

NASSAU COUNTY PROBATION DEPARTMENT

PROBATION AND RECIDIVISM

A Study of Probation Adjustment
and Its Relationship to Post-Probation
Outcome for Adult Criminal Offenders



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**A Study of Probation Adjustment
And Its Relationship to Post-Probation Outcome
For Adult Criminal Offenders in
Nassau County, New York**

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SUMMARY AND CONCLUSIONS

Is probation working in Nassau County? What happens to criminal offenders after they are sentenced to probation? Are felony offenders, as compared with misdemeanants, a higher risk on probation and, therefore, a greater threat to public safety and the community? To answer these and other similar questions, this evaluative research study of the investigation and supervision programs of the Probation Department's Criminal Division focused on adult criminal offenders sentenced to probation and the results they achieved, as measured by their adjustment on supervision and post-probation outcome. The study's findings and conclusions are based on data from a random sample of 700 criminal offenders discharged from probation in 1982 and traced in the criminal justice system until August 1987. Thus, the post-probation followup period averaged 5.1 years and ranged from a minimum of 4.7 years to maximum of 5.7 years.

This study will address, either directly or indirectly, some of the controversial issues facing criminal justice and probation. Of particular significance has been a number of factors that, taken together, appear to have peaked in the 1980's with a strong impact on probation. These factors, which are all interrelated and continue to have important implications for the future of probation, include (1) high levels of crime and substance abuse, (2) prison and jail overcrowding, (3) the punishment versus and rehabilitation issue, (4) intensive supervision and (5) felony probation and the risk of recidivism. By focusing on the probation process, the study will endeavor to shed light on these issues and other, more specific, questions that focus on particular offender groups and program populations, their characteristics, and their successes and failures.

This summary will highlight some of the study's major findings and conclusions. However, they, as well as others, will be discussed in greater detail, and with more supportive data, in the main body of the report.

Presentence Investigation Reports and the Investigation Program

The presentence investigation (PSI) reports were used to assess the effectiveness of the investigation program and its importance to and impact on the supervision program. These reports were the major source of information on the criminal offenders in this study prior to their being sentenced to probation. The primary objective of the PSI is to provide information to the courts for use in the sentencing of criminal offenders. A secondary but also important

objective is its use in case management, if the offender is sentenced to probation. An important part of the report is its recommendation to the court for sentencing of the offender. However, the study found that more offenders are receiving a probation sentence contrary to the PSI recommendation. This finding was further supported by more recent data from 1988, when some 34% of the cases sentenced to probation were actually recommended for commitment, up from 30% in 1987. All is not lost, though, for this type of PSI recommendation serves to "flag" the offender to the supervision program as a potentially higher-risk probationer.

Using the PSI recommendations, the study was able to validate both risk assessment scores and risk classification supervision levels. In brief, it identified a significant relationship between the PSI report recommendations for sentencing and risk assessment scores and supervision classification levels. Finally, the study concludes that the presentence investigation reports are supportive of investigation program objectives, and that the PSI recommendations are partially successful in identifying and differentiating the so-called higher-risk offenders from those who were more likely to make a satisfactory adjustment on probation.

Probation Supervision Program

The record of supervision was the primary source document providing information on the study population from the time of their entry on probation until their discharge. It was used in assessing their adjustment on probation and final status, or outcome. For those probationers with risk assessment scores, the study was able to assign them to supervision classification levels I, II or III, or intensive, medium and minimum, with each level encompassing a different range of scores. The study identified a very significant relationship between risk scores/classification levels and the type of discharge received and post-probation outcome in that probationers in level I had the highest proportions of failure groups at discharge and post-probation outcome. The conclusion here is clear, the higher the offender's score, the greater the risk and the greater the probability for failure both while on probation and after discharge.

The study focused on selected offender groups of special interest or of a controversial nature. Two of them are highlighted here: felony probationers and DWI probationers.

Felony probationers - - Are they a greater threat to the community? Contrary to the results of a highly publicized Rand Corp.¹ study, which concluded that most felons placed on probation are a serious threat to the public, the present study did not support this conclusion. Instead, the study identified no significant differences between felony probationers and misdemeanor probationers on their adjustment on probation, their type of discharge, and post-probation outcome. In short, based on the felony offenders in the study population, felony probationers per se do not represent a higher risk for failure nor a greater threat to public safety than do misdemeanor probationers. See Table I, below. A possible explanation for these results could include such factors as the plea-bargaining process (one-half of the misdemeanor probationers had been arrested on felony crimes on the present offense), extensive prior criminal records and quality probation work by staff.

TABLE I
PROBATION ADJUSTMENT AND POST-PROBATION OUTCOME
FOR FELONY AND MISDEMEANOR PROBATIONERS IN THE
STUDY POPULATION

	<u>Felony Probationers</u> N=153	<u>Misdemeanor Probationers</u> N=547
<u>Adjustment On Probation (Arrests and/or Violations of Probation Filed)</u>		
None	55.6%	59.0%
New Arrest(s) Only	12.4%	10.8%
VOP(S) Only	5.9%	7.5%
Arrest(s) and VOP(s)	26.1%	22.7%
<u>Probation Outcome-Discharge</u>		
Improved.	66.0%	66.0%
Unimproved	9.8%	15.4%
Committed	24.2%	18.6%
<u>Post-Probation Outcome</u>		
Success	54.3%	54.7%
Failure*	45.7%	45.3%

* One or more arrests during followup period.

1. Petersilia, Joan, et al., Granting Felons Probation Public Risks and Alternatives, The Rand Corporation, Santa Monica, California, January 1985.

DWI probationers - - DWI was the third ranking offense category, after burglary and larceny, in the study population. Keep in mind that these probationers were discharged in 1982. By 1989, DWI offenses ranked first as the single most frequent offense in both the investigation and supervision caseloads. Thus, as a group in the study population, their results take on added significance. DWI offenders did well on probation. In brief, based on the findings from this study, DWI offenders, as a group, being older and with a below-average risk assessment score, were a good risk for probation. This was supported by their subsequent favorable adjustment on probation, and successful post-probation outcome.

Probationer Needs And Problems

Analysis of the findings in this area reveal the probationers in the study population to have diverse needs regardless of their demographic or other characteristics. However, those needs or problems that had the greatest impact on the greatest number of probationers were substance abuse (alcohol or drugs) and employment. Moreover, it was those offenders with these problems - - employment and drug abuse - - who were more likely to make a below-average adjustment to supervision and a poor post-probation outcome. At the other extreme were those offenders with no identifiable needs who made an above-average adjustment to probation.

Previous research concluded that because employment status is a key factor in assessing an offender's probable adjustment, resources that focus on the employment problems can have a positive impact on the effectiveness of probation programs. The results of the present study, in general, continue to support the above conclusion. Employment status, for probationers who were not full-time students, was identified as a high risk-factor. The study linked the offender's employment status upon arrest and/or entry to probation to their subsequent adjustment on probation, and their post-probation outcome. The findings reveal that offenders who are unemployed when arrested and/or sentenced to probation are more likely than those employed to make an unsatisfactory adjustment on probation as indicated by more arrests and violations of probation filed and type of discharge from supervision (more likely to be discharged unimproved, or committed), as well as have a higher probability for post-probation failure.

Crime-Specific Analysis and Probation Adjustment

The study found that offenders in the various crime categories represented different risk levels while under supervision and after discharge. Thus, although 34.0% of the overall study population made a poor adjustment and were subsequently discharged as unimproved or committed, those offenders with crimes involving criminal trespassing, robbery and resisting arrest led the way with failure rates of 57.1%, 55.8% and 50.0%, respectively. Conversely, high rates for being discharged as improved went to probationers with DWI and drug offenses as the type of crime which led to their probation sentence. Likewise, a similar significant relationship was identified between type of crime and post-probation outcome. Thus, while the overall post-probation failure rate for the total probation cohort was 45.4%, the rate, by crime category, ranged from a high of 71.4% for resisting arrest to a low of 30.3% for DWI.

Adjustment On Probation And Post-Probation Outcome

The major part of this study involved an assessment of the probation process utilizing the results achieved by the study population on three offender-based measures, including adjustment on supervision, type of discharge and post-probation outcome. Extensive analysis has revealed a very significant relationship among all three measures. In short, offenders who make a favorable adjustment under supervision, with no arrests or violations of probation, are more likely to be discharged as improved and have a successful post-probation outcome.

It is clear that while the prediction of success and failure for the offenders on probation is a complex task, the results here provide some important insights. A review of the offenders descriptive statistical profiles included with the three measures and their respective subgroups will identify significant differences between the success and failure categories and highlight similar high-risk factors associated with an offender's adjustment or performance. These factors include age, race, education, employment, type of crime and previous juvenile and adult criminal records. Recidivism, of course, touches all aspects of the probation process, with recidivists now dominating the caseload. Given the higher level of criminality of many of these offenders, success rates alone are too narrow a measure of probation's overall effectiveness. Moreover, the rates varied significantly, depending on which subgroups were being assessed and their composition. See Table II, page 8.

Probation and Recidivism

How effective is probation in Nassau County? The results from the present study, while generally encouraging, reveal both good and bad trends. The majority of the probationers in the study population -- some two-thirds or 66.0% -- released from supervision during the subject year were discharged as improved and, more importantly, of those so discharged only one-third, or 32.7%, are post-probation failures, with one or more arrests during a five-year followup period. However, post-probation recidivism varied significantly by discharge category so that a relatively small subgroup of offenders -- those classified as unimproved and committed -- inflate the overall failure rate of 45.1%. Thus, probationers discharged as unimproved had a rearrest rate of 62.6%, while those committed, a higher 74.1%. Despite these high-failure rates, though, both of the categories combined represent only one-third of the total discharge population. See table III, below.

Table III

**POST-PROBATION FAILURE RATES* FOR ADULT CRIMINAL OFFENDERS
BY TYPE OF DISCHARGE (IMPROVED, UNIMPROVED OR COMMITTED)
AND LENGTH OF FOLLOWUP PERIOD--ONE THROUGH FIVE YEARS--
AFTER DISCHARGE FROM PROBATION DURING THE YEAR 1982**

<u>Length of Followup Period</u>	<u>Improved</u> N=462	<u>Unimproved</u> N=99	<u>Committed</u> N=139	<u>All Cases</u> N=700
1-year Failure Rate	12.8%	32.3%	35.2%	20.0%
2-year Failure Rate	19.3%	44.4%	51.8%	29.4%
3-year Failure Rate	25.8%	49.5%	60.4%	36.0%
4-year Failure Rate	29.2%	58.6%	69.1%	41.3%
5-year Failure Rate	32.7%	62.6%	74.1%	45.1%

*percentage with one or more arrests after discharge from probation.

Success in probation is not only dependent on the quality of its programs, but is also a factor of the offender caseload mix -- their level of criminality and their other needs and problems. Today, serious recidivists are more frequently the rule and not the exception of a generation ago. Do serious recidivists and felony probationers represent a threat to public safety? The evidence from the present study reveal that they present a calculated risk, but one that is manageable, especially with probation's new programs which permit a flexible response based on need. Probation's greatest strength is the diversity of its programming and the flexibility of its service delivery system. Therefore, depending on the needs of the community and the offender, probation is able to focus its efforts with just the right mix of punishment, control, surveillance and rehabilitation.

Probation programs will support those offenders who seek change or rehabilitation. Given optimum resources, a concerted effort will be made to meet their needs and problems. For those offenders who continue their unlawful behavior, control and surveillance activities will help insure early identification. Either way, the community can have confidence that its safety is paramount to the mission of probation.

TABLE II

SUMMARY OF THE POST-PROBATION OUTCOME FOR PROBATION STUDY
POPULATION DISCHARGED DURING THE YEAR 1982

FAILURE RATES FOR VARIOUS SUBGROUPS

<u>Probation Subgroups or Category</u>	<u>N</u>	<u>Post-Probation Arrest Recidivism Rate*</u>
Total Probation Group	700	45.4%
<u>Sex</u>		
Males	602	46.8%
Females	98	36.7%
<u>Race</u>		
White	467	38.8%
Black	203	62.1%
Hispanic	30	36.7%
<u>Employment Status (On Arrest or Entry to Probation)</u>		
Employed	349	37.8%
Unemployed	213	56.3%
Student	138	47.8%
<u>Occupation Class</u>		
White Collar	131	25.9%
Blue Collar	402	50.5%
<u>Previous Legal History</u>		
Juvenile Record	136	64.7%
Prior Adult Record (arrests)	449	50.8%
Juvenile & Adult Record	78	70.5%
Prior Adult Record (Convictions)	385	51.2%
No Prior Record	193	29.5%
<u>Probation Outcome (Arrests and/or Violations of Probation Filed)</u>		
One or more Arrests only	78	62.8%
Violations of Probation Only	50	46.0%
Arrests and Violations of Probation	164	76.2%
None	408	29.7%

TABLE II Continued

- 2 -

<u>Probation Subgroups or Category</u>	<u>N</u>	<u>Post-Probation Arrest Recidivism Rate*</u>
<u>Type of Probation Discharge</u>		
Improved	462	32.9%
Unimproved	99	62.2%
Committed	139	74.8%
<u>Probation Entry Offense</u>		
Crimes-against-person	85	40.0%
Crimes-against-property	398	51.8%
Drug Offenses	72	34.7%
DWI Offenses	98	29.6%
<u>Status of Offenders</u>		
Felony Probationer	153	45.8%
Misdemeanor Probationer	547	45.3%

*Percentage with one or more arrests for new offenses during the followup period of from 4.7 years to 5.7 years.

INTRODUCTION

Background

Crime and drug abuse will loom large in any future history of the present decade. High levels of crime and the drug abuse epidemic were critical, high-profile public issues during the 1980's, and given its results, the so-called war against these problems is better viewed as a holding-action, or, at best, a limited war. Moreover, the linkage between the quality of life in our society and the quality and quantity of governmental services is nowhere more applicable than to the crime and criminal justice issue nationwide, where the system has been described as "starved" for resources. Other critics have addressed what they consider the imminent "collapse" of the criminal justice system itself.

The present evaluative research study will address some of the controversial issues facing criminal justice and probation. First, however, some brief background comments on the issues will serve as an appropriate overview and starting point. Probation, in reaching its present status as the dominant correctional caseload and a major criminal justice asset, has been shaped dramatically by forces and events of the past two decades. Of particular significance has been a number of factors that, taken together, appear to have peaked in the 1980's with a strong impact on probation. These factors, which are all interrelated and continue to have important implications for the future of probation, include (1) high levels of crime and substance abuse, (2) prison and jail overcrowding, (3) the punishment versus rehabilitation issue, (4) intensive supervision and (5) felony probation and the risk of recidivism.

The rapid growth of intensive supervision probation (ISP) programs across the nation has been linked to both the increase in felony probation and the presence of greater numbers of high-risk offenders in the caseload. Felony probation will be discussed below. In regard to the ISP concept, many questions remain unanswered, about its purpose and effectiveness in particular but others range from caseload size to what kinds of offenders should enter these programs. In all probability, the most important question is concerned with whether or not the ISP concept has been oversold. Was the rush to place intensive supervision programs in operation justified? Although recent studies have not been entirely supportive, these questions and their answers relate to the earlier ones on the purpose and effectiveness of the programs themselves.

In recent years, the subject of felony probation has attracted growing interest. Some studies have viewed its increased use with concern. Is the public safety threatened? Do felony probationers represent a greater risk for recidivism? Studies of felony plea bargaining have found that in the past two decades it has increased dramatically in some States, driven, in part, by prison and jail overcrowding. Moreover, it was found that sentences to probation were used far more frequently with plea-bargained convictions, as compared with trial convictions, when background factors of the offenders were controlled.² A Rand Corp. study released in the mid 1980's focused on probation and received national attention with its negative findings -- high recidivism rates and the view that most felons placed on probation are a serious threat to the public. See page 68, Section XII for more details on this subject.

The above comments will serve as a backdrop to the present study, for these national issues have their counterparts in Nassau County. Here, the same driving forces are at work on criminal justice and probation: the prison and jail space crisis, a runaway substance abuse problem and high levels of recidivism. At the same time, probation is being shaped by factors beyond its control, including greater workloads, more difficult offenders and staffing levels not keeping pace with rising caseloads.

2. Champion, Dean J., "Felony Plea Bargaining and Probation: A Growing Judicial and Prosecutorial Dilemma," Journal of Criminal Justice, Vol. 16, No. 4, 1988.

PURPOSE AND DIRECTION OF THE STUDY

The need for quality probation has never been greater. In order to meet this need and obtain optimum resources so as to meet its primary goal of public safety and protection of the community, the Probation Department has a continuing responsibility to assess and evaluate its ongoing programs and services. Accordingly, the primary purpose of the study is to provide evaluative information on the effectiveness of the investigation and supervision programs for adult criminal offenders in the Criminal Division. By focusing on the probation process, the study will endeavor to shed light on a number of questions, both general and specific in content. For example, is probation working? Does it provide protection to the community? Based on recidivism and other related measures, such as adjustment on probation, how effective are the investigation and supervision programs in accomplishing their objectives?

More specific questions will focus on particular offender groups and program populations, their characteristics, and their successes and failures. For example, do felony probationers represent a higher risk for failure? Are PSI recommendations linked to subsequent offender performance on probation? Examples of other target groups to receive special attention to ascertain how they fare during the probation process include split-sentence probationers, ISP offenders and DWI offenders. The findings and conclusions from this effort should identify strengths and weaknesses in the process itself and thereby contribute to more effective probation programs. The end result should be a higher level of protection for the community in Nassau County.

Probation's greatest strength is the diversity of its programming and the flexibility of its service delivery system. Are these attractive features reflected in its results? Is there a positive payoff for the community? Using methods and procedures described in detail below, the probation process was studied and assessed in a variety of ways, with the goal being to provide comprehensive information on selected aspects of both the investigations and supervision programs. By using selected items of information on those probationers in the study population data base, the study's findings and conclusions were able to focus on a variety of factors, including the risk levels of different types of offenders, the needs and problems of probationers, and the relationship or association between various offender characteristics and needs, their subsequent adjustment on supervision, and their post-probation adjustment after discharge. This type of information can be helpful in assessing overall program effectiveness. Moreover, the results of this effort can be fed back into the probation process and used by probation officers in their decision making and for arriving at recommendations to the courts.

The probation process and its effectiveness, which is the subject of this report, is implemented and its outcome results determined in large part by the work done in the investigation and supervision programs. While these programs are separate functional activities, they are closely linked conceptually through their objectives, their respective offender populations, and their overall effectiveness. A brief discussion of these programs will help clarify this linkage and should make the findings and conclusions from this study more meaningful.

CONCEPTUAL OVERVIEW OF PROGRAMS UNDER EVALUATION

Investigation Programs

For most offenders, their initial contact with the probation process begins here. The presentence investigation report (PSI) plays a critical role in the sentencing decision by the Court and in subsequent decisions related to the delivery of services, either while on probation or incarcerated. The work here is labor intensive; there is a fixed amount of time to complete the PSI; there are deadlines to meet. Hence, the importance of the caseload-staffing ratio, for the quality of the finished product is directly related to the size of the workload and the time available to complete the tasks. Sentencing, of course, is considered to be one of the more critical tasks performed by the criminal justice system. Central to this decision-making process is the quantity and quality of information made available to the courts through the investigation program and its presentence investigation reports. The effectiveness of the investigation program, where the offender's sentence is based on timely, accurate and objective information, and recommendations regarding dispositions are consistent with good probation practice, can have a significant impact on the supervision program by determining, in part, the kinds of offenders that are sentenced to probation. It is important to note, however, that the courts do not always follow the PSI recommendations.

Accordingly, a good investigation program will identify those offenders who are motivated, have a good potential for rehabilitation and do not present a dangerous threat to the community and recommend them for probation. Likewise, those offenders who are unstable, have a high-degree of criminality and represent a dangerous threat to the community would be recommended for incarceration. However, offenders of this type who do enter the supervision program and present a higher risk for failure can also be identified by a good investigation program and selected to receive more intensive supervision and/or specialized services. (This is important because despite a recommendation for some other type of sentence, incarceration, for example, more and more offenders are receiving a probation sentence.) The presentence investigation report contributes to this process by providing a complete and accurate assessment of the offender's needs and, through its diagnostic and evaluative analysis component, an appropriate sentencing recommendation to the courts.

In brief, the primary objective of the presentence investigation report is to provide information to the courts for use in the sentencing of criminal offenders. A secondary objective would include use of the information for probation supervision, institutional management, and parole supervision.

PROBATION SUPERVISION PROGRAM

The supervision program carries out probation's principal function of maintaining selected offenders in the community during the correctional and rehabilitative process, to the extent this can be done without endangering the public safety. It does this by providing effective monitoring of and service to probationers to promote law-abiding behavior. The investigation and supervision programs are highly interdependent, with the presentence investigation reports determining, in part, the kinds of offenders that enter the supervision caseload. Also, while the success of the supervision program is related to the quantity and quality of the services provided, its results are also significantly influenced by the types of offenders and their degree of criminality, among other factors, that are entering it. Therefore, the program endeavors to provide quality probation services, despite less than ideal caseload-staffing ratios, using a balanced, multiple-objective approach with just the right mix of punishment, control, surveillance and rehabilitation, as dictated by the particular needs of each case.

In brief, the supervision program attempts to prevent crime by reducing the recidivism of its probationers. With more serious offenders entering the program in recent years, this task has become more arduous. This position is supported by the finding that in 1988, one-third of the offenders (33%) sentenced to probation and under supervision were actually recommended for incarceration.

STUDY METHODOLOGY AND DESIGN

The design of this evaluative research study of the Criminal Division's investigation and supervision programs included a closed case record content analysis phase and a longitudinal followup phase of a select group of adult criminal offenders discharged from probation during the year 1982. It was supported by a data base consisting of 120 information items or data elements to include offender characteristics - - demographic, social and legal - - as well as a number of other program adjustment and outcome variables. See Appendix A for Master Data Collection and Coding Form and Study Task Outline.

The study population was composed of 700 former probationers selected as follows: a 33% random sample of 700 adult criminal offenders discharged from supervision in 1982, stratified by court of jurisdiction, sex and type of discharge - - improved, unimproved and committed. The complete random sample is set forth below in Table IV.

TABLE IV
Study Population
Nassau County Probationers Discharged In 1982
(33% Random Sample)

<u>Type of Discharge</u>	<u>County Court</u>		<u>District Court</u>		<u>Total</u>
	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>	
Improved	106	16	292	48	462
Unimproved	16	3	69	11	99
Committed	41	3	78	17	139
Total	163	22	439	76	700

The major tasks involved in completing this research study included the collection, coding and recording of the data on pre-coded forms, data entry and subsequent processing of the data by computer, analyzing, interpreting and assessing the results, determining the study's major findings and conclusions, and report preparation.

By using the selected items of information outlined above and contained in the Master Data Collection Form, the data base was able to provide answers to a variety of questions regarding the investigation and supervision programs, offenders and probationers and program effectiveness. The study focused on three major areas: the pre-probation period, the probation or supervision period, and the post-probation period. The major source of data came from the case history files, which contain both the presentence investigation reports and the records of supervision. Further information came from a current Summary Criminal History Record for each offender in the study population.

The coding and recording of the data elements on the special scoring form (See Appendix B) was accomplished by extracting the required items of information from the sources cited above to cover the pre-probation and probation or supervision periods for the study population. The last component of the study involved the post-probation period with its longitudinal followup phase, which covered the years from discharge in 1982 until August 1987, for a range of from 4.7 years to 5.7 years. Criminal history records were obtained from the automated files of the New York State Division of Criminal Justice Services in Albany, New York and supported this phase of the study. These records contain arrests for all fingerprintable offenses in New York State and include all felonies, misdemeanors and some lesser offenses.

In summary, the study methodology and objectives centered on the investigation program, the probation supervision program and the post-probation outcome results for the study population of 700 former probationers. Some of the measures used in assessing the effectiveness of these programs and their results include needs and/or problems identified, a PSI recommendation for disposition of offender by the courts, new arrests and/or violations of probation filed while under supervision, type of discharge, and the presence or absence of any new arrests for crimes committed after discharge from probation.

It should be noted that the presence or absence of any new arrests for these former probationers was used as the basis for determining their rate of recidivism during the followup period subsequent to their discharge from probation. While recidivism is a broad term usually used to indicate a return to criminal behavior by offenders, in this study an unfavorable outcome or failure during the followup period was indicated by one or more arrests for new offenses, as reported on the former probationer's individual criminal history records. Although arrests with convictions were recorded, it was not limited to only those arrests or offenses which resulted in convictions because in some cases the records did not indicate the final disposition. A broad overview of recidivism and the criminal justice system can be found in Section XII, beginning on page 66.

DATA ANALYSIS AND STATISTICAL TECHNIQUES

A copy of the master data collection form, which contains all the various data elements for the study and an outline of the study tasks, can be found in Appendix A. The study findings and conclusions are supported by a data base derived from a selected stratified random sample of 700 adult criminal offenders discharged from probation in 1982. Data came from individual case files and criminal history records. The findings and conclusions are further supported by tabular analyses, percentages and rates, and statistical tests including the chi square test of independence. These tests were used to determine the probability of an association, or the existence of a relationship, if any, between adjustment on probation, post-probation outcome and other selected variables.

PRESENTENCE INVESTIGATION REPORTS AND THE
INVESTIGATION PROGRAM

The presentence investigation (PSI) reports were used to assess the effectiveness of the investigation program and its importance to and impact on the supervision program. The PSI reports were the primary source of information on the criminal offenders in this study prior to their being sentenced to probation. Information was selected from these reports to describe and define the study population and included a wide range of personal, social and legal items. The offender's status in a number of areas - - for example, education, employment, prior criminality - - was ascertained during this pre-probation time period subsequent to the arrest that was to culminate in the probation sentence. As noted in some detail in the introduction to this report, the primary objective of the PSI is to provide information to the courts for use in the sentencing of criminal offenders. A secondary but also important objective is its use in case management, if the offender is sentenced to probation supervision. This study found the PSI reports and the investigation program to be effective in accomplishing both of these objectives. The extensive offender information contained in each PSI report also includes a diagnosis or evaluative section, which serves as the basis for a recommendation for his or her sentence. Although the offender population for this study included only former probationers, their PSI reports contained recommendations for other types of sentences. The recommendations for the entire study population are in Table V, below.

TABLE V

Probation Study Population Distributed By Type of
Presentence Investigation Report Recommendation

<u>Type of Recommendation</u>	<u>No.</u>	<u>%</u>
Probation	423	60.4
Jail/Probation	110	15.7
Commitment	122	17.4
Other*	23	3.3
Unknown	<u>22</u>	<u>3.2</u>
TOTAL	700	100.0

* Discharges or fines

Except for a small group of 22, or 3.2%, recommendations were available on most of the study population. Of the 700 offenders sentenced to probation, 128, or 18.3%, actually received a split sentence of jail/probation. However, they came from all of the categories in table V, including 45 from the split-sentence recommendation group, 39 from the probation recommendation group and 35 from the commitment recommendation group. Only some three-fifths of the study population was recommended for probation, which increases to three-quarters (76.1%) if the split-sentence recommended group is included. It is evident that more offenders are receiving a probation sentence contrary to the PSI recommendation. This finding was further supported by more recent data from 1988, when some 34% of the cases sentenced to probation were actually recommended for commitment, up from 30% in 1987. In this type of situation, however, all is not lost, for this type of PSI recommendation serves to "flag" the offender to the supervision program as a potentially higher-risk probationer. This finding is supported also by the needs/problems assessment data and risk assessment/classification scores contained in this study and described below and in subsequent sections of this report.

Risk Assessment/Classification Instruments

During the early 1980's, the years when the offenders in the study population were entering the supervision caseload, risk assessment and classification instruments were completed on all offenders sentenced to probation to assist in determining their eligibility for the Department's intensive supervision program (ISP). A copy of this form is contained in Appendix C. It has 10 items of information, with a different point value assigned to each one. The highest possible score an offender could receive was 98. The higher the score the greater the risk the offender presented to supervision. In subsequent years, a similar but more general supervision classification instrument came into use. It has 8 items of information with a high possible score of 99. It also has three supervision classification levels - - intensive, medium and minimum - - which are based on a range of point scores. Again, the higher the score the greater the risk. A copy of this form is contained in Appendix D.

Risk assessment scores were available for 543, or 77.6%, of the 700 former probationers. The scores ranged from a low of 4 to a high of 98. The average (mean) score for the overall group was 30.5, with significant differences in the average scores received by each PSI recommendation group category. See Table VI, below.

TABLE VI

Probation Study Population Distributed by Type of
Presentence Investigation Report Recommendation
And Average (Mean) Risk Assessment Score

<u>Type of Recommendation</u>	<u>No.</u>	<u>Mean Risk Score</u>
Probation	330	25.7
Jail/Probation	89	33.4
Commitment	102	44.6
Other *	14	31.9
Unknown	8	19.7
Total	543	30.5

* Discharges or Fines

Not surprisingly, those probationers who received a PSI recommendation for commitment had the highest mean score of 44.6, those in the probation recommended category had a lower score of 25.7, while the jail/probation category was in between with a score of 33.4.

As set forth in Table VII, below, the study also identified a significant relationship between the PSI report recommendation to the court for sentencing and the risk classification supervision levels. Using data based on 543 of the former probationers, analysis has revealed that of those offenders with risk scores placing them in the Level I, or intensive supervision, category, more than one-half (53.3%) were recommended for commitment. On the other hand, of those offenders with scores in the Level III, or minimum supervision, category, almost three-quarters (71%) had PSI recommendations for probation, while only 8% had commitment recommendations. Those offenders with Level II scores, or medium supervision, had PSI recommendations which fell in between these extremes - - almost one-half (48.5%) for probation and almost one-third (31.3%) for commitment. A subsequent section of this report will detail the relationship between these risk classification supervision levels and the offenders adjustment on supervision and their post-probation outcome.

TABLE VII

Probation Study Population Distributed By Type of Presentence Investigation Report Recommendation and Risk Classification Supervision Levels, I, II and III.

Type of Recommendation	LEVEL I Intensive (52-99)		LEVEL II Medium (35-51)		LEVEL III Minimum (0-34)		TOTAL	
	No.	%	No.	%	No.	%	No.	%
Probation	20	26.7	48	48.5	262	71.0	330	60.8
Jail/Probation	12	16.0	18	18.2	59	16.0	89	16.4
Commitment	40	53.3	31	31.3	31	8.4	102	18.8
Other *	2	2.7	2	2.0	10	2.7	14	2.6
Unknown	1	1.3	0	0.0	7	1.9	8	1.4
Total	75	100.0	99	100.0	369	100.0	543	100.0

* Discharges or Fines

$$\chi^2 = 102.6$$

$$D/F = 8$$

$$P = <.01$$

Relationship - Very Significant

A comparative analysis of the PSI recommendation subgroups with their subsequent adjustment on probation and post-probation outcome has revealed that the committed recommended subgroup and the jail/probation recommended subgroup were similar on a number of variables, while the "other" recommended subgroup, those recommended to receive discharges or fines, was closer to the probation recommended subgroup. Summary descriptive statistical profiles of these subgroups can be found in Table VIII, page 23. A significant finding here is that the PSI reports were successful in identifying and differentiating, in part, through their recommendations, those offenders who represented a higher risk and were most likely to fail on probation. Furthermore, as their profile data make very clear, the commitment and jail/probation recommended subgroups, as compared with the probation and "Other" subgroups, differ most significantly in their higher level of criminality. In brief, in regard to their past, they had more arrests, more felony arrests, more convictions, more previous periods on probation and in prison or jail. The higher-risk quality of these offenders was supported by their subsequent poor adjustment on probation (more arrests and violations of probation filed), their type of discharge (more likely to be unimproved or committed) from supervision, and their post-probation outcome results (a higher failure rate with one or more new arrests, after discharge). These findings are documented in subsequent sections of this report. However, to summarize this section, the

study concludes that the presentence investigation reports are supportive of investigation program objectives, and that the PSI recommendations are partially successful in identifying and differentiating the so-called higher-risk offenders from those who were more likely to make a satisfactory adjustment on probation.

TABLE VIII

SUMMARY DESCRIPTIVE STATISTICAL PROFILES FOR THE
 PROBATION STUDY POPULATION DISTRIBUTED BY TYPE OF
PRESENTENCE INVESTIGATION REPORT RECOMMENDATION

	<u>Probation</u> N=423	<u>Jail/</u> <u>Probation</u> N=110	<u>Commitment</u> N=122	<u>Other</u> N=23	<u>Unknown</u> N=22
<u>Sex</u>					
Male	83.0%	90.0%	92.0%	87.0%	91.0%
Female	17.0%	10.0%	8.0%	13.0%	9.0%
<u>Race</u>					
White	69.0%	67.0%	58.0%	61.0%	73.0%
Black	26.0%	30.0%	38.0%	39.0%	23.0%
Hispanic	5.0%	3.0%	4.0%	0.0%	4.0%
<u>Mean Age</u>					
At First Prior Arrest	22.9 yrs.	21.2 yrs.	20.5 yrs.	22.0 yrs.	20.7 yrs.
On Entry to Probation	25.6 yrs.	25.6 yrs.	25.9 yrs.	26.6 yrs.	25.2 yrs.
On Discharge from Probation	27.4 yrs.	27.4 yrs.	27.9 yrs.	28.7 yrs.	27.4 yrs.
<u>Marital Status</u>					
Single	75.4%	73.6%	68.8%	73.9%	63.6%
Married	12.8%	12.7%	11.5%	8.7%	9.1%
Other	11.8%	13.7%	19.7%	17.4%	27.3%
<u>Level of Education</u>					
Mean Grade	11.1	11.2	10.7	10.7	11.4 *
<u>Employment Status on</u> <u>Entry to Probation</u>					
Employed	50.8%	48.2%	41.8%	65.2%	68.2% **
Unemployed	26.7%	32.7%	46.7%	8.7%	22.7%
Student	22.5%	19.1%	11.5%	26.1%	9.1%
<u>Occupation Class</u>					
White Collar	27.6%	26.5%	11.6%	31.2%	30.0% *
Blue Collar	72.4%	73.5%	88.4%	68.8%	70.0%
<u>Previous Legal History</u>					
Juvenile Record	16.1%	21.8%	30.3%	13.0%	18.2% **
Prior Adult Record (Arrest)	56.9%	70.0%	86.1%	60.9%	54.5% **
Prior Adult Record (Conviction)	52.9%	67.6%	84.5%	59.1%	47.4% **
Prior Juvenile and Adult Record	6.6%	14.7%	25.4%	8.7%	13.6% **
No Prior Record	33.6%	20.9%	9.0%	34.8%	40.9% **

TABLE VIII Continued

- 2 -

	<u>Probation</u> N=423	<u>Jail/ Probation</u> N=110	<u>Commitment</u> N=122	<u>Other</u> N=23	<u>Unknown</u> N=22
<u>Type of Crime</u>					
<u>Sentence to Probation</u>					
Person Offense	10.2%	15.5%	18.0%	8.7%	4.6% **
Property Offense	56.9%	57.3%	54.1%	60.9%	63.6%
Drug Offense	10.9%	9.1%	5.7%	8.7%	31.8%
DWI	15.6%	13.6%	10.7%	17.4%	0.0%
Other	6.4%	4.5%	11.5%	4.3%	0.0%
<u>Average No. Months Between Arrest and Sentence to Probation</u>					
	6.1 mos.	6.4 mos.	6.9 mos.	6.2 mos.	7.4 mos.
<u>Adjustment on Probation (Arrests and/or Violations of Probation Filed)</u>					
New Arrest(s) Only	11.1%	10.0%	13.1%	8.7%	9.1% **
Violations of Probation Filed Only	6.4%	10.9%	5.7%	4.3%	13.6%
Arrests and VOPS	17.5%	26.4%	45.1%	13.0%	13.6%
<u>Average No. Months Between Entry to Probation and First Arrest in Program</u>					
	10.2 mos.	11.3 mos.	10.0 mos.	10.8 mos.	24.0 mos.
<u>Average No. Months Between Entry to Probation and First Violation of Probation Filed</u>					
	13.3 mos.	11.5 mos.	9.8 mos.	9.7 mos.	17.7 mos.
<u>Type of Discharge From Probation</u>					
Improved	72.8%	61.8%	41.8%	82.6%	72.8% **
Unimproved	12.1%	14.6%	22.1%	8.7%	13.6%
Committed	15.1%	23.6%	36.1%	8.7%	13.6%
<u>Average No. Months on Probation Supervision</u>					
	21.8 mos.	22.4 mos.	23.4 mos.	25.4 mos.	38.8 mos.
<u>Post-Probation Outcome</u>					
Success	60.5%	49.1%	41.0%	56.5%	40.9% **
Failure	39.5%	50.9%	59.0%	43.5%	59.1%
<u>Average No. Months Between Discharge and First Post- Probation Arrest</u>					
	19.0 mos.	21.9 mos.	21.6 mos.	31.7 mos.	24.3 mos.

Level of Significance

** P = .01

* P = .05

THE SUPERVISION PROGRAM AND THE STUDY POPULATION

The record of supervision was the primary source document providing information on the study population from the time of their entry on probation until their discharge. It is a written, chronological record that covers in detail the probationers' contacts with the program's staff, their activities, adjustment and progress. It includes the conditions of probation, treatment plan, quarterly summaries, special entries, and reports of any legal proceedings, new arrests, violations of probation, and, upon the conclusion of probation, the type of discharge. Along with the presentence investigation report, the record of supervision is a part of the probationer's case history file. Thus, as called for in the study's methodology, its contents were used in assessing the study population's adjustment on probation, based on the presence or absence of any new arrests, violations of probation filed or both, and their final probation supervision outcome or status, based on the type of discharge received - - improved, unimproved and committed. Subsequent sections of this report will examine the overall probationer group on these measures, as well as a post-probation outcome measure, based on new arrests after discharge. The remainder of this section will focus on those probationers with risk assessment scores and other selected groups of offenders, including felony probationers, split-sentence probationers, ISP offenders, and DWI probationers.

Supervision Classification Levels and Probation Adjustment

For those probationers with risk assessment scores, the study was able to assign them to supervision classification levels I, II or III, or intensive, medium or minimum. Each level of supervision encompasses a different range of scores. In theory, those probationers with the higher scores represent a higher risk and are assigned to level I, or intensive, where they receive greater attention from the probation staff. This exercise was completed for study purposes only and to determine if there is a relationship between risk assessment scores, supervision levels and adjustment on probation. See Tables IX and X, below.

TABLE IX

Relationship Between Risk Assessment Scores/Classification
Supervision Levels And Type of Discharge From Probation

Type of Discharge	LEVEL I Intensive (52-99)		LEVEL II Medium (35-51)		LEVEL III Minimum (0-34)		TOTAL	
	No.	%	No.	%	No.	%	No.	%
Improved	27	36.0	56	56.6	272	73.7	355	65.4
Unimproved	11	14.7	14	14.1	42	11.4	67	12.3
Committed	37	49.3	29	29.3	55	14.9	121	22.3
TOTAL	75	100.0	99	100.0	369	100.0	543	100.0

$\chi^2 = 51.7$

D/F = 4

P = <.01

Relationship - Very Significant

TABLE X

Relationship Between Risk Assessment Scores/Classification
Supervision Levels and Post-Probation Outcome - -
Success or Failure

Post-Probation Outcome	LEVEL I Intensive (52-99)		LEVEL II Medium (35-51)		LEVEL III Minimum (0-34)		TOTAL	
	No.	%	No.	%	No.	%	No.	%
Success	23	30.7	40	40.4	223	60.4	286	52.7
Failure	52	69.3	59	59.6	146	39.6	257	47.3
TOTAL	75	100.0	99	100.0	369	100.0	543	100.0

$\chi^2 = 29.5$

D/F = 2

P = <.01

Relationship - Very Significant

As indicated in Tables IX and X, the study identified a very significant relationship or association between risk scores/supervision levels and the type of discharge received and post-probation outcome in that those probationers with the highest risk scores, level I, had the highest proportions of failure groups - - those discharged as unimproved or committed, as well as a higher proportion in the post-probation arrest group. On the other hand, those probationers in the level II and level III score categories had the highest proportions in the discharge improved and post-probation success groups, with those in level III obtaining the most favorable results. The conclusion here is clear, the higher the offender's score, the greater the risk and the greater the probability for failure both while on probation and after discharge.

Selected Target Offender Groups and Their Adjustment on Probation

The study was able to focus on particular offender groups of special interest or of a controversial nature.

Felony Probationers

Do felony probationers represent higher risk for failure and thus a threat to public safety? The study was able to shed some light on this controversial question. Of the 700 probationers in the study population, some 22%, or 153 offenders, were sentenced to probation for the conviction of a felony crime on the present probation offense. The remaining and larger segment was comprised of misdemeanor probationers. It should be noted here that 9% of this segment, or 50 offenders, had a previous felony conviction, as compared with only 5%, or 7 offenders, of the felony probationer group. A comparative analysis of these two groups of probationers found differences on such key variables as age, sex, education, risk assessment scores, and employment status to be non-existent or small but not significant. However, significant differences were noted on their types of crimes for which they were sentenced to probation; with the felony probationers having higher proportions of drug offenses and such property crimes as burglary and robbery, and their prior criminal/juvenile record, with the felony probationers having a higher proportion with no prior record (41% versus 24%).

Most importantly, the study identified no significant differences between felony probationers and misdemeanor probationers on their adjustment on probation, their type of discharge and post-probation outcome. Thus, the study found that 56% of the felony probationers had no new arrests or violations of probation while on probation, as compared with 59% for the misdemeanor probationers; also, two-thirds of both groups were discharged as improved, and in regard to post-probation outcome, 54.3% of the felony probationers had no arrests during the followup period, which compares with 54.7% for the misdemeanor probationers. In short, based on the felony offenders in the study population, felony probationers per se do not represent a higher risk for failure nor a greater threat to public safety than do misdemeanor probationers. See Table XI, page 31.

DWI Probationers

DWI was the third ranking offense category, after burglary and larceny, in the study population. Keep in mind that these probationers were discharged in 1982. By 1989, DWI offenses ranked first as the single most frequent offense in both the investigation and supervision caseloads. Thus, as a group in the study population, their results take on added significance. Analysis has revealed DWI probationers to be a mixed group. In comparison to the study population as a whole, they were close to the average on such characteristics as employment and education (average grade 11.2) but above average on other key variables such as age and previous record. DWI probationers were the oldest of the offender groups (average age 30.8 yrs. versus 26.7 yrs.) on entry to the supervision program, and also had the highest proportion with a previous legal record (85% versus 72% for the study population). But more importantly their risk-assessment scores were below average (26.7 versus 30.7 for the study population). In regard to their prior record, offenses included both DWI and other types of crimes.

DWI offenders did well on probation. As a group, 77.8% had no arrests or violations filed versus only 58.3% for the study population. Some 87.9% were discharged as improved versus 66%, and in comparison to 54.9% for burglary and 44.1% for robbery offenders. Their post-probation outcome results were also more favorable, with 69.7% in the success category versus 54.6% for the overall group, with no arrests during the followup period. In short, based on the findings from this study, DWI offenders, as a group, being older and with a lower average risk assessment score, were a good risk for probation. This was supported by their subsequent favorable adjustment on probation, and successful post-probation outcome. See Table XI, page 31.

ISP Probationers

The study population included 63, or 9.0%, ISP probationers. Intensive supervision is a special program that became operational in New York State and Nassau County in 1978. A key feature of the ISP concept is the concentration of resources on a high-risk offender population through the use of a low caseload-high service management approach. Although lower recidivism levels were hoped for, if not expected, the results have been mixed and, at best, are inconclusive. More recently, the focus of the program has shifted to reducing the incarceration rate without jeopardizing the safety of the community.

Analysis has revealed the ISP probationers to be a high-risk cohort. A small group, it differed significantly from the much larger regular probation group. Some of them had also been supervised in regular or drug abuse/alcohol units. As a group, they were younger, with less education and more frequently unemployed. They had an average risk-assessment score of 56.3 versus 27.2. Thus, a key factor here was their higher level of criminality. They had more previous arrests, more convictions and more previous periods on probation and in prison or jail. Their previous records were dominated by property offenses. Given this background, their poor adjustment on probation should come as no surprise, with the majority receiving an unfavorable discharge. Their post-probation record was also poor with only one-third (33.3%) being placed in the success category, with no arrests during the followup period. In sum, these results appear to be supportive of program objectives where the major emphasis is on control and strict accountability. See Table XI, page 31.

Split-Sentence Probationers

The study population included 128, or 18.3%, split-sentence (jail-probation) probationers. More recently, in 1988, for example, nearly one-quarter (24.1%) of the offenders entered the supervision caseload with a split sentence. However, the use of the split sentence varied by Court. It was highest in the County Court (felony jurisdiction) probation group with 56.8%. Of the split-sentence probationers in the study population, almost one-half (48%) had felony convictions, as compared with only 16.1% of the larger segment of the study population. The jail confinement part of their sentence averaged 1.5 months. Did the jail time make a difference? Did it affect their adjustment on probation and post-probation outcome?

Analysis has revealed the split-sentence probationers to be a mixed group with a mixed record. In comparison to the other probationers in the study population, as a group, they were younger (23.2 yrs. versus 25.6 yrs.) and had a higher-average risk assessment score (35.1 versus 29.6) and, as noted, had a higher proportion of felony offenders. They also differed on types of crimes for the present offense, with higher proportions of assaults, burglaries and drug offenses. Previous juvenile and criminal records were more extensive. Thus, they were, for the most part, a high-risk group, which was subsequently borne out by their below-average adjustment on probation and post-probation outcome. However, in regard to the latter, the difference was not significant. While on supervision, only 48.4% of the split-sentence probationers had no arrests or violations of probation, as compared with a more favorable 60.5% for the other probationers. Their post-probation outcome results placed 48.4% in the success category versus 55.9% for the other probationers. The difference here, as noted, was not large enough for statistical significance. The same was true of their type of discharge whereby 60.2% of the split-sentence probationers were discharged as improved versus 67.3% for the other probationers. Again, the difference was not large enough for significance.

In conclusion, it is not clear from the evidence available whether or not the split sentence made a favorable impact on the probationers' adjustment to probation and post-probation outcome. One can speculate that, perhaps, because they were a higher-risk segment, the results would have been worse without the jail time. In short, despite being above-average risks, they achieved close to average results. See Table XI, page 31.

TABLE XI

SUMMARY DESCRIPTIVE STATISTICAL PROFILES FOR
SELECTED TARGET OFFENDER GROUPS FROM THE
PROBATION STUDY POPULATION

	<u>Felony</u> <u>Probationers</u> N=153	<u>DWI</u> <u>Probationers</u> N=99	<u>ISP</u> <u>Probationers</u> N=63	<u>Split-Sentence</u> <u>Probationers</u> N=128
<u>Sex</u>				
Male	89.5%	92.9%	88.9%	90.6%
Female	10.5%	7.1%	11.1%	9.4%
<u>Race</u>				
White	71.2%	74.7%	60.3%	61.7%
Black	25.5%	18.2%	36.5%	32.8%
Hispanic	3.3%	7.1%	3.2%	5.5%
<u>Mean Age</u>				
At First Prior Arrest	21.7 yrs.	24.7 yrs.	18.5 yrs.	19.6 yrs.
On Entry to Probation	25.0 yrs.	30.2 yrs.	22.7 yrs.	23.9 yrs.
On Discharge from Probation	27.8 yrs.	32.4 yrs.	24.2 yrs.	26.2 yrs.
<u>Marital Status</u>				
Single	75.8%	60.6%	85.7%	75.8%
Married	11.8%	23.2%	1.6%	11.7%
Other	12.4%	16.2%	12.7%	12.5%
<u>Level of Education</u>				
Mean Grade	11.3	11.2	10.3	10.9
<u>Employment Status on Entry to Probation</u>				
Employed	50.4%	60.6%	36.5%	52.3%
Unemployed	24.8%	32.3%	42.9%	29.7%
Student	24.8%	7.1%	20.6%	18.0%
<u>Occupation Class</u>				
White Collar	29.6%	20.9%	10.9%	16.8%
Blue Collar	70.4%	79.1%	89.1%	83.2%
<u>Previous Legal History</u>				
Juvenile Record	17.6%	12.1%	54.0%	25.8%
Prior Adult Record (Arrest)	51.0%	82.8%	77.8%	69.5%
Prior Adult Record (Conviction)	42.5%	71.7%	73.0%	60.9%
Prior Juvenile and Adult Record	9.8%	10.1%	34.9%	13.3%
No Prior Record	41.2%	15.1%	3.2%	17.9%

Table XI Continued

- 2 -

	Felony Probationers N=153	DWI Probationers N=99	ISP Probationers N=63	Split-Sentence Probationers N=128
<u>Type of Crime</u>				
<u>Sentence to Probation</u>				
Person Offense	9.2%		15.9%	17.2%
Property Offense	60.1%		61.9%	55.5%
Drug Offense	21.6%		6.3%	14.9%
DWI	5.2%	100.0%	4.8%	6.2%
Other	3.9%		11.1%	6.2%
<u>Average No. Months Between Arrest and Sentence to Probation</u>	8.2 months	5.4 months	6.5 months	6.8 months
<u>Adjustment on Probation (Arrests and/or Violations of Probation Filed</u>				
New Arrest(s) Only	12.4%	8.1%	11.1%	14.1%
Violations of Probation Filed Only	5.9%	6.1%	11.1%	6.2%
Arrest(s) and VOP(S)	26.1%	8.1%	39.7%	31.3%
<u>Average No. Months Between Entry to Probation and First Arrest in Program</u>	13.4 months	9.6 months	7.9 months	13.0 months
<u>Average No. Months Between Entry to Probation and First Violation of Probation Filed</u>	15.6 months	10.1 months	8.3 months	13.2 months
<u>Type of Discharge From Probation</u>				
Improved	66.0%	87.9%	47.6%	60.2%
Unimproved	9.8%	7.1%	14.3%	14.8%
Committed	24.2%	5.0%	38.1%	25.0%
<u>Average No. Months on Probation Supervision</u>	33.8 months	20.3 months	17.7 months	27.9 months
<u>Post-Probation Outcome</u>				
Success	54.3%	69.7%	33.3%	48.4%
Failure	45.7%	30.3%	66.7%	51.6%
<u>Average No. Months Between Discharge & First Post- Probation Arrest</u>	23.4 months	20.2 months	23.8 months	21.9 months

ASSESSMENT OF PROBATIONER NEEDS AND/OR PROBLEMS

Previous research by this Department on probationer needs and/or problems found a significant relationship between their needs and their adjustment on probation and post-probation outcome. Did the findings associated with the present study population in this area support this conclusion? Using the presentence investigation report and the record of supervision, each former probationer was assigned up to three needs or problems, from a list of ten, as identified in and supported by the case history. Once identified these needs or problems were ranked for each probationer, with the greatest need or problem listed first, followed by a second and third, if necessary.

Table XII, page 35, contains the total number and distribution of these needs or problems for the greatest need and for the second and third levels needs also, for the total study population of 700 former probationers. The majority of the probationers (89.0%) were identified as having at least one need or problem, while one-half (50.1%) of the population had two or more, and almost one-quarter (22.3%) was identified as having three needs or problems. Using the ten need or problem categories and the total number of needs identified for the study population, they were ranked from high to low as follows: (1) alcohol abuse (2) drug abuse (3) employment (4) mental health (5) academic-vocational (6) marital-family relations (7) financial management (8) current living environment (9) health (10) sexual behavior.

Analysis of the findings in this area reveal the probationers in the study population to have diverse needs regardless of their demographic or other characteristics. However, those problems or needs that had the greatest impact on the greatest number of probationers were substance abuse (alcohol or drugs) and employment. Moreover, it was those offenders with these problems or needs - - employment and drug abuse - - who were more likely to make a below-average adjustment to supervision and a poor post-probation outcome. At the other extreme were those offenders with no identifiable needs who made an above-average adjustment to probation. This is made clear below.

Further analysis of these findings reveal those offenders with multiple needs or problems to be more likely to be associated with making a poor adjustment while on supervision, as well as presenting a higher risk for post-probation failure -- for example, an offender with drug abuse and employment problems. Thus, of those probationers in the study identified as having a minimum of two needs or problems, almost one-half (49.9%) of them were discharged as unimproved or committed. On the other hand, of those probationers with only one or no identifiable need or problems, only 18.1% received similar discharges. See table XIII, below.

TABLE XIII

RELATIONSHIP BETWEEN PROBATION SUPERVISION PROGRAM
OUTCOME BY TYPE OF DISCHARGE AND THE NUMBER OF
PROBATIONER NEEDS AND PROBLEMS IN SELECTED
AREAS FOR THE PROBATION STUDY POPULATION

Type of Discharge	Number of Needs or Problems Identified for Probationer				TOTAL	
	None or Less Than Two		Minimum of Two		No.	%
	No.	%	No.	%		
Improved	286	81.9	176	50.1	462	66.0
Unimproved	31	8.9	68	19.4	99	14.1
Committed	32	9.2	107	30.5	139	19.9
TOTAL	349	100.0	351	100.0	700	100.0

$$\chi^2 = 80.6$$

$$D/F = 2$$

$$P = <.01$$

Relationship - very significant

A similar relationship or association was also identified between probationers' needs and problems and post-probation outcome. As revealed in Table XIV, below, of those probationers with a minimum of two needs or problems, some 58.7% were post-probation failures, with one or more arrests for new crimes after discharge and during the followup period.

Table XIV

RELATIONSHIP BETWEEN POST-PROBATION OUTCOME--SUCCESS OR FAILURE -- AND THE NUMBER OF PROBATIONER NEEDS AND PROBLEMS IN SELECTED AREAS

Post-Probation Outcome	Number of Needs or Problems Identified for Probationer				Total	
	None or Less Than Two		Minimum of Two		No.	%
	No.	%	No.	%		
Success	237	67.9	145	41.3	382	54.6
Failure	112	32.1	206	58.7	318	45.4
Total	349	100.0	351	100.0	700	100.0

$$\chi^2 = 49.94$$

$$D/F = 1$$

$$P = <.01$$

Relationship - Very Significant

TABLE XII

ASSESSMENT OF PROBATIONER NEEDS
AND/OR PROBLEMS IN SELECTED AREAS

NUMBER AND DISTRIBUTION OF UP TO THREE CRITICAL NEEDS OR
PROBLEMS IDENTIFIED FOR PROBATIONERS IN STUDY POPULATION

	<u>Greatest Need or Problem</u>		<u>Second Need or Problem</u>		<u>Third Need or Problem</u>		<u>Total</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
Academic-Vocational	68	10.9	36	10.3	24	15.4	128	11.3
Employment	75	12.0	87	24.8	41	26.3	203	18.0
Financial Management	43	6.9	31	8.8	13	8.3	87	7.7
Marital-Fam.Relations	23	3.7	46	13.1	21	13.5	90	7.9
Mental Health	72	11.6	42	12.0	17	10.9	131	11.6
Sexual Behavior	5	0.8	4	1.1	1	0.6	10	0.9
Alcohol Abuse	176	28.2	40	11.4	11	7.1	227	20.1
Other Drug Abuse	150	24.1	41	11.7	13	8.3	204	18.1
Health	3	0.5	10	2.8	4	2.5	17	1.5
Current Living Environment	<u>8</u>	<u>1.3</u>	<u>14</u>	<u>4.0</u>	<u>11</u>	<u>7.1</u>	<u>33</u>	<u>2.9</u>
Total	623	100.0	351	100.0	156	100.0	1,130	100.0

EMPLOYMENT STATUS AND PROBATION

An overview of the employment-crime issue is presented in section XIII of this report. This part will focus on the employment factor from the perspective of probation and the study population. Previous research by this Department found that the risk for failure on probation appears to be greater for the probationer who is unemployed or has a poor record of job stability. It was concluded that employment programs, which are successful in getting and keeping probationers gainfully employed, can make a significant contribution to probation's effectiveness. Did the findings associated with the present study population support this conclusion?

As revealed in Table XV, below, the study identified a very significant relationship between adjustment on probation and employment status (employed or unemployed) at arrest and/or entry to probation for the study population. Using data based on 562 of the former probationers, of which 349, or 62.1%, were employed and 213, or 37.9%, were unemployed, analysis revealed that for the employed group, 68.2% had no arrests or violations of probation filed while on probation as compared with only 41.8% of the unemployed group. The remainder of both groups had either one or more arrests and/or violations of probation (58.2% for the unemployed versus a smaller 31.8% for the employed) while under supervision.

Table XV

RELATIONSHIP BETWEEN ADJUSTMENT ON PROBATION (VIOLATIONS OF PROBATION FILED, ARRESTS ONLY, ARREST(S) AND VOP(S), NONE) AND THE EMPLOYMENT STATUS -- EMPLOYED OR UNEMPLOYED -- AT ARREST/ENTRY TO PROBATION FOR THE PROBATION STUDY POPULATION

Type of Adjustment	Employment Status				TOTAL	
	EMPLOYED		UNEMPLOYED		No.	%
	No.	%	No.	%	No.	%
None (no arrests or Viol. filed)	238	68.2	89	41.8	327	58.2
Arrests Only	28	8.0	27	12.7	55	9.8
Violations of Probation Filed Only	20	5.7	25	11.7	45	8.0
Arrest(s) and VOP(S)	<u>63</u>	<u>18.1</u>	<u>72</u>	<u>33.8</u>	<u>135</u>	<u>24.0</u>
TOTAL	349	100.0	213	100.0	562	100.0

$$\chi^2 = 38.4$$

$$D/F = 3$$

$$P = <.01$$

Relationship - Very significant

As revealed in Table XVI, below, the study also identified a very significant relationship between type of discharge and the employment status of the study population. Thus, using data based on 562 of the former probationers, analysis of both the employed and unemployed groups has revealed that while 74.8% of the employed probationers were discharged as improved, only 46.5% of the unemployed probationers were in this status. The remainder of both groups were discharged in the unfavorable categories of unimproved or committed, with higher proportions of the unemployed probationers being in both of these latter categories.

Table XVI

RELATIONSHIP BETWEEN PROBATION SUPERVISION PROGRAM OUTCOME BY TYPE OF DISCHARGE AND EMPLOYMENT STATUS -- EMPLOYED OR UNEMPLOYED -- AT ARREST/ENTRY TO PROBATION FOR THE PROBATION STUDY POPULATION

Type of Discharge	Employment Status				TOTAL	
	EMPLOYED		UNEMPLOYED		No.	%
	No.	%	No.	%	No.	%
Improved	261	74.8	99	46.5	360	64.1
Unimproved	40	11.5	44	20.7	84	14.9
Committed	48	13.7	70	32.8	118	21.0
Total	349	100.0	213	100.0	562	100.0

$$\chi^2 = 47.0$$

$$D/F = 2$$

$$P = <.01$$

Relationship - Very Significant

Further analysis of the study population's employment status has revealed a continuation of this trend. Thus, the study revealed a very significant relationship between post-probation outcome (success or failure) and employment status. Of the employed group of former probationers, 62.2% were successes and remained arrest free after discharge and during the followup period. In comparison, of the unemployed former probationers, only 43.7% remained arrest free after discharge. The post-probation failures were defined as being arrested one or more times for new offenses after discharge from supervision. For the employed cohort, the failure rate was 37.8% versus a larger 56.3% for the unemployed cohort. See Table XVII, below.

Table XVII

RELATIONSHIP BETWEEN POST-PROBATION OUTCOME -- SUCCESS OR FAILURE -- AND EMPLOYMENT STATUS, EMPLOYED OR UNEMPLOYED, AT ARREST/ENTRY TO PROBATION FOR THE PROBATION STUDY POPULATION

Post-Probation Outcome	Employment Status				TOTAL	
	EMPLOYED		UNEMPLOYED		No.	%
	No.	%	No.	%	No.	%
Success	217	62.2	93	43.7	310	55.2
Failure	132	37.8	120	56.3	252	44.8
Total	349	100.0	213	100.0	562	100.0

$$\chi^2 = 18.3$$

$$D/F = 1$$

$$P = <.01$$

Relationship - Very Significant

Given the above findings, it would appear that the unemployed offender has a higher probability of failing on probation. Moreover, a previous section of this report, which included a brief needs analysis of the study population, identified employment as ranking third in a listing of ten need or problems areas, after alcohol and other drug abuse. Some 29%, or 203, of the probationers were included in the employment need category, either as a first, second or third need or problem. Also, employment as part of a multiple need category further diminished the chances of a favorable adjustment. In brief, because employment status is a high-risk factor in assessing an offender's probable adjustment, resources that focus on the employment problems of probationers can have a positive impact on the effectiveness of probation programs.

CRIME-SPECIFIC ANALYSIS AND PROBATION ADJUSTMENT

Previous research by this Department found that an offender's adjustment on probation and post-probation outcome to be related to the type of crime (original and most serious charge) which led to the probation sentence. Did the present study findings support this conclusion? By using the ten most frequent criminal offenses for the analysis, some 88.6%, or 620, of the probationers were included and with each offense category containing an adequate number of probationers for study purposes. Analysis revealed offenders in the various crime categories to represent different risk levels while under supervision and after discharge.

Adjustment On Probation - The study identified a significant relationship between the offenders' adjustment on probation as indicated by their type of discharge - - improved, unimproved and committed -- and the criminal offense categories. Thus, while 34.0% of the overall study population made a poor adjustment and were subsequently discharged as unimproved or committed, those offenders with crimes involving criminal trespassing, robbery and resisting arrest led the way with failure rates of 57.1%, 55.8% and 50%, respectively. On the other hand, those offenders with crimes involving DWI, criminal mischief and drug offenses had the lowest failure rates and, conversely, high rates for being discharged as improved. Table XVIII, below, contains a rank order listing of these failure rates and associated crimes.

Table XVIII

PROBATION STUDY POPULATION RANKED BY PROBATION SUPERVISION ADJUSTMENT FAILURE RATES (% DISCHARGED AS UNIMPROVED OR COMMITTED) FOR SELECTED TYPES OF CRIMES (ORIGINAL CHARGE) THAT LED TO PROBATION SENTENCE

<u>Rank</u>	<u>Type of Crime</u>	<u>N</u>	<u>% Discharged as Unimproved or Committed</u>
1.	Criminal Trespassing	14	57.1%
2.	Robbery	34	55.8%
3.	Resisting Arrest	14	50.0%
4.	Poss. Stol. Property	31	45.2%
5.	Burglary	133	45.1%
6.	Larceny	127	43.3%
7.	Assault	74	33.8%
8.	Sale/Poss. of Drugs	72	16.7%
9.	Criminal Mischief	22	13.6%
10.	DWI	99	12.1%

Post-Probation Outcome -- Here, too, a similar trend and significant relationship was identified between type of crime and post-probation outcome for the study population. Thus, while the overall failure rate for the total probation cohort was 45.4%, the rate, by crime category, ranged from a high of 71.4% for resisting arrest to a low of 30.3% for DWI. See Table XIX, below, for a rank order listing of these post-probation failure rates.

Table XIX

**PROBATION STUDY POPULATION RANKED BY POST-PROBATION
FAILURE RATES* FOR SELECTED TYPES OF CRIMES
(ORIGINAL CHARGE) THAT LED TO PROBATION SENTENCE**

<u>Rank</u>	<u>Type of Crime</u>	<u>N</u>	<u>Post-Probation Failure Rate*</u>
1.	Resisting Arrest	14	71.4%
2.	Poss. Stol. Property	31	61.3%
3.	Burglary	133	57.1%
4.	Robbery	34	52.9%
5.	Criminal Mischief	22	50.0%
6.	Larceny	127	49.6%
7.	Criminal Trespassing	14	42.9%
8.	Assault	74	41.9%
9.	Sale/Poss. of Drugs	72	34.7%
10.	DWI	99	30.3%

* Percentage with one or more arrests after discharge from probation.

MEASURES OF PROBATION'S EFFECTIVENESS

The major part of this evaluative research study involved an assessment of the probation process utilizing the results achieved with the study population. In this effort, three measures were selected to determine probation's effectiveness in accomplishing its goals and objectives. These offender-based measures include (1) adjustment on supervision, (2) probation outcome - type of discharge and (3) post-probation outcome. Each one will be covered separately.

Adjustment On Supervision

Using information from their records of supervision, the study population was divided into four cohorts, or subgroups, based on the presence or absence of any new arrests and violations of probation. The first cohort, "none", had no arrests or violations while under supervision; the second cohort had new arrests but no violations of probation; the third cohort had violations of probation but no new arrests; the fourth cohort had both new arrests and violations of probation. The distribution of the study population by these four categories was as follows: none (no arrests or violations) - 408, or 58.3%; arrest(s) only - 78, or 11.2%; violations of probation filed only - 50, or 7.1% and arrest(s) and violation(s) of probation - 164, or 23.4%. Statistical profiles for these four cohorts or subgroups are set forth in Table XX, page 47. Analysis reveals the probationers to have differed significantly on a number of personal and social characteristics and other background variables. Of the four subgroups, those probationers with no arrests or violations of probation differed most significantly from the subgroup with both arrests and violations. For those in the latter, they were, on average, younger and more likely to be black and with less education, and more likely to be unemployed when arrested or on entry to probation. They were also more likely to have a more extensive juvenile and adult criminal record. Thus, with a greater degree of criminality, they could be characterized as high risk and more prone to failure. The remaining two subgroups, those with arrests only and those with violations only, were similar and, in regard to risk and proneness to failure, ranked in the middle of the other two subgroups. This was amply demonstrated in terms of their type of discharge and post-probation outcome results.

The above findings are supported by the profile data contained in Table XX, page 47, as well as the more detailed information set forth in the below tables. Here, the data reveal a significant relationship exists between adjustment on probation, the presence or absence of a previous juvenile or adult criminal record and level of education. As indicated in Tables XXI and XXII, below, probationers who have no previous record and have a 12th grade education or higher are more likely to make a satisfactory adjustment on supervision.

Table XXI

RELATIONSHIP BETWEEN ADJUSTMENT ON PROBATION (VIOLATIONS OF PROBATION FILED ONLY, ARREST(S) ONLY, ARREST(S) AND VOP(S), NONE) AND A PREVIOUS JUVENILE AND/OR ADULT CRIMINAL RECORD FOR THE PROBATION STUDY POPULATION

Type of Adjustment	Previous Juvenile and/or Adult Criminal Record					
	YES		NO		TOTAL	
	No.	%	No.	%	No.	%
None (no arrests or violations filed)	266	52.5	142	73.6	408	58.3
Arrest(s) only	61	12.0	17	8.8	78	11.2
Violation(s) of Probation filed only	36	7.1	14	7.2	50	7.1
Arrest(s) and VOP(S)	144	28.4	20	10.4	164	23.4
TOTAL	507	100.0	193	100.0	700	100.0

$$X^2 = 31.4$$

$$D/F = 3$$

$$P = <.01$$

Relationship - Very Significant

Table XXII

RELATIONSHIP BETWEEN ADJUSTMENT ON PROBATION (VIOLATIONS OF PROBATION FILED, ARREST(S) ONLY, ARREST(S) AND VOP(S), NONE) AND LEVEL OF EDUCATION FOR THE PROBATION STUDY POPULATION

Type of Adjustment	Grade Level Completed				Total	
	3-11		12-19		No.	%
	No.	%	No.	%		
None (no arrests or violations filed)	188	49.5	220	68.8	408	58.3
Arrest(s) only	47	12.4	31	9.7	78	11.1
Violations of Probation filed only	32	8.4	18	5.6	50	7.1
Arrest(s) and VOP(S)	113	29.7	51	15.9	164	23.4
TOTAL	380	100.0	320	100.0	700	100.0

$$X^2 = 28.3$$

$$D/F = 3$$

$$P = <.01$$

Relationship-Very Significant

The probationer's adjustment on supervision was also found to be significantly related to the type of crime (original charge) that led to the probation sentence. As indicated in Table XXIII, below, probationers arrested for crimes against property are more likely to have arrests or violations of probation under supervision than those arrested for other types of crimes. For example, those in the DWI category were more likely to make a favorable adjustment.

Table XXIII

RELATIONSHIP BETWEEN ADJUSTMENT ON PROBATION (VIOLATIONS OF PROBATION FILED ONLY, ARRESTS ONLY, ARREST(S) AND VOP(S), NONE) AND TYPE OF CRIME (ORIGINAL CHARGE) SENTENCED TO PROBATION FOR THE PROBATION STUDY POPULATION

Types of Adjustment	Crimes Against Persons		Against Property		Drug Offense		DWI		Other	
	No.	%	No.	%	No.	%	No.	%	No.	%
None (no arrests or violations filed)	53	62.4	200	50.3	53	73.6	76	77.5	26	55.3
Arrest(s) only	7	8.2	49	8.9	8	11.1	9	9.2	5	10.6
Violations of Probation Filed Only	7	8.2	32	12.3	5	7.0	4	4.1	2	4.3
Arrest(s) and VOP(S)	<u>18</u>	<u>21.2</u>	<u>117</u>	<u>29.4</u>	<u>6</u>	<u>8.3</u>	<u>9</u>	<u>9.2</u>	<u>14</u>	<u>29.8</u>
TOTAL	85	100.0	398	100.0	72	100.0	98	100.0	47	100.0

$$X^2 = 40.3$$

$$D/F = 12$$

$$P = <.01$$

Relationship - Very Significant

The study has also identified a very significant relationship between adjustment on probation, type of discharge and post-probation outcome. Not surprisingly, probationers discharged as improved were more likely to have had no arrests or violations of probation, as compared with those discharged as unimproved or committed. However, being arrested and/or having a Violation of Probation did not rule out being discharged as improved, as was the case for almost 15% of the improved group. On the other hand, those probationers discharged as unimproved or committed were more likely to have been arrested or to have a Violation of Probation, as compared with those discharged as improved.

The same pattern was also evident with post-probation outcome, which was linked to adjustment on probation, too. Thus, probationer's who failed after discharge by being arrested one or more times for new crimes were more likely to have had an arrest or a Violation of Probation while under supervision. Both of these very significant relationships are revealed in Tables XXIV and XXV, below.

Table XXIV

RELATIONSHIP BETWEEN ADJUSTMENT ON PROBATION (VIOLATIONS OF PROBATION FILED, ARRESTS ONLY, ARREST(S) AND VOP(S), NONE) AND PROBATION SUPERVISION OUTCOME BY TYPE OF DISCHARGE -- IMPROVED, UNIMPROVED OR COMMITTED -- FOR THE STUDY POPULATION

Type of Adjustment	Type of Discharge						TOTAL	
	IMPROVED		UNIMPROVED		COMMITTED		No.	%
	No.	%	No.	%	No.	%	No.	%
None (no arrests or violations filed)	392	84.9	16	16.2	0	0.0	408	58.3
Arrest(s) only	38	8.2	29	29.3	11	7.9	78	11.2
Violations of Probation								
Filed Only	15	3.2	19	19.2	16	11.5	50	7.1
Arrest(s) and VOP(S)	<u>17</u>	<u>3.7</u>	<u>35</u>	<u>35.3</u>	<u>112</u>	<u>80.6</u>	<u>164</u>	<u>23.4</u>
TOTAL	462	100.0	99	100.0	139	100.0	700	100.0

$$X^2 = 511.5$$

$$D/F = 6$$

$$P = <.01$$

Relationship - Very Significant

Table XXV

RELATIONSHIP BETWEEN ADJUSTMENT ON PROBATION (VIOLATIONS OF PROBATION FILED, ARREST(S) ONLY, ARREST(S) AND VOP(S), NONE) AND POST-PROBATION OUTCOME--SUCCESS OR FAILURE -- FOR THE PROBATION STUDY POPULATION

<u>Type of Adjustment</u>	<u>SUCCESS</u>		<u>FAILURE</u>		<u>TOTAL</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
None (no arrests or violations filed)	287	75.1	121	38.1	408	58.3
Arrest(s) Only	29	7.6	49	15.4	78	11.2
Violations of Probation Filed Only	27	7.1	23	7.2	50	7.1
Arrest(s) and VOP(S)	<u>39</u>	<u>10.2</u>	<u>125</u>	<u>39.3</u>	<u>164</u>	<u>23.4</u>
TOTAL	382	100.0	318	100.0	700	100.0

$$X^2 = 113.2$$

$$D/F = 3$$

$$P = <.01$$

Relationship - Very Significant

TABLE XX

SUMMARY DESCRIPTIVE STATISTICAL PROFILES FOR THE PROBATION STUDY
 POPULATION DISTRIBUTED BY TYPE OF ADJUSTMENT WHILE UNDER SUPERVISION —
 VIOLATIONS(S) OF PROBATION FILED, ARREST(S) ONLY,
 ARREST(S) AND VIOLATIONS ONLY

	None (No Violations or Arrests) N=408	Arrest(s) Only N=78	Violation(s) of Probation Filed Only N=50	Arrest(s) and Violation(s) N=164
<u>Sex</u>				
Male	84.8%	91.0%	82.0%	87.8%
Female	15.2%	9.0%	18.0%	12.2%
<u>Race</u>				
White	74.5%	65.4%	66.0%	48.2% **
Black	20.1%	33.3%	30.0%	48.8%
Hispanic	5.4%	1.3%	4.0%	3.1%
<u>Mean Age</u>				
At First Prior Arrest	24.5 yrs.	20.2 yrs.	19.8 yrs.	19.4 yrs.**
On Entry to Probation	28.5 yrs.	24.4 yrs.	25.2 yrs.	23.2 yrs.**
On Discharge from Probation	30.3 yrs.	26.8 yrs.	27.3 yrs.	25.2 yrs.**
<u>Level of Education</u>				
Mean Grade	11.4%	11.1%	10.4%	10.8% **
<u>Employment Status on Entry to Probation</u>				
Employed	58.3%	35.9%	40.0%	38.4%
Unemployed	21.8%	34.6%	50.0%	43.9%
Student	19.9%	29.5%	10.0%	17.7%
<u>Occupation Class</u>				
White Collar	30.4%	20.7%	26.8%	10.6% **
Blue Collar	69.6%	79.3%	73.2%	89.4%
<u>Previous Legal History</u>				
Juvenile Record	11.5%	32.1%	28.0%	30.5% **
Prior Adult Record (Arrest)	60.8%	61.5%	66.0%	73.2% *
Prior Adult Record (Conviction)	57.9%	57.8%	61.4%	69.7%
Prior Juvenile and Adult Record	7.1%	15.4%	22.0%	15.9%
No Prior Record	34.8%	21.8%	28.0%	12.2% **
<u>Type of Crime Sentence to Probation</u>				
Person Offense	13.0%	9.0%	14.0%	11.0% **
Property Offense	49.0%	62.8%	64.0%	71.3%
Drug Offense	13.0%	10.3%	10.0%	3.7%
DWI	18.6%	11.5%	8.0%	5.5%
Other	6.4%	6.4%	4.0%	8.5%

TABLE XX CONTINUED

- 2 -

	None (No Violations or Arrests) N=408	Arrest(s) Only N=78	Violation(s) of Probation Filed Only N= 50	Arrests and Violation(s) N=164
<u>Average No. Months Between Arrest and Sentence to Probation</u>	6.4 months	7.4 months	5.3 months	6.8 months
<u>Type of Presentence Investigation Report Recommendation</u>				
Probation	62.0%	69.2%	66.0%	56.1%
Jail-Probation	16.7%	12.8%	14.0%	17.1%
Commitment	15.4%	10.3%	14.0%	20.1%
Other	3.4%	5.1%	2.0%	2.4%
Unknown	2.5%	2.6%	4.0%	4.3%
<u>Average No. Months Between Entry to Probation and First Arrest in Program</u>	0	11.5 months	0	10.4 months
<u>Average No. Months Between Entry to Probation and First Violation of Probation Filed</u>	0	0	13.1 months	11.4 months
<u>Types of Discharge from Probation</u>				
Improved	96.1%	48.7%	30.0%	10.4% *
Unimproved	3.9%	37.2%	38.0%	21.3%
Committed	0.0%	14.1%	32.0%	68.3%
<u>Average No. Months on Probation Supervision</u>				
<u>Post-Probation Outcome</u>				
Success	70.3%	37.2%	54.0%	23.8% **
Failure	29.7%	62.8%	46.0%	76.2%
<u>Average No. Months Between Discharge and First Post-Probation Arrest</u>	20.4 months	23.1 mos.	22.4 mos.	19.9 months
<u>Level of Significance</u>				

** P = .01

* P = .05

Probation Outcome - Type of Discharge

The second offender-based measure used to assess the effectiveness of the probation program was the type of discharge the probationer receives at the conclusion of his or her period of supervision, with the determining factor here being the kind of adjustment made while on probation, which also, in part, affects the length of the supervision period. Of the present study population, some two-thirds (66.0%) of the 700 former probationers were discharged as improved. The total in this category was 462. The remainder of the study population included 99, or 14.1%, offenders who were discharged as unimproved and 139, or 19.9%, who were discharged as committed.

Analysis of study data has identified the existence of significant differences among the three subgroups - - improved, unimproved and committed. Descriptive statistical profiles for each one can be found in table XXVI, page 52. These data reveal the probationers in the committed and unimproved categories -- the failures in terms of program outcome -- to have similar profiles, which, in turn, contrast significantly with the improved group. This was evident in regard to race, age, education, type of crime, and previous criminal record. Thus, in comparison to the improved group, offenders in the committed and unimproved groups were more likely to be black, younger, with less education and more unemployment. They were also more likely to be property offenders, with a higher level of criminality, as exemplified by their more extensive previous juvenile and criminal records. Further support for these findings can be found in the tables below.

Analysis of the profile data has revealed a very significant relationship between probation supervision program outcome by type of discharge and race and level of education. In regard to race, blacks, who comprised 29.0% of the study population, were more likely to have been discharged as committed (36.0%) or as unimproved (19.2%) than are white probationers, with only 13.3% and 12.0% respectively, in these same categories.

Level of education was also linked to type of discharge, with probationers who had a 12th grade education or higher (some 45.7% of the study population) more likely to be discharged as improved (76.6%) than were probationers who had an 11th grade education or lower, with only 57.1% discharged as improved. See Tables XXVII and XXVIII.

Table XXVII

RELATIONSHIP BETWEEN PROBATION SUPERVISION PROGRAM OUTCOME
BY TYPE OF DISCHARGE -- IMPROVED, UNIMPROVED AND
COMMITTED -- AND RACE - WHITE, BLACK OR HISPANIC -
FOR THE PROBATION STUDY POPULATION

Type of Discharge	RACE							
	WHITE		BLACK		HISPANIC		TOTAL	
	No.	%	No.	%	No.	%	No.	%
Improved	349	74.7	91	44.8	22	73.4	462	66.0
Unimproved	56	12.0	39	19.2	4	13.3	99	14.1
Committed	<u>62</u>	<u>13.3</u>	<u>73</u>	<u>36.0</u>	<u>4</u>	<u>13.3</u>	<u>139</u>	<u>19.9</u>
Total	467	100.0	203	100.0	30	100.0	700	100.0

$$X^2 = 61.9$$

$$D/F = 4$$

$$P = <.01$$

Relationship - Very Significant

Table XXVIII

RELATIONSHIP BETWEEN PROBATION SUPERVISION PROGRAM OUTCOME BY
TYPE OF DISCHARGE -- IMPROVED, UNIMPROVED AND COMMITTED --
AND LEVEL OF EDUCATION FOR THE PROBATION STUDY POPULATION

Type of Discharge	<u>Grade Level Completed</u>					
	3-11		12-19		Total	
	No.	%	No.	%	No.	%
Improved	217	57.1	245	76.6	462	66.0
Unimproved	62	16.3	37	11.6	99	14.1
Committed	<u>101</u>	<u>26.6</u>	<u>38</u>	<u>11.8</u>	<u>139</u>	<u>19.9</u>
Total	380	100.0	320	100.0	700	100.0

$$X^2 = 31.6$$

$$D/F = 2$$

$$P = <.01$$

Relationship = Very Significant

The study has also identified a very significant relationship between probation supervision outcome by type of discharge and the type of crime (original and most serious charge) which led to the probation sentence. Thus, for the study population, property offenders represented a higher risk for being discharged as unimproved or committed than did other types of offenders -- drug, DWI or person. In addition, the presence or absence of a previous criminal record was also related to the type of discharge received by the study population, with those probationers who had no previous record more likely to be discharged as improved. Both of these very significant relationships are revealed in Tables XXIX and XXX, below.

Table XXIX

RELATIONSHIP BETWEEN PROBATION SUPERVISION PROGRAM OUTCOME
BY TYPE OF DISCHARGE -- IMPROVED, UNIMPROVED AND
COMMITTED -- AND TYPE OF CRIME (ORIGINAL CHARGE)
SENTENCED TO PROBATION

Type of Discharge	Crime Against Person		Crime Against Property		Drug Offenses		DWI		Other	
	No.	%	No.	%	No.	%	No.	%	No.	%
Improved	59	69.4	226	56.8	60	83.3	87	88.8	30	63.8
Unimproved	15	17.7	63	15.8	7	9.7	6	6.1	8	17.0
Committed	<u>11</u>	<u>12.9</u>	<u>109</u>	<u>27.4</u>	<u>5</u>	<u>7.0</u>	<u>5</u>	<u>5.1</u>	<u>9</u>	<u>19.2</u>
Total	85	100.0	398	100.0	72	100.0	98	100.0	47	100.0

$$X^2 = 53.8$$

$$D/F = 8$$

$$P = <.01$$

Relationship - Very Significant

TABLE XXVI

SUMMARY DESCRIPTIVE STATISTICAL PROFILES FOR THE IMPROVED,
UNIMPROVED AND COMMITTED GROUPS OF DISCHARGED PROBATIONERS
FOR SELECTED CHARACTERISTICS

	Improved Group N=462	Unimproved Group N=99	Committed Group N=139	
<u>Sex</u>				
Male	86.2%	85.9%	85.6%	
Female	13.8%	14.1%	14.4%	
<u>Race</u>				
White	75.5%	56.6%	44.6%	**
Black	19.7%	39.4%	52.5%	
Hispanic	4.8%	4.0%	2.9%	
<u>Mean Age</u>				
At First Prior Arrest	23.5 yrs.	19.2 yrs.	19.4 yrs.	**
On Entry to Probation	27.0 yrs.	23.4 yrs.	22.7 yrs.	**
On Discharge from Probation	28.9 yrs.	25.7 yrs.	24.4 yrs.	**
<u>Marital Status</u>				
Single	70.2%	74.7%	80.6%	
Married	13.8%	12.1%	7.2%	
Other	16.0%	13.2%	12.2%	
<u>Education</u>				
Mean Grade	11.3	10.7	10.5	**
<u>Employment Status on Entry to Probation</u>				
Employed	56.5%	40.4%	34.5%	**
Unemployed	21.4%	44.4%	50.4%	
Student	22.1%	15.2%	15.1%	
<u>Occupation Class</u>				
White Collar	30.4%	16.0%	11.9%	**
Blue Collar	69.6%	84.0%	88.1%	
<u>Previous Legal History</u>				
Juvenile Record	12.3%	36.4%	30.9%	**
Prior Adult Record (Arrest)	60.2%	69.7%	73.4%	**
Prior Adult Record (Conviction)	57.4%	65.1%	69.7%	
Prior Juvenile and Adult Record	6.3%	23.2%	18.7%	**
No Prior Record	33.8%	17.2%	14.4%	**

RECIDIVISM TABLE XXVI Continued

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	<u>Improved Group</u> N=462	<u>Unimproved Group</u> N=99	<u>Committed Group</u> N=139	
<u>Type of Crime</u>				
<u>Sentence to Probation</u>				
Person Offense	12.8%	15.1%	7.9%	**
Property Offense	48.9%	63.6%	78.4%	
Drug Offense	13.0%	7.1%	3.6%	
DWI	18.8%	6.1%	3.6%	
Other	6.5%	8.1%	16.5%	
 <u>Average No. Months Between Arrest and Sentence to Probation</u>				
	6.4 months	6.7 months	6.1 months	
 <u>Adjustment on Probation (Arrests and/or Violations of Probation Filed)</u>				
<u>New Arrest(s) Only</u>	8.2%	29.3%	7.9%	**
<u>Violation(s) of Probation Filed Only</u>	3.3%	19.2%	11.5%	
<u>Arrest(s) and VOP(S)</u>	3.7%	35.3%	80.6%	
 <u>Average No. Months Between Entry to Probation and First Arrest in Program</u>				
	9.7 months	11.7 months	10.5 months	
 <u>Average No. Months Between Entry to Probation and First Violation of Probation Filed</u>				
	15.0 months	13.4 Months	10.6 months	
 <u>Average No. Months On Probation Supervision</u>				
	22.9 months	26.9 months	19.5 months	
 <u>Post-Probation Outcome</u>				
<u>Success</u>	67.1%	37.4%	25.2%	**
<u>Failure</u>	32.9%	62.6%	74.8%	
 <u>Level of Significance</u>				
** P =	.01			
* P =	.05			

Table XXX

RELATIONSHIP BETWEEN PROBATION SUPERVISION PROGRAM
OUTCOME BY TYPE OF DISCHARGE AND A PREVIOUS JUVENILE
AND/OR ADULT CRIMINAL RECORD FOR THE PROBATION
STUDY POPULATION

Type of Discharge	Previous Juvenile and/or Adult Criminal Record					
	YES		NO		TOTAL	
	No.	%	No.	%	No.	%
Improved	306	60.4	156	80.8	462	66.0
Unimproved	82	16.2	17	8.8	99	14.1
Committed	119	23.5	20	10.4	139	19.9
Total	507	100.0	193	100.0	700	100.0

$$X^2 = 26.3$$

$$D/F = 2$$

$$P = <.01$$

Relationship - Very Significant

Post-Probation Outcome

A goal of the probation supervision program is to encourage law-abiding behavior by offenders after they leave the program. Given the criminality levels of many offenders on probation today, the goal is frequently an elusive and demanding one. In order to assess the long-term impact of the program, the study methodology included a post-probation longitudinal or follow-up component. This involved tracing the study population of 700 former probationers in the criminal justice system after their discharge from probation in 1982, up until August 1987. Therefore, the followup period ranged from a minimum of 4.7 years to a maximum of 5.7 years, with the average (mean) followup period for all 700 offenders being 5.1 years.

At the conclusion of the post-probation followup period, individual criminal history records were obtained and checked for arrests for new crimes. For purposes of this study, an unfavorable outcome or failure to maintain law-abiding behavior was indicated by one or more new arrests during this period. Some information is also provided on the major crime categories involved in the new arrests and, where available, information on convictions and sentencing. However, success and failure rates, based on the presence or absence of new arrests, were used to assess the long-term impact and effectiveness of the program. These rates were calculated for various subgroups, as well as the total population. Moreover, they varied significantly, depending on which subgroups were being assessed and their composition.

Of the 700 former probationers in the study population, 318, or 45.4%, were arrested one or more times during the followup period. The number and distribution of these arrests after discharge from probation are set forth below in Table XXXI.

Table XXXI

**POST-PROBATION FAILURE GROUP
NUMBER AND DISTRIBUTION OF ARRESTS AFTER DISCHARGE**

<u>No. of Post-Probation Arrests</u>	<u>No.</u>	<u>%</u>
One	127	40.0
Two	70	22.0
Three	50	15.7
Four or More	<u>71</u>	<u>22.3</u>
Total	318	100.0

For the 318 failures with one or more arrests, their new crimes were dominated by property and substance abuse (DWI and drugs) offenses. In the first arrest cohort, 37.5% included felony crimes; of the second arrest cohort, 60% were for felonies. For those with convictions for these crimes, the majority received some type of commitment, with probation being the next most frequent sentence. See Tables XXXII and XXXIII.

Table XXXII

**POST-PROBATION FAILURE GROUP
NUMBER AND TYPES OF CRIMES FOR ARRESTS AFTER DISCHARGE**

<u>Type</u>	<u>1st ARREST</u>		<u>2nd ARREST</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
Crimes-Against-Person	33	10.4	25	13.1
Crimes-Against-Property	131	41.2	94	49.2
Drug Offenses	38	12.0	24	12.6
DWI Offenses	79	24.8	34	17.8
Other	<u>37</u>	<u>11.6</u>	<u>15</u>	<u>7.8</u>
TOTAL	318	100.0	192	100.0

Table XXXIII

POST-PROBATION FAILURE GROUP
 TYPES OF SENTENCES FOR THOSE ARRESTED,
CONVICTED AND WITH DISPOSITIONS KNOWN

<u>Type</u>	<u>1st ARREST</u>		<u>2nd ARREST</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
Probation	43	16.5	27	17.5
Probation/Jail	29	11.1	17	11.0
Committed	107	41.2	90	58.5
Other	<u>81</u>	<u>31.2</u>	<u>20</u>	<u>13.0</u>
TOTAL	260	100.0	154	100.0

Descriptive statistical profiles for the post-probation successes (no arrests during the followup period) and failures can be found in table XXXIV, page 62. Analysis of these data reveal significant differences between the two offender subgroups (successes-N = 382; failures-N = 318) on selected personal/social characteristics and other factors, including race, age, education, employment status, type of crime, previous record, adjustment on probation and type of discharge. In brief, the post-probation failures, in comparison to the successes, were more likely to be younger, black, with less education and more unemployment, and with a more extensive juvenile and criminal record. They were also more likely to have made a poor adjustment on probation and to have been discharged as unimproved or committed.

The above findings are supported by the profile data in Table XXXIV, as well as the more detailed information in the tables below. Here, the various failure rates for selected subgroups are more visible, beginning with the significant relationships between post-probation outcome and race and education. Blacks were more likely to have been arrested after discharge than whites or Hispanics. Thus, the failure rate for blacks was 62.1% versus a much smaller 38.8% for whites. Likewise, for probationers with a 12th grade education or higher, who were less likely to be arrested after discharge than those with a grade level of 11th grade or lower, their failure rate was a lower 32.2%, as compared with a higher 56.6% for offenders with less schooling. See Tables XXXV and XXXVI, below.

Table XXXV

RELATIONSHIP BETWEEN POST-PROBATION OUTCOME -- SUCCESS OR FAILURE -- AND RACE, BLACK, WHITE OR HISPANIC --
FOR THE PROBATION STUDY POPULATION

Post-Probation Outcome	RACE							
	WHITE		BLACK		HISPANIC		TOTAL	
	No.	%	No.	%	No.	%	No.	%
Success	286	61.2	77	37.9	19	63.3	382	54.6
Failure	<u>181</u>	<u>38.8</u>	<u>126</u>	<u>62.1</u>	<u>11</u>	<u>36.7</u>	<u>318</u>	<u>45.4</u>
Total	467	100.0	203	100.0	30	100.0	700	100.0

$X^2 = 31.98$

D/F = 2

P = <.01

Relationship - Very Significant

Table XXXVI

RELATIONSHIP BETWEEN POST-PROBATION OUTCOME -- SUCCESS OR FAILURE -- AND LEVEL OF EDUCATION FOR THE PROBATION
STUDY POPULATION

Post-Probation Outcome	Grade Level Completed				Total	
	3 - 11		12 - 19		No.	%
	No.	%	No.	%		
Success	165	43.4	217	67.8	382	54.6
Failure	<u>215</u>	<u>56.6</u>	<u>103</u>	<u>32.2</u>	<u>318</u>	<u>45.4</u>
Total	380	100.0	320	100.0	700	100.0

$X^2 = 41.69$

D/F = 1

P = <.01

Relationship - Very Significant

Significant relationships were also identified between post-probation outcome -- success or failure -- and type of crime and previous juvenile or criminal record. Property offenders had the highest failure rate at 51.8%, while DWI offenders had the lowest at 29.6%. The presence or absence of a previous record was also very significantly related to post-probation outcome, with those probationers with a previous juvenile or criminal record more likely to be arrested for new crimes after discharge. Their failure rate was 51.5% versus a lower 29.5% for those probationers with no previous record. Actually, the highest failure rate was associated with offenders who had a prior record as both a juvenile and as an adult. The failure rate for them was 70.5%. See Tables XXXVII and XXXVIII, below.

Table XXXVII

RELATIONSHIP BETWEEN POST-PROBATION OUTCOME--SUCCESS OR FAILURE -- AND TYPE OF CRIME (ORIGINAL CHARGE) SENTENCED TO PROBATION

Post-Probation Outcome	Crime Against Person		Crime Against Property		Drug Offenses		DWI		"Other"	
	No.	%	No.	%	No.	%	No.	%	No.	%
Success	51	60.0	192	48.2	47	65.3	69	70.4	23	48.9
Failure	34	40.0	206	51.8	25	34.7	29	29.6	24	51.1
Total	85	100.0	398	100.0	72	100.0	98	100.0	47	100.0

$$\chi^2 = 21.29$$

$$D/F = 4$$

$$P = <.01$$

Relationship - Very Significant

TABLE XXXVIII

RELATIONSHIP BETWEEN POST-PROBATION OUTCOME -- SUCCESS OR FAILURE -- AND A PREVIOUS JUVENILE AND/OR ADULT CRIMINAL RECORD FOR THE PROBATION STUDY POPULATION

Post-Probation Outcome	Previous Juvenile and/or Adult Criminal Record					
	YES		NO		TOTAL	
	No.	%	No.	%	No.	%
Success	246	48.5	136	70.5	382	54.6
Failure	261	51.5	57	29.5	318	45.4
Total	507	100.0	193	100.0	700	100.0

$$X^2 = 27.16$$

$$D/F = 1$$

$$P = <.01$$

Relationship - Very Significant

What happens to those offenders who made a good adjustment, had no arrests or violations of probation while under supervision and were discharged from probation as improved? Were they more successful in conforming to law-abiding behavior?

Analysis of the study population in this area has revealed a significant relationship between post-probation outcome and adjustment on probation and type of discharge. Probationers who made a good adjustment (no arrests or violations) were less likely to be arrested after discharge than those offenders who had arrests or violations while under supervision. Their failure rate was only 29.7%, as compared with a higher 76.2% for those with both arrests and violations. See Table XXXIX, below.

Table XXXIX

RELATIONSHIP BETWEEN POST-PROBATION OUTCOME -- SUCCESS OR FAILURE -- AND ADJUSTMENT ON PROBATION (VIOLATIONS OF PROBATION FILED ONLY, ARREST(S) ONLY, ARREST(S) AND VOP(S) FILED, NONE) FOR THE PROBATION STUDY POPULATION

Post Probation Outcome	Adjustment on Probation									
	NONE (No. Arrests Or Viol. Filed)		ARRESTS Only		VOP(S) FILED Only		ARRESTS and VOP(S) Filed		TOTAL	
	No.	%	No.	%	No.	%	No.	%	No.	%
Success	287	70.3	29	37.2	27	54.0	39	23.8	382	54.6
Failure	121	29.7	49	62.8	23	46.0	125	76.2	318	45.4
Total	408	100.0	78	100.0	50	100.0	164	100.0	700	100.0

$X^2 = 113.2$
D/F = 3
P = <.01

Relationship - Very Significant

A similar pattern was identified for those offenders discharged as improved. Here, the data revealed a very significant relationship between post-probation outcome and type of discharge. Thus, probationers discharged as improved were more successful during the followup period than either the unimproved or committed subgroups. The failure rate for the improved subgroup was only one-third (32.9%), as compared with a higher three-quarters (74.8%) for the committed subgroup and almost two-thirds (62.6%) for the unimproved subgroup. See table XL, below.

Table XL

RELATIONSHIP BETWEEN POST-PROBATION OUTCOME -- SUCCESS OR FAILURE -- AND PROBATION SUPERVISION OUTCOME BY TYPE OF DISCHARGE

Post Probation Outcome	IMPROVED		UNIMPROVED		COMMITTED		TOTAL	
	No.	%	No.	%	No.	%	No.	%
Success	310	67.1	37	37.4	35	25.2	382	54.6
Failure	<u>152</u>	<u>32.9</u>	<u>62</u>	<u>62.6</u>	<u>104</u>	<u>74.8</u>	<u>318</u>	<u>45.4</u>
Total	462	100.0	99	100.0	139	100.0	700	100.0

$$\chi^2 = 89.50$$

$$D/F = 2$$

$$P = <.01$$

Relationship - Very Significant

In summing up the findings from this part of the study of the probation process -- which used three different measures to assess the short and long-term impact of the program on the study population -- it is clear that while the prediction of success and failure for the offenders on probation is a complex task, the results here provide some important insights. A review of the descriptive statistical profiles included with the three measures and their respective subgroups will identify significant differences between the success and failure categories and highlight similar high-risk factors associated with an offender's adjustment or performance. These factors include age, race, education, employment, type of crime and previous juvenile and adult criminal records. Recidivism, of course, touches all aspects of the probation process, with recidivists now dominating the caseload. Given the higher level of criminality of many of these offenders, success rates alone are too narrow a measure of probation's overall effectiveness. However, with multiple objectives that encompass punishment, control, surveillance and rehabilitation, coupled with diverse and flexible programming, probation is able to provide increased protection and safety to the community.

In further regard to the subject of community, the majority of the villages and communities in Nassau County, some 79 in all, were represented by one or more offenders included in the study. Table XLI, page 64, contains a distribution of the total probation study population and the post-probation failure group by community of residence in Nassau County.

TABLE XXXIV

SUMMARY DESCRIPTIVE STATISTICAL PROFILES FOR THE POST-PROBATION
SUCCESS AND FAILURE GROUPS FOR SELECTED CHARACTERISTICS

	<u>Post-Probation Success Group</u> N=382	<u>Post-Probation Failures</u> N=318	
<u>Sex</u>			
Male	83.8%	88.7%	
Female	16.2%	11.3%	
<u>Race</u>			
White	74.9%	56.9%	**
Black	20.2%	39.6%	
Hispanic	4.9%	3.5%	
<u>Age</u>			
At First Prior Arrest	24.3 yrs.	19.7 yrs.	**
Entry to Probation	27.8 yrs.	23.1 yrs.	**
Discharge from Probation	29.8 yrs.	24.9 yrs.	**
<u>Marital Status</u>			
Single	66.5%	82.1%	**
Married	15.2%	8.8%	
Other	18.3%	9.1%	
<u>Level of Education</u>			
Mean Grade	11.4	10.7	**
<u>Employment Status on Entry to Probation</u>			
Employed	56.8%	41.5%	**
Unemployed	24.4%	37.7%	
Student	18.8%	20.8%	
<u>Occupation Class</u>			
White collar	32.8%	14.3%	**
Blue collar	67.2%	85.7%	
<u>Previous Legal History</u>			
Juvenile Record	12.6%	27.7%	**
Prior Adult Record (arrest)	57.8%	71.7%	**
Prior Adult Record (conviction)	49.2%	61.9%	**
Prior Juvenile & Adult Record	6.0%	17.3%	**
No Prior Record	35.6%	17.9%	**
<u>Type of Crime Sentence to Probation</u>			
Person Offense	13.3%	10.7%	**
Property Offense	50.3%	64.8%	
Drug Offense	12.3%	7.9%	
DWI	18.1%	9.1%	
Other	6.0%	7.5%	

TABLE XXXIV Continued

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	<u>Post-Probation Success Group</u> N=382	<u>Post-Probation Failures</u> N=318	
<u>Average No. Months Between Arrest and Sentence to Probation</u>	6.2 months	6.5 months	
<u>Adjustments on Probation (Arrests and/or Violations of Probation Filed)</u>			
New Arrest(s) Only	7.6%	15.4%	**
Violation(s) of Probation Filed Only	7.1%	7.2%	
Arrest(s) and VOP(S)	10.2%	39.3%	
<u>Average No. Months Between Entry to Probation and First Arrest in Program</u>	11.1 months	10.4 months	
<u>Average No. Months Between Entry to Probation and Violation of Probation Filed</u>	14.0 months	11.1 months	
<u>Type of Discharge from Probation</u>			
Improved	81.1%	47.8%	**
Unimproved	9.7%	19.5%	
Committed	9.2%	32.7%	
<u>Average No. Months on Probation Supervision</u>	23.7 months	21.8 months	

Level of Significance

** P = .01
* P = .05

Table XLI

DISTRIBUTION OF THE TOTAL PROBATION STUDY POPULATION AND
THE POST-PROBATION FAILURE GROUP BY COMMUNITY OF
RESIDENCE IN NASSAU COUNTY

<u>Community</u>	<u>Total Study Population</u>	<u>No. of Failures</u>	<u>Failure Rate</u>
Hempstead	72	43	59.7%
Freeport	45	26	57.8%
Long Beach	41	18	43.8%
Roosevelt	34	20	58.8%
Levittown	24	6	25.0%
Elmont	21	11	52.4%
Massapequa	21	7	33.3%
Uniondale	20	9	45.0%
Hicksville	19	2	10.5%
Westbury	18	6	33.3%
East Meadow	16	8	50.0%
Lynbrook	15	9	60.0%
Wantagh	15	9	60.0%
Bethpage	14	4	28.6%
Rockville Centre	14	8	57.1%
Valley Stream	14	6	42.9%
Glen Cove	13	3	23.1%
New Cassel	12	7	58.3%
Port Washington	12	4	33.3%
Oceanside	11	5	45.4%
Seaford	11	8	72.7%
Franklin Square	10	4	40.0%
New Hyde Park	10	4	40.0%
Farmingdale	9	4	44.4%
Island Park	9	4	44.4%
Baldwin	8	4	50.0%
Bellmore	8	2	25.0%
East Rockaway	8	3	37.5%
Hewlett	8	3	37.5%
Plainview	8	5	62.5%
Merrick	7	3	42.9%
Massapequa Park	6	6	100.0%
Syosset	6	2	33.3%
Sea Cliff	6	3	50.0%
Great Neck	5	2	40.0%
Mineola	5	0	0.0%
North Bellmore	5	0	0.0%
West Hempstead	5	0	0.0%
Williston Park	5	2	40.0%
Floral Park	4	3	75.0%
Glen Head	4	3	75.0%

Table XLI Continued

- 2 -

DISTRIBUTION OF THE TOTAL PROBATION STUDY POPULATION AND
THE POST-PROBATION FAILURE GROUP BY COMMUNITY OF
RESIDENCE IN NASSAU COUNTY

<u>Community</u>	<u>Total Study Population</u>	<u>No. of Failures</u>	<u>Failure Rate</u>
Jericho	4	2	50.0%
Manhasset	4	3	75.0%
Massapequa East	4	0	0.0%
Oyster Bay	4	4	100.0%
South Farmingdale	4	2	50.0%
Woodmere	4	2	50.0%
Albertson	3	1	33.3%
Garden City	3	1	33.3%
Garden City Park	3	3	100.0%
Greenvale	3	1	33.3%
Inwood	3	2	66.7%
Lawrence	3	1	33.3%
North Merrick	3	1	33.3%
Roslyn	3	0	0.0%
Roslyn Heights	3	1	33.3%
Atlantic Beach	2	0	0.0%
Bayville	2	2	100.0%
Locust Valley	2	0	0.0%
Manorhaven	2	1	50.0%
North New Hyde Park	2	1	50.0%
North Massapequa	2	2	100.0%
Westbury South	2	1	50.0%
Woodbury	2	0	0.0%
Bellerose	1	0	0.0%
Cedarhurst	1	0	0.0%
East Hills	1	0	0.0%
East Norwich	1	1	100.0%
Garden City South	1	1	100.0%
Glenwood Landing	1	1	100.0%
Great Neck Plaza	1	1	100.0%
Malverne	1	1	100.0%
Muttontown	1	0	0.0%
North Hills	1	0	0.0%
North Valley Stream	1	0	0.0%
Old Bethpage	1	0	0.0%
Plainedge	1	0	0.0%
South Floral Park	1	0	0.0%
South Hempstead	1	0	0.0%

EVALUATION AND RECIDIVISM

How effective is the criminal justice system in accomplishing its goals and objectives in the United States? Is the failure to reduce high levels of crime linked to deficiencies in the system? Are repeat offenders responsible for a disproportionate amount of crime? Are some programs or sanctions more successful than others? Is probation working? Answers to these and similar questions are the focus of more and more studies on criminal justice and its various components.

The proliferation of evaluation or recidivism studies, as they are often called, is the result of two major factors, among others -- an apparently intractable crime problem and limited resources with which to combat it. Thus, there is a continuing need and responsibility for the system to assess all of its programs and services. During the present decade this need has been especially critical given the aforementioned factors, which has led to a demand by the public for a more effective system during a period when the credibility of its crime prevention capabilities has been suspect.

Evaluation studies are used to assess the effectiveness of criminal justice programs. Recidivism is the measure most often used in this effort. Although controversy is the norm on many issues facing the criminal justice system, over the past decade the issue of recidivism has been viewed by a growing consensus as a critical one. However, disagreement is present on solutions to the problem. Recidivism is a broad term used to indicate a return to criminal behavior by offenders. It has important implications for criminal justice policy in general and for the various components of the criminal justice system, as well as the larger community. Thus, recidivism touches everything from the level of crime to sentencing policies to programs to manage offenders.

Although the exact amount of crime that can be attributed to recidivism is unknown, recidivists or repeat offenders, particularly the high-rate offenders, are believed to be responsible for a large segment of the total crime problem. Studies have found that a small group of offenders can be responsible for a highly disproportionate number of new crimes. Although, as noted above, recidivism is the measure most frequently selected for use in evaluation studies to assess program effectiveness, the comparability of outcome results from these studies is a complex endeavor, if not impossible, even when the programs or correctional components, for example, are the same, be it prison, parole or probation. This is because of the lack of general standards in the assessment process and the mix of variables that can be used in calculating the recidivism rates. Thus, they can vary with the type of offender population being assessed, the length of the followup period, as well as the outcome measures selected, such as arrests, convictions, incarcerations, or violations of parole or probation. Therefore, the comparability of the outcome results of evaluation studies that use recidivism rates is dependent upon the selection of the same major variables for use in the assessment process.

In addition to the impact that selected major variables can have on the comparability of recidivism rates among different programs, rates are also found to vary across selected demographic, as well as social and legal, characteristics of offenders within the same program. Thus, while a longer followup period will, as a general rule, result in a higher rate of recidivism, so, too, will the age, degree of previous criminality, type of crime, or the educational level of the offender, for example, affect their rate of recidivism.

The need to conduct evaluation studies to determine system or program effectiveness is not an end in itself. The growing interest in recidivism in recent years was linked to the increasing number of new laws, policies and programs that focus on recidivists. This concern for the recidivist, especially the high-rate repeat offender, was encompassed in a variety of items, including sentencing reform to achieve mandatory, determinate and enhanced sentences, dangerous-offender strategies, selective incarceration, plus a wide range of new correctional and probation initiatives. Also, the feedback of the studies' results into the programs themselves is also critical for their future performance, for given the high level of crime and present fiscal constraints, it is most important that the quality, as well as quantity, of these programs and services be maintained at optimum levels. Thus, evaluation studies, by identifying strengths and weaknesses, can contribute to improved program effectiveness.

Furthermore, on another level - both philosophical and policy - the accumulated results over time of many evaluation studies, all pointing to high levels of recidivism across the criminal justice system, has had a significant impact on the sentencing reform movement and the punishment versus rehabilitation debate, with the end result being a decline in the rehabilitation concept. As rehabilitation lost ground, its very credibility threatened, punishment and the so called justice model moved out front. This shift picked up momentum during the 1970's and 80's with punishment and especially incapacitation being viewed as acceptable sentencing objectives while rehabilitation was less so, if not inappropriate. Now, however, recidivism levels aside, as the 1980's draw to a close, the debate continues with some shifting in positions as evidenced in growing dissatisfaction with policies that have led to prison overcrowding and the higher costs associated with incarceration, while at the same time questioning their effectiveness in controlling and deterring crime.

Recent studies highlight some important findings in the recidivism area, including the continuing scope and magnitude of the problem across the United States, the high level of criminality in many correctional populations and the high-rate of failure by offenders in remaining free from further criminal behavior. We will briefly present some of the results from a sample of these studies that encompass probation, prison and parole programs.

A recent report on probation in the State of Massachusetts revealed some doubt as to whether or not probation recidivism rates were too high.³ It was reported that their active cases -- those under risk/needs supervision, or one in five cases, with the remainder called administrative cases (support or DWI's) -- had an overall failure rate of 35%, with these cases being arraigned on new charges. However, it was noted that only about 15% of the minimum supervision cases were in the failure category, while 50% of the maximum supervision cases were so classified. What constitutes an excessive rate of recidivism? The Massachusetts' report believes any answer would be subjective. It does provide a series of questions, though, the answers to which could assist in this judgement. Selected from another source, they include: "(1) What level of recidivism is acceptable to you....? (2) Who do you want to be placed on probation....? (3) How long do you want the probation department to supervise these offenders....? And (4) how much time, energy, (and, therefore, money) are you willing to spend on probation services to achieve an 'acceptable' level of control?"⁴ In brief, whether or not recidivism rates for probationers in Massachusetts are "unduly high" continues to be subject to debate, but the report also notes that while the majority of offenders under supervision do not pose a threat to the community, the overall failure rate is inflated by a small subgroup of probationers.

While most evaluation studies of probation do not receive nationwide attention, this was not the case with the two reports completed and released by the Rand Corp. during recent, consecutive years. The first study, released in 1985, focused exclusively on probation and received considerable adverse publicity, with attention centered on its negative findings -- high recidivism rates and the view that most felons placed on probation are a serious threat to the public.⁵ The second study, completed in 1986, focused on both probation and prison, but unlike the first one, the findings and conclusions from the second Rand study were more favorable for probation.⁶

3. Ring, Charles, Probation Supervision Fees, Massachusetts Legislative Research Bureau, Boston, MA, July 1988.
4. Byrne, James M., "The Control Controversy: A Preliminary Examination of Intensive Probation Supervision Programs in the United States, Federal Probation, June 1986.
5. Granting Felons Probation Public Risks and Alternatives, The Rand Corporation, Santa Monica, California, January 1985.
6. Prison Versus Probation In California Implications For Crime And Offender Recidivism, The Rand Corporation, Santa Monica, California, July 1986.

A review of the highlights from these Rand studies will help place the findings and conclusions from both efforts in perspective. In brief, the 1985 study encompassed a 40-month followup of 1,672 adult males convicted of felonies and sentenced to probation in two California counties. During the followup period, almost two-thirds (65%) of the probationers were arrested; more than one-half (51%) were convicted and more than one-third were sentenced to prison or jail. Furthermore, it was reported that 75% of the new charges were for serious crimes including burglary, robbery, and theft. Thus, you have support for the study's major conclusion that "felons granted probation present a serious threat to public safety."

Rand saw the need for another study, or second phase, to compare outcome results or recidivism rates of felony offenders sentenced to probation with those sentenced to prison. In addition, an effort was made to compare the costs to the public of these two different sanctions. Once again the location of this effort was California. In brief, the study, using a matched sample of 1,022 felony offenders (511 probationers and 511 prisoners) and a followup period in the community of 24 months, found the recidivism or failure rates for both groups of offenders to be high. However, the prison group had a higher rate of failure than the probation group (72% rearrested versus 63%). Furthermore, the average cost for the prison group was almost double that for the probation group. Thus, for the three-year period following sentencing, costs, including rearrests, per offender came to \$11,600 for the felony probation group and \$23,400 for the prison group.

Recent studies have found that decision making during the sentencing process has important implications for the future recidivism of offenders. At the same time, recidivism in the form of an offender's previous criminality or record of past crimes is a significant variable in determining the type of sentence the offender receives. In recent years, considerable attention has focused on whether offenders who should be incarcerated are not receiving probation, while those who are appropriate for probation are not sentenced to prison or jail. Getting offenders into the most suitable program has, of course, been exacerbated by critical overcrowding in these facilities, as well as the shortage of quality alternatives to incarceration programs.

The findings from a recently released survey and report, which provided a detailed profile of State prison inmates in the United States, touched upon both the above issues -- recidivism and the appropriateness of incarceration for current prison-bound offenders.⁷ The report selected two factors as being most

7. Profile of State Prison Inmates, 1986, Bureau of Justice Statistics, U.S. Department of Justice, January 1988.

important measures for describing the prison population -- whether the offender was a recidivist and whether the offender had a record of violent crime. In this regard, two items stand out:

- Over four-fifths of State prison inmates were recidivists -- they had previously been sentenced to probation or incarceration as a juvenile or adult. More than 60% had been either incarcerated or on probation at least twice; 45%, three or more times; and nearly 20%, six or more times.
- Two-thirds of inmates in 1986 were serving a sentence for a violent crime or had previously been convicted of a violent crime. Most of these -- 55% of all inmates -- had a current violent offense.

It is not apparent from this report that these offenders would be better served on probation. But it does shed further light on recidivism. In brief, the survey found that of all State prison inmates nearly 95% have a record of violence or are recidivists. Furthermore, violent offenders totaled nearly two-thirds of all inmates while recidivists accounted for more than four-fifths (81.5%). It is also important to note that the survey found that although the increase in the size of the prison population has been dramatic, its composition or mix, based on descriptive characteristics, has remained generally stable, with the 1979 and 1986 surveys producing similar results.

Given the profile of the U.S. State prison population, the outcome results of prison evaluation studies conducted during the present decade should come as no surprise. Some examples include the following:

- The risk for recidivism and a return to prison is highest during the early years, with one-quarter (25%) of former prison inmates returning in two years and almost one-third (31%) in three years. Furthermore, it was reported that these findings understate the problem of repeat offending.⁸
- Although the incarceration rate has risen dramatically in recent years and while the primary reason for the increase in the prison population in

8. Returning To Prison, Bureau of Justice Statistics, U.S. Department of Justice, November 1984.

the recent past was attributed to first-time imprisonments, the return to prison recidivism rate is almost one-half (49%) for all prison admissions.⁹

- A long-term followup study of a large, national population of young parolees from prison found that within a 6-year period after release from prison, 69% of the group had been arrested, 53% convicted and 49% returned to prison. Moreover, of all those who failed during the 6-year followup period, more than two-thirds were arrested by the end of the second year, and of all those returned to prison, 62% were back by the end of the second year.¹⁰

As reported by the New York State Division of Parole, their program outcome results during the mid 1980's for State prison parolees were more favorable.¹¹ Using two different perspectives, it was revealed that the return to prison recidivism rate for the total parole population (N=31,098) during a one-year period was only 12%, including both new convictions (4%) and violations (8%). A second approach, using a study population of parolees (N=9,213) released to supervision during a one-year period ending in 1983 and a followup methodology consisting of one and two years, found the return to prison recidivism rate to be 9.1% after one year and 20.8% after two years, with the majority (69.9%) being returned to prison for new arrests and/or convictions.

The above comments on recidivism, including the results from a number of recent reports, provide striking evidence of its major impact on crime and the entire criminal justice system. Evaluation studies and recidivism reports can serve a range of objectives, both within and outside the system, but they are especially useful to system policy makers, planners and program directors, for their findings can provide a necessary measure of effectiveness, focus attention on critical areas, redirect resources and help shape new policies and programs.

9. The Prevalence of Imprisonment, Bureau of Justice Statistics, U.S. Department of Justice, July 1985.
10. Recidivism of Young Parolees, Bureau of Justice Statistics, U.S. Department of Justice, May 1987.
11. Annual Report, New York State Division of Parole, December 1986.

OVERVIEW OF THE EMPLOYMENT - CRIME ISSUE

Issues that center on employment and its relationship to crime, like many other criminal justice issues, are both complex and controversial. The very complexity of the problem, of course, accentuates the need for first rate studies, quality data and optimum methodologies. Obviously, numerous variables linked to the nation's economy, the labor market and the population itself can impact on the problem. Thus, economic conditions, a changing labor market and the personal and social factors of the population can all affect the results of any study on the employment - crime issue.

The complexity of this subject and the conflicting results of some studies have led to disagreement and further controversy. Is high unemployment associated with higher rates of crime? Do higher levels of employment lead to lower levels of crime? Does unemployment cause crime? Some of the disagreement on the answers to these questions focus on the direct causality issue. Despite the fact that the preponderance of evidence from recent studies continue to support the employment and crime relationship, the apparent lack of complete consensus has left room for further disagreement. Wilson and Herrnstein (1985), in a highly acclaimed study on crime, which also included a detailed review of many studies on this subject, could offer only limited support for the unemployment causes crime proposition. More on their conclusions later.¹² In contrast, however, Duster (1987), while not supporting a direct causal relationship, notes that although "unemployment does not cause crime," the relationship is still a strong one and that "the employed commit far less street crime than the unemployed."¹³ He also points out that "there is a wealth of data that show that individuals who experience unemployment are, in fact, more likely to have higher rates of crime." Moreover, age also appears to be a significant factor in the relationship, with the unemployed young more vulnerable to commit crime, as compared with those employed or in school.¹⁴

Support for one perspective or another on the employment - crime issue frequently fits into the so-called conservative - liberal dichotomy. Thus, for some, the liberal approach would be

12. Wilson, James Q. and Herrnstein, Richard J., Crime And Human Nature, Simon and Schuster, New York, N.Y., 1985.
13. Duster, Troy, "Crime, Youth Unemployment, and the Black Urban Underclass," Crime And Delinquency, Vol. 33, No. 2, April 1987.
14. Duster, Op. Cit.

supportive of the malfunctioning society position, which views unemployment as one of a number of social factors linked to high levels of crime. In contrast, the conservative approach would be supportive of individual differences and a predisposition to criminality position and thus view unemployment as having a limited role in causing crime. How does the nation's population-at-large view the controversy? A recent report from the National Issues Forum by the Public Agenda Foundation for the Domestic Policy Association revealed the nation's citizens to be on the middle ground, with support evident for both tougher sentencing and the reform of social conditions. Accordingly, it was reported that Forum "participants agreed by a three-to-one ratio that a chief cause of the high crime rate is that too few criminals are sent to prison. At the same time, a strong consensus emerged that social conditions - principally unemployment and poverty - are major factors in causing crime."¹⁵

More recent studies have dealt with the employment and crime issue but, at the same time, have also been concerned with the broader problem of race and crime. Given the fact, for example, that blacks while comprising only 12% of the population in the United States make up over 50% of the nation's prison population, this concern is both timely and critical. Some of these studies, however, see the relationship as being linked more to social class than race per se. Thus, economic forces are viewed as shaping the behavior of minority youth. Attention is focused on economic inequality and, for example, the growing gap between blacks and whites on income, employment, wealth and poverty and the strong relationship between unemployment and contact with the justice system.

Wilson (1987) in a new book directs his efforts to explaining the presence of a black underclass in our inner cities (where the level of crime is at its highest) and the need for new public policies.¹⁶ Racism is not the major evil here, but structural changes in the economy and the labor market have led to high levels of unemployment. Wilson sees a need for full employment policies if we are to rescue our inner cities. While this could lead to inflation, it would be a lesser evil when compared to present conditions. Job training and remedial education programs

15. Crime Prevention Coalition, Catalyst, Vol. 7, No. 6, August 1987.

16. Wilson, William J., The Truly Disadvantaged The Inner City, The Underclass, and Public Policy, University of Chicago Press, 1987.

are also critical to prepare workers for a changing work place, where service jobs, which demand greater skills, are increasing while manufacturing employment is declining.

Other studies take a negative view on job-training. For example, it was noted "that so many job-training programs aimed at young persons with especially poor employment records have little or no effect on either employment or crime suggests that long-term personal and social factors are more important than the immediate availability of jobs or training in explaining the crime rates of persons who are likely to be high-rate offenders."¹⁷

Joe (1987), while not ruling out either racial discrimination in the system, or that minorities are more likely to be involved in delinquency or crime, focuses on the economic forces which shape the behavior of minority youth. His findings deal primarily with blacks and the picture that emerges is a bleak one, with economic inequality and the increasing gap between blacks and whites on such measures as income, employment, wealth and poverty creating a growing disadvantaged class, which can only result in greater social disorganization and more delinquency and crime.¹⁸

In another study, Duster (1987) focuses his attention on race, youth unemployment and crime. He sees a strong relationship between unemployment and contact with the criminal justice system. Thus, it is not by chance that blacks are disproportionately represented in both categories. A changing economy and structural unemployment have led to massive labor problems that have impacted disproportionately on blacks, particularly the young. Government policies, in recent years, have further exacerbated the problem. The conclusion to be drawn from these studies is clear. In order to significantly reduce juvenile delinquency and crime, the nation must first reduce the existing economic inequality, close the income gap between the races and reduce unemployment. Inasmuch as the private sector cannot do it, government policy must change to permit public-sector development of employment opportunities.¹⁹

17. Wilson and Herrnstein, Op. Cit.

18. Joe, Tom, "Economic Inequality: The Picture in Black and White," Crime And Delinquency, Vol. 33, No. 2, April 1987.

19. Duster, Op. Cit.

As noted above, Wilson and Herrnstein could offer only limited support for the link between unemployment and crime. They sum up their position thusly - "our assessment of the evidence leads us to conclude that common causes - the 'no effect' theory - explain most of the observed connection between unemployment and crime, with some influences (how much, we cannot say) from need effect, the affluence effect, and the envy effect. These latter effects probably operate over the entire life history of a person and thus can be observed only dimly (if at all) at the moment when that person is choosing between crime and noncrime."²⁰

Is there a linkage between employment status and probation? What do empirical data at the local level reveal? Past research studies have identified the existence of a number of significant relationships between employment problems and crime. As a group, criminal offenders are frequently unskilled, have unstable employment records and are often unemployed when arrested. Also, these same variables have been closely linked to recidivism, with an offender's outcome on probation or parole significantly related to the employment area. In short, the risk for failure on probation appears to be greater for the probationer who is unemployed or has a record of poor job stability. Also of interest is the fact that research studies that have focused on the needs of probationers have identified full-time employment as one need that is frequently mentioned. Given this background, it would appear that employment programs, which are successful in getting and keeping probationers gainfully employed, can make a significant contribution to probation's effectiveness.

20. Wilson and Herrnstein, Op. Cit.

APPENDIX A

NASSAU COUNTY PROBATION DEPARTMENT RESEARCH AND STAFF DEVELOPMENT

Outline of An Evaluation Study of the Investigation and Supervision Programs of the Criminal Division

PROBLEM STATEMENT

Given the present crisis in criminal justice, the overcrowding of our prisons and jails, the shift to a justice model, and the new and increasing demands being placed on probation, the need for quality probation at this time has never been greater. Therefore, to assist in meeting this need and obtaining optimum resources, in order to meet its primary goal of public safety and protection of the community, the Probation Department has a continuing responsibility to assess and evaluate its ongoing programs and services.

PURPOSE OF STUDY

The primary purpose of the study is to provide evaluative information on the effectiveness of the investigation and supervision programs for adult criminal offenders in the Criminal Division. By focusing on the probation process, the study will endeavor to shed light on a number of questions, both general and specific in content. For example, is probation working? Does it provide protection to the community? Based on recidivism and other related measures, such as adjustment on probation, how effective are the investigation and supervision programs in accomplishing their objectives?

More specific questions will focus on particular offender groups and program populations, their characteristics, and their successes and failures. For example, do felony probationers represent a higher risk for failure? Are PSI recommendations linked to subsequent offender performance on probation? Examples of other target groups to receive special attention to ascertain how they fare during the probation process include split-sentence probationers, ISP offenders and DWI offenders.

The findings and conclusions from this effort should identify strengths and weaknesses in the process itself and thereby contribute to more effective program programs. The end result should be a higher level of protection for the community in Nassau County.

STUDY DESIGN AND METHODOLOGY

The design and methodology for the implementation of this program evaluation study calls for a closed case record content analysis phase and post-probation longitudinal followup phase of a randomly selected sample of adult criminal offenders discharged from probation. Thus, the study design will encompass a detailed examination of the study population in three major areas: pre-probation, probation supervision and post-probation.

Using selected items of information on the criminal offenders, the study will define, describe and analyze various events, activities, cohorts and subgroups and measure relationships, association, differences and impacts on the study population as they related to program objectives.

Closed Case Record Content Analysis Phase

Presentence Investigation Report
Record of Supervision

Post-Probation Followup Phase

Case Records
Summary Criminal History (Rap Sheet)

STUDY POPULATION

A 33% random sample of 700 adult criminal probationers discharged from supervision in 1982, stratified by court, sex and type of discharge - improved, unimproved and committed. It is estimated that the post-probation followup period after discharge during 1982 will range from a minimum of 4 to 5 years.

DATA SOURCES

Case Records - Criminal Division
Case Files - Family Division
Summary Criminal History (SCH/CCH) - Division of Criminal
Justice Services
Court Records

DATA COLLECTION

Pre-coded data collection forms containing selected data elements or items of information covering all Phases of the study are to be used for data collection.

See Coding Form and Scoring Sheet.

DATA ANALYSIS

Pre-coded collection forms will be used for electronic data processing and subsequent analysis by computer.

MEASURES OF EFFICIENCY AND EFFECTIVENESS

Investigation Program (PSI)
 Needs and/or problems assessment
 ISP Referral Scores
 Recommendation

Probation Supervision Program
 Needs and/or problems assessment
 Arrests
 Violations of Probation
 Type of Discharge from Probation

Post-Probation Discharge
 Arrests

OBJECTIVES OF INVESTIGATION PROGRAMS

To provide timely, accurate and objective information and recommendations consistent with good probation practice regarding the disposition of cases in court for sentencing on criminal offenses.

PRIMARY OBJECTIVES

Sentencing decision - prison, jail, probation or others.
 Length and conditions of probation.

SECONDARY OBJECTIVES

Probation - programming, supervision
 Institutional management
 Parole supervision
 Parole revocation

OBJECTIVES OF PROBATION SUPERVISION PROGRAM

To provide effective surveillance and supervision of probationers to promote law-abiding behavior.

To provide counseling and other rehabilitative services where necessary and appropriate to improve attitudes and skills and thereby encourage law-abiding behavior.

RESOURCES

Nassau County Probation Department
Research and Staff Development Unit
Criminal and Family Divisions

N. Y. S. Division of Criminal Justice Services

Courts

APPENDIX A

NASSAU COUNTY PROBATION DEPARTMENT
RESEARCH AND STAFF DEVELOPMENT

Evaluation Study of the Criminal Division's
Investigation and Supervision Programs

Master Coding Form

Name _____
Last First M.I.

1. Probation Case No.

1	2	3	4	5

2. Date of Birth

6	7	8	9

3. Community of Residence
(Use Codes as attached)

10	11	12

4. Sex
Male-1
Female-2

--

5. Race
White-1
Hispanic-2
Black-3
Oriental-4
Other-5

--

--

6. Marital Status
Single-1
Married-2
Separated-3
Divorced-4
Widowed-5

--

7. Level of Education
(Use Actual Grade)

16	17

8. School Status
NA-0
Student-full time-1
Student-part time-2

--

9. Employment Status
NA-0
Employed full time-1
Employed part time-2
Unemployed-3

--

10. Occupation
Professional, technical & kindred workers-01
Managers, officials & proprietors-02
Clerical & kindred workers-03
Sales workers-04
Craftsmen, foremen & kindred workers-05
Operatives & kindred workers-06
Private household-07
Service workers, except private household-08
Laborers-09
Student-10
Housewife-11
Unknown-12

20	21

- 11. Use of an Alias (yes or no)
 No-0
 Yes-1

22

PRIOR LEGAL DATA - JUVENILE

- 12. Juvenile Referrals (JD or PINS)
 to Intake or Beyond:
 (Actual Number, 0 to 9 or more)
- 13. Juvenile Adjudications (JD or
 PINS): (Actual Number, 0 to 9
 or more)
- 14. Most restrictive disposition in
 response to any of the above referrals
 NA, Unknown-0
 Dismissed/Withdrawn-1
 (transferred or suspended)
 ACOD (with/without supervision)-2
 Probation-3
 Placement (private, group home, etc.)-4
 Placement-DFY-5
 Other-6

23

24

25

PRIOR LEGAL DATA - ADULT

The following items relate to any charges that occurred prior to the arrest that resulted in sentence to probation.

- 15. Total number Prior Adult Arrests
 (Actual Number, 0 to 9 or more)
- 16. Total Prior Felony Arrests
 (Actual Number, 0 to 9 or more)
- 17. Total Prior Misdemeanor Arrests
 (Actual Number, 0 to 9 or more)
- 18. Total Prior Felony Convictions
 (Actual Number, 0 to 9 or more)
- 19. Total Prior Misdemeanor Convictions
 (Actual Number, 0 to 9 or more)
- 20. Total Prior Convictions of all types
 (Actual Number, 0 to 9 or more)
- 21. Total amount of Prior period(s) of
 incarceration (resulting from
 convictions only):
 (Actual number of months, 0 to 99)
- 22. Prior period of probation supervision
 (Yes or no)
 No-0
 Yes-1
- 23. Date of first arrest, or
 NA-0000
- 24. Charge at first arrest (if multiple,
 use most serious): Actual Penal Law
 or
 NA-000.00

26

27

28

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41

42

43

25. Conviction from first arrest (if multiple, use most serious):
Actual Penal Law, or
NA-000.00
Satisfied by conviction to another charge-111.11

44	45	46	47	48

26. Disposition of first arrest
NA, or Unknown-00
Dismissed/Withdrawn-01
ACOD-02
Unconditional Discharge-03
Conditional Discharge-04
Fined-05
Probation-06
Probation/Jail-07
Committed-local jail-08
Committed-prison-09
Satisfied by conviction and disposition of another charge-10
Other-11

49	50

27. Date of second arrest, or
NA-0000

51	52	53	54

28. Charge at second arrest (if multiple, use most serious): Actual Penal Law, or
NA-000.00

55	56	57	58	59

29. Conviction from second arrest (most serious, if multiple): Actual Penal Law, or
NA-000.00
Satisfied by conviction to another charge 111.11

60	61	62	63	64

30. Disposition of second arrest
NA, or Unknown-00
Dismissed/Withdrawn-01
ACOD-02
Unconditional Discharge-03
Conditional Discharge-04
Fined-05
Probation-06
Probation/Jail-07
Committed-local jail-08
Committed-prison-09
Satisfied by conviction and disposition of another charge-10
Other-11

65	66

31. Date of third arrest (or if applicable, the most serious arrest of those remaining), or
NA-0000

67	68	69	70

32. Charge at third arrest (or most serious arrest remaining): (if multiple, use most serious)
Actual Penal Law, or
NA-000.00

71	72	73	74	75

1
80

CARD TWO

33. Conviction from third or subsequent arrest (most serious, if multiple):
Actual Penal Law, or
NA-000.00
Satisfied by conviction to another charge-111.11

6	7	8	9	10

34. Disposition of third or subsequent arrest
 NA, or Unknown
 Dismissed/Withdrawn-01
 ACOD-02
 Unconditional Discharge-03
 Conditional Discharge-04
 Fined-05
 Probation-06
 Probation/Jail-07
 Committed-local jail-08
 Committed-prison-09
 Satisfied by conviction and disposition of another charge-10
 Other-11

11	12

LEGAL DATA FOR REGULAR SUPERVISION PROGRAM ENTRY

The following items relate to the charge(s) that resulted in sentence to probation.

35. Number of arrests
 Actual number, 1 to 9 or more

13

36. Date of Arrest

14	15	16	17	

37. Court
 NA-0
 YP District-1
 District-2
 YP County-3
 County-4
 Supreme-5

18

38. Original Charge(s) (if multiple, use most serious)
 Use Actual Penal Law

19	20	21	22	23	

39. Class of Crime (original charge)
 Felony-1
 Misdemeanor-2

24

40. Second Charge
 Use Actual Penal Law

25	26	27	28	29	

41. Class of Crime (original charge)
 Felony-1
 Misdemeanor-2

30

42. Conviction - First Charge (If multiple, use most serious)
 Use Actual Penal Law

31	32	33	34	35	

43. Class of Crime (conviction charge)
 Felony-1
 Misdemeanor-2

36

44. Conviction - Second Charge
 Use Actual Penal Law, or as below:
 Dismissed-000.00
 Satisfied by conviction to another charge-111.11

37	38	39	40	41	

45. Class of Crime (conviction charge)
 Felony-1
 Misdemeanor-2

42

46. Date of Sentence to Probation

43	44	45	46	

47. PSI Recommendation
 Probation-1
 Probation-jail-2
 Commitment-3
 Other-4
 Unknown-5

47

48. Length of Probation Sentence
 Actual years

48

49. Was there a split sentence (probation/jail)?
 Yes-1
 No-2

49

50. Length of Jail Time
 Actual Months

50

LEGAL AND OTHER DATA DURING SUPERVISION PROGRAM

51. Jurisdiction
 Regular case-1
 Transfer-in-2
 Transfer-out-3

51

52. Type of Supervision Unit
 NA-0
 Regular-1
 Drug and Alcohol-2
 Intensive Supervision Program (ISP)-3
 Regular and ISP-4
 Drug and Alcohol and ISP-5

52

53. Was Probationer in Intensive Supervision Program (ISP)?
 No-0
 Yes-1

53

54. ISP Referral Score
 (Use Actual Score; if not available-00)

54 55

55. Probationer Needs and/or Problems Assessment
 (Select up to 3 critical needs or problems as identified in PSI, record of supervision, initial entry, etc.)

- Academic/vocational-01
- Employment -02
- Financial Management-03
- Marital/family relationships-04
- Mental Health-05
- Sexual Behavior-06
- Alcohol Abuse-07
- Other Drug Abuse-08
- Health-09
- Current Living Environment-10

A. Greatest need or problem area
 (Select appropriate category and code, or NA-00)

56 57

B. Second need or problem area
 (Select appropriate category and code, or NA-00)

58 59

C. Third need or problem area
 (Select appropriate category and code, or NA-00)

60 61

56. Number of Arrests
(Use actual number -0 to 9 or more)

62

57. Date of First Arrest

63 64 65 66

58. Court

- NA-0
- YP District-1
- District -2
- YP County -3
- County -4
- Supreme -5

67

59. Charge (if multiple, use most serious)
Use actual Penal Law or
NA-000.00
Satisfied by conviction to another
charge-111.11

68 69 70 71 72

60. Disposition (most serious charge)

- NA, or Unknown-00
- Dismissed/Withdrawn-01
- ACOD-02
- Unconditional Discharge-03
- Conditional Discharge-04
- Fined-05
- Probation-06
- Probation/Jail-07
- Committed local jail-08
- Committed prison-09
- Satisfied by conviction and disposition of another charge-10
- Other-11

73 74

61. Date of second arrest

75 76 77 78

62. Court

- NA-0
- YP District-1
- District-2
- YP County-3
- County-4
- Supreme-5

79

2
80

CARD THREE

63. Charge (if multiple, use most serious)
Use actual Penal Law, or
NA-000.00
Satisfied by conviction to another
charge-111.11.

6 7 8 9 10

64. Disposition (most serious charge)

- NA, or Unknown-00
- Dismissed/Withdrawn-01
- ACOD-02
- Unconditional Discharge-03
- Conditional Discharge-04
- Fined-05
- Probation-06
- Probation/Jail-07
- Committed local jail-08
- Committed prison-09
- Satisfied by conviction and disposition of another charge-10
- Other-11

11 12

- 65. Number of violations of probation filed
Actual number (0 to 9 or more)
13
- 66. Date of Violation of Probation (first)
14 15 16 17
- 67. Type of Violation of Probation filed
NA-0
New offense-1
Technical-absconded-2
Technical-other-3
18
- 68. Disposition of Violation of Probation
NA or Unknown-0
Dismissed/Withdrawn-1
Discharged-2
Reinstated-3
Committed-4
19
- 69. Type of Violation of Probation filed
(second or most serious)
NA-0
New offense-1
Technical-absconded-2
Technical-other-3
20
- 70. Disposition of Violation of Probation
Filed (second or most serious)
NA or unknown-0
Dismissed/Withdrawn-1
Discharged-2
Reinstated-3
Committed-4
21
- 71. Type of Discharge from Probation
Improved-1
Unimproved-2
Committed-3
Other-4
22
- 72. Date of Discharge from Probation
23 24 25 26

LEGAL DATA AFTER DISCHARGE FROM PROBATION

- 73. Number of Arrests (actual number - 0-9 or more)
27
- 74. Date of arrest (if more than one, use date
of first arrest) or NA-0000
28 29 30 31
- 75. Class of Crime
NA-0
Felony-1
Misdemeanor-2
Violation or lesser offense-3
32
- 76. Charge at first arrest (use actual
Penal Law, or NA-000.00
33 34 35 36 37
- 77. Conviction from first arrest
Use actual Penal Law, or
NA or Dismissal-000.00
Satisfied by conviction to
another charge-111.11
38 39 40 41 42

- 78. Disposition of first arrest
 - NA, or Unknown-00
 - Dismissed/Withdrawn-01
 - ACOD-02
 - Unconditional Discharge-03
 - Conditional Discharge-04
 - Fined-05
 - Probation-06
 - Probation/Jail-07
 - Committed local jail-08
 - Committed prison-09
 - Satisfied by conviction and disposition of another charge-10
 - Other-11

43	44

- 79. Charge at second arrest (or most serious of any remaining arrests)
Use actual Penal Law, or NA-000.00

45	46	47	48	49

- 80. Class of Crime
 - NA-0
 - Felony-1
 - Misdemeanor-2
 - Violation or lesser offense-3

50

- 81. Conviction from second arrest (or most serious of any remaining arrests)
Use actual Penal Law, or NA-or Dismissal-000.00
Satisfied by conviction to another charge-111.11

51	52	53	54	55

- 82. Disposition of second arrest (or most serious of any remaining arrests)
 - NA, or Unknown-00
 - Dismissed/Withdrawn-01
 - ACOD-02
 - Unconditional Discharge-03
 - Conditional discharge-04
 - Fined-05
 - Probation-06
 - Probation/Jail-07
 - Committed local jail-08
 - Committed prison-09
 - Satisfied by conviction and disposition of another charge-10
 - Other-11

56	57

- 83. Post Discharge Record in Family Court
 - NA-0
 - Family Offense-1
 - Support-2
 - Paternity-3
 - Adoption-Custody-Guardianship-4
 - Conciliation-5
 - Child Abuse/Neglect-6
 - USDL-7
 - Other-8

58

NASSAU COUNTY PROBATION DEPARTMENT
RESEARCH AND STAFF DEVELOPMENT

Evaluation Study of the Criminal Division's
Investigation and Supervision Programs

Additional Variables to be added to those on the Master Coding Form for the subject study and for subsequent data processing and computer analysis by DMI.

84. Age at First Arrest
Use Item 2-F1 (6-9)
and
Item 23 -F1 (35-38)
Age categories will be in years with a range from 16 to 75.
Compute average (mean) age for total table population and also for row variable category.
85. Age at Arrest for Sentence to Probation
Use Item 2-F1 (6-9)
and
Item 36 -F2 (14-17)
Age categories will be in years with a range from 16 to 75 years.
Compute average (mean) age for total table population and also for each row variable category.
86. Age on Entry to Supervision Program
Use Item 2 - F1 (6-9)
and
Item 46 - F2 (43-46)
Age categories will be in years with a range from 16 to 75 years.
Compute average (mean) age for total table and for each row variable category.
87. Age on Discharge from Supervision Program
Use Item 2-F1 (6-9)
and
Item 72 - F3 (23-26)
Age categories will be in years with a range from 16 to 75 years.
Compute average (mean) age for total table population and also for each row variable category.
88. Age at First Arrest While On Probation
Use Item 2-F1 (6-9)
and
Item 57-F2 (63-66)
Age categories will be in years with a range from 16 to 75.
Compute average (mean) age for total table population and also for each row variable category.

89. Age at First Violation of Probation
Use Item 2-F1 (6-9)
and
Item 66-F3 (14-17)
Age categories will be in years with a range from 16 to 75.
Compute average (mean) age for total table population and also
for each row variable category.
90. Number of Months between Date of Arrest and Date of Sentence to Probation
Use Item 36-F2 (14-17)
and
Item 46-F2 (43-46)
Use range of 1-72 months; compute average (mean) number of months
for total table population and also for each row variable category.
91. Number of Months between Date of Sentence to Probation and Date of First Arrest While in Program
Use Item 46-F2 (43-46)
and
Item 57-F2 (63-66)
Use range of 1-72 months; compute average (mean) number of months for
total table population and also for each row variable category.
92. Number of Months between Date of Sentence to Probation and Date of First Violation of Probation
Use Item 46-F2 (43-46)
and
Item 66-F3 (14-17)
Use range of 1-72 months; compute average (mean) number of months
for total table population and also for each row variable category.
93. Number of months between Date of Sentence to Probation and Date of Discharge from Supervision Program
Use Item 46-F2 (43-46)
and
Item 72-F3 (23-26)
Use range of 1-72 months; compute average (mean) number of months for
total table population and also for each row variable.
94. Number of Months between Date of Discharge from Supervision Program and Date of First Arrest After Discharge
Use Item 72-F3 (23-26)
and
Item 74-F3 (28-31)
Use range of 1-72 months; compute average (mean) number of months
for total table population and also for each row variable category.

95. Followup Period in Months after Discharge from Probation
Use Item 72-F3 (23-26)
and
Cutoff date of August 1987
Use range of 55 to 68 months; compute average (mean) number of months for total table population and also for each row variable category.
96. Prior Record (either juvenile or adult)
Use Item 12-F1 (23) and
Item 15-F1 (26) with two categories:
No - F1 (23) = 0 and F1 (26) = 0
Yes - all other cases.
97. Prior record - Juvenile
Use Item 12-F1 (23) two categories:
Yes F1-23) = 1-9
No F1-(23) = 0
98. Prior Criminal Record - Adult
Use Item 15-F1 (26)
Yes F1 (26) = 1-9
No F1 (26) = 0
99. Type Prior Criminal Record - Adult
Use Item 16-F1 (27) and Item 17-F1 (28) with two categories:
Felony Arrests F1 (27) = 1-9
Misdemeanor Arrests F1 (28) = 1-9
100. Prior Criminal Record with Conviction
Use Item 15-F1 (26) = 1-9 and Item 20-F1 (31) with two categories:
Yes F1 (29) = 1-9
No F1 (29) = 0
101. Prior Record - Juvenile or Adult
Use Item 12-F1 (23) and Item 15 - F1 (26) with two categories:
Juvenile Referrals F1 (23) = 1-9
Adult Arrests F1 (26) = 1-9 minus any cases in juvenile referral category.
102. Probation Supervision Program - Arrests/Violations
Use Item 56-F2 (62) and Item 65-F3 (13) with three categories.
None - F2 (62) and F3 (13) = 0
Violations Only -F2 (62) = 0 and F3 (13) = 1-9
Violations and/or Arrests - F2 (62) = 1-9 and F3 (13) = 0-9.
103. Post-Probation Outcome
Use Item 73-F3 (27) with two categories:
Success F3 (27) = 0
Failure F3 (27) = 1-9

104. Employment Status

Use Item 9-F1 (19) with two categories:

Employed - F1 (19) = 1-2

Unemployed - F1 (19) = 3.

105. Occupation Class

Use Item 10-F1 (20-21) with two categories:

White collar - F1 (20-21) = 01 - 04

Blue collar - F1 (20-21) = 05 - 09

106. Student - Employment Status

Use Item 10-F1 (20-21) and Item 9-F1 with three categories:

Student - F1 (20-21) = 10

Employed - F1 (19) = 1-2

Unemployed - F1 (19) = 3

107. Risk Classification Score Levels

Use Item 54-F2 (54-55) with three categories:

Level I F2 (54-55) = 52-99

Level II F2 (54-55) = 35-51

Level III F2 (54-55) = 1-34

108. Type of Crime (Prior Record - Adult-First Arrest)

Use Item 24-F1 (39-43) with the following categories:

Person

Property

Drug

DWI

Other

These categories will be further defined when the list of relevant penal law charge codes is made available.

109. Type of Crime (Prior Record-Adult-2nd Arrest)

Use Item 28-F1 (55-59) with the following categories:

Person

Property

Drug

DWI

Other

Refer to relevant penal law charge codes.

110. Type of Crime (Prior Record - Adult-Third Arrest)

Use Item 32-F1 (71-75) with the following categories:

Person

Property

Drug

DWI

Other

Refer to relevant penal law charge codes.

111. Type of Crime (Probation Sentence - First Charge)

Use Item 38-F2 (19-23) with the following categories:

- Person
- Property
- Drug
- DWI
- Other

Refer to relevant penal law charge codes.

112. Type of Crime (Probation Sentence - 2nd Charge)

Use Item 40-F2 (25-29) with the following categories:

- Person
- Property
- Drug
- DWI
- Other

Refer to relevant penal law charge codes.

113. Type of Crime (Burglary, Robbery, Other-Probation Sentence)

Use Item 38-F2 (19-23) with the following categories:

- Burglary 140.20
- 140.25
- 140.30

- Robbery 160.05
- 160.10
- 160.15

Other All other charge codes.

114. Type of Crime (Supervision Program - First Arrest)

Use Item 59-F2 (68-72) with the following categories:

- Person
- Property
- Drug
- DWI
- Other

Refer to relevant Penal law charge codes.

115. Type of Crime (Supervision Program - Second Arrest)

Use Item 63-F3 (6-10) with the following categories:

- Person
- Property
- Drug
- DWI
- Other

Refer to relevant penal law charge codes.

116. Type of Crime (Post-Discharge First Arrest)

Use Item 76-F3 (33-37) with the following categories:

- Person
- Property
- Drug
- DWI
- Other

Refer to relevant penal law charge codes.

117. Type of Crime (Post-Discharge-Second Arrest)

Use Item 79-F3 (45-49) with the following categories:

- Person
- Property
- Drug
- DWI
- Other

Refer to relevant penal law charge codes.

118. Type of Crime (Post-Discharge-First Arrest)

Use Item 76-F3 (33-37) with the following categories:

Burglary 140.20
140.25
140.30

Robbery 160.05
160.10
160.15

Other All other charge codes.

119. Type of Crime (Post-Discharge - Second Arrest)

Use Item 79-F3 (45-49) with the following categories:

Burglary 140.20
140.25
140.30

Robbery 160.05
160.10
160.15

Other All other charge codes.

120. Probationer Needs Assessment

Use Item 55-F2 (56-57) and F2 (58-59) and F2 (60-61) with the following categories:

	F2 (56-57) or	F2 (58-59) or	F2 (60-61)	
Academic/vocational	"	"	"	= 01
Employment	"	"	"	= 02
Financial Management	"	"	"	= 03
Marital/Family Relationships	"	"	"	= 04
Mental Health	"	"	"	= 05
Sexual Behavior	"	"	"	= 06
Alcohol Abuse	"	"	"	= 07
Other Drug Abuse	"	"	"	= 08
Health	"	"	"	= 09
Current Living Environment	"	"	"	= 10

Additional Instructions For Variables on Master Coding Form:

For Variable 7, compute average (mean) grade level for total table population and for row variable categories.

For Variables 15-19, compute average (mean) number of arrests or convictions for total table population and for row variable categories.

For Variable 54, compute average (mean) ISP score for total table population and for row variable categories.

For Variable 56 and 73, compute average (mean) number of arrests for total table population and for row variables.

NASSAU COUNTY PROBATION DEPARTMENT
RESEARCH AND STAFF DEVELOPMENT

IDENTIFICATION/PERSONAL DATA

1 Prob. Case No. [] [] [] [] [] 1 2 3 4 5	2 DOB [] [] [] [] [] [] 6 7 8 9	3 Resid. [] [] [] [] [] [] 10 11 12	4 Sex [] 13	5 Race [] [] [] [] 14	6 Mar1 [] [] [] [] 15	7 Grade [] [] 16 17
--	---	---	--------------------	---------------------------------	---------------------------------	-----------------------------

PRIOR LEGAL DATA - JUVENILE

8 Sch. Status [] 18	9 Empl [] 19	10 Occup. [] [] 20 21	11 Alias [] [] [] [] 22	12 Ref [] 23	13 Adj. [] [] [] [] 24	14 Disp [] [] [] [] 25
----------------------------	---------------------	-------------------------------	-----------------------------------	---------------------	----------------------------------	----------------------------------

PRIOR LEGAL DATA -ADULT

15 No. Arr. [] 26	16 Pr. Fel. Arr. [] 27	17 Pr. Misd. Arr. [] 28	18 Pr. Fel. Conv. [] 29	19 Pr. Misd. Conv. [] 30	20 Pr. Conv. [] 31
21 Incar. [] [] 32 33	22 Pr. Prob. Sup. [] 34	23 Date 1st Arr. [] [] [] [] 35 36 37 38	24 Ch.-1st Arr. [] [] [] [] [] [] 39 40 41 42 43	25 Conv. - 1st Arr. [] [] [] [] [] [] 44 45 46 47 48	
26 Disp-1st [] [] [] [] 49 50	27 Date-2nd Arr. [] [] [] [] [] [] 51 52 53 54	28 Ch.-2nd Arr. [] [] [] [] [] [] [] 55 56 57 58 59	29 Conv. - 2nd Arr. [] [] [] [] [] [] [] 60 61 62 63 64	30 Disp-2nd [] [] [] [] 65 66	
31 Date-3rd Arr. [] [] [] [] [] [] 67 68 69 70	32 Ch.-3rd Arr. [] [] [] [] [] [] [] 71 72 73 74 75				

[]
1
80

CARD TWO

1 Prob. Case No. [] [] [] [] [] 1 2 3 4 5	33 Conv. - 3rd Arr [] [] [] [] [] [] 6 7 8 9 10	34 Disp.-3rd [] [] 11 12
--	---	----------------------------------

LEGAL DATA FOR REGULAR SUPERVISION PROGRAM ENTRY

35 No. Arr. [] 13	36 Date [] [] [] [] [] [] 14 15 16 17	37 Ct. [] 18	38 Original Charge [] [] [] [] [] [] 19 20 21 22 23
39 Class Crime [] [] 24	40 2nd Charge [] [] [] [] [] [] 25 26 27 28 29	41 Class Crime [] 30	
42 Conv.-1st Charge [] [] [] [] [] [] 31 32 33 34 35	43 Class Crime [] [] [] [] 36	44 Conv.-2nd Charge [] [] [] [] [] [] 37 38 39 40 41	
45 Class Crime [] [] 42	46 Date Sent Prob [] [] [] [] [] [] 43 44 45 46	47 PSI Rec [] 47	48 Yrs Prob Sent [] 48
		49 Split Sent [] 49	50 Jail Time [] 50

LEGAL AND OTHER DATA DURING SUPERVISION PROGRAM

51	Juris [] 51	52	Type [] 52	53	ISP? [] 53	54	Score [] [] 54 55	55A	Gr. Need [] [] 56 57	55B	2nd Need [] [] 58 59	55C	3rd Need [] [] 60 61
56	No. Arr. [] 62	57	Date-1st Arr [] [] [] [] 63 64 65 66	58	Court [] 67	59	Charge [] [] [] [] [] [] 68 69 70 71 72	60	Disp. [] [] 73 74				
61	Date-2nd Arr. [] [] [] [] 75 76 77 78	62	Court [] 79										

[2]
80

CARD THREE

1	Prob. Case No. [] [] [] [] [] 1 2 3 4 5	63	Charge [] [] [] [] [] [] [] [] [] [] 6 7 8 9 10	64	Disp. [] [] 11 12	65	No. Viol. [] 13	66	Date VOP [] [] [] [] 14 15 16 17		
67	Type [] 18	68	Disp. [] 19	69	Type 2d VOP [] 20	70	Disp. [] 21	71	Type Disch [] 22	72	Date Disch. Prob. [] [] [] [] 23 24 25 26

LEGAL DATA AFTER DISCHARGE FROM PROBATION

73	No. Arr. [] 27	74	Date Arrest [] [] [] [] 28 29 30 31	75	Class Crime [] 32	76	Charge - 1st Arrest [] [] [] [] [] [] 33 34 35 36 37
77	Conv. - 1st Arrest [] [] [] [] [] 38 39 40 41 42	78	Disp. 1st Arr. [] [] 43 44	79	Charge - 2nd Arrest [] [] [] [] [] [] 45 46 47 48 49	80	Class Crime [] 50
81	Conv. - 2nd Arrest [] [] [] [] [] 51 52 53 54 55	82	Disp. - 2nd Arr. [] [] 56 57	83	Post Disch. Record [] 58		

[3]
80

APPENDIX C
New York State Division of Probation
RISK ASSESSMENT, CLASSIFICATION AND ASSIGNMENT

Name _____

Case No. _____

NYSID No. _____

Date of Birth _____

I. Risk Assessment: Select the appropriate responses as they apply to the probationer at the time of the current offense. Enter point value in score column.

SCORE

- 1. Arrested within five (5) years prior to the current offense. Yes (4) ___ No (0) ___
- 2. Nineteen or under at time of first conviction/adjudication. Yes (8) ___ No (0) ___
- 3. Prior convictions/adjudications for robbery. Yes (16) ___ No (0) ___
- 4. Three or more prior misdemeanor or one or more prior felony convictions/adjudications. Yes (10) ___ No (0) ___
- 5. Incarcerated while on a prior probation or parole sentence. Yes (20) ___ No (0) ___
- 6. Neither employed nor in school full-time. Yes (4) ___ No (0) ___
- 7. Members of his family (i.e., spouse, children, parents, siblings) have a criminal record (J.D. or Adult). Yes (10) ___ No (0) ___
- 8. One or more address changes in the year prior to current offense. Yes (6) ___ No (0) ___
- 9. Currently living in a situation judged to be unfavorable. Yes (6) ___ No (0) ___
- 10. Has an attitude that is either one in which he rationalizes his behavior; or he is negative and not motivated to change; or he is dependent or unwilling to accept responsibility. Yes (14) ___ No (0) ___

TOTAL _____

ISP Referral Score _____

Completed by: _____ Date _____

II. Classification:

ISP Score: Yes ___ No ___

Referred to ISP Unit: Yes ___ No ___

Reason for referral if low score: _____

Referred by: _____ Date _____

III. Assignment:

ISP Probation Officer Assigned: _____ Date: _____

Assigning Officer: _____ Title: _____

Referred to regular supervision caseload. Date: _____

Referring Officer: _____ Title _____

APPENDIX D

New York State Division of Probation

SUPERVISION CLASSIFICATION FOR THE CRIMINAL COURTS

Name _____ Case No. _____

NYSID No. _____ Date of Birth _____

I. CLASSIFICATION INSTRUMENT: Select the appropriate responses as they apply to the probationer at the time of the current offense. Enter point value in score column.

SCORE

- 1. Arrested within five (5) years of the current offense. Yes (6) _____ No (0) _____
- 2. Nineteen or under at time of first conviction/adjudication. Yes (12) _____ No (0) _____
- 3. Prior convictions/adjudications for robbery. Yes (20) _____ No (0) _____
- 4. Incarcerated while on a prior probation sentence or parole. Yes (24) _____ No (0) _____
- 5. Neither employed nor in school full-time. Yes (4) _____ No (0) _____
- 6. One or more address changes in the year prior to current offense. Yes (6) _____ No (0) _____
- 7. Currently living in a situation judged to be unfavorable. Yes (8) _____ No (0) _____
- 8. Has an attitude that is either one in which he rationalizes his behavior; or he is negative and not motivated to change; or he is dependent or unwilling to accept responsibility. Yes (19) _____ No (0) _____

CLASSIFICATION SCORE: _____

Completed by _____ Date _____

II. SUPERVISION LEVELS BY CLASSIFICATION SCORE:

<u>LEVEL I</u>	<u>LEVEL II</u>	<u>LEVEL III</u>
(Intensive)	(Medium)	(Minimum)
52 - 99	35 - 51	0 - 34

III. CLASSIFICATION LEVEL ASSIGNED:

Level I Level II Level III

Reason for assignment to Level I or Level II if low score _____

Classified by _____ Date _____