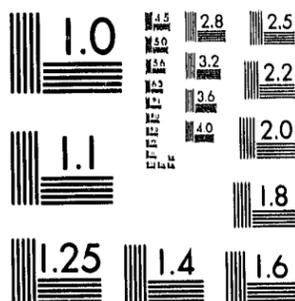


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Probation Administrative Management System



ADULT PROBATIONER RECIDIVISM
IN SALEM COUNTY

ADMINISTRATIVE OFFICE OF THE COURTS
STATE HOUSE ANNEX, TRENTON, NEW JERSEY

AUGUST, 1979

62706

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EXECUTIVE SUMMARY

Variable under Consideration	Replication of Morris 5-Year Study		Replication of Passaic Study	
	Morris N=65	Salem N=38	Passaic N=272	Salem N=89
% of all probationers who recidivated	40*	16	32*	26
% of all probationers who recidivated during term	20*	11	19*	19
% of all probationers who recidivated after discharge	15*	5	11*	8
% of all probationers whose new offense was violent	14	5	4	6
% of all recidivists whose new offense was violent	35	33	14	21

*These percentages do not tally due to missing data.

1. All studies included, the first year a probationer is on probation is the year of highest risk of recidivism.

ACKNOWLEDGEMENTS

We wish to acknowledge two persons in the Salem County Probation Department for their part in this research project. Chief Probation Officer Wilbur E. Brown expressed great interest in our first report on recidivism and encouraged us to conduct similar research in Salem County. He made his staff and resources available and consistently ensured a hospitable ambience, thereby enabling the research in a very supportive environment.

Senior Probation Officer Glendon W. "Wally" Bell is the other person whose assistance merits commendation. Mr. Bell provided consistent, courteous, and able assistance throughout the project in spite of the exorbitant constraints of his regular duties. Whenever another version of the criminal history record was needed or a file was missing, Wally always happily ensured prompt provision of the required sources.

1

INTRODUCTION

During 1978 the staff of the Probation Administrative Management System (PAMS) studied two populations of probationers in order to generate descriptive recidivism statistics and to assess some operational definitions of recidivism. The first study, "Five-Year Analysis of Recidivism Among Probationers With Violent Crimes In Morris County," was issued in August, 1978. The second study was included as Chapter 5 of our March, 1979, publication, "Report on the Adult Probation Management Information System Pre-test in the Passaic County Probation Department, 1975-1976."

While those two studies yielded findings descriptive of recidivism in those two counties, no cross-county comparisons were possible since the populations studied were quite different. In view of these limitations on the implications of the two studies for other counties, we sought to replicate each study in another county.

Chief Probation Officer Wilbur E. Brown of Salem County expressed an interest in the research and, after some discussion, asked PAMS to conduct the study. PAMS staff researched the court records to identify all eligible cases for both replications. The Salem County Probation Department subsequently secured criminal history records from the State Police and PAMS staff ferreted out the data from (1) the presentence report and (2) current criminal history record (not including F. B. I. records) for each person.

This report consists of four separate but related parts. Two are replications, one of the Morris County study and the other of the Passaic County survey. The other two expand on those designs to be more descriptive of recidivism among probationers in Salem County without comparison to other counties.

Before moving into the text of this report, it will be helpful to reiterate our operational definitions of recidivism.

1. Recidivists are all persons who, having once been convicted of a criminal act, are convicted for one or more subsequent criminal acts committed while on probation and/or during the first three years following the termination of probation.
2. Inconsistent recidivists are all persons who, having once been convicted of a criminal act, are convicted for one or more subsequent criminal acts committed while on probation and/or during the first three years following probation termination date when the subsequent convicted offense(s) is (are) neither the same as nor similar to the original or other prior offenses.
3. Consistent recidivists are all persons who, having once been convicted of a criminal act, are convicted for one or more subsequent criminal acts committed while on probation and/or during the first three years following the probation termination date when the subsequent offense(s) is (are) the same as or similar to the original or other prior offenses.

2 SALEM COUNTY REPLICATION OF THE MORRIS COUNTY STUDY OF RECIDIVISM AMONG PROBATIONERS WITH VIOLENT OFFENSES

Methodology

The study followed essentially the same methodology as the Morris study.

1. The sample included only those persons placed on probation from September 1, 1970 through August 31, 1975;
2. Whose terms resulted from any of the following offenses: Any assault in the N.J.S.A. 2A:90-1 series, any homicide in the N.J.S.A. 2A:113 series, rape, robbery, armed robbery, and larceny from the person;
3. Criminal history records were secured from the State Police and each case was traced through April 24, 1978.

There are two methodological variations that affect the comparability of the two studies. The first limits the number of variables for any comparison at all. This is the case since (1) some of the variables in the Morris study could not be included in the Salem study and (2) the Morris study included only a dozen variables to begin with.

The second methodological variation pertains to the study populations. The Morris population included incoming probationers on transfer status from other jurisdictions while these probationers could not be identified for inclusion in the study population. The interpretation of the comparison should keep this limitation in mind as it may affect the validity of the comparison.

Profile of the Two Samples

There is more diversity among the Salem sample than in the Morris group in terms of the offenses of which they were convicted. Nevertheless, they are similar in that the single offense that the largest percentage (40% each) had committed was atrocious assault and battery. The only other offense category where the percentage of both groups is virtually the same (approximately 17% each) is assault with a deadly weapon. Consult Table 1 for complete details.

Table 1

Offenses for which Persons were Placed on Probation

Offense	Morris County		Salem County		Totals	
	#	%	#	%	#	%
AA&B	26	40	15	40	41	40
Robbery	25	38	5	13	30	29
Assault w/deadly weapon	11	17	7	18	18	17
Rape	2	3	3	8	5	5
Larceny from person	1	2	0	...	1	1
Assault w/intent to kill	0	...	2	5	2	2
Assault on police officer	0	...	4	11	4	4
Manslaughter	0	...	1	3	1	1
Threaten life w/weapon	0	...	1	3	1	1
Totals	65	...	38	...	103	...

Table 2 shows that the Morris County sample had longer probation terms. Most of that difference is attributed to two reasons: A larger percentage of persons convicted of robbery in Morris and longer probation terms given for this offense in Morris than in Salem. When both samples are combined, approximately two-thirds of the violent offenders were placed on probation for terms of two years or less.

Table 2

Probation Terms of Salem and Morris Probationers

Term	Morris County		Salem County		Totals	
	#	%	#	%	#	%
Up to 1 1/2 Years	21	32	17	41	38	36
2 Years	16	25	18	43	34	32
3 Years	18	28	5	12	23	21
4 Years	1	2	1	2	2	2
5 Years	9	14	1	2	10	9

The same percentage of each population (52%) had prior adult records. Even though, while only 15% of the Morris people had served prior probation terms, 36% of the Salem group had been on probation before.

Recidivism Findings

The majority of probationers in each county did not recidivate. Probationers in Salem County, though, recidivated at a lower rate in two respects. First, while 40% of the 65 Morris County probationers recidivated, only 16% of the Salem County group (N=38) recidivated. Second, almost half (42%; n=15) of the Morris County recidivists were convicted of multiple subsequent offenses compared to only 17% (n=1) of Salem recidivists.

To what extent did the recidivists commit further violent crimes? Table 3 compares the violence index of all recidivists' subsequent offenses and shows that two-thirds had committed no new offenses of violence. The index of violence for recidivists' new offenses is basically identical for the two counties. Virtually none had committed offenses of greater violence, while an average of 16% committed new offenses of a similar degree of violence and another 16% committed less violent crimes.

Table 3

Violence Index of Recidivists' Subsequent Offenses

Violence Index	Morris County		Salem County		Totals	
	#	%	#	%	#	%
	More violent	1	4	0	...	1
Same violence	4	15	1	17	5	16
Less violent	4	15	1	17	5	16
No violence	17	65	4	67	21	66
Totals	26	...	6	...	32	...

When did the recidivists commit their first (or only) new offense? As Table 4 illustrates, there is no clear pattern in Salem County while in Morris County most recidivists committed their first new offense in the first year on probation or in the first year after discharge. There are too few cases in the Salem sample to warrant confirming or negating that finding. When the data from both counties are combined, we still find that most recidivists commit the first offense either during the first year of a probation term or the first year upon discharge from probation.

Table 4

Comparison of the Time Frame in which Recidivists in Morris and Salem Counties First Recidivated

Time Frame during which First Offense Was Committed	Probationers Recidivating					
	Morris County		Salem County		Totals	
	#	%	#	%	#	%
<i>During Probation Term</i>						
First year	9	35	0	...	9	28
Second year	3	12	3	50	6	19
Third year	1	4	0	...	1	13
Fourth year	0	...	1	17	1	3
Fifth year	0	...	0	...	0	...
<i>After Discharge from Probation</i>						
First year	7	27	0	...	7	22
Second year	1	4	0	...	1	3
Third year	2	8	0	...	2	6
Fourth year+	0	...	2	33	2	6
Insufficient data to know date	3	12	0	...	3	9

The last item for which comparative analysis is possible is the relationship of prior criminal record to recidivism. In each county persons who had no prior criminal record were generally less likely to recidivate. While the statistics show a smaller percentage of first offenders who recidivated, the difference is not statistically significant and therefore we may not conclude that a systematic relationship exists between prior criminal history and subsequent criminal history for these two sets of probationers. Consult Table 5 for details.

Table 5
Recidivism Rates of First Offenders Compared to
Offenders with Prior Convictions

Prior Criminal History	Post-Probation Recidivism Status								Totals			
	Recidivated				Did Not Recidivate							
	Morris		Salem		Morris		Salem		Recidivated		Did Not Recidivate	
	#	%	#	%	#	%	#	%	#	%	#	%
None	11	35	1	6	20	65	11	94	12	28	31	72
Some	15	44	5	19	19	56	21	81	20	33	40	67
Totals	26	40	6	16	39	60	32	84	32	31	71	69

3

RECIDIVISM AMONG ADULT PROBATIONERS
WITH VIOLENT OFFENSES IN SALEM COUNTY

Introduction

Now that we have noted some comparative findings on recidivism among adult probationers with violent offenses in two counties we can look more closely and in greater depth at probationers in Salem County. This chapter differs methodologically from the former only insofar as the time frame for which records were traced was approximately seven months longer, namely, through November 16, 1978.

Even though an additional seven months are covered in this chapter, no changes in the statistics regarding recidivism reported in the prior chapter occurred. Therefore, those statistics are not repeated here and the reader may consult that chapter for the findings.

Here we will identify variations in recidivism rates among groups of probationers (e.g., sex, race, age, etc.). The objective is to identify two sets of variables: (1) those that are associated with recidivism and (2) those that are not associated with recidivism for this sample.

Recidivism and Demographic Variables

None of the demographic variables was found to be statistically related to recidivism. Those variables include race (white and black only), education, sex, age and marital status. This sample, then, yielded no statistically demonstrable

relationship between race, education, sex, age or marital status and recidivism.

Recidivism and Criminal History Variables

None of the criminal history variables was found to be statistically related to recidivism, either. The criminal history variables that were found not to be related to whether or not a probationer recidivated are these: (1) whether or not the person had a prior conviction, (2) number of prior convictions, and (3) type of prior conviction (e.g., JINS, juvenile, adult criminal or combinations thereof).

Recidivism and Probation Term Variables

A third set of variables, those related to the probation term itself, also failed to demonstrate any positive relationships with likelihood to recidivate. For example, the length of the probation term was unrelated to recidivism rates. Further, the year in which persons were discharged and the length of time actually on probation were statistically unrelated to recidivism.

Conclusion

Other variables (such as known problems related to drug [alcohol and other drugs individually] abuse) were analyzed and all similarly failed to demonstrate any statistical relationship with recidivism. Therefore, this sample yields no contribution to the identification of factors that contribute to recidivism.

4

SALEM COUNTY REPLICATION OF THE PASSAIC COUNTY STUDY OF RECIDIVISM IN A GENERAL POPULATION OF PROBATIONERS

Methodology

As in the replication of the Morris study, we followed basically the same methodology for replicating the Passaic study. The Passaic research design which was repeated in Salem County included the following:

1. The sample included adult criminal cases terminated on or between September 8, 1975, and July 2, 1976.
2. Criminal history records were secured from the State Police and each case was followed up through May 19, 1978.

A difference in methodology was the sources consulted for background data. The study of recidivism in Passaic County was part of a larger research project, namely, the pre-test of a Probation Management Information System (PMIS). The background data was available from the PMIS reports completed by probation officers. The quality and quantity of such data was not possible to duplicate in Salem County. There we collected background data from presentence reports, court records pertaining to discharge, and other documents in the files.

Although the sources are not identical, it is reasonable to affirm that the validity and comparability of the data is weakened. This is true primarily because data supplied on the

PMIS instruments was largely lifted from presentence investigations.

Profile of the Two Populations

Four demographic variables* (age, sex, education, and race/ethnicity) were available for comparisons. The average age (28.4) and the average number of school years completed (9.9) was the same for each county, while the percentage of males was a single percentage point different (91% male for Passaic, 90% male for Salem). The only demographic variable that reveals a difference between our populations is race/ethnicity. While there was a similar percentage of blacks in both populations (39% in Salem and 40% in Passaic), there was a higher percentage of whites in Salem (57% compared to 43% in Passaic) and a larger percentage of Hispanics in Passaic (17% compared to 5% in Salem).

Very little difference in the two populations is found in comparison with the most serious probation-generating offense.* The only variations of note seem to be that a larger percentage of probationers in Passaic County committed dangerous drug or gambling offenses.

Finally, there are two variables, length of probation term and discharge type,* that reveal more differences between the two populations. First, probationers in Salem County were placed on shorter probation terms. For example, 36% of Salem

probationers were given terms of one year or less compared to 8% in Passaic. The second variable showing variation is discharge type. Similar percentages of discharge type were found for normal and early completion of term, deceased and other. Dissimilar percentages were found for violation discharges (32% for Passaic, 11% for Salem) and absconder discharges (23% for Salem and less than 1% in Passaic).

Recidivism Findings

A higher percentage of Passaic County probationers (32%) recidivated compared to Salem County probationers (26%). When both populations are combined, the net recidivism rate is 30%. Consult Table 6 for details.

Table 6
Convictions in Passaic and Salem Counties

Number of Subsequent Convictions	Passaic County		Salem County		Total	
	#	%	#	%	#	%
0	186	68	66	74	252	70
1	59	22	15	17	74	20
2	18	7	3	3	21	6
3+	9	2	5	6	14	4

* Tables of these variables may be examined in Appendix A.

About two out of five (42%) of the recidivists in Salem County committed their first (or only) subsequent offense in the first year of their probation term. Almost one in five (17%) committed the first (or only) subsequently convicted offense during the first year after the termination of their probation terms. When both Salem and Passaic Counties are combined, a relatively clear pattern emerges: probationers who recidivate while on probation are most likely to do so during the first year of their term. Similarly, those who recidivate after discharge from probation are most likely to do so in the first year thereafter.

Table 7

Comparison of the Date Probationers Were
Arrested for the First Subsequently Convicted Offense
in Passaic and Salem Counties

Date of Subsequent Conviction	Passaic County		Salem County		Total	
	#	%	#	%	#	%
During probation term						
1st year	39	47	10	42	49	46
2nd year	12	14	3	13	15	14
3rd year	1	1	3	13	4	4
4th year	0	...	0	...	0	...
5th year	0	...	0	...	0	...
6th year	0	...	0	...	0	...
7th year	0	...	1	4	1	1
After discharge						
1st year	16	19	4	17	20	19
2nd year	11	13	2	8	13	12
3rd year	4	5	1	4	5	5

If we look more closely at the issue of whether probationers are more likely to recidivate at one point in time or another we will wonder if the reduction of probationers over time affects the findings we just discussed. For example, while fewer probationers recidivate late in their terms, there are also fewer probationers who could recidivate in the third, fourth and/or fifth years of a term. Does the reduction in the population at risk change the findings or confirm them?

The research confirms the notion that the first year of probation is the year of highest risk of recidivism. Table 8 clearly reveals that of all probationers who could recidivate during each of the maximum number of years actually served, there is a smaller percentage of all such probationers for each subsequent year. Combining both Salem and Passaic County probationers, we note that 12% of those probationers who served a year or less recidivated in that year. On the other hand, some 5% of probationers who served 13 to 24 months recidivated during the second year. Further, probationers who entered or completed the third year of probation recidivated at the rate of 2% while no probationer who served four or more years of a term recidivated during any of those years. Consult Table 8 for specific details and Tables H and I in Appendix A for supplementary information.

Table 8

Comparison of Total Population at Risk in Given Years
with Actual Recidivism Rates during Those Years

Number of Months Probation Served	Passaic County				Salem County				Totals			
	Total at Risk		Recidivists		Total at Risk		Recidivists		Total at Risk		Recidivists	
	#	%	#	%	#	%	#	%	#	%	#	%
0-12	285	100	39	14	89	100	10	11	374	100	49	13
13-24	213	75	13	6	69	78	3	4	282	75	14	5
25-36	121	42	2	2	43	48	3	6	164	44	3	2
37-60	21	7	0	...	27	30	0	...	48	13	0	...
61-258	0	...	0	...	19	21	0	...	19	5	0	...

Having noted the general recidivism findings let us look at the kinds of offenses committed by the recidivists. Although the most serious charge of the first post-sentencing conviction varies in the two counties, it is clear that drug offenses are the most frequent charges among recidivists in both counties. Table 9 may be examined to ferret out specific statistics of interest to the reader.

Table 9

Comparison of Offense Type Committed by
Recidivists in Passaic and Salem Counties

Offense Type	Passaic County		Salem County		Total	
	#	%	#	%	#	%
Drugs	18	21	8	33	26	24
Burglary	17	20	2	18	19	18
Larceny	12	14	2	8	14	13
Assault	4	5	4	17	8	7
Fraud	5	6	3	13	8	7
Robbery	3	4	1	4	4	4
Stolen Property	4	5	0	...	4	4
Other	21	25	4	17	25	23

When we compare the recidivists in terms of the violence

index of their new offenses, we find that a slightly larger percentage of recidivists in Salem County (21% compared to 15% in Passaic) committed offenses of violence. When both populations are combined, we note that 16% of all recidivists were convicted of violent offenses. Table 10 reports additional details along these lines.

Table 10

Comparison of the Violence Index of Recidivists' Subsequent Offense(s) in Salem and Passaic Counties

Violence Index	Passaic County		Salem County		Total	
	#	%	#	%	#	%
	Not violent	71	86	19	79	90
Less violent than all prior violent offenses	3	4	0	...	3	3
Similarly violent to all prior violent offenses	0	...	1	4	1	1
More violent than any prior violent offense, or first violent offense.	9	11	4	17	13	12

Now that we have noted some general findings on recidivism we want to look more closely at what may differentiate recidivists from non-recidivists. We found only one variable, race/ethnicity, that demonstrates a consistent pattern in both studies. As Table

11 clearly illustrates, the racial/ethnic identity of probationers is not related to recidivism in either county. Persons from any racial/ethnic group are equally likely to recidivate or go straight in both counties.

Table 11

Comparison of Racial/Ethnic Groups' Recidivism Rates in Salem and Passaic Counties

Race/ Ethnicity	Post-Probation Recidivism Status								Totals			
	Recidivated				Did Not Recidivate				Recidivated		Did Not Recidivate	
	Passaic		Salem		Passaic		Salem		Recidivated		Did Not Recidivate	
	#	%	#	%	#	%	#	%	#	%	#	%
White	31	31	13	27	69	69	35	73	44	30	104	70
Black	30	30	8	24	72	70	25	76	38	28	97	72
Hispanic	13	32	1	25	28	68	3	75	14	31	31	69

There are four variables--age, sex, criminal history and most serious probation-generating offense--that were found to be positively related to recidivism in Passaic County that we closely examined in Salem County. Not one was found to be statistically significant in Salem County. Let us look at each one because with one exception, the basic trend noted in Passaic was found in Salem, only not in such a marked fashion.

In Passaic County female probationers were significantly less recidivistic than male probationers. The case of female probationers in Salem is similar, i.e., females are less likely to recidivate--but the difference is not statistically significant there.

Table 12
Comparison of Recidivism Rates of the Sexes
in Salem and Passaic Counties

Sex	Post-Probation Recidivism Status								Totals			
	Recidivated				Did Not Recidivate							
	Passaic		Salem		Passaic		Salem		Recidivated		Did Not Recidivate	
	#	%	#	%	#	%	#	%	#	%	#	%
Male	83	34	21	26	160	66	59	74	104	32	219	68
Female	2	8	1	11	23	92	8	89	3	9	31	91

The same result was found for the relationship between prior criminal history and recidivism. Passaic probationers with prior criminal history were significantly more likely to recidivate while Salem probationers with prior records were more likely to recidivate, but not significantly so. Table 13 reports all of the data for further analysis.

Table 13
Comparison of Recidivism Rates of Those with or without
Prior Criminal Histories in Salem and Passaic Counties

Prior Criminal History	Post-Probation Recidivism Status								Totals			
	Recidivated				Did Not Recidivate							
	Passaic		Salem		Passaic		Salem		Recidivated		Did Not Recidivate	
	#	%	#	%	#	%	#	%	#	%	#	%
None	21	16	5	14	113	84	30	86	26	15	143	85
Some	63	46	17	23	73	54	37	77	90	42	110	58

The third and last variable to follow the same pattern as the last two is age. While it is generally true for both counties that the older probationers are the less likely they are to recidivate, it is significantly true only for Passaic County probationers. See Table 14 for details.

Table 14
Comparison of Recidivism Rates by Age
in Salem and Passaic Counties

Age at Sentencing	Post-Probation Recidivism Status								Totals			
	Recidivated				Did Not Recidivate							
	Passaic		Salem		Passaic		Salem		Recidivated		Did Not Recidivate	
	#	%	#	%	#	%	#	%	#	%	#	%
18-21	21	67	7	32	6	33	15	68	19	48	21	52
22-24	24	38	7	33	40	62	14	67	31	36	54	64
25-30	36	38	4	18	59	62	18	82	40	34	77	66
31-59	13	14	4	17	78	86	20	83	17	15	98	85

The last variable that was found to be significant in the Passaic recidivism study and was explored in Salem is the relationship between the probation-generating offense and recidivism. We had found in Passaic that certain offense types had not recidivated at all while 58% of one offense group had recidivated. The clear pattern in Passaic did not bear out in Salem, as Table 15 clearly illustrates. Even though the numbers are small for the Salem groups, it is interesting to note that no persons with violent offenses in Salem recidivated compared with 30% of the recidivists in this category in Passaic.

Similarly, persons convicted of burglary/larceny in Salem were less likely to recidivate (28% did) than the comparison group in Passaic (58% recidivated). On the other hand, a higher percentage of persons convicted of weapons offenses recidivated in Salem (20%) compared to Passaic (6%).

Table 15
Comparison of Recidivism Rates by Probation-Generating Offenses
in Salem and Passaic Counties

Most Serious Charge	Post-Probation Recidivism Status								Totals			
	Recidivated				Did Not Recidivate							
	Passaic		Salem		Passaic		Salem		Recidivated		Did Not Recidivate	
	#	%	#	%	#	%	#	%	#	%	#	%
Gambling	0	...	1	50	16	100	1	50	1	6	17	94
Weapons	1	6	2	20	17	94	8	80	3	11	25	89
Drugs	14	19	5	26	61	81	14	74	19	20	75	80
Fraud, Embezzlement	5	20	3	30	20	80	7	70	8	23	27	77
Violent Offenses	7	30	0	...	16	70	7	100	7	18	33	82
Burglary, Larceny	42	58	7	28	30	42	18	72	49	51	48	49

5

RECIDIVISM AMONG A GENERAL
POPULATION OF ADULT PROBATIONERS
IN SALEM COUNTY

Introduction

Having compared recidivism findings in Passaic and Salem Counties let us look at the Salem County probationers alone. This chapter differs methodologically from the preceding only in the sense that the follow-up period is six months longer, to wit, through May 19, 1978. The reader will note that this six-month extension only slightly changed the fundamental recidivism findings.

Basic Recidivism Findings

During the six additional months of follow-up two changes occurred to alter the basic recidivism findings noted in the previous chapter. First, one person had been convicted for a new offense, thereby increasing the percentage of recidivists from 26% to 27%. Second, a recidivist who had been convicted of two new offenses was convicted of a third. The extent to which Salem County probationers were convicted of new offenses can be seen in the following table:

Table 16

Number of Convictions Among Salem County Probationers

# of Convictions	# of Probationers	% of Population
0	65	73
1	15	17
2	4	4
3	4	4
5	1	1

The new recidivist noted in the prior paragraph committed the offense in the first year after discharge from probation. This only serves to strengthen the basic finding that almost all recidivists commit their new offense during either the first or second year while on probation or during the first or second year upon discharge from probation.

Recidivism and All Other Variables

The addition of one new recidivist to the population made no contribution to our effort to differentiate recidivists from non-recidivists. The basic findings reported in the preceding chapter remain unaffected. We may conclude, therefore, that there is no statistically significant differentiation in this population of probationers between recidivists and non-recidivists in terms of the demographic, criminal history and probation term variables we have identified.

Addendum

One peculiarity among Salem probationers should be noted and that is the fact that 21% spent considerable amounts of time beyond the maximum of sixty months (N.J.S.A. 2A:168-1). One person had been on probation for 258 months with no new conviction, and the average number of months of probation the persons whose terms extended beyond sixty-one months served was 139.

We discovered that 84% of these persons had been fined and were delinquent in paying the fine. Therefore, their terms were simply left in limbo until some determination was made to terminate them. A close look revealed that not only were persons with fines more likely to spend more time on probation, the larger the fine was the longer the fined probationer was likely to be continued on probation. Table 17 reveals the nature and extent to which this was the case.

Table 17
Months on Probation
Served by Amount of Fine

Number of Months on Probation	Amount of Fine					
	No Fine		\$1-349		\$350-1000	
	#	%	#	%	#	%
1-11	12	100	0	...	0	...
12-23	23	89	1	4	2	8
24-60	16	50	11	34	5	16
61-258	3	16	8	42	8	42

χ^2 significant at .0000

Not only did we discover that the amount of fine was related to the time spent on probation, we found that blacks were more likely to be continued on probation beyond the five-year maximum than whites. The data also demonstrated that the fines levied on blacks were higher than whites. The net result is that blacks were more likely not to pay their fines and to have their terms extended indefinitely beyond the statutory limit. Consult Table 18 for details.

Table 18
Race/ethnicity by Months
of Probation Served

Number of Months Served	Race/Ethnicity					
	White		Blacks		Hispanic	
	#	%	#	%	#	%
1-11	6	13	4	12	0	...
12-23	17	35	4	12	4	100
24-60	20	42	12	36	0	...
61-258	5	10	13	39	0	...

χ^2 significant at .0014

APPENDIX A

Comparative Profile Statistics

of

Passaic and Salem Probationers

Age at Disposition

Table A

Age	Passaic County		Salem County		Totals	
	#	%	#	%	#	%
18-21	83	29	22	25	105	28
22-24	60	21	20	23	80	21
25-30	61	21	22	25	83	22
31+	82	29	24	27	106	28
Average Age	28.4		28.4			
Median Age	24.5		24.8			

Education Level

Table B

Highest Grade Completed	Passaic County		Salem County		Totals	
	#	%	#	%	#	%
0-6	19	8	6	7	25	8
7-9	73	30	28	33	101	31
10-11	77	31	22	26	99	30
12	56	23	18	21	74	22
13+	20	8	10	12	30	9
Average Number of Years	9.9		9.9			

Race/Ethnicity

Table C

Race/Ethnicity	Passaic County		Salem County		Totals	
	#	%	#	%	#	%
White	103	41	48	56	151	45
Black	108	43	33	39	141	42
Hispanic	43	17	4	5	47	14

Sex

Table D

Sex	Passaic County		Salem County		Totals	
	#	%	#	%	#	%
Male	245	91	80	90	325	91
Female	25	9	9	10	34	9

Most Serious Charge

Table E

Most Serious Charge	Passaic County		Salem County		Totals	
	#	%	#	%	#	%
Burglary	40	16	18	20	58	17
Larceny	21	8	6	7	27	8
Assault (2A:90)	14	6	7	8	21	6
Rape	2	1	3	3	5	1
Arson	2	1	1	1	3	1
Robbery	8	3	0	...	8	2
Fraud	16	6	8	9	24	7
Dangerous drugs	80	32	21	24	101	30
Stolen Property	12	5	7	8	19	6
Weapons	18	7	9	10	27	8
Forgery/counterfeiting	5	2	1	1	6	2
Gambling	17	7	2	2	19	6
Other	18	7	6	7	24	7

Probation Term

Table F

Number of Months	Passaic County		Salem County		Totals	
	#	%	#	%	#	%
1-12	18	8	32	36	50	15
13-24	17	33	35	39	112	34
25-36	126	53	19	21	145	45
37-60	15	6	3	3	18	6

Discharge Type

Table G

Type of Discharge	Passaic County		Salem County		Totals	
	#	%	#	%	#	%
Normal completion	153	54	47	53	200	54
Early	22	8	9	10	31	8
Violation	89	32	10	11	99	27
Absconder	1	...	20	23	21	6
Deceased	3	1	0	...	3	1
Other	13	5	2	2	15	4

Number of Probationers Recidivating in Given
Periods of Time by Number of Months on Probation

Passaic Probationers

Table H

Number of Months on Probation	Year of First Instance of Recidivism during Term				
	First	Second	Third	Fourth	Fifth
0-12	20	0	0	0	0
13-24	7	7	0	0	0
25-36	9	4	1	0	0
37-60	3	1	0	0	0

Salem Probationers

Table I

Number of Months on Probation	Year of First Instance of Recidivism during Term						
	First	Second	Third	Fourth	Fifth	Sixth	Seventh
0-12	4	0	0	0	0	0	0
13-24	3	1	0	0	0	0	0
25-36	2	1	1	0	0	0	0
37-60	0	1	2	0	0	0	0
61-258	1	0	0	0	0	0	1

END