

YOUTHFUL OFFENDERS EVALUATION VOLUME III  
RECIDIVISM ANALYSIS

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## ABSTRACT

This report is the third volume of a five volume study of youthful offenders (youth who were seventeen years of age or younger) committed to the Massachusetts Department of Correction from 1968 to 1979. This report focuses on a recidivism analysis of the sample as well as a recidivism analysis of different sub-groups of the total sample.

The analysis indicated that the high recidivist risk youthful offender was one who had an extensive criminal/delinquent record prior to his or her commitment to prison. The youthful offenders in the sample who had the least extensive criminal background had significantly lower rates of recidivism than did the remainder of the sample of youthful offenders.

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## INTRODUCTION

Crime has become an extremely important issue in our present society. Along with the increased focus on crime as a problem has been a concern with the best way to effectively deal with individuals who are committing the bulk of the crimes. Criminal behavior by juveniles and other youthful offenders has received a great deal of media attention. Many members of society feel that youthful offenders have become much more serious offenders than in earlier years and pose an ever increasing threat to the safety and survival of our communities. Due to these perceptions, legislators and policy makers have often recommended tougher responses from the juvenile justice and adult criminal justice systems. Many times these recommendations have centered around a modification of the laws to make it easier procedurally to deal with younger offenders as adults in the adult criminal justice systems.

One result of this type of recommendation may be that more youthful offenders will be sentenced to prison than before this type of change and that they will also be serving longer sentences. Often absent from these discussions is knowledge of what happens to these offenders once they are incarcerated and information about their performance once they are returned to the community. In an attempt to address this lack of knowledge and to provide additional information on this particular population, a five volume study of youthful offenders committed to the Massachusetts Department of Correction from 1968 to 1979 was undertaken. For this series of reports, a youthful

offender is defined as any offender who was seventeen years of age or younger when committed to the Department of Correction from 1968 to 1979. This definition includes youth who were seventeen at the time of their commitment (legally adults in Massachusetts) as well as youth who were bound over from juvenile court jurisdiction and treated as adults in the adult criminal justice system.

The first volume of this series (Williams, 1981a) was an overview of the total sample of youthful offenders committed to the Department of Correction from 1968 to 1979. The report initially tried to address the issue of whether juvenile crime in Massachusetts was increasing. After examining several reports and data sources, the conclusion was reached that there was "not a major juvenile crime wave" occurring in Massachusetts at this time (JJAC, 1981). The overview report also presented evidence that this population of youthful offenders has not changed much over the twelve years being examined, with the exception that youthful offenders being committed in the latter years of the study period evidenced more extensive criminal (delinquent) involvements. Finally, consistent with previous reports (Glaser, 1964; Mershon, 1978), the overview indicated that the youthful offenders released during the study period had a recidivism rate of 30% (utilizing a one-year follow-up period) which is higher than the overall departmental rates during this time.

The second volume in this series (Williams, 1982) looked only at the bind over youthful offenders in the sample. Bind over youthful offenders were those youth who were bound over (transferred or waived) from the original jurisdiction of the juvenile court to the adult

criminal court and were subsequently sentenced to the state correctional department. This report indicated that bind overs were viewed as more serious offenders than non-bind overs. This was reflected in the fact that bind overs received more Walpole sentences and longer sentences in general than did the non-bind overs. Also, bind overs received more maximum security placements and served longer time in prison before release. In terms of criminal (delinquent) history, bind overs exhibited more extensive prior juvenile justice experiences than did the non-bind overs. Bind overs were more likely to be poor, black offenders from multi-problem families. Finally, bind overs and non-bind overs exhibited approximately equal recidivism rates.

The fourth volume of the series (Williams, 1981b) presented the statistical tables for both bind over and non-bind over youthful offenders committed from 1968 to 1979. The final volume of this series, Volume V, will present case studies of selected youthful offenders in the sample as well as the results of interviews carried out with youthful offenders committed to the department during 1980, 1981, and 1982. Also, a summary of the series will be presented and a discussion of the policy implications will be presented at that time.



## METHODOLOGY

### RESEARCH QUESTION:

This particular report focuses on one main research question concerning recidivism. This question is as follows:

- 1) What is the recidivism rate of the youthful offender population? What are the factors associated with a high or low recidivist risk youthful offender?

### SAMPLE:

The sample consists of youthful offenders committed to the Massachusetts Department of Correction from 1968 to 1979. The Department of Correction maintains a computerized data base for all individuals who were committed from 1972 to 1979. The 270 youthful offenders committed during that particular time period were drawn from the computerized data base of the department. For those youthful offenders committed from 1968 to 1971, a different procedure was carried out. All commitments during this time period were drawn from the admission and release forms maintained by the three committing institutions (MCI-Walpole, MCI-Concord, and MCI-Framingham). After identifying each person committed from 1968 to 1971, dates of birth were collected and the 140 offenders who were seventeen years of age or younger at their commitment were included in the sample. This gives the total sample of 410 youthful offenders committed from 1968

to 1979.

It is important to realize that an offender may have been fifteen or sixteen when he or she committed their particular offense, and due to delays in awaiting trial and other procedural delays, may have been eighteen or older at the time of their commitment. This type of individual would not be included in the sample. During the latter years of the 1970's, some offenders awaited booking at county houses of correction for several weeks (or months) before being committed to the Department of Correction and some of these offenders may have turned eighteen before they were committed to the Department. If this occurred, these offenders would also not be included in the sample. As a result, it is possible for some bind overs or other youthful offenders to have been excluded from the sample because they had turned eighteen prior to their commitment date. The best way to have avoided these types of problems would have been to define the sample based on the youth's age at the time of his or her offense. However, this information is not systematically collected and could not be used to define the sample. The sample also does not include youthful offenders who were sentenced from out of state or sentenced to federal prisons and transferred to Massachusetts prisons. The cut off date for the data collection effort was January 1, 1980.

### VARIABLES COLLECTED:

The analyses that follow in this report are based on eighty variables that are broken down into five categories: fifteen commitment/present offense variables, twenty-three institutional history/movement variables, ten juvenile court history variables, and twenty-five social history variables. For those youthful offenders released from 1968 to 1976<sup>1</sup>, a sixth category of seven recidivism variables was added. The majority of the data was collected from Central Office files at the Department of Correction. The Department of Youth Service information was collected at the Central Office of the Department of Youth Service (DYS). The data were analyzed and maintained on the Massachusetts State College Computer Network (MSCCN).

### RECIDIVISM ANALYSIS:

For the purposes of the recidivism analysis in this report, a recidivist was defined as any youth returned to a federal or state correctional institution or to a county jail or house of correction for 30 days or more as a result of either a parole violation or a new court sentence. For the follow-up period, a length of time of one year and two years from the youth's release date from prison was used.

In order to address the issue of identifying high risk recidivists, each of the eighty variables was dichotomized to determine the best split for high and low recidivism risk categories.

Those variables that produced a statistically significant difference ( $X^2 > 3.841$ ) between high and low recidivism risk groups were chosen as distinguishing variables or factors for this report.

#### TECHNIQUE:

It is important to realize that while the analyses in this report deal with youthful offenders committed to the department, not all youthful offenders have the same kind of background prior to their prison commitment. Some of the youthful offenders are bind over youth— that is, youth who came under the original jurisdiction of juvenile court who had their charges dismissed in juvenile court and were subject to the provisions of the adult criminal process. Other youthful offenders may have long prior records of involvement in the juvenile justice system. Due to the variability in the types of youthful offenders, six different groups were defined to incorporate the possible types of youthful offenders that were found. A description of the necessary characteristics of each group is described below:

#### Bind Overs, Prior Juvenile Offenses, DYS Commitment(s)

These youth are bind over youthful offenders who came under the original jurisdiction of the juvenile court, had their juvenile complaints dismissed, and were bound over to the adult criminal process. They were subsequently convicted in criminal court of their offense(s) and were sentenced to prison. While under juvenile court jurisdiction, these youth

had prior guilty findings for person, property, sex, status, or drug offenses and had at least once been committed to the Department of Youth Services (DYS) as a disposition for an offense in juvenile court.

Bind Overs, Prior Juvenile Offenses, No DYS Commitment(s)

These youth are bind over youthful offenders who had prior guilty findings for juvenile offenses under the jurisdiction of the juvenile court but had never been committed to DYS while a juvenile under the juvenile court's jurisdiction.

Bind Overs, No Prior Juvenile Offenses, No DYS Commitment(s)

These youth are bind over youthful offenders whose bind over offense represented their only offense while under juvenile court jurisdiction and who never came under the supervision of the Department of Youth Services.

Non-Bind Overs, Prior Juvenile Offenses, DYS Commitment(s)

These youth are non-bind overs; that is, they came under the original jurisdiction of the criminal courts as adults (age seventeen). While juveniles under the original jurisdiction of juvenile court, these youth had been found

guilty of juvenile offenses and had received at least one prior commitment to the Department of Youth Services (DYS).

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Non-Bind Overs, Prior Juvenile Offenses, No DYS Commitment(s)

These youth are non-bind overs who had received prior guilty dispositions for charges received as a juvenile under juvenile court jurisdiction. However, while under juvenile court jurisdiction, these youth had never been committed to the Department of Youth Services.

Non-Bind Overs, No Prior Juvenile Offenses, No DYS  
Commitment(s)

These youth are non-bind over youthful offenders who had never received any delinquent dispositions as a juvenile under juvenile court jurisdiction. They also had never been committed to the Department of Youth Services as a juvenile.

Diagram 1 presents a breakdown of the total sample of youthful offenders according to the categories defined above.

## DIAGRAM I

YOUTHFUL OFFENDERS BY GROUP CLASSIFICATION

|   | <u>NUMBER</u> | <u>PERCENT</u> |
|---|---------------|----------------|
| Bind Overs, Prior Juvenile Offenses,<br>DYS Commitment(s)           | 91            | ( 22)          |
| Bind Overs, Prior Juvenile Offenses,<br>No DHS Commitment(s)        | 46            | ( 11)          |
| Bind Overs, No Prior Juvenile Offenses,<br>No DHS Commitment(s)     | 9             | ( 2)           |
| Non-Bind Overs, Prior Juvenile Offenses,<br>DYS Commitment(s)       | 81            | ( 20)          |
| Non-Bind Overs, Prior Juvenile Offenses,<br>No DHS Commitment(s)    | 126           | ( 31)          |
| Non-Bind Overs, No Prior Juvenile Offenses,<br>No DHS Commitment(s) | 57            | ( 14)          |
| TOTAL   | 410           | (100)          |

Diagram 1 shows that there were 146 bind overs (36%) in the total sample of 410 youthful offenders. Of these 146 bind overs, 46 (32%) had no prior DYS Commitments and 9 had no prior juvenile offenses or DYS Commitments. For the non-bind overs, 126 (48%) had no prior DYS Commitments and 57 (22%) had never received any charges as juveniles under juvenile court jurisdiction before their prison commitment offense. When looking at the nine youth who were bind overs and who were first time offenders, one was committed for first degree murder, two were committed for second degree murder, two were committed for manslaughter, three were committed for rape, and one was committed for armed robbery.



OVERVIEW OF PRIOR MASSACHUSETTS  
DEPARTMENT OF CORRECTION RECIDIVISM DATA

The Massachusetts Department of Correction has published yearly recidivism reports on offenders released from prison to the community since 1971. During the past eight years of recidivism research, several trends have emerged. One dominant trend was the systematic reduction in the recidivism rates for releases from the Department of Correction from 1971 through 1977. In the year 1971 the recidivism rate for state prison releases was 25%; in 1973 it had dropped to 19%; and in 1976 it had dropped to 16%. By 1977, the recidivism rate was 15%.

Another trend that emerged involved participation in the furlough program in the Massachusetts correctional system. The yearly recidivism analyses have revealed that participation in the furlough program may be an important variable in explaining the reduction in recidivism rates occurring over time. The data showed that those offenders who had participated in the furlough program prior to release from prison had significantly lower rates of recidivism than did those offenders who did not participate in the program before release. The relationship remained constant when selection factors were controlled (LeClair, 1978).

The recidivism reports have also indicated that participation and successful completion of pre-release programs prior to community release leads to reduced recidivism rates. Once again, when selection factors were controlled the relationship remained constant (LeClair,

1981).

A final trend that emerged from the data concerned the graduated movement among institutions in descending level of security and size. The analyses indicated that offenders released from prison directly from lower security facilities (including minimum security, pre-release, and halfway houses) had significantly lower rates of recidivism than do offenders who were released directly from a maximum security institution (Williams, 1982; LeClair, 1981).

## FINDINGS

### I. RECIDIVISM ANALYSIS

#### A. TOTAL SAMPLE

Overall, for all youthful offenders released from 1968 to 1978, the recidivism rate (with a one-year follow-up period) was 30%. Overall, the recidivism rate when utilizing a two year follow-up period was 46%. The youthful offender data also are consistent with the trends that have been highlighted for the total adult prison releases, though the differences are not statistically significant. That is, youthful offenders who participated in the furlough program prior to release had a recidivism rate that was lower than those youthful offenders who did not participate in the furlough program prior to release. Also, youthful offenders who successfully completed pre-release programs and were released to the community had lower recidivism rates than youthful offenders who were released from higher security institutions.

An analysis was undertaken to further highlight aspects of the research question. That is, factors were identified that were associated with high recidivist risk youthful offenders. There were fourteen variables that were found to be significant in distinguishing between the low risk and high risk groups. These variables are as follows:

A. Present Offense/Commitment Variables

1. Committing Institution
2. Maximum Sentence

B. Institutional Movement/Placement Variables

3. Number of Disciplinary Reports before release
4. Time Served

C. Juvenile Court/DYS Variables

5. Number of DYS Commitments
6. Number of Juvenile Court Appearances
7. Number of Probations
8. Number of Suspended Sentences
9. Number of Filed Charges
10. Total Number of Charges as a Juvenile
11. Age at First Juvenile Court Appearance

D. Social History Variables

12. Number of Brothers Incarcerated
13. Number of Sisters
14. Last Grade Completed

Table 1 presents the fourteen variables that were significant. Each variable presented in the table is dichotomized at its best split in relation to recidivism. Both the low recidivism risk category and its recidivism rate as well as the high risk category and its recidivism rate are recorded.

Table I  
Recidivism Risk Categories  
Total Sample

| Variable                                       | High Recidivism Risk Category | Number | Recidivism Rate | Low Recidivism Risk Category | Number | Recidivism Rate | Chi Square Value       |
|--|-------------------------------|--------|-----------------|------------------------------|--------|-----------------|------------------------|
| Committing Institution                         | Concord                       | 299    | 32%             | Walpole, Framingham          | 55     | 15%             | 6.07, 1df, $p < .02$   |
| Maximum Sentence                               | 6 Years or Less               | 253    | 33%             | 7 Years or More              | 101    | 21%             | 5.09, 1df, $p < .05$   |
| No. of Disciplinary Repts.                     | 9 or More                     | 40     | 51%             | 8 or Fewer                   | 314    | 27%             | 9.19, 1df, $p < .01$   |
| Time Served                                    | 18 Months or Less             | 273    | 33%             | 19 Months or More            | 81     | 19%             | 6.54, 1df, $p < .02$   |
| No. of DYS Commitments                         | Two or More                   | 93     | 52%             | One or Less                  | 261    | 22%             | 20.09, 1df, $p < .001$ |
| No. of Juvenile Court Appearances              | One or More                   | 301    | 34%             | None                         | 53     | 9%              | 12.88, 1df, $p < .001$ |
| No. of Probations From Juvenile Court          | One or More                   | 208    | 35%             | None                         | 146    | 23%             | 5.88, 1df, $p < .02$   |
| No. of Suspended Sentences from Juvenile Court | One or More                   | 184    | 36%             | None                         | 170    | 23%             | 7.60, 1df, $p < .01$   |
| No. of Filed Charges From Juvenile Court       | One or More                   | 196    | 40%             | None                         | 158    | 17%             | 21.04, 1df, $p < .001$ |
| Total Charges in Juvenile Court                | Four or More                  | 260    | 36%             | Three or Fewer               | 94     | 14%             | 16.20, 1df, $p < .001$ |
| Age at First Juvenile Court Appearance         | Thirteen Years or Younger     | 166    | 40%             | Fourteen Years or Older      | 134    | 26%             | 6.94, 1df, $p < .01$   |
| No. of Brothers Incar.                         | One or More                   | 54     | 44%             | None                         | 300    | 27%             | 5.93, 1df, $p < .02$   |
| No. of Sisters                                 | One or More                   | 278    | 33%             | None                         | 76     | 17%             | 6.67, 1df, $p < .01$   |
| Last Grade Completed                           | Tenth Grade or Less           | 321    | 32%             | Eleventh Grade or More       | 28     | 7%              | 7.22, 1df, $p < .01$   |

Table 1 provides the following profile of the high risk<sup>2</sup> recidivist youthful offender: Youth who were Concord commitments serving short sentences with an extensive history of disciplinary infractions while incarcerated and who served less than eighteen months in prison before release. The results also indicated that those youth who had fairly extensive involvement in the juvenile justice system had higher recidivism rates than those youth with little or no prior juvenile justice experience. In terms of the social history variables, the results indicated that youthful offenders who had at least one brother incarcerated (at the time of commitment), at least one sister, and who had completed less than the eleventh grade were high recidivist risk offenders.

#### B. BIND OVER SAMPLE

This particular section focuses on a recidivism analysis that concentrates only on bind-overs in the sample. Bind over youthful offenders are those youth who were sixteen years of age or younger at the time of their offense, originally under the jurisdiction of the juvenile court, who had their juvenile offense dismissed and transferred to the adult criminal justice system.<sup>3</sup> Overall, bind overs released from 1968 to 1978 had a recidivism rate (with a one-year follow-up period) of 29%. An analysis was undertaken to find the variables associated with the high recidivist risk offenders. Eleven variables produced statistically significant differences between high and low risk groups of bind overs. These variables are as follows:

## A. Social History Variable

1. Location where youth residing before commitment

## B. Institutional Movement/Placement Variables

2. Total Number of Furloughs
3. Number of Successful Furloughs
4. Number of Furloughs from Pre-Release
5. Time Served before Release
6. Age at Release

## C. Juvenile Court/DYS Variables

7. Number of DYS Commitments
8. Number of Juvenile Court Appearances
9. Number of Filed Charges
10. Number of Charges as a Juvenile
11. Age at First Juvenile Court Appearance

Table II presents the eleven variables that were significant. Each variable presented in the table is dichotomized at its best split in relation to recidivism. Both the low recidivist risk category and its recidivism rate as well as the high risk category and its recidivism rate are recorded.

Table 11  
Recidivism Risk Categories  
Blind-Overes

| Variable   | High Recidivism Risk Category | Number | Recidivism Rate | Low Recidivism Risk Category    | Number | Recidivism Rate | Chi Square Value       |
|--|-------------------------------|--------|-----------------|---------------------------------|--------|-----------------|------------------------|
| No. of DYS Commitments                             | 3 or More Commitments         | 21     | 70%             | 2 or Fewer Commitments          | 91     | 21%             | 10.06, 1df, $p < .001$ |
| No. of Juvenile Court Appearances                  | 19 or More Appearances        | 0      | 75%             | 10 or Fewer Appearances         | 104    | 26%             | 6.24, 1df, $p < .02$   |
| No. of Filed Charges from Juvenile Court           | One or More Filed Charges     | 69     | 39%             | No Prior Filed Charges          | 43     | 15%             | 6.77, 1df, $p < .01$   |
| No. of Charges in Juvenile Court                   | Forty or More Charges         | 0      | 75%             | 39 Or Fewer Charges             | 104    | 26%             | 6.24, 1df, $p < .02$   |
| Age at First Juvenile Court Appearance             | 12 Years or Younger           | 45     | 47%             | 13 Years or Older               | 66     | 19%             | 9.46, 1df, $p < .01$   |
| Prior Residence                                    | Other Living Arrangements     | 30     | 47%             | Mother Only or Both Parents     | 81     | 23%             | 5.59, 1df, $p < .02$   |
| No. of Furloughs Before Release                    | One or None                   | 86     | 37%             | 2 or More Furloughs             | 26     | 8%              | 8.09, 1df, $p < .01$   |
| No. of Successful Furlough Outcomes Before Release | One or None                   | 82     | 38%             | Two or More Successful Outcomes | 30     | 10%             | 7.88, 1df, $p < .01$   |
| Furloughs From Pre-Release                         | None                          | 90     | 35%             | One or More                     | 22     | 9%              | 6.72, 1df, $p < .02$   |
| Time Served Before Release                         | 30 Months or Less             | 94     | 30%             | 31 Months or More               | 10     | 0%              | 8.62, 1df, $p < .01$   |
| Age at Release                                     | 19 Years or Younger           | 97     | 34%             | 20 Years or Older               | 15     | 0%              | 7.88, 1df, $p < .01$   |



Table II enables a profile of the high risk bind over to be presented. The high risk bind over is a youth who had an extensive juvenile justice background (as evidenced by the fact that they were younger at their first juvenile court appearance, had more commitments to the Department of Youth Service, had more juvenile court appearances, more filed charges from juvenile court, and had more total charges as a juvenile in juvenile court), and was not living with both parents or his/her mother only immediately prior to commitment to prison. Finally, these high risk bind overs did not receive furloughs while incarcerated in prison (did not have successful furloughs and did not receive a furlough from a pre-release center), served a shorter period of time in prison before release, and were younger at the time of their release than were the low risk bind overs.

### C. NON-BIND OVER SAMPLE

This section of the analysis concentrates on a recidivism analysis that looks only at non-bind over youthful offenders in the sample. These youth represent youth who were seventeen years of age at the time of their offense who did not come under the original jurisdiction of the juvenile court. Overall, all non-bind overs released from 1968 to 1978 had a recidivism rate (with a one-year follow-up period) of 30%. An analysis was undertaken to determine those variables associated with high recidivist risk non-bind over youthful offenders. Thirteen variables produced statistically significant differences between high and low risk groups of non-bind

overs. These variables are as follows:

A. Present Offense/Commitment Variable

1. Present Offense

B. Institutional Movement/Placement Variable

2. Number of Disciplinary Reports before Release

C. Social History Variables

3. Number of Sisters
4. Number of Step-Sisters
5. Last Grade Completed

D. Juvenile Court/DYS Variables

6. Number of DYS Commitments
7. Number of Juvenile Court Appearances
8. Number of Probations
9. Number of Suspended Sentences
10. Number of Dismissed Charges
11. Number of Filed Charges
12. Total Number of Charges as a Juvenile
13. Age at First Juvenile Court Appearance

Table III presents the thirteen variables found to be significant. Each variable presented is dichotomized at its best split in relation to recidivism. Both the low recidivist risk category and its recidivism rate as well as the high risk category and its recidivism rate are recorded.

Table 111  
Recidivism Risk Categories  
Non-Blind Overn

| Variable                               | High Recidivism Risk Category | Number | Recidivism Rate | Low Recidivism Risk Category | Number | Recidivism Rate | Chi Square Value       |
|--|-------------------------------|--------|-----------------|------------------------------|--------|-----------------|------------------------|
| Present Offense                        | Property, Drug, Other         | 80     | 40%             | Person, Sex                  | 150    | 24%             | 6.71, 1df, $p < .01$   |
| No. of Disciplinary Repts.             | 8 or More                     | 22     | 55%             | 7 or Fewer                   | 220    | 27%             | 7.12, 1df, $p < .01$   |
| No of Sisters                          | One or More                   | 180    | 34%             | None                         | 54     | 15%             | 7.42, 1df, $p < .01$   |
| No. of Step Sisters                    | 3 or More                     | 16     | 56%             | 2 or Fewer                   | 220    | 20%             | 4.40, 1df, $p < .05$   |
| Last Grade Completed                   | 10th or Less                  | 210    | 33%             | 11th or More                 | 24     | 0%              | 6.19, 1df, $p < .02$   |
| No. of DYS Commitments                 | 2 or More                     | 55     | 53%             | One or None                  | 187    | 24%             | 15.24, 1df, $p < .001$ |
| No. of Juvenile Court Appearances      | One or More                   | 190    | 35%             | None                         | 52     | 9%              | 13.40, 1df, $p < .001$ |
| No. of Probations                      | One or More                   | 131    | 37%             | None                         | 111    | 21%             | 0.00, 1df, $p < .01$   |
| No. of Suspended Sentences             | One or More                   | 120    | 30%             | None                         | 122    | 21%             | 0.39, 1df, $p < .01$   |
| No. of Dismissed Charges               | Two or More                   | 100    | 30%             | One or None                  | 142    | 24%             | 5.97, 1df, $p < .02$   |
| No. of Filed Charges                   | One or More                   | 127    | 40%             | None                         | 115    | 10%             | 14.46, 1df, $p < .001$ |
| Total Charges in Juvenile Court        | One or More                   | 191    | 36%             | None                         | 51     | 0%              | 16.01, 1df, $p < .001$ |
| Age at First Juvenile Court Appearance | 11 Years or Younger           | 30     | 53%             | 12 Years or Older            | 151    | 31%             | 6.14, 1df, $p < .02$   |

Table III provides information to develop the following profile of the high risk recidivist non-bind over youthful offender: this youth was serving time for either a property, drug, or "other" offense<sup>4</sup> as their most serious offense and accumulated more than eight disciplinary reports while incarcerated. The high risk non-bind over had one or more sisters, more than two step-sisters, and had completed the tenth grade or less as their last grade completed in school. In terms of juvenile court/DYS variables, the high risk non-bind over had prior involvement in the juvenile justice system as expressed by the fact that they had more than one prior commitment to DYS as a juvenile, had one or more appearances in juvenile court, had prior probations, suspended sentences, dismissed charges, and filed charges as juveniles under juvenile court jurisdiction. Also, the high risk non-bind over offender had more total charges in juvenile court than did the low risk offender and was younger when he or she first appeared in juvenile court.

A base expectancy table was constructed on the total sample of youthful offenders in order to demonstrate the clusters of characteristics that were found to be associated with recidivism. Table IV presents the base expectancy table.

Table IV

## Youthful Offenders Total Sample - Base Expectancy Table

|  |   |   |
|--|---|---|
| <p>Total Sample</p> <p>N = 348</p> <p>RR = 30%</p> | <p>No Prior Department of Youth Service Commitments</p> <p>N = 165</p> <p>RR = 20%</p>          | <p>Three or fewer charges as a juvenile in juvenile court</p> <p>N = 82</p> <p>RR = 10%</p> |
|  |   | <p>Four or more charges as a juvenile in Juvenile Court</p> <p>N = 83</p> <p>RR = 30%</p>   |
|  | <p>One or More Prior Department of Youth Service Commitments</p> <p>N = 183</p> <p>RR = 38%</p> | <p>Present Offense Person or Sex</p> <p>N = 133</p> <p>RR = 34%</p>                         |
|  |   | <p>Present Offense Property, Drug or "other"</p> <p>N = 50</p> <p>RR = 51%</p>              |

## II. GROUP ANALYSIS

The recidivism analysis in the prior section has examined recidivism for the three general categories of youthful offenders. However, as previously mentioned, there are differences within these broad categories of offenders. This section examines recidivism by focusing on the six sub-groups outlined earlier. Table V presents recidivism rates by sub-group classification.

TABLE V

RECIDIVISM BY SUB-GROUP CLASSIFICATION

|   | <u>NON-RECIDIVISTS</u> | <u>RECIDIVISTS</u> | <u>RECIDIVISM<br/>RATE</u> |
|---|------------------------|--------------------|----------------------------|
| Bind Overs, Prior Juvenile<br>Offenses, DYS Commitment(s)           | 41                     | 24                 | 37%                        |
| Bind Overs, Prior Juvenile<br>Offenses, No DYS Commitment(s)        | 31                     | 8                  | 21%                        |
| Bind Overs, No Prior Juvenile<br>Offenses, No DYS Commitment(s)     | 3                      | 0                  | 0%                         |
| Non-Bind Overs, Prior Juvenile<br>Offenses, DYS Commitment(s)       | 51                     | 21                 | 29%                        |
| Non-Bind Overs, Prior Juvenile<br>Offenses, No DYS Commitment(s)    | 70                     | 47                 | 40%                        |
| Non-Bind Overs, No Prior Juvenile<br>Offenses, No DYS Commitment(s) | 49                     | 4                  | 8%                         |
| TOTAL   | 245                    | 104                | 30%                        |

As Table V indicates, among the group of bind overs, those bind overs who had no prior DYS involvement had a recidivism rate of 37% while those who had not been committed had a rate of 21%. Those bind overs whose present offense was their only conviction had a recidivism rate of 0%, though the sample size was quite small (N=3). Among the non-bind overs, those who had never received a DYS commitment had a rate of 29%. Those youth who were the least serious offenders in terms of their prior record (no prior juvenile offenses, no DYS commitment, present offense only conviction) had a recidivism rate of 8%. In other words, while the total sample of youthful offenders, bind overs, and non-bind overs all had a recidivism rate of about 30%, the youthful offenders with the least extensive criminal backgrounds had a rate of 8% while those youthful offenders with the most extensive criminal backgrounds had a rate of 37%. This difference was found to be significant ( $\chi^2 = 13.92$ , 1df,  $p < .001$ )



## SUMMARY

In responding to the research question posed in this report, the analysis of the total sample, bind overs, and non-bind over youthful offenders has indicated fairly similar and consistent results. In terms of the characteristics of the high risk youthful offender, all the separate analyses indicate that those youth who had made a deep penetration into the juvenile justice system (several commitments to the Department of Youth Services, several juvenile court appearances, filed charges in juvenile court, and several charges in juvenile court) have a much greater probability of being recidivists as adults once they are released from prison. Also, the younger the age of the youth when he or she first entered the juvenile justice system by appearing in juvenile court, the higher the probability of being returned to prison after their initial adult commitment to prison. The youth who received more disciplinary reports while incarcerated, had completed less than the eleventh grade (as their last grade completed) at their commitment date, and had at least one sister also seemed to have high recidivist risk potential though these results were not found in each separate analysis.

The group analysis has revealed that there was a great deal of difference in recidivism rates among different categories of youthful offenders. That is, youthful offenders with the least extensive criminal/delinquent background who were not bind overs had a recidivism rate of 8% while those youth with an extensive criminal/delinquent background who were also bind overs had a

recidivism rate of 37%. The difference in recidivism rates between these two sub-groups of offenders was found to be significant. One third of the youthful offenders released during this time frame were not bind overs, had never received any commitments to the Department of Youth Services, and had several juvenile court appearances and they had a recidivism rate of 40%.

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## FOOTNOTES

1. The recidivism analysis covered the years 1968 to 1978. An analysis for youthful offenders released during 1979 could not be carried out since the cut off date for the data collection effort was January 1, 1980.

2. In the Massachusetts criminal justice system, the courts make direct commitments to three institutions. Women are committed to MCI-Framingham and men committed to either MCI-Concord or MCI-Walpole. In the case of men sentenced to MCI-Concord, the judge does not fix a specific term. The offender is sentenced to the authority of the superintendent without a minimum sentence and the maximum sentence is established by statute. Traditionally, Concord sentences are for offenders with less lengthy criminal histories. In the case of men sentenced to MCI-Walpole, the judge must fix both a minimum and a maximum term (except for life sentences). The minimum must not be for less than two and a half years and the maximum not more than that established by statute.

3. The statutory regulations as defined by the Massachusetts General Laws Chapter 119, Section 61 are as follows:

A) The youth must have been previously committed to the Department of Youth Services (DYS) and have committed an offense for which adults can be punished by imprisonment;

B) The youth must have been between the ages of fourteen and seventeen at the time of the alleged offense;

-or-

C) The youth must have committed a crime involving the infliction or threat of serious bodily harm;

D) The youth presents a significant danger to the public and is not amenable to rehabilitation as a juvenile.

4. Examples of "other" offenses included escapes, weapons offenses, prostitution, and motor vehicle violations.