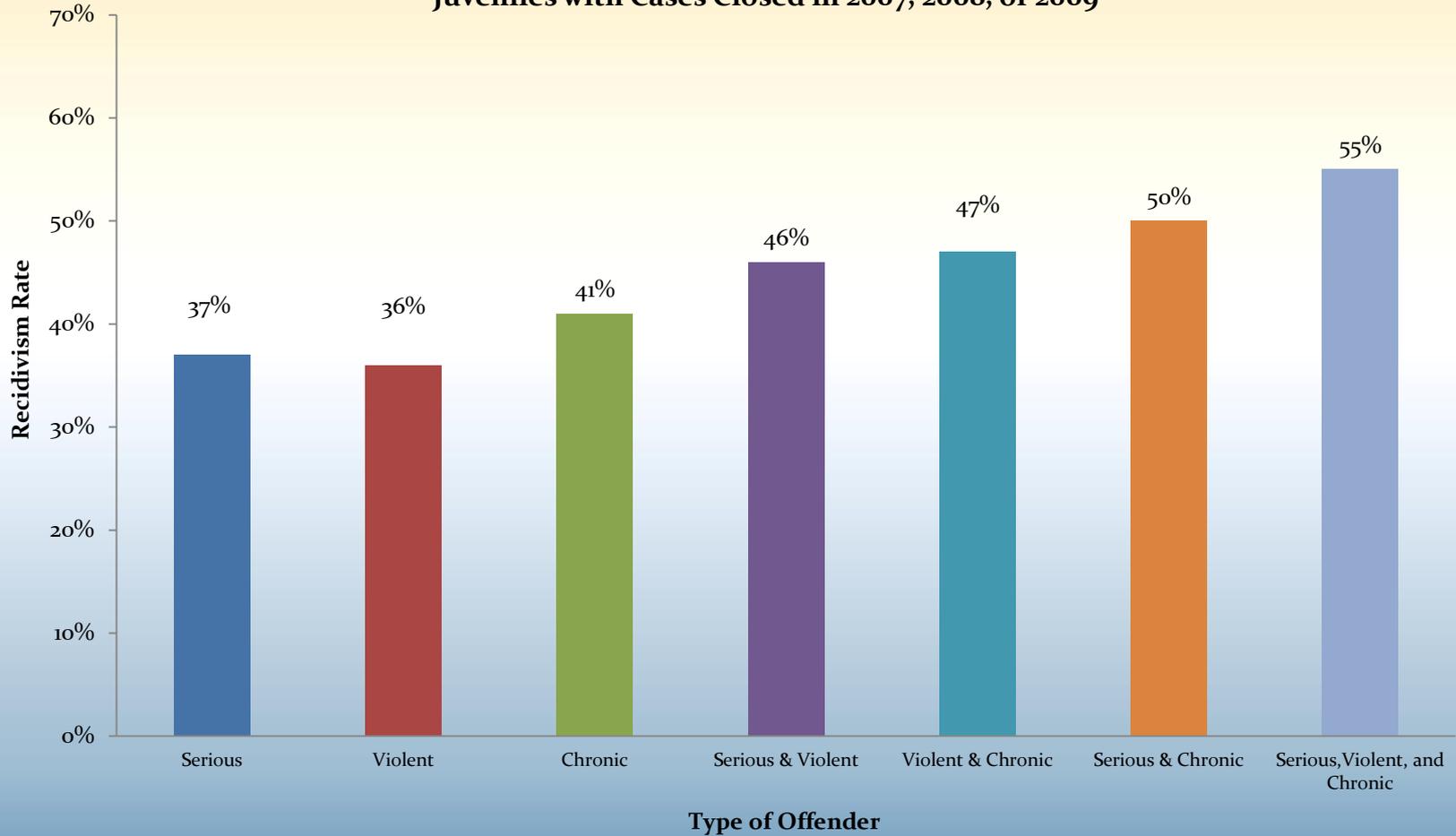
Combination of Offenders

- 0.6% of all juveniles with a case closure were **serious** and **violent** offenders; 46% of serious and violent offenders recidivated.
- 2% of all juveniles with a case closure were **serious** and **chronic** offenders; 50% of serious and chronic offenders recidivated.
- 2% of all juveniles with a case closure were **violent** and **chronic** offenders; 47% of violent and chronic offenders recidivated.
- 0.4% of all juveniles with a case closure were **serious, violent, and chronic (SVC)** offenders; 55% of SVC offenders recidivated.

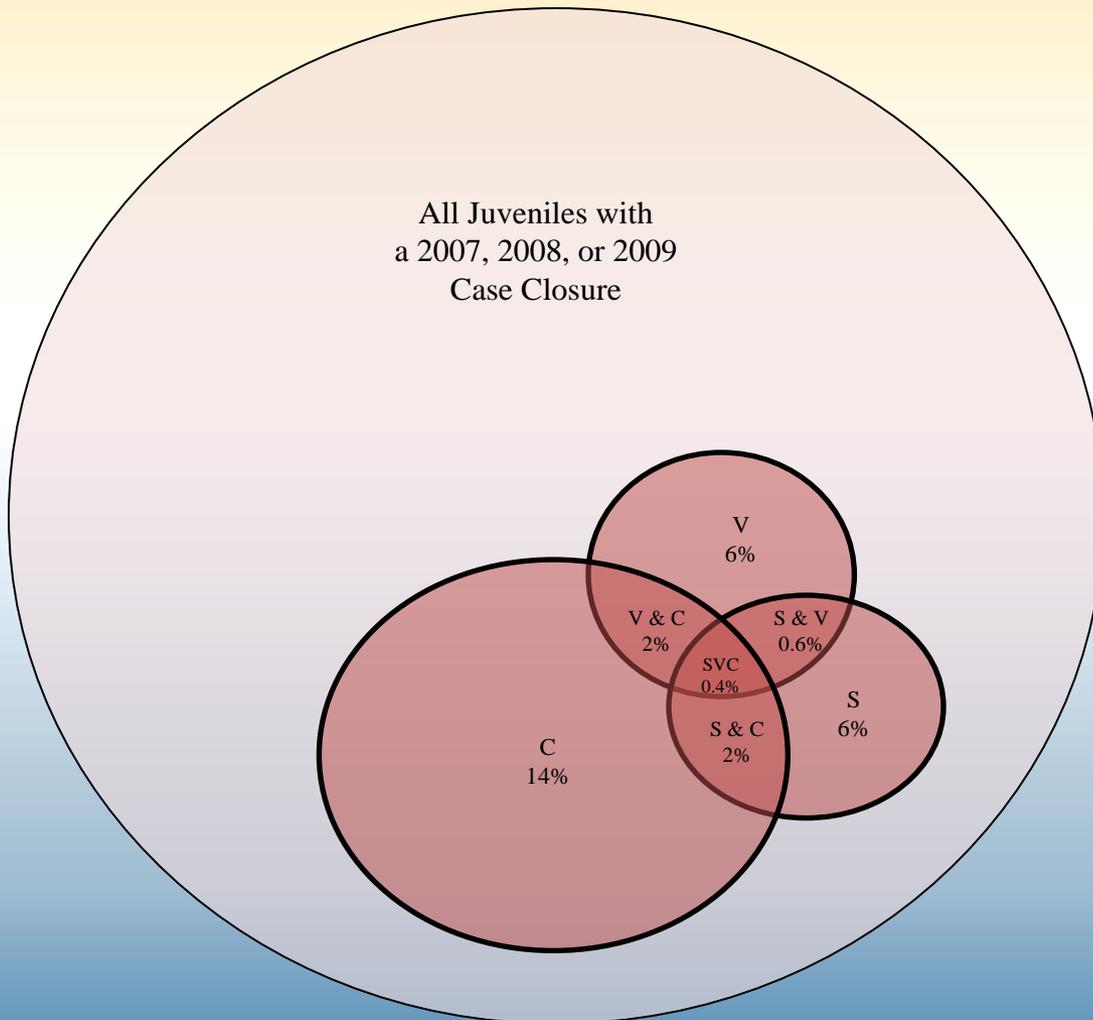
Combination of Offenders: Juveniles with Cases Closed in 2007, 2008, or 2009				
	Number of Juveniles Who Fit Categorization	Number of Juveniles with Case Closure	Percentage of Case Closure Population	Recidivism Rate
Serious and Violent	319	55,938	0.6%	46%
Serious and Chronic	1,202	55,938	2%	50%
Violent and Chronic	1,224	55,938	2%	47%
Serious, Violent, and Chronic (SVC)	200	55,938	0.4%	55%

Combination of Offenders (Continued)

Recidivism Rates of Serious, Violent, and/or Chronic Offenders:
Juveniles with Cases Closed in 2007, 2008, or 2009



SVC Offenders in Pennsylvania



Key	
S=	Serious
V=	Violent
C=	Chronic
S & V=	Serious and Violent
S & C=	Chronic and Serious
V & C=	Violent and Chronic
SVC=	Serious, Violent, and Chronic

Child Offenders

- 3% of **ALL** juveniles with a 2007, 2008, or 2009 case closure were child offenders.
- 4% of **recidivists** were child offenders.
- 2% of **non-recidivists** were child offenders.
- 33% of child offenders were recidivists.

Child Offenders: Juveniles with Cases Closed in 2007, 2008, or 2009			
	Number Who Were Child Offenders	Total Number of Juveniles in Population	Percentage of Population Who Were Child Offenders
Recidivists	473	12,118	4%
Non-Recidivists	976	43,820	2%
Total	1,449	55,938	3%

Offending Career Paths of Child Offenders

- Approximately 50% of child offenders were either a serious, violent, and/or chronic offender.
- 16% of child offenders were **serious** offenders (versus 5% of non-child offenders).
- 17% of child offenders were **violent** offenders (versus 5% of non-child offenders).
- 37% of child offenders were **chronic** offenders (versus 13% of non-child offenders).
- 2% of child offenders were **serious, violent, and chronic** offenders (versus 0.3% of non-child offenders).

Recidivism Project: Next Steps

- Disseminate final report to key stakeholders.
- Individual county data files available.
- Begin to think about policy implications.
- Future recidivism studies: Incorporate YLS data.