

# RECIDIVISM OF ADULT OFFENDERS

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prepared by the  
**Oregon Law Enforcement Council**

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A Pilot Recidivism Study  
In Eleven Oregon Counties

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## INTRODUCTION

This report is a sequel to an earlier one entitled "What Happens After Arrest in Oregon?" The first report tracked offenders through the system to determine how many were convicted, the charges on which they were convicted and what types of sentences were received. This report attempts to determine how many of those continue to engage in criminal activity. For both reports a random sample of persons arrested for serious felonies was studied.

### How Recidivism was Measured in This Study

There are a number of issues involved in a study of recidivism which need to be clearly decided before the study begins. The first is what group of people to follow. One common method is to select a group of offenders released from a state prison; another is to select a group of persons arrested. The first method is more appropriate for assessing the effectiveness of a corrections program; the second is better for identifying high risk groups for prosecution and sentencing purposes. In future studies we would like to address both purposes. However, in this study we selected a group of persons arrested for Part I felonies.

A second issue relates to the length of time for which a person may recidivate. The National Advisory Commission on Criminal Justice Standards and Goals recommends a three year follow-up period.<sup>1</sup> Several studies have found that most recidivism occurs within 2-3 years. A study of 903 offenders released from federal prisons revealed that in 18 years 63 percent recidivated. However, 94 percent recidivated within 10 years and 76 percent did so within four years.<sup>2</sup> An Iowa study used a four year follow-up period. They found that 87 percent of those recidivating did so within three years.<sup>3</sup> For the OLEC study, all offenders had from 2-3 years in which to recidivate. This time period was selected primarily due to constraints of the data base. Since the recent data was more complete, we were not able to select a group very far back in time. Nevertheless, given other research it appears that a three year time period will capture most of those who are going to recidivate.

<sup>1</sup>National Advisory Commission on Criminal Justice Standards and Goals, Task Force Report: Corrections, Washington, D.C. 1973, p. 512.

<sup>2</sup>Howard Kitchener, Annesley K. Schmidt, and Daniel Glasser, "How Persistent is Post-Prison Success?" Federal Probation, March, 1977.

<sup>3</sup>State of Iowa, Statistical Analysis Center, Office for Planning and Programming, Crime and Criminal Justice in Iowa, Volume VII: Recidivism, May, 1979.

Another issue in measuring recidivism concerns whether to use rearrest or reconviction data. There are arguments for and against both measures. If only rearrest is used it may include innocent persons who were not subsequently convicted. On the other hand, it is well known that many arrests are dismissed because the system cannot prosecute all charges or because of plea negotiation. Consequently, reconviction will not give the full picture. In this study, we chose to look at both measures in order to get as complete a picture of repeat offense behavior as possible. In some analyses, greater focus was placed on rearrest than on reconviction, particularly when looking at the crime switch patterns. This was done primarily because the arrest record data was more complete than the judicial data. In the future we hope to examine crime switch in terms of arrest and conviction charges.

A final question in measuring recidivism is whether to count rearrest and conviction on all charges or only the most serious. We elected to look at all charges in order to get a more complete picture of repeat offender behavior. However, results were displayed for arrest and conviction on all offenses and on the more serious Part I offenses.

This study is only a beginning. It is a pilot study of offenders in eleven Oregon counties. It is designed to fill a void in offender statistics since no statewide recidivism data currently exists. It is anticipated that future reports can include all Oregon counties and some county-by-county information, and will encompass longer time periods.

## METHOD

In 1977, the Oregon Law Enforcement Council conducted a pilot offender tracking study. A random sample of persons arrested for serious, Part I felonies between July 1, 1975, and June 30, 1976, in eleven Oregon counties was selected from the Computerized Criminal History file maintained by the Oregon State Police. The sample from the eleven counties comprise 68 percent of the Part I crimes for 1976 and were selected because the local district planners accepted an invitation to participate in the study. Altogether 966 persons were tracked. The case files in the courts and district attorneys offices in each county were examined to determine the disposition of each arrest.

Counties included with the sample and the number of offenders originally tracked are as follows:

Benton - 10	Marion - 106
Clackamas - 72	Multnomah - 558
Harney - 2	Polk - 31
Lincoln - 26	Washington - 74
Linn - 74	Yamhill - 21
Malheur - 13	

For this report records of each person in the sample were again examined for subsequent arrests and convictions. Records from the period July 1, 1975, to August 1978 were included. This means that the elapsed time was not the same for all members of the sample. All had at least two years in which to be rearrested and some had as many as three years.

Recidivism Measures

Below are the recidivism measures computed for the 966 persons in this study sample:

Rearrest

Persons with at least 1 rearrest = 339 or 35%

Persons with at least 1 rearrest  
for a Part I Crime = 209 or 22%

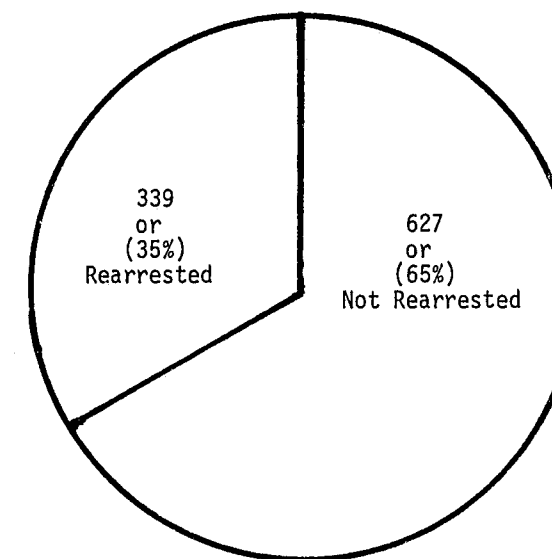
Rearrest and Conviction

Persons with at least 1 conviction = 238 or 25%

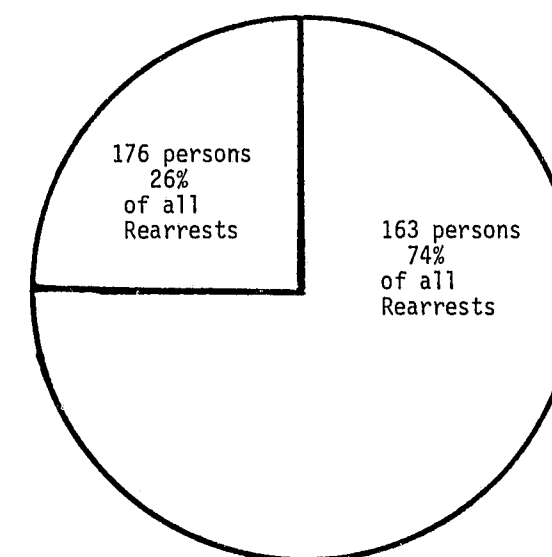
Persons with at least 1 conviction  
for a Part I Crime = 128 or 13%

Of the 339 persons who were rearrested, eighteen percent (176 persons) were rearrested only once and 17 percent (163) were rearrested two or more times. The 339 persons who were rearrested accounted for a total of 683 subsequent arrests. The vast majority of those arrests (507 or 74 percent) involved a relatively small number of people (163). About one-half of all subsequent arrests were accounted for by an even smaller number of people--86 persons with three or more arrests.

PERCENT WITH SUBSEQUENT ARRESTS  
FOR ORIGINAL SAMPLE OF 966 PERSONS



PERCENT WITH MULTIPLE ARRESTS  
OF THE 339 REARRESTED



How Soon After the Initial Arrest Did the First Rearrest Occur?

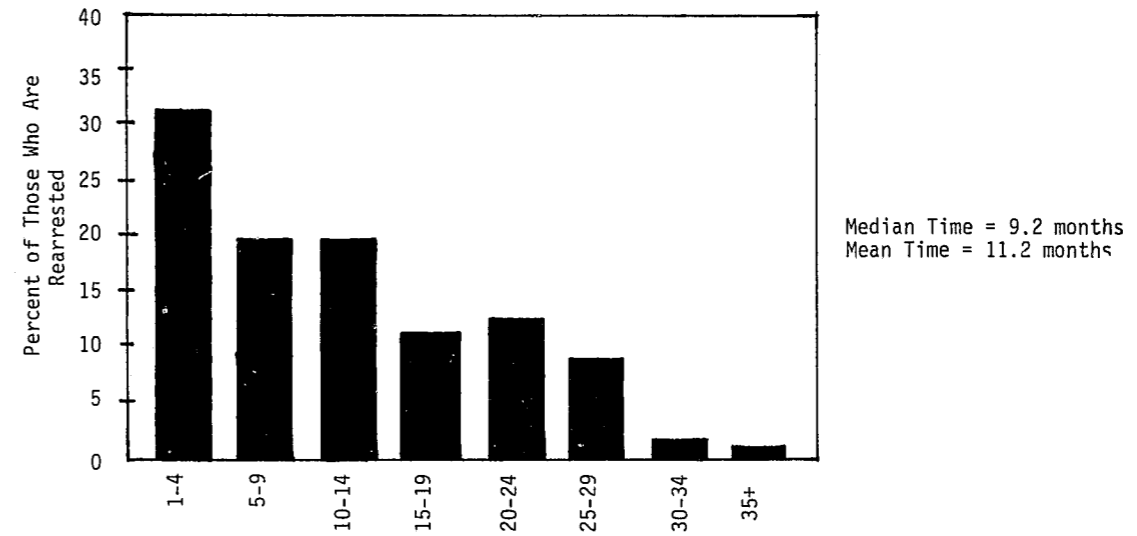
Of those with subsequent arrests, half were rearrested within nine months of the initial arrest and thirty percent were rearrested within four months. The percentage of persons rearrested declined steadily with each passing month.

It would be logical to assume that the time to rearrest might be different for those convicted on the initial arrest. If a person is convicted, he or she may be either incarcerated or under supervision and thus may have fewer opportunities to commit crimes within the given time frame. To test this, the time to first subsequent arrest for those convicted on the initial arrest was tabulated. The pattern is not substantially different from that of all those rearrested.

The mean time to rearrest for those convicted was 9.2 months which is identical to the mean time for all those rearrested. The percentage of those rearrested within the first four months was slightly lower for those convicted on the original arrest. This could be due to incarceration or supervision. Nevertheless, conviction on a previous offense did not have a dramatic impact on time to subsequent arrest.

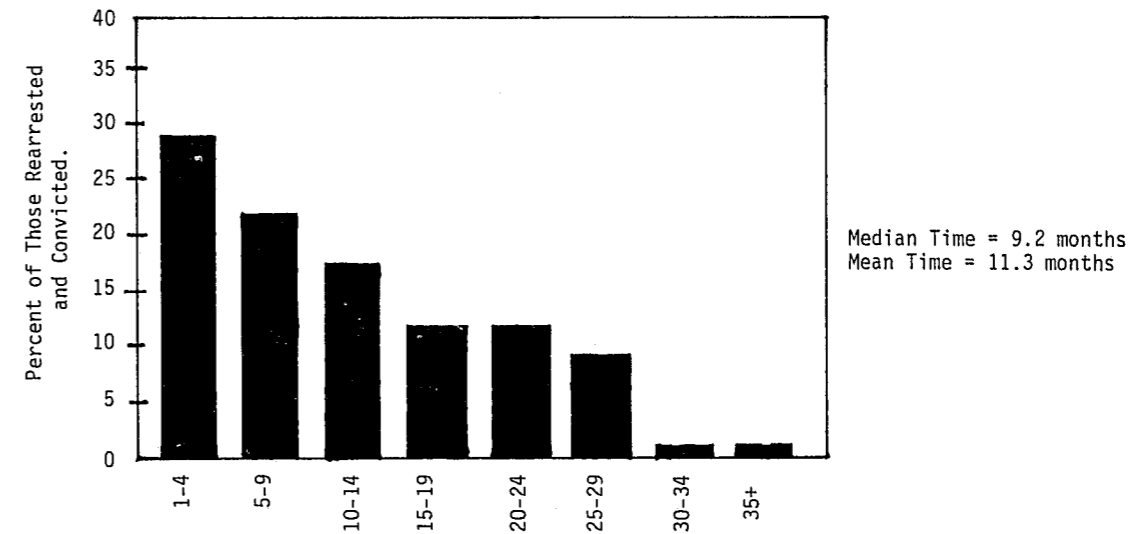
TIME TO FIRST SUBSEQUENT ARREST

N = 339



TIME TO FIRST SUBSEQUENT ARREST FOR THOSE CONVICTED ON ORIGINAL ARREST

N = 166

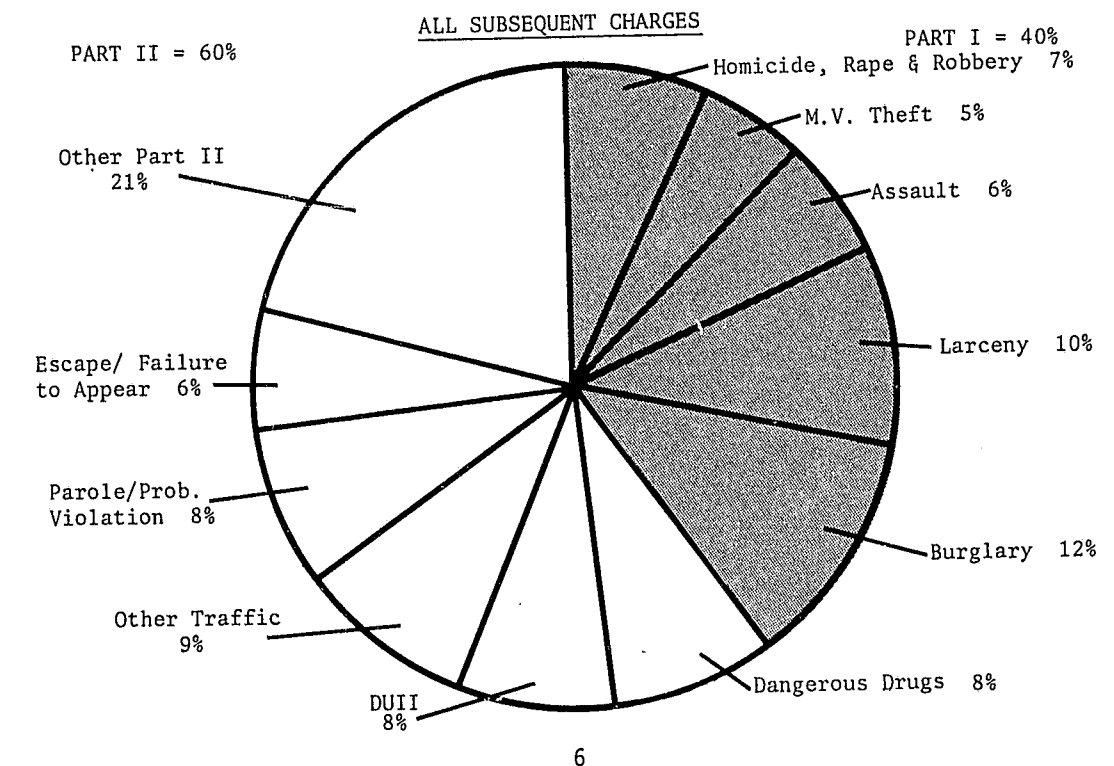
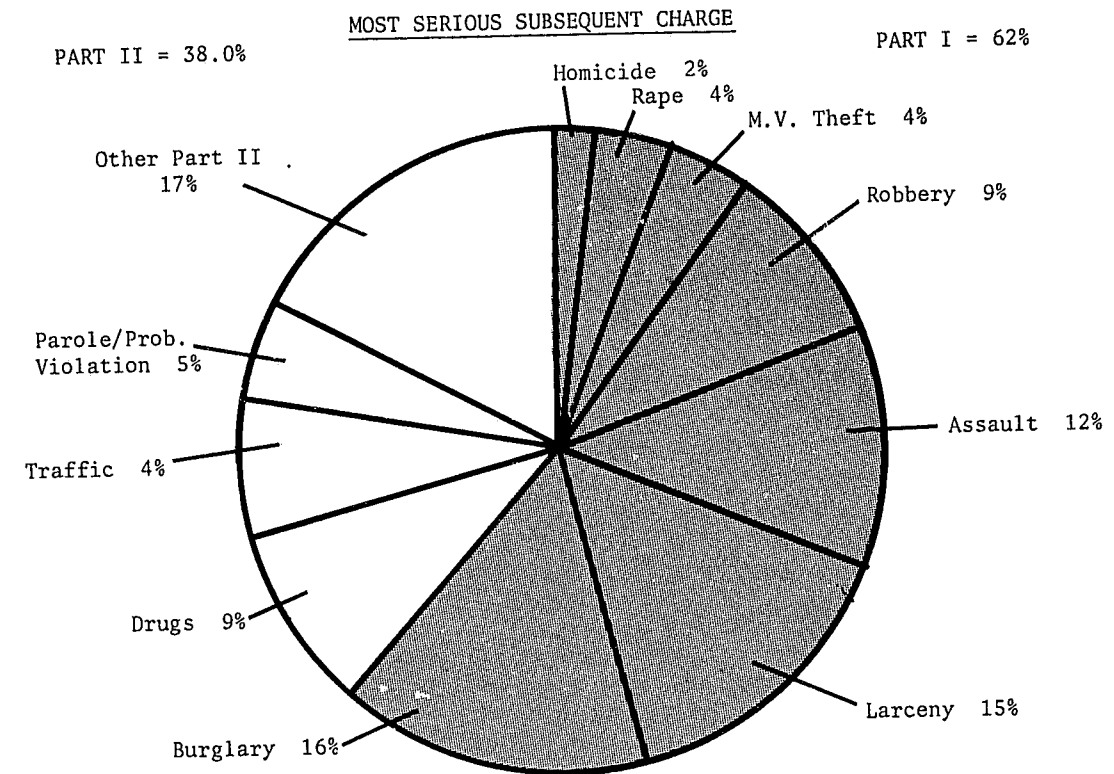


On What Charges Were the Offenders Rearrested?

This question is complicated by the fact that many persons were arrested more than once and, for each arrest, many were charged with more than one offense. One way of analyzing this complex situation is to count each offender's most serious subsequent charge. Using this method, the results show that 62 percent were rearrested for a Part I crime and 38 percent for a Part II crime. The single most common charge was burglary (16 percent) followed by larceny (15 percent) and assault (12 percent). Part II charges involved primarily drug offenses (9 percent), traffic offenses (7 percent), and parole or probation violations (5 percent).

Another way of analyzing the situation is to examine all subsequent charges. By simply counting all charges and classifying them by major crime category a somewhat different picture emerges. There were a total of 863 charges associated with the 339 persons or 2.5 charges per person. Sixty percent were Part II charges; primarily, drug, traffic, DUII, parole or probation violation and escape or failure to appear.

In looking at the two charts together, two things seem apparent. First, offenders are often charged with more than one offense--frequently a serious and a less serious one. An examination of individual cases shows that it is not uncommon for an offender to be arrested for assault and resisting an officer, motor vehicle theft and DUII, or burglary and a non-moving traffic offense. Second, offenders who were initially charged with a Part I felony do not stick exclusively to Part I crimes but also become involved in lesser offenses.



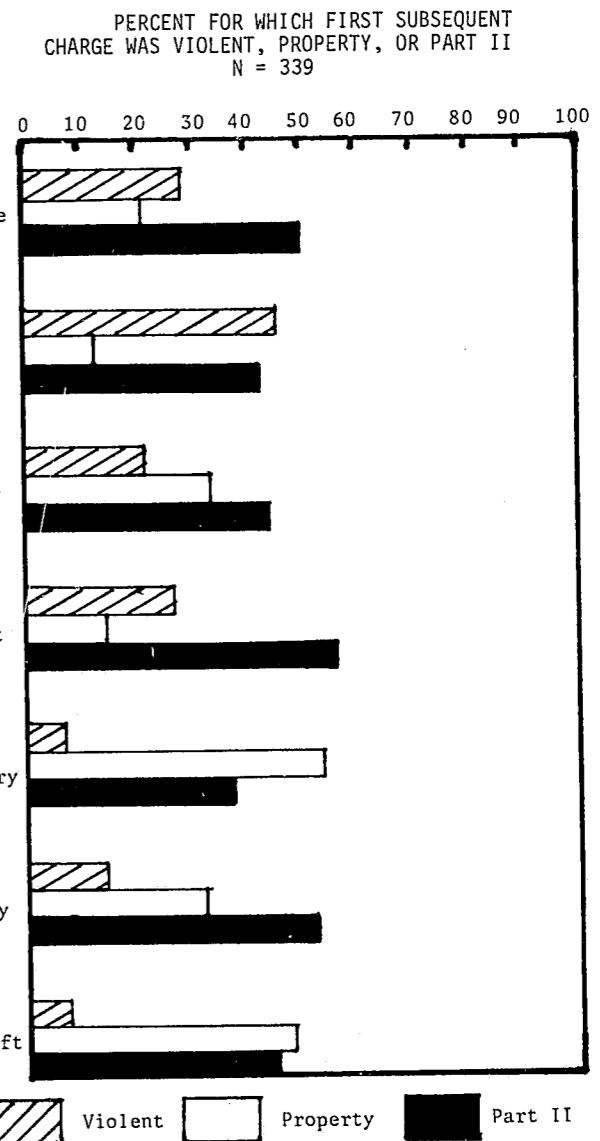
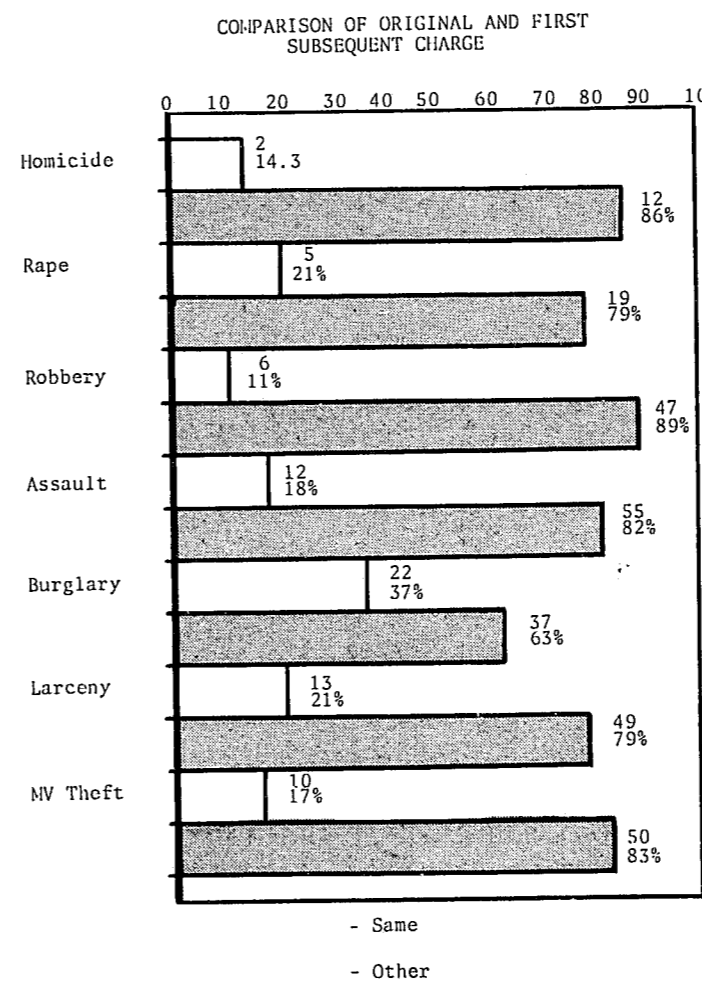
Do Offenders Switch From One Crime to Another

In the previous section, it was revealed that persons rearrested are not always rearrested for the same crime. This runs contrary to the popular notion that many offenders specialize in one crime or another. To more closely examine the crime switch tendencies, the original Part I felony category was compared to the first, second, and third subsequent charges. By looking at the first subsequent charge versus the original as displayed on the opposite page, it is clear that for the majority of offenders in all crime categories the charges are different. Comparison of the second and third subsequent charges with the original charge showed similar results. This suggests a high frequency of crime switch. The tendency to switch crimes seemed highest among those originally arrested for a violent crime. The single crime category with the highest degree of crime switch was robbery. Conversely, the crime category with the lowest degree of crime switch was burglary.

Another way to analyze the crime switch phenomenon is to examine the seriousness of the subsequent charges. For that purpose the first and second subsequent charges were compared with the initial charge in terms of three categories: Part I violent crime, Part I property crime and the less serious Part II crimes. This gives a somewhat different picture. First it shows that a higher percentage of those originally arrested for a Part I violent crime were rearrested for a second violent crime. This seemed particularly true of those originally arrested for rape. Forty-six percent of those were subsequently arrested for another violent crime. Few of those originally arrested for a Part I property crime were rearrested for a violent crime. However, about half of those originally arrested for burglary and motor vehicle theft, and one-third of those rearrested for larceny, were subsequently arrested for a Part I property crime.

Thus, while there is little tendency to be rearrested for exactly the same crime, there does seem to be some tendency to be rearrested for similar crimes.

The crime categories which seemed to generate the most serious rearrests were burglary where 63 percent of the first subsequent charges were Part I, and robbery where 58 percent were Part I. Assault and larceny were the categories with the lowest percent of Part I charges, 43 percent and 47 percent, respectively.



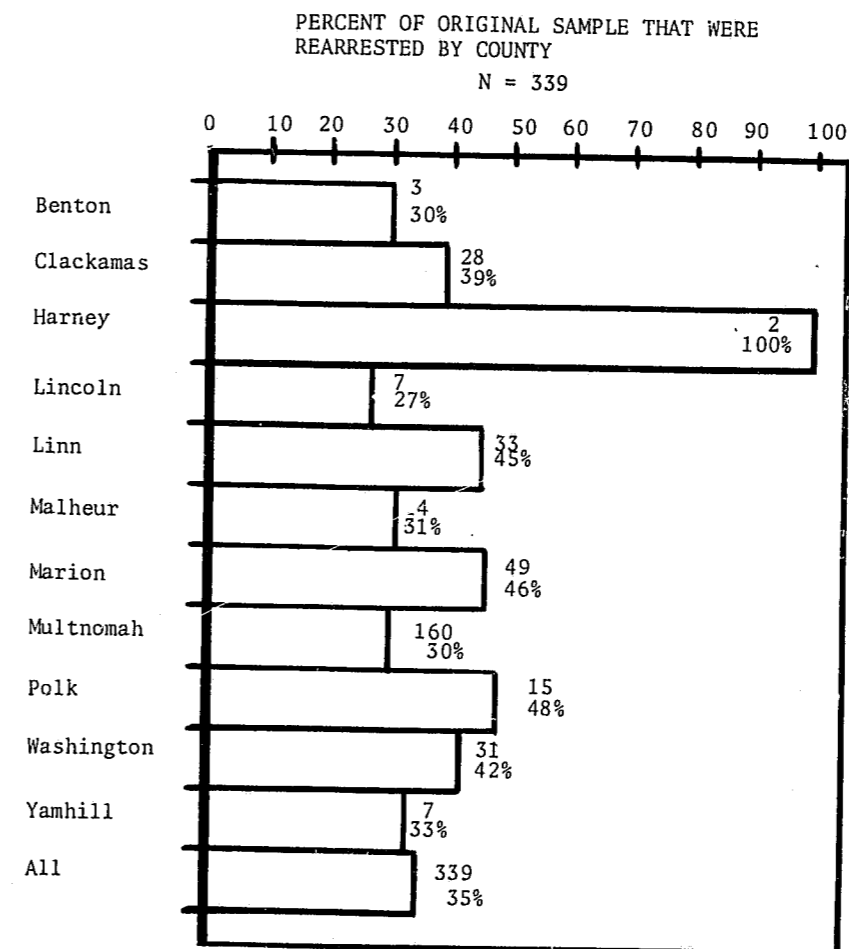
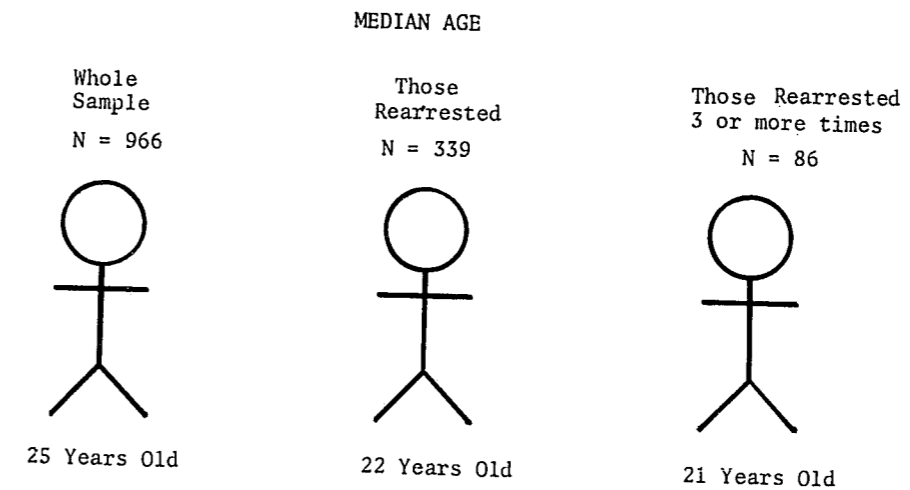
Who Was Rearrested?

For this analysis, those rearrested were examined in terms of their age, the charge for which originally arrested, and the county of arrest. The offender's sex or race were not analyzed due to the small number of females and ethnic minorities in the original sample.

The analysis of age compared three groups of people: the original sample of 966 person arrested for Part I felonies, those 339 individuals with one or more subsequent arrests and the 86 persons that were rearrested three or more times. Younger offenders were definitely more likely to be rearrested. The median age for the whole sample was 25 compared to 22 for all those rearrested and 21 for those rearrested three or more times.

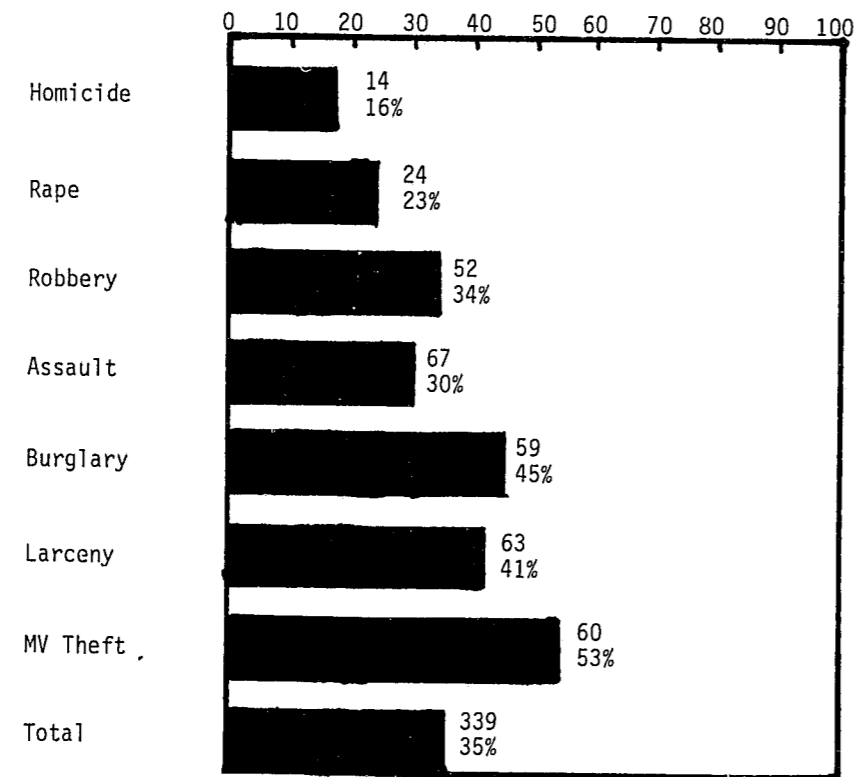
The repeaters were also more likely be those orginally arrested for a Part I property crime rather than a Part I violent crime. The percentage of persons rearrested once and three or more times was noticeably higher for those originally arrested for burglary, larceny and motor vehicle theft. Motor vehicle theft was the category with the most repeaters. Sixty percent had at least one arrest and 12 percent had three or more. The homicide category had the fewest repeaters--only 16 percent were rearrested once and 5 percent three or more times.

There was not a great deal of variation by county of arrest. Somewhat fewer repeat offenders came from Lincoln, Benton, Malheur and Multnomah counties. Somewhat more offenders came from Clackamas, Linn, Marion, Polk and Washington counties.

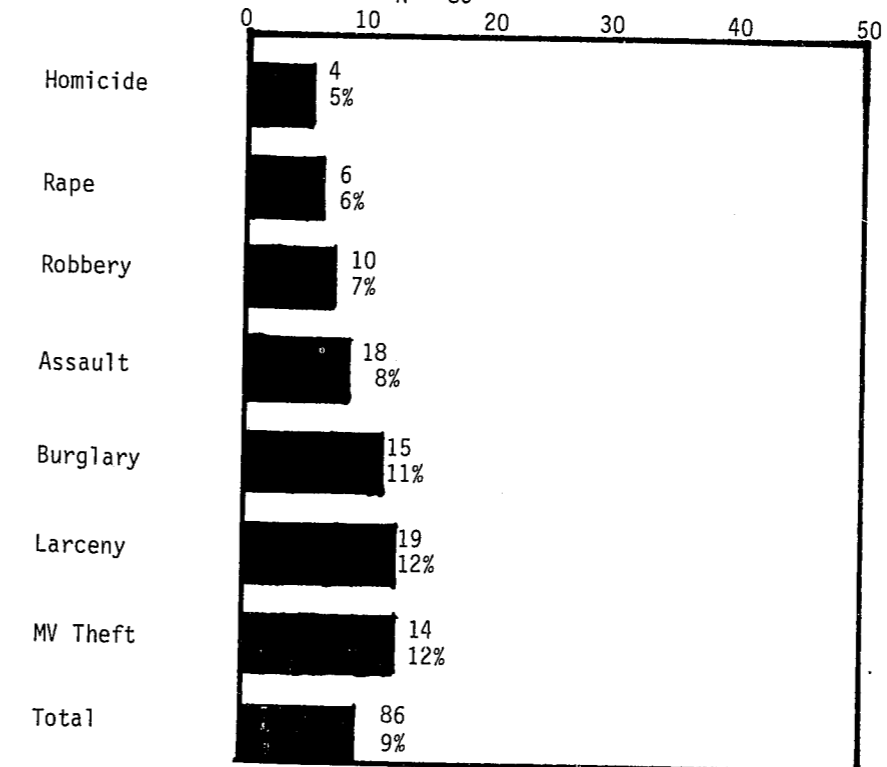




PERSONS REARRESTED BY ORIGINAL CHARGE  
N = 339



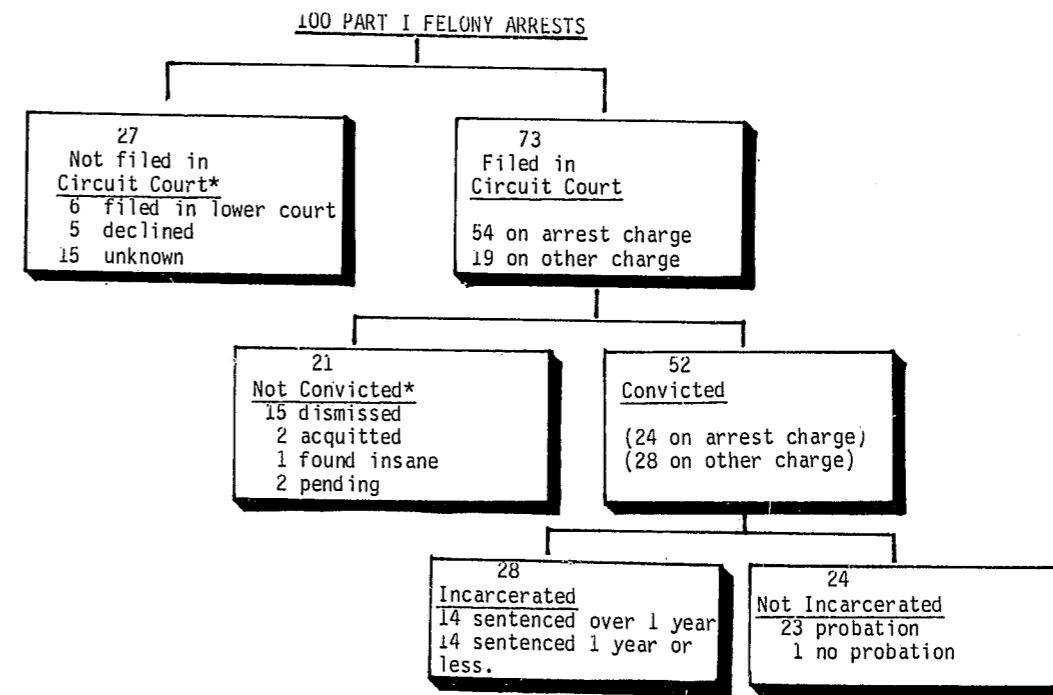
PERSONS REARRESTED THREE OR MORE TIMES BY ORIGINAL CHARGE  
N = 86



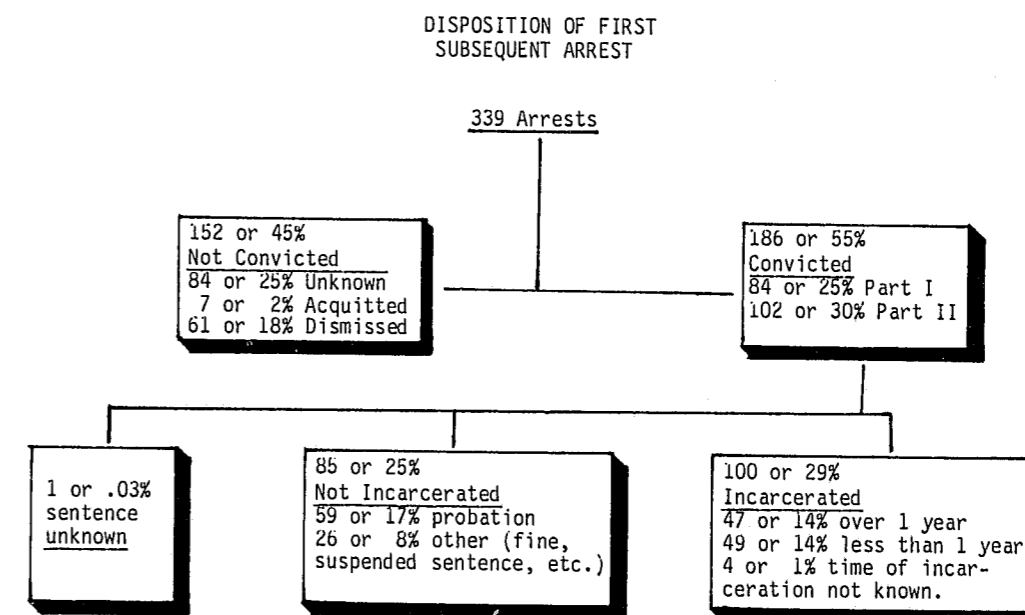
What Was the Conviction Rate for Subsequent Arrests?

One might assume that the probability of conviction might be higher for a group of people who had been arrested one or more times before. To see whether this was true, disposition flow charts were constructed for the first subsequent arrest and for the second subsequent arrest. These were compared with the flow chart for the original arrest. They are all remarkably similar. The percentages of persons convicted, incarcerated for any length of time and incarcerated over one year are almost identical for all three groups.

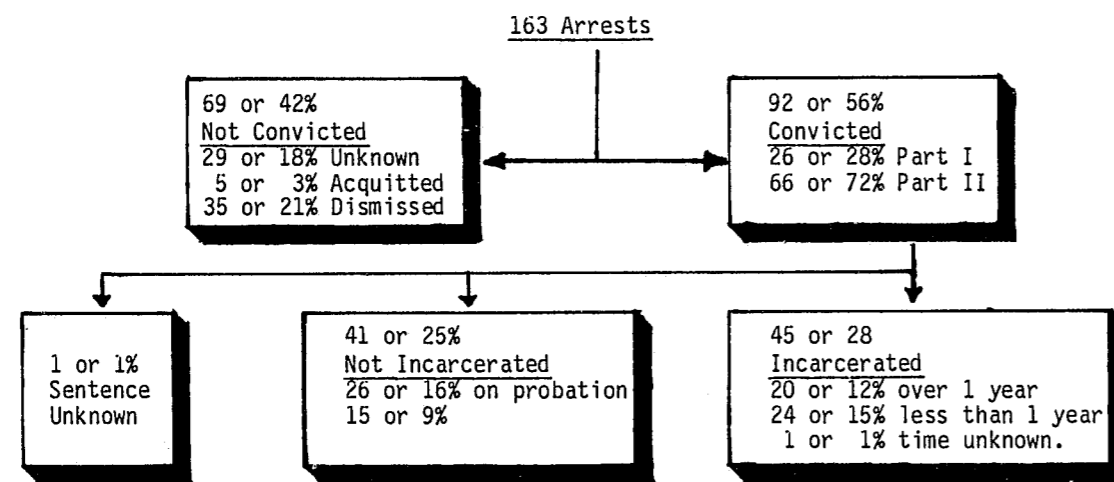
For the original sample of 966, 52 percent were convicted. For those arrested at least one more time, 55 percent were convicted. For those arrested at least two more times, 56 percent were convicted. The incarceration rates were 28 percent for the original sample, 29 percent for those with at least one arrest, and 28 percent for those with two or more. The percentage of persons incarcerated over one year were 14 percent for the original sample, 14 percent for those with one or more arrests and 12 percent for those with two or more.



\*Subtotals do not agree due to rounding.



DISPOSITION OF SECOND  
SUBSEQUENT ARREST



COMPARISON OF DISPOSITION  
OF INITIAL AND FIRST SUBSEQUENT ARRESTS

	<u>Initial</u>	<u>First Subsequent</u>
Percent		
Convicted	52%	55%
Incarcerated	28%	29%
Over 1 year	14%	14%
1 year or less	14%	14%
Not Incarcerated	24%	25%
Probation	23%	17%
Other	1%	8%
PART I		PART I Felony
Arrest charge (Part I Felony)	24%	25%
Other charge	28%	PART II Misdemeanor
		30%

On What Charge Were the Offenders Convicted?

The data shows that on the whole, the conviction charges for the second subsequent arrest were less serious than for the first subsequent arrest. The percentage of Part I convictions for the first arrest was 45 percent, compared with 28 percent for the second. This may reflect a tendency for people to get stopped for traffic offenses or other Part II charges once they become well known to police. It is interesting to note that despite the fact that the conviction charges were substantially different for the second subsequent arrest the conviction and incarceration rates were almost the same.

In a portion of the cases the disposition was unknown. The percentage of "unknowns" was less for the second arrest than for the first--18 percent compared to 25 percent. This may reflect the improved reporting experienced when the state police instituted a new fingerprint card in January 1977. Dismissal and acquittal rates were similar for the two groups of arrestees.

CHARGE BY DISPOSITION

First Subsequent Arrest

	<u>Convicted</u>	<u>Unknown</u>	<u>Acquitted</u>	<u>Dismissed</u>
Part I Violent	16 8.6%	14 16.7%	2 28.6%	17 27.9%
Part I Property	68 36.6%	23 27.4%	3 42.9%	23 37.7%
Part II Parole/Probation Violator	85 45.7%	37 44.0%	2 28.6%	20 32.8%
	<u>17 9.0%</u>	<u>10 11.9%</u>	<u>0 0</u>	<u>1 1.6%</u>
	186 99.9%	84 100.0%	7 100.0%	61 100.0%

Second Subsequent Arrest

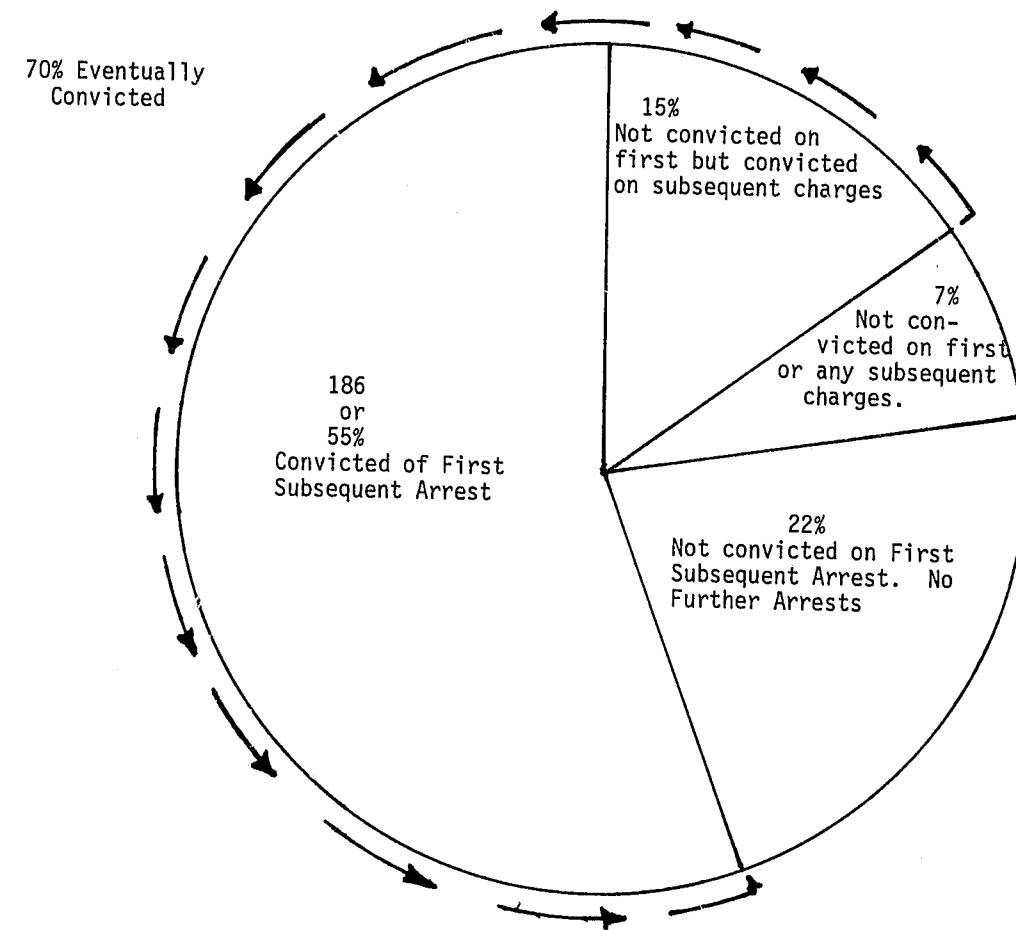
Part I Violent	5 5%	1 3%	1 20%	6 17%
Part I Property	21 23%	11 38%	1 20%	10 29%
Part II Parole/Probation Violator	60 65%	13 45%	3 60%	17 49%
	<u>6 7%</u>	<u>4 14%</u>	<u>0</u>	<u>2 6%</u>
	92 100%	29 100%	5 100%	35 101%

What Eventually Happens to Offenders Who Are Rearrested?

The data shows that the vast majority of offenders who are rearrested are either eventually convicted or are not arrested again. Only a very small percentage are arrested several times and never convicted.

Of the 339 persons who were rearrested, 70 percent were eventually convicted on some subsequent charge. Twenty-two percent were not convicted on the first subsequent arrest and had no further arrests. Only 7 percent continued to be arrested without conviction.

WHAT EVENTUALLY HAPPENS TO THOSE WHO  
ARE RE-ARRESTED?



#### SUMMARY AND CONCLUSIONS

Since this study represents a pilot effort and was hampered by some data limitations, a review of other research on recidivism was made to determine if the major findings could be confirmed by similar studies. In particular, two studies were examined in depth. The first is "The Scope and Prediction of Recidivism," by Kristen Williams of the Institute for Law and Social Research (INSLAW). That study was similar to ours in terms of methodology. INSLAW examined a group of persons arrested during a three month period in the District of Columbia. The follow-up period was three years. Their initial group varied from ours in that it included persons arrested on both Part I and Part II crimes whereas ours were arrested for only Part I Crimes. The second study was entitled "Crime and Criminal Justice in Iowa, Volume VII: Recidivism," by the Iowa Statistical Analysis Center. Its method was somewhat different in that only persons released from the state prison were tracked. The follow-up period was four years. Despite the differing methods the major findings of all three studies are remarkably similar. Below are listed the major findings of our study with results from the two other studies:

1. Thirty-five percent of the persons in the study sample were rearrested within the 2-3 year time period; 25 percent were rearrested and convicted. These results are similar to other studies. Both the INSLAW and Iowa study found that 39 percent were rearrested after a three year period. The difference between our study, though small, might be accounted for by the fact that some arrestees had less than three years in which to recidivate. Nevertheless, it is interesting that despite the differences in the three study populations that the percentage rearrested is strikingly similar.
2. A small number of persons account for a large percentage of the subsequent criminal behavior. One fourth of those rearrested accounted for 75 percent of all subsequent charges. The INSLAW study found the same pattern. Their data showed that 30 percent of the arrestees accounted for 56 percent of the arrests.
3. Most subsequent arrests occur within one year and the vast majority within two years. At the end of one year 22 percent of the OLEC study sample had been rearrested and at the end of two years 32 percent had been rearrested. The comparable figures for the Iowa study were 19 percent and 31 percent, respectively. By the end of three years the Iowa figure rose to 39 percent (the INSLAW study did not deal with this issue).
4. There was no general pattern of crime specialization found among those rearrested in this study. Offenders frequently switched from one crime to another. While there was no tendency to recommit exactly the same crime, there is some tendency to recommit similar types of crimes. Thus, those arrested for a property crime are more likely to commit another property crime than a violent crime. The INSLAW study found the same pattern.

5. Those most likely to be rearrested were younger (21 and under) and were originally arrested for a Part I property crime--particularly burglary and motor vehicle theft. These results were confirmed in both the Iowa and INSLAW studies. The INSLAW study also found that age was highly predictive of rearrest, reprosecution and reconviction. Additionally, they found that the fact that a defendant was a teenager to be the highest predictor of all variables for all recidivism measures. Both the INSLAW and Iowa studies also found that a prior criminal record was related to recidivism. Prior criminal histories were not examined for the OLEC study, but will be in future studies.
6. Conviction rates for initial arrest and the first and second subsequent arrests were remarkably similar despite the fact the the charges were different. For all cases, the percent of persons convicted was about 52-56 percent and the percent incarcerated was about 28 percent. The reason for this phenomenon is not clear and no light was shed on it by other studies since they did not deal with this issue. The similarity of percentages may be reflective of the system's capacity to convict only about 55 percent of any given group of offenders and incarcerate only 28 percent of them.
7. Most offenders who continue to be rearrested will eventually get convicted. Although only 55 percent were convicted on their first subsequent arrest, only 7 percent continued to be rearrested without conviction.

#### IMPLICATIONS

1. If resources for prosecution and corrections are sparse, the most effective use would be to focus on the high risk offender who:
  - \* is young (under 21 and particularly teenagers are the highest risks)
  - \* was arrested for a Part I property crime (especially burglary and motor vehicle theft)
  - \* has a prior record (especially juvenile record beginning at an early age)
2. If treatment is to be effective in preventing recidivism, it must be applied quickly. Since the highest number of recidivists are rearrested within the first four months, and most within one year, early concentration of resources is advised.
3. Special enforcement or prosecution programs which focus on certain classes of offenders should avoid target groups that are classified by single crime categories. Since most offenders do not seem to specialize or become "professional burglars" or "professional robbers" such target groups might be ineffective.

**END**