

Teri Deal, M.Ed., Research Associate, NCJJ  
Anne Rackow, M.S.Ed., Research Associate, NCJJ  
Andrew Wachter, M.S., Research Associate, NCJJ

July 2015

*Juvenile Justice GPS (Geography, Policy, Practice & Statistics) is an online repository providing state policy makers and system stakeholders with a clear understanding of the juvenile justice landscape in the states. The site layers the most relevant national and state-level statistics with information on state laws and practice and charts juvenile justice system change. In a landscape that is highly decentralized and ever-shifting, JJGPS provides an invaluable resource for those wanting to improve the juvenile justice system.*

## Measuring Subsequent Offending in Juvenile Probation

One of the central aims of the juvenile justice system is to support delinquent youth to become law-abiding citizens. Counting subsequent offending after the intervention of the juvenile justice system is one way to measure the performance of the system. This measure is often referred to as recidivism. Current recommendations from the field suggest examining re-offending behavior across a range of populations, events, and timeframes. The methods for measuring recidivism vary across states, and comparison of state rates can only be done with careful examination of the practices within the state and the population, event, and time-frame chosen for the analysis.

Most recidivism statistics involve the juvenile corrections population. A recent survey of state juvenile correctional agencies found that 39 state agencies regularly measure recidivism for youth exiting confinement (Council of State Governments Justice Center, 2014). It's important to measure how often and in which ways the most serious juvenile offenders, those committed to secure facilities, come into contact with the juvenile justice system after their release; however, committed youth make up only a fraction of all youth who interact with the justice system. At any given time, many more youth are under supervision in the community than are disposed to out-of-home placements. For example, in

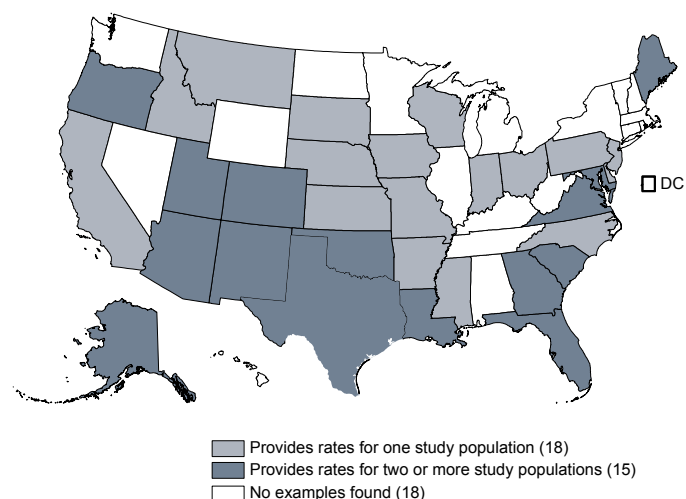
2012, 2.5 times more petitioned juvenile court cases resulted in probation than out-of-home placements (Sickmund, Sladky, & Kang, 2015). Juvenile probation is referred to as the "workhorse of the juvenile justice system" because most juveniles who end up in court are placed on probation (Torbet, 1996). Thus, it makes sense for juvenile justice agencies to track subsequent re-offending not only for serious offenders in out-of-home placements, but also for youth who receive less severe dispositions.

### System Structure Limits Research Capabilities

A 2014 review of state juvenile justice-related websites found 13 states that

published recidivism research on youth adjudicated to probation. Often a state's ability to produce information on subsequent offending of juvenile probationers is limited by a lack of data sharing among agencies, poor data system capacity, and a decentralized system structure. When a state-level agency is responsible for most juvenile justice services, as is the case in Florida and Maryland, it may be easier to capture a youth's return to court or to supervision. However, probation services in 29 states are operated partially or entirely at the local level by county courts or executive offices ([www.JJGPS.org](http://www.JJGPS.org)). Statewide recidivism research on probationers in these states can be even more challenging because it requires integrating data from many

### Thirty-Three States Make Recidivism Reports Available Online



**Table 1: Reported Measures of Subsequent Offending in Juveniles Adjudicated to Probation**

State	Population	Marker Event(s)					Tracking Details	
		Re-arrest	Re-referral	Re-adjudication and/or Conviction	Return to Supervision	Commitment and/or Incarceration	Max Follow-up (months)	Into Adult System
Alaska	Exiting Division of Juvenile Justice probation			•			24	•
Arizona	Entering Intensive Probation		•				D	
Colorado	Under/exiting probation supervision		•	•			12/D	•
Florida	Exiting Department of Juvenile Justice probation			•			12	•
Georgia	Under/exiting Department of Juvenile Justice supervision			•			36	•
Louisiana <sup>1</sup>	Exiting Office of Juvenile Justice supervision (probation/parole)				•	•	36	•
Maine	Under/exiting Division of Juvenile Services supervision			•			24	•
Maryland	Entering Department of Juvenile Services supervision	•		•		•	36	•
Oklahoma	Completing community-based program			•	•		12	•
Pennsylvania	Juvenile court case closed			•			24	•
South Carolina <sup>2</sup>	Entering probation/parole		•				D	
Texas	Entering adjudicated probation supervision	•	•			•	36	•
Utah <sup>3</sup>	Misdemeanor and Felony Adjudication			•			12	•
Virginia	Entering/exiting Department of Juvenile Justice probation	•		•			36	•

Rearrest includes juvenile and adult rearrests.

D - Duration of supervision.

<sup>1</sup> In the Louisiana Office of Juvenile Justice report, commitment and/or incarceration includes adult incarceration only.

<sup>2</sup> In the South Carolina Department of Juvenile Justice report, this population also includes youth entering arbitration programs.

<sup>3</sup> In the Utah State Courts report, the marker event includes admissions of guilt which may be handled informally.

See links to the reports mentioned here and others at [www.jjgps.org](http://www.jjgps.org).

different probation departments, that may all use different data systems or apply different definitions to the variables collected. Some states, like Pennsylvania and Texas, have found solutions in developing statewide juvenile case management systems.

### Reports Describe a Variety of Populations

Within examples of recidivism research on juvenile probationers found online, reports varied in the characteristics of youth included in the study and point in the juvenile court process when

measurement begins. Some recidivism reports limited the population studied to first time offenders or youth who have successfully completed a specific program. Beyond who is included in the sample, states also differed on the date used as the start of the follow-up period. For example, seven states' reports included measures of re-offending for youth while under supervision; the "clock" starts for these youth when they are disposed to probation or at intake. The recidivism rate calculated for this group is expected to differ in both size and interpretation from calculations when the "clock" starts at

case closure or exit from probation. Best practices call for measuring re-offending both while the youth is under supervision as well as after exit or case closure, with the ability to delineate whether the subsequent offending occurred while under supervision or after case closing. For example, Colorado's Division of Probation Services reports rates for both recidivism while under probation supervision and recidivism within one year of probation termination.

## Measures of Re-offending Impact Rates

To perform recidivism research, there must be a decision as to which event will indicate that a youth has recidivated. This is sometimes referred to as the marker event. The marker event has an impact on the resulting rate. For example, choosing a new arrest as a marker event results in a higher recidivism rate than choosing adjudication since not all youth who are arrested will be adjudicated. In the Texas Legislative Board's statewide report on criminal justice recidivism and revocation rates, the rearrest rate for a cohort of youth under supervision was five times the incarceration rate of the same population during the same period (The State of Texas Legislative Board, 2013). While a state or an agency may have an official definition of recidivism that documents the marker event to be used, current recommendations point to the utility of analyzing multiple marker events.

Of the 14 reports that include a recidivism rate for probationers, adjudication and/or conviction was the most common marker event (10). Four (CO, MD, TX, and VA) reports document rates of re-offending across multiple marker events. For example, the Maryland Department of Juvenile Justice analyzes re-offending of probationers at three marker events: rearrest, reconviction, and incarceration.

Some reports further define the marker event to exclude certain types of offenses such as status offenses and technical violations. The Virginia Department of Juvenile Justice noted that recidivism data does not include violation of probation or parole, contempt of court, non-criminal domestic relations/child welfare complaints, or non-criminal traffic violations. The amount of marker event detail included varies greatly by state and study and is key in understanding the reported recidivism rates.

## Individual Characteristics Add Context to Analysis

Analyzing recidivism rates by individual characteristics, such as age, gender, race/ethnicity, or offense, allows for more comprehensive analyses. For example, if recidivism analyses demonstrate that youth with particular offenses, of a certain age, or with similar risk factors come back to court more quickly or often than other youth, further investigation may uncover ineffective policies, need for training, or a gap in services. Many reports reviewed here incorporated individual characteristics including age (7) and offense detail (5). Three specifically compared the severity of the initial offense to the recidivating offense. This type of analysis can help describe the offending patterns of youth and signify that a youth's behavior may be improving if the recidivating offense is less severe than the initial offense. This may be considered a success, despite the fact that the youth technically recidivated.

It is expected that recidivism rates will vary by offenders' risk to reoffend; low-risk offenders are by definition less likely to recidivate than moderate or high-risk offenders. Since practices vary from state to state and at times jurisdiction to jurisdiction within a state, youth on probation may represent a wide range of risk levels. Many probation departments use a risk assessment tool to assess criminogenic risk and need factors. In fact, a recent survey of juvenile probation agencies indicated that 34 states require the use of a risk assessment tool (Wachter, 2015). This information is commonly used for case planning, but it can and

should also be used in recidivism research. In this analysis, only 4 of the 13 state level reports (CO, GA, ME, and VA) analyzed the recidivism of probationers by risk level.

## Different Tracking Periods Result in Different Rates

The longer youth are tracked in recidivism research, the more opportunities they have to come into contact with the justice system. Three of the reports included here measured re-offending within a time period of 1 year, three within 2 years, and five within 3 years. Two reports tracked re-offending behavior only while the youth was under supervision, rather than a predetermined length of time. Seven reports also included rates at specific intervals up to the maximum follow-up period. Doing so enables stakeholders to identify the time period when youth are mostly likely to re-offend and to compare patterns across populations. For example, the report from Maine's Division of Juvenile Services, included the percentage of youth who recidivated at each 3 month interval up to 24 months and concluded that about a quarter of youth under supervision who recidivated did so within the first three months of being placed under DJS supervision.

During the follow-up period, a youth might relocate across county or state lines, or they might age out of juvenile justice jurisdiction. To include these considerations in a research design, juvenile justice agencies would need to access multiple sources of information: arrest records, family and criminal

### Efforts to Advance Recidivism Research

Often variance in how states define, measure, and report subsequent offending is a result of differences in system goals, policies, practices, and data availability. The Juvenile Justice Geography Policy Practice & Statistics ([www.JJGPS.org](http://www.JJGPS.org)), developed by the National Center for Juvenile Justice (NCJJ), displays the range of measures and definitions used across the country. These divergent measures are often incompatible and do not support cross-site comparisons or benchmarking. There have been efforts to standardize measures of recidivism for youth in correctional settings by the Council of Juvenile Court Administrators (CJCA) in their white paper *Defining and Measuring Recidivism*. Learning from this work, NCJJ and CJCA, have recently started a comprehensive study of juvenile reoffending in five states. The study aims to promote meaningful indicators of system performance and arm targeted states with research-informed measures that capture the full picture of subsequent offending. Learn more about this work at: [http://www.ncjj.org/Projects/National\\_Projects](http://www.ncjj.org/Projects/National_Projects).

court records for local and neighboring jurisdictions, data from other states, and even death records. Exhausting all of these data sources would be resource intensive; however, many reports featured here did access at least one external data source.

The adult criminal justice system was the most common external data source included in reports in this analysis. Most of the reports (11) accessed information from the adult criminal justice system to see if a youth had been arrested as an adult, convicted in criminal court, or incarcerated as an adult during the follow-up period. This often requires juvenile justice agencies to form data sharing agreements with law enforcement agencies or courts, and in the absence of a unique identifier, may require a mechanism to match youth across systems. Accessing data from neighboring states is even more taxing and far less common in routine reporting on recidivism. None of the reports reviewed here included youth whose subsequent offending was under the jurisdiction of a neighboring state's juvenile court.

## Conclusion

As use of community alternatives to placement continues to increase, it is important for states to measure, analyze, and report outcomes for all youth who have contact with the court. This analysis focuses on measuring the recidivism of probationers; however, four of the state reports included here also reported recidivism data for diversion populations. For more information on these reports and others, visit [www.jjgps.org/juvenile-justice-services](http://www.jjgps.org/juvenile-justice-services).

Measuring the effectiveness of community supervision is not limited to identifying the youth who failed to stay out of trouble. Some juvenile justice agencies, such as Florida's Department of Juvenile Justice and Utah's Division of Juvenile Services, have already redirected the negative connotation of recidivism by reporting a success rate rather than a recidivism rate. Additionally, agencies are encouraged to collect

information on other outcomes, such as program completion, job placement and retention, and factors related to services rendered during supervision. Careful attention to how youth fare during and after supervision will help policymakers, agency administrators, and probation chiefs make informed decisions that improve practices related to youth on probation.

---

## References:

- Council of State Governments Justice Center, Measuring and Using Juvenile Recidivism Data to Inform Policy, Practice, and Resource Allocation (New York: Council of State Governments Justice Center, 2014).
- Juvenile Justice Geography, Policy, Practice & Statistics. Online. Available: <http://www.jjgps.org/juvenile-justice-services#structure?filter=overall>. Developed by the National Center for Juvenile Justice (NCJJ), with funding from the John D. and Catherine T. MacArthur Foundation.
- Sickmund, M., Sladky, A., and Kang, W. (2015). "Easy Access to Juvenile Court Statistics: 1985-2012." Available online: <http://www.ojjdp.gov/ojstatbb/ezajcs/>.
- The State of Texas Legislative Budget Board. (January 2013). Statewide Criminal Justice Recidivism and Revocation Rates available online: [http://www.lbb.state.tx.us/Public\\_Safety/Criminal\\_Justice/RecRev\\_Rates/Statewide%20Criminal%20Justice%20Recidivism%20and%20Revocation%20Rates2012.pdf](http://www.lbb.state.tx.us/Public_Safety/Criminal_Justice/RecRev_Rates/Statewide%20Criminal%20Justice%20Recidivism%20and%20Revocation%20Rates2012.pdf).
- Torbet, P. (1996). Juvenile Probation: The Workhorse of the Juvenile Justice System. Juvenile Justice Bulletin (March). Washington, DC: Office of Juvenile Justice and Delinquency Prevention.
- Wachter, A. (2014). Statewide Risk Assessment in Juvenile Probation. JJGPS StateScan. Pittsburgh, PA: National Center for Juvenile Justice.

## Methodology

Juvenile recidivism reports were collected from a variety of websites including court administration, state juvenile justice agencies, probation agencies, juvenile corrections agencies, and state statistical analysis centers during the time period of October 2013 to January 2015. Stand-alone, point-in-time studies were not included. Publication dates of the reports span from 2008-2014; at the time of this publication, some report series have been discontinued. Key elements of recidivism measurement, including population (characteristics of youth studied), marker event (event that signifies recidivism), and follow-up period, were noted as detailed within the reports. This publication focuses on study populations of juvenile probationers and includes only reports documenting recidivism rates for youth under or exiting formal court and/or community supervision. This does not include informal supervision such as diversion or deferred prosecution. Results varied widely across reports and are not included in this analysis as comparison of rates across states can only be done with careful examination of the practices within the state and the population, marker event, and timeframe chosen for the analysis.

Some recidivism reports not included here use a study population where youth on probation are a subset, but only report aggregate rates and do not specifically report rates for probationers. Oregon's Juvenile Justice Information System (JJIS) Steering Committee's and Montana's Supreme Court's Youth Court At-A-Glance reports, for example, provide recidivism rates for all youth referred to the court given in the specified timeframe, but do not disaggregate youth based on disposition. These reports, and others like them, are not included in the 14 reviewed in this analysis. Pennsylvania's Juvenile Court Judges' Commission's reports are based on a cohort of youth with varying dispositions whose cases were closed during a specified time period; however, the report does produce a recidivism rate for juvenile probationers.

The National Center for Juvenile Justice is a non-profit organization that conducts research on a broad range of juvenile justice topics and provides technical assistance to the field. NCJJ is the research division of the National Council of Juvenile and Family Court Judges.

Teri Deal, Anne Rackow, and Andrew Wachter, Research Associates with the National Center for Juvenile Justice, prepared this document with support from the John D. and Catherine T. MacArthur Foundation. Points of view or opinions expressed are those of the authors and not necessarily those of the Foundation.

© National Center for Juvenile Justice  
3700 South Water Street, Suite 200  
Pittsburgh, PA 15203-2363

Suggested Citation: Deal, Teri, Rackow, Anne, and Wachter Andrew (2015). Measuring Subsequent Offending in Juvenile Probation. *JJGPS StateScan*. Pittsburgh, PA: National Center for