RECIDIVISM - Manhattan Treatment Court

RECIDIVISM SAMPLING STUDY by Darren J. Edwards

In an effort to gauge the impact that a participant's graduation from the Manhattan Treatment Court program has on criminal behavior, NYC Criminal Court staff studied the recidivism of graduates. The study was not meant to take the place of larger, systematic studies that track recidivism of all drug court participants using different definitions or standards. In fact, in the coming months and years, MTC and the rest of the Drug Court Initiative will be cooperating fully in the NYS Division of Criminal Justice Services effort to comprehensively track recidivism rates of all drug court and judicial diversion participants throughout the State. This study was conducted in an effort to give timely feedback to the MTC team on the effectiveness of the program and allow necessary adjustments of policies and procedures to improve success rates. The results of this study, offered in the following pages, are presented as just one indicator of the effectiveness of the MTC program.

DEFINITION

Various agencies and research studies define recidivism in different ways. **In this study, recidivism is defined as any graduate from MTC who has been arrested (not necessarily convicted or sentenced) on a felony charge after graduating from MTC.**

DATA COLLECTION

- A list was compiled of MTC graduates from January 1, 1998 to December 31, 2007 using the UTA (Universal Treatment Application) and SPSS (Statistical Package for the Social Sciences). For each graduate, the list contained their birth name, gender, age, race, drug of choice-when assessed, date of graduation, and NYSID (New York State Identification Number).
- The graduates' NYSID numbers were run in the NCIC (National Crime Information Center) database twice, first in June 2007 and then January 2008. For confidentiality reasons, results were never printed.
- An appropriate identity match was made by connecting key specifications such as the graduate's NYSID number, birth name, race, age, aliases, date-of-birth, and Social Security Number from the "MTC Graduate Database" and the NCIC database.
- A graduates' date of dismissal was then used as a point of reference to determine whether to classify as a recidivist or not. If a post-graduate was rearrested, the date of arrest(s), charge(s) and location(s) were then recorded.

CRIMINAL DATA

NCIC - is a computerized index of criminal justice information (i.e.- criminal record history information, fugitives, stolen properties, missing persons), available to Federal, state, and local law enforcement and other criminal justice agencies. Out of the **435** graduates, **422** precise matches were made which is approximately a **97%** efficiency ratio. Three percent **(3%)** or **13** graduates possessed inadequate data such as flawed NYSID numbers. For these graduates, no further research was conducted. (In some borough's
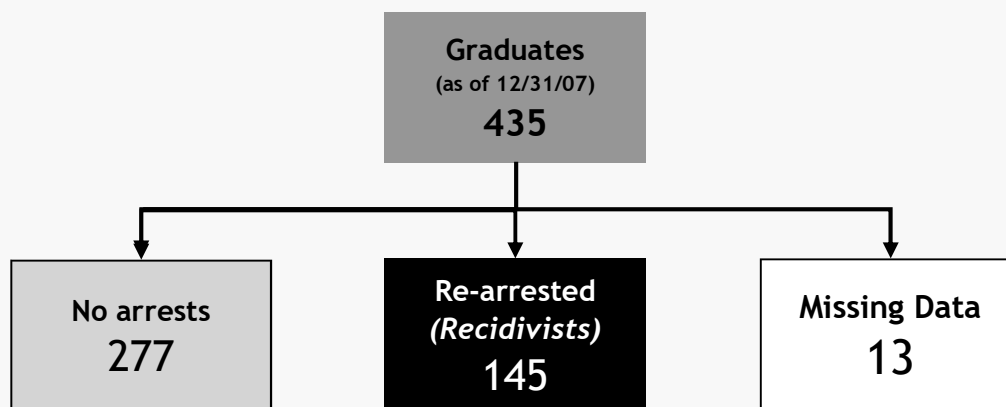
METHODOLOGY

Only MTC graduates were studied in this research. The criteria to identify a graduate for this inquiry was simple. Any participants who fulfilled their court order plea agreement and had their indictment dismissed between January 1, 1998 and December 31, 2007, were included. A graduate became a recidivist if they had a felony arrest after their date of graduation. The data was then analyzed as if all graduates had the same date of dismissal.

64% of MTC graduates had no new arrests recorded post-graduation date

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This is one of six studies that will be conducted within the coming years involving the drug courts. The upcoming reports will not only focus on participants and graduates, but compare various control groups as well.

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                        ┌─────────────────┐
                        │   Graduates     │
                        │ (as of 12/31/07)│
                        │      435        │
                        └─────────────────┘
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No arrests	Re-arrested (Recidivists)	Missing Data
277	145	13

As of 12/31/07, MTC **435** participants successfully completed their court ordered mandate and had their cases dismissed. Out of the **435** graduates, **277** had no felony arrests recorded after their drug court graduation date. On the other hand, **145** were re-arrested for a felony offense. Thirteen **(13)** graduates had missing data (mostly incorrect NYSID numbers). The ratio of graduates with no-arrest versus re-arrest is approximately **2:1**. In sum, this research found that as of December 31, 2007, based on their criminal record, just about **64%** of MTC graduates abstained from serious criminal activity, whereas **33%** were arrested on felony charges after graduating.

Graduates Annually (1999 - 2007)

Since inception, MTC has graduated **435** participants. Of the **435** graduates, **323** (**74%**) were referred to MTC by the Office of Special Narcotics. The remaining **112** (**25%**) graduates were sent to MTC from the Department of Probation. Eight-three (**83**) or **19%** probation violators graduated, while **29** or **7%** on interim probation supervision graduated. The following table provides an annual total of graduates for MTC.

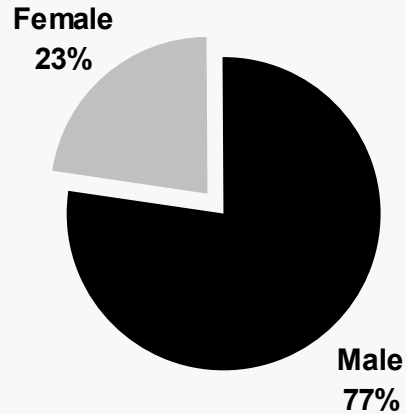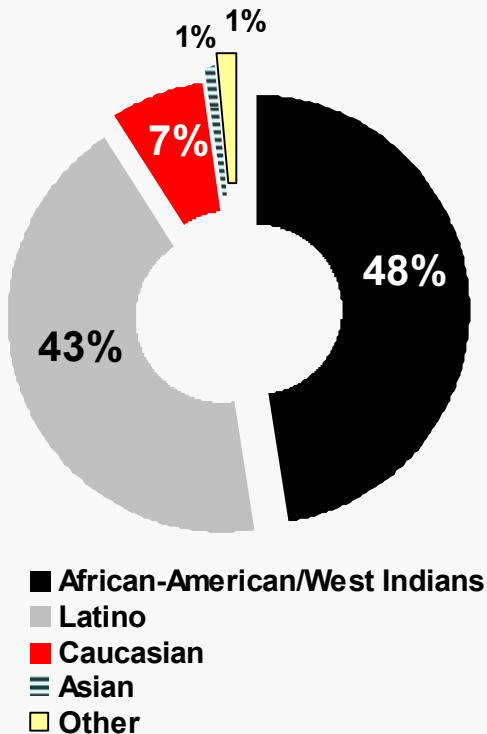|	MTC	Violation of Probation (VOP)	Interim Probation Supervision (IPS)	Total
2007	53	2	9	64
2006	42	6	5	53
2005	46	9	4	59
2004	53	25	8	86
2003	47	24	3	74
2002	22	15	0	37
2001	30	1	0	31
2000	26	1	0	27
1999	4	0	0	4
TOTALS	**323**	**83**	**29**	**435**

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Graduate's Gender

In Drug Court, males have always made up a greater proportion of the participant population than females. Of the **435 MTC** graduates, **336** (**77%**) were males and **99** (**23%**) females. The ratio of males to females is approximately **37** to **1**.

In 2004, a record number of both male and female participants graduated - **60** males and **20** females. This followed a record high number of MTC referrals and pleas in 2002, a few months after September 11th.

Female
23%

Male
77%

Graduate's Ethnicity

1% 1%

7%

48%

43%

■ **African-American/West Indians**
■ **Latino**
■ **Caucasian**
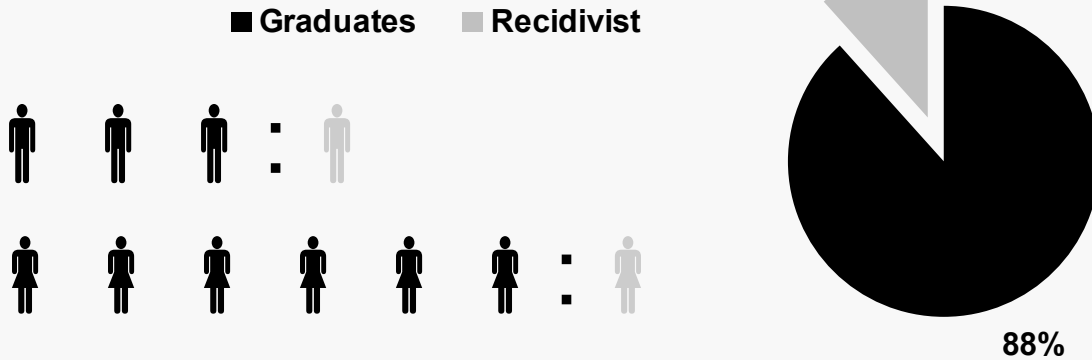≡ **Asian**
▨ **Other**

MTC serves one of the most diverse cities in the world and its **435** graduates reflect that diversity. Two hundred and seven (**207**) African-Americans, **48%** of the total, have graduated from MTC. Of these **207, 142** were male and **65** female. Latinos accounted for **27%** of MTC's graduates. Of the **188** Latino graduates, **161** were male, or **52%** of the total Latino population. Latino males make up the second largest group of MTC's population after African-American males. There were **27** (**18%**) female Latino graduates. Thirty (**30**) Caucasian graduates and **4** Asian graduates accounted for **8%** of the total MTC graduates. Six (**6**) graduates considered themselves of different ethnicity than the options provided.
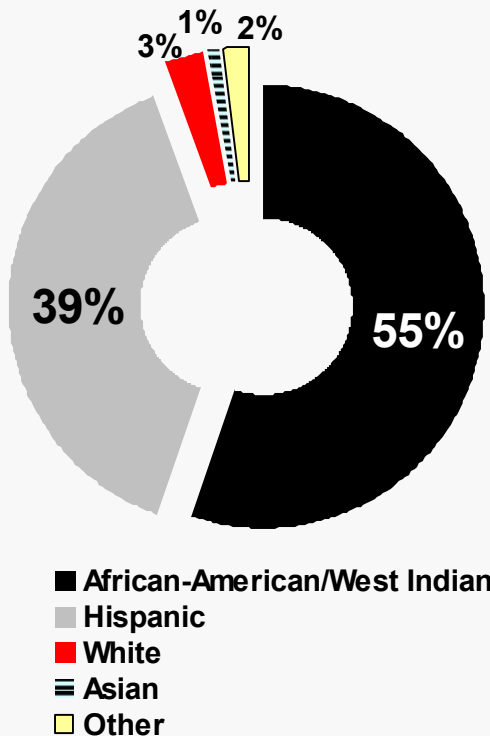
77% of MTC graduates were male (2003 - 2007)

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Recidivist's Gender

■ **Graduates** ■ **Recidivist**

12%

88%

Out of the **145** graduates arrested on a felony matter after their graduation from MTC, **129** (**88%**) were males and **16** (**12%**) were females. This research suggests that women are less likely to re-offend. For every **six (6)** female graduates, there was just one recidivist. The ratio for male graduates is approximately **3:1**.

Recidivist's Ethnicity

3% 1% 2%

39% 55%

■ **African-American/West Indian**
■ **Hispanic**
■ **White**
≡ **Asian**
□ **Other**
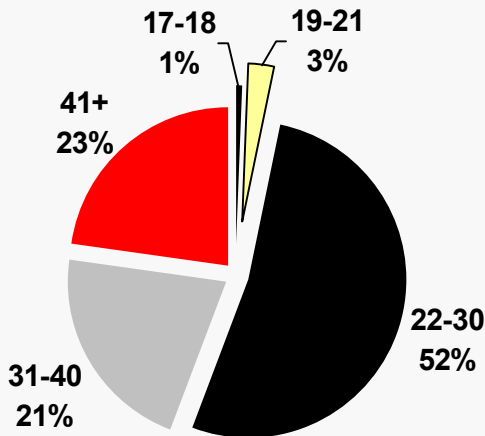
The ethnicity of the **145** recidivists follows:

- **55%** African-Americans;

- **39%** Latinos;

- **3%** Caucasians;

- **1%** Asian American; and

- **2%** felt they were of different origin.

Of the **80** African-American recidivists, **67** were men and **13** were women. Of the **57** Latino recidivists, **55** were male and **2** were females. The remaining **7** (**6%**) males were either Caucasian, Asian or classified themselves as "Other."

Recidivist's Age Distribution

Out of the **145** graduates arrested for a new felony offense, **76** or **52%** fell in the of 22-30 years old age group. The 41 and over age group accounted for **33** (**23%**) graduates. The 31-40 age group comprised **21%** the recidivists. The smaller cohort groups, 17-18 year olds and 19-21 year olds, had the smallest amount of graduates totaling **4** graduates combined.

	Males	Females	Males and Females
Minimum age	18	24	18
Maximum age	72	50	72
Mean or average age	32	39	33
Median or middle age in the list of ages	28	39	29
Mode or the most repeated age	24	37	24
Range or difference between the maximum and minimum age	54	26	54

MTC serves participants across a broad age range. In the cohort captured in the recidivism study, the oldest male participant was **72** years old. The oldest female participant was **50**. The youngest male participant captured in this study was **18** and the youngest female was **24**. The average age of male recidivists was **32**, and females **39**. The average age for both genders was **34**. The median or middle age out of the male age group was **28**, and **39** for females. The median age for both genders was **29**. The mode or age most repeated among males was **24**, and **37** for females. The mode for both genders was **24**. The range or the difference between the oldest and youngest male was **54**, for females **26,** and for both males and females the range was **54**.
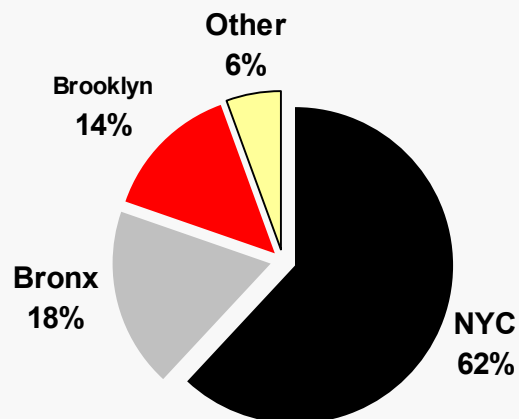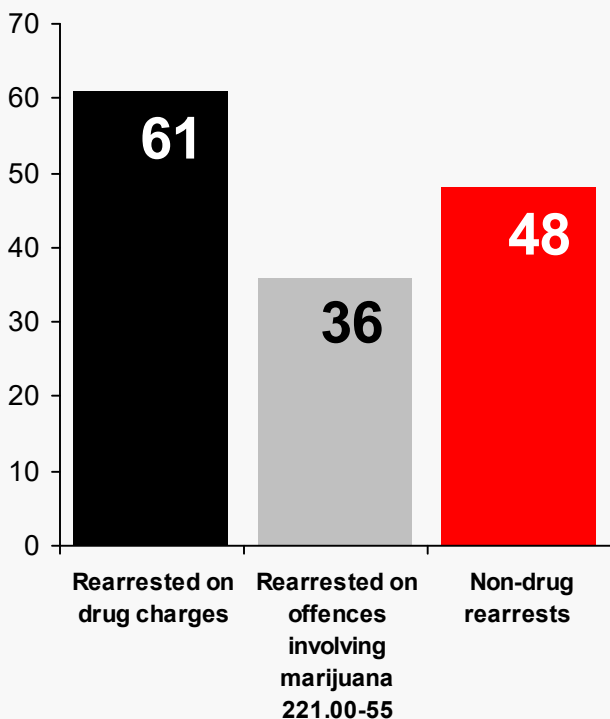
52% of recidivists fell in the 22-30 age group

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Recidivist's Arrest Location

More than half of the **145** recidivists, **88** (**62%**) were ar-
rested in Manhattan. The remaining portion were arrested
in Brooklyn, the Bronx and upstate New York. Of the **145**
recidivists, **26** (**18%**) graduates were arrested in the
Bronx, and **20** (**14%**) in Brooklyn. A smaller group of **8**
(**6%**) were taken into custody outside NYC; namely, Al-
bany, Utica, White Plains, Westchester, Yonkers and
Schenectady. The data also indicates that in most cases,
recidivists were arrested close to or in the same location
as the crime that originally brought them to drug court.

Other
6%

Brooklyn
14%

Bronx
18%

NYC
62%

Recidivist's Arrest Charge(s)

61 Rearrested on drug charges

36 Rearrested on offences involving marijuana 221.00-55
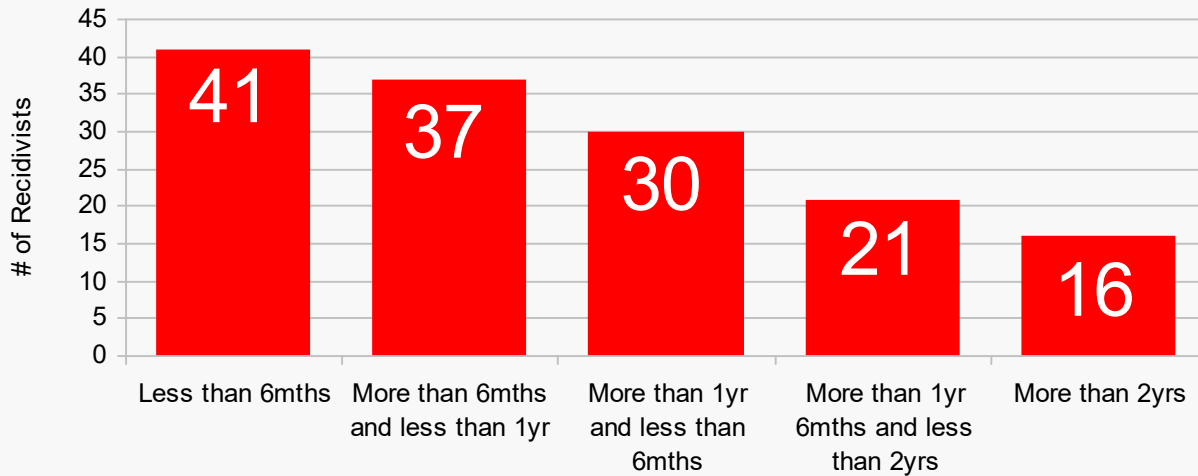
48 Non-drug rearrests

Of the **145** recidivists, **61** (**42%**) were arrested on
drug offenses (Penal Law Article 220). Of the **145**,
36 (**25%**) recidivists were arrested on offenses in-
volving marijuana (PL Article 221), and **48** (**33%**)
recidivists were arrest on non-drug charges. Bur-
glary and related offenses (PL Article 140) ac-
counted for the greatest portion of non-drug arrests,
followed by assault and related offenses (PL Article
120). Other arrest charges include firearms of-
fenses, theft, criminal mischief, larceny, forgery and
related offenses and, offenses against public order.
Of the **145** recidivist, **66** (**46%**) recidivists were de-
tained on both a drug/marijuana offense and a non-
drug charge. Approximately **70%** of re-arrest charge
(s) match the charge(s) on the case that initially
brought them to drug court.

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Recidivist's Length of Time in Community before Re-arrest

The greatest number of arrests took place within six-months after completing drug court. Of the **145** recidivists, **41** (**21%**) were arrested within **180** days from their MTC dismissal. MTC's first recidivist was a **27** year old male who graduated in February of 2000. Twenty-three days later, he was arrested on an assault and related offenses charge. Between six month and one year after dismissal, **37** graduates included in this study were arrested. Thirty graduates were arrested after one year but less eighteen months than following their successful completion of MTC. More than eighteen months subsequent to the dismissal of their case, **21** graduates were arrested. The smallest recidivating group, **16** graduates, were arrested more than two years after their MTC dismissal.

Number of Arrests of Recidivists

The number of felony arrests for the group studied range from one to nine times. Out of the **145** recidivists, **65** graduates were arrested just once, mostly on drug related offenses. Three recidivists were arrested nine times. Two out of these three recidivists were females and both were over **35** years of age. From 2000 to 2008, **21** recidivists were arrested three times. Of the **21** recidivists, **11** were arrested for drug related charges, while the remaining **10** recidivists were arrested on non-drug related charges. One 27 year old female recidivist was arrested **8** times after her graduation in 2003. She was arrested twice on drug related charges and once for burglary.

Recidivists	Re-arrests post graduation
65	1
39	2
21	3
8	4
6	5
2	6
0	7
1	8
3	9
145	

28% of the study group recidivated with 6 months of their **release**

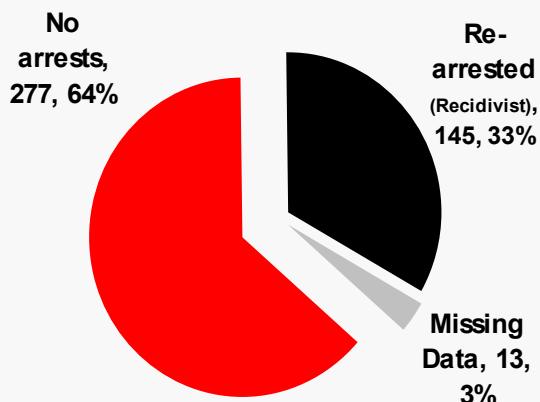# RECIDIVISM - Manhattan Treatment Court

No Arrest

MTC graduated it's first participant on November 5, 1999: That graduate has not been arrested since then.

This research found that approximately 64% or 227 out of 435 graduates had no felony arrests after MTC dismissal.

The largest ethnic group to graduate is Black/African Americans, followed by Latinos.

- Of the 227 graduates without re-arrest, 196 were males. The average age for this group is 44. The oldest male graduate is a 71 year old, African American Brooklyn resident. In contrast, the youngest in this group is 20.

- Eighty-one (81) females account 32% of graduates without re-arrest. The average age for the female graduates without re-arrest is 35. The oldest female graduate without re-arrest is a 68 year old, African American Manhattan resident. The youngest female graduate in this group is 22.

No Arrests - Profile of a Graduate (Before and After)

Initials: **B., C.**
Gender: **Male**
Race/Ethnicity: **African American**

Graduate ran through NCIC 12/31/09.
Conversation with Alumni on 10/14/09.

Placed into custody in 1999 on a controlled substance charge and entered MTC in the same year.

Graduated: 4/2001

Before	After
MTC Participation Age: **53**	Current Age: **59**
Drug: **Crack (since age 33)/ Alcohol (since age 18)**	Drug: **Drug free for the past 6 years**
Education: **12 Grade/Diploma**	Education: **Obtained CDL License and Basic Education during treatment. Returns to Samaritan Village to speak to current participants.**
Residence: **Homeless (living on street)**	Residence: **Apartment Renter, Kings County**
Financial Means: **None**	Financial Means: **Currently works full-time for a para-transit transportation service for the disabled**
Prior Treatment: **3 times (uncompleted)**	Prior Treatment: **Completed 4th treatment in 2001**
Children: **3 (No contact)**	Children: **Reconnected with 3 children and 5 grandchildren**
Prior Arrests: **12**	Current Arrests: **No arrests since graduation date**