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CHARACTERISTICS AND INSTITUTIONAL RECORDS  
OF YOUTHFUL OFFENDER COMMITMENTS

The present survey presents a profile of the personal characteristics, criminal histories and institutional records of a sample of 100 male Youthful Offender commitments received in 1978.

Attached is a brief summary of the findings of this descriptive survey.

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CHARACTERISTICS AND INSTITUTIONAL RECORDS  
OF YOUTHFUL OFFENDER COMMITMENTS

HIGHLIGHTS

ACQUISITION

1. Purpose of Survey. In view of the continuing legislative and public interest in Youthful Offender commitments to the Department, this survey presents a profile of the personal characteristics, criminal histories and institutional records of a sample of 100 male Youthful Offenders committed in 1978.

2. Age Upon Reception. The vast majority (81%) of the surveyed Youthful Offenders were between 16 and 18 years of age upon reception.

3. County of Commitment. In comparison to all 1978 commitments between 16 and 20 years of age, upstate counties (especially smaller counties with populations under 150,000) were over-represented in the sample of Youthful Offenders.

4. Ethnic Distribution. This survey found a higher percentage of White offenders (and correspondingly a lower percentage of Black individuals) in the sample of Youthful Offenders than in the overall commitment population in that age range.

5. Offense. Of the 100 sampled Youthful Offender commitments, 53% were convicted of violent personal crimes with robbery accounting for the largest percent (43%). Burglary was the conviction crime of 33% of the sample.

6. Security Level of Facility Placement Following Reception. It is noteworthy that 42% of these Youthful Offenders were immediately transferred to minimum security facilities following classification.

7. Facility Transfers. Of the 100 cases, 85 were transferred less than two times; 83 served over 75% of their sentences in one facility.

8. Program Participation. Seventy-three percent (73%) of this Youthful Offender sample participated in educational programs, vocational education or industrial training.

9. Time Served. As of the date of this report, 94% of these 100 Youthful Offenders had been released by Board action (69), conditional release (24), court order (1). For these 94 released Youthful Offenders, the average time served was 18.9 months.



## CHARACTERISTICS AND INSTITUTIONAL RECORDS

### OF YOUTHFUL OFFENDER COMMITMENTS

As the number of young offenders committed to State correctional facilities rises, legislative groups, private organizations and the Department have correspondingly become increasingly concerned with the particular needs and problems of this group.

Purpose of Survey. The purpose of this survey was to provide the type of basic statistical information that is most frequently sought on those young offenders who are sentenced to the Department as Youthful Offenders. This sub-group of young offenders which is often the subject of public inquiry, comprises approximately 20% of all commitments under 21 years old sentenced to the Department.

Definition of Youthful Offender. "Youthful Offender" is a status adjudication defined in Article 720 of the Criminal Procedure Law as "a person charged with a crime alleged to have been committed when he was at least sixteen years old and less than nineteen years old". A youth is not eligible for Youthful Offender adjudication if he/she is indicted for a Class A felony or has been previously convicted of a felony.

Following conviction for an applicable offense, the eligible young offender may be sentenced as a youthful offender and the criminal record of this conviction is expunged.

Sampling Procedure. To allow for an examination of institutional records and time served, this survey selected a sample of the first 100 male youthful offender commitments received in 1978. For comparison purposes, this report analyzes the data compiled on this sample of 1978 Youthful Offender commitments with all male 1978 commitments between 16-20 years of age as well as a previous report on a sample of 1975 Youthful Offender commitments.

County of Commitment. The table below compares the county of commitment of the 1978 Youthful Offender sample and all male 1978 commitments.

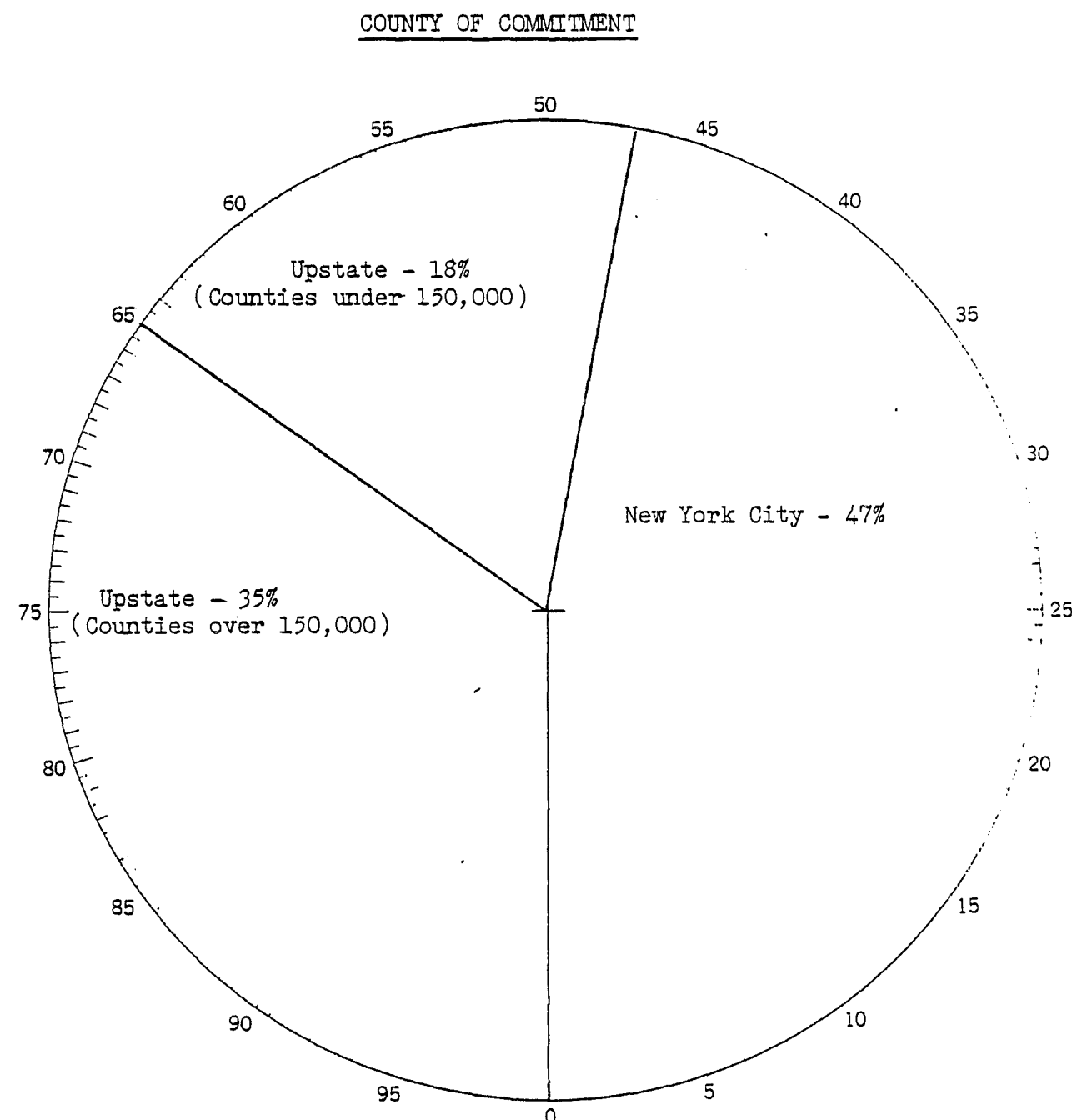
<u>County</u>	<u>1978 Youthful Offender Sample</u>	<u>1978 General Population</u> <u>( 16 - 20 yrs.)*</u>
New York City	47 (47%)	1059 (58%)
Upstate	53 (53%)	776 (42%)
Counties over 150,000	35	601
Counties under 150,000	18	175

\* Of all 1,838 male new commitments in 1978, data is unavailable for three cases with respect to county of commitments and offense.



The preceding table depicts a significant over-representation of youthful offenders from Upstate counties, especially counties with populations less than 150,000. As illustrated by the following table, a similar finding was reported by the 1975 Youthful Offender Study.

County	1975 Youthful Offender Sample	1978 Youthful Offender Sample
New York City	55 (51%)	47 (47%)
Upstate	53 (49%)	53 (53%)
Counties over 150,000	(37)(70%)	(35)(66%)
Counties under 150,000	(16)(30%)	(18)(34%)



### Age on Commitment

The vast majority of both youthful offender samples fall into the 16-18 years of age range. This trend is not found in the general population where the commitments are rather evenly distributed between the two age ranges.

### Age at Reception

Age	1975 Sample	1978 Sample	1978 General Population (16-20 yrs.)
16-18	85 ( 78%)	81 ( 81%)	869 ( 47%)
19-20	23 ( 22%)	19 ( 19%)	969 ( 53%)
	<u>108 (100%)</u>	<u>100 (100%)</u>	<u>1838 (100%)</u>

### Ethnic Distribution

The table below indicates that a somewhat significant lower concentration of Blacks appears in the 1978 sample than are found within the population from which it was drawn. On the contrary, White commitments appear to be over-represented in the sample group.

### Ethnic Distribution

Ethnic	1978 Y. O. Sample	1978 Gen. Pop. (16-20 yrs.)
Black	40 ( 40%)	927 ( 50%)
White	39 ( 39%)	568 ( 31%)
Puerto Rican	20 ( 20%)	328 ( 18%)
Other	1 ( 1%)	15 ( 1%)
	<u>100 (100%)</u>	<u>1838 (100%)</u>



Conviction Crime.

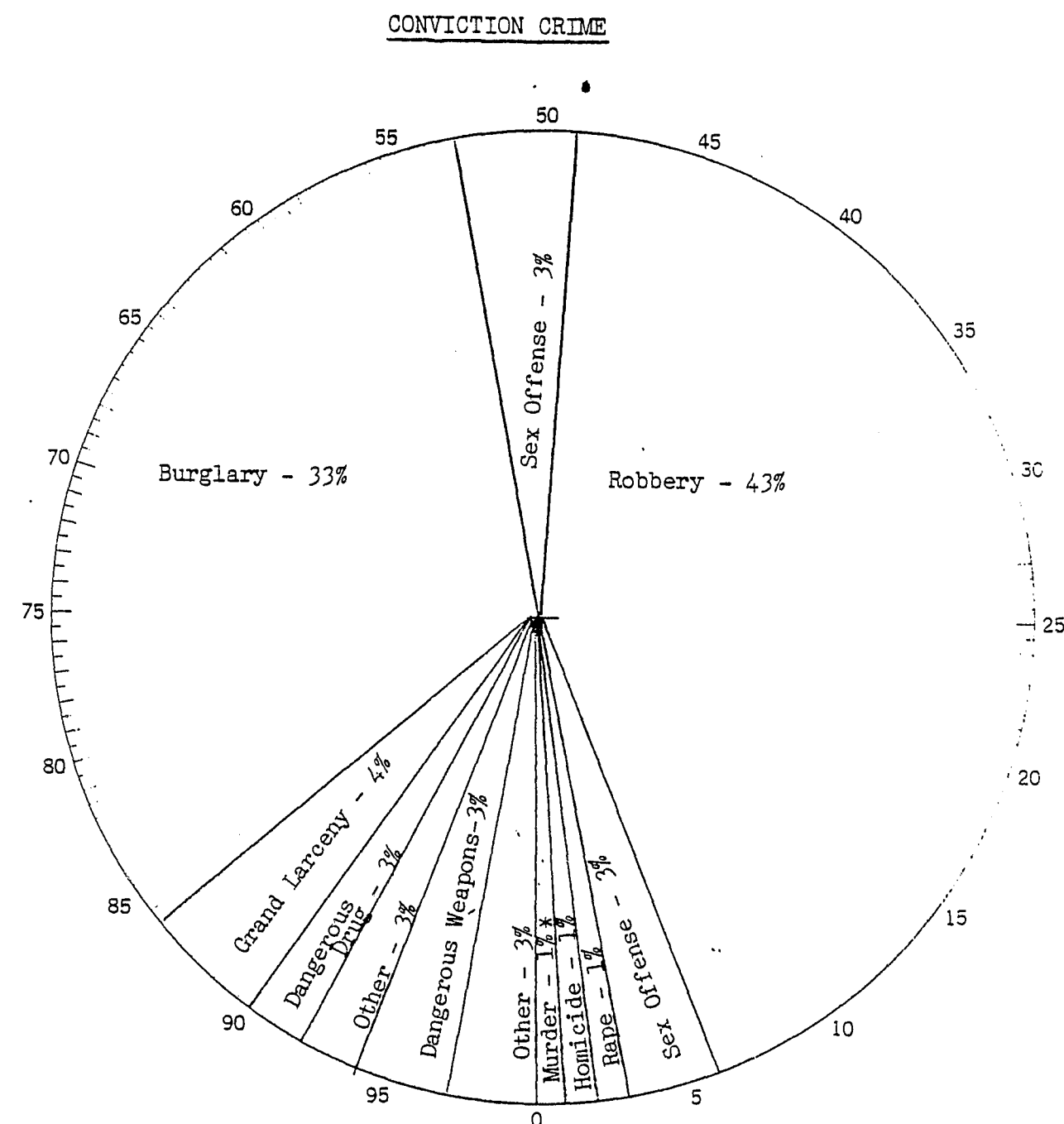
Youthful Offenders and Felons by Offense  
(1978 Males (16-20 yrs.))

\*Estimated

Offense	Y. O. Commitments-1978	Felon Commitments
Murder	4 ( 1.0%)	44 ( 3.0%)
Homicide	4 ( 1.0%)	90 ( 6.0%)
Rape	4 ( 1.0%)	55 ( 4.0%)
Sex Offense Excluding Rape	12 ( 3.0%)	28 ( 2.0%)
Robbery	170 ( 43.0%)	714 ( 49.0%)
Assault	16 ( 4.0%)	54 ( 4.0%)
Burglary	130 ( 33.0%)	276 ( 19.0%)
Grand Larceny/Not Auto	15 ( 4.0%)	33 ( 2.0%)
Grand Larceny/Auto	0 ( 0.0%)	8 ( 1.0%)
Dangerous Drug	8 ( 2.0%)	44 ( 3.0%)
Forgery	8 ( 2.0%)	7 ( 1.0%)
Dangerous Weapons	12 ( 3.0%)	33 ( 2.2%)
Other	12 ( 3.0%)	54 ( 4.0%)
	395 (100.0%)	1440 (100.0%)

\*The Youthful Offender conviction crimes are estimated for the total male 1978 youthful offender population (16-20 yrs.), and the estimation is based on data derived from the 100 sample cases.

The felon commitments, as a group, appear to be convicted of crimes entailing greater seriousness than are the youthful offender commitments. Although the modal conviction category for both groups is robbery, the youthful offender group was more often convicted of burglary than was the felon group while the felon group had a higher proportion of murder, homicides, rapes and robbery than found among the youthful offender commitments. These findings are not unexpected as one of the considerations of those determining adjudication status is crime seriousness.



\*Class B Felony



### Prior Adult Arrest

Thirty percent of the sample group had no prior adult arrest, while 25% had one arrest, 15% had 2 prior arrest, 13% had 3 prior arrest, and 17% had 4 or more pre-existing arrest. The sample survey of 1975 youthful offender cases also found that over 60% of the commitments had less than 2 adult arrests.

#### Number of Prior Adult Arrest Among Sample Groups

Number of Arrest	1975 Y. O. Sample	1978 Y. O. Sample
0	41 ( 38%)	30 ( 30%)
1	26 ( 24%)	25 ( 25%)
2	16 ( 15%)	15 ( 15%)
3	13 ( 12%)	13 ( 13%)
4+	12 ( 11%)	17 ( 17%)
	108 (100%)	100 (100%)

#### Prior Adult Records of 1978 Youthful Offender Sample and 1978 General Population-Male (16-20 yrs.)

Prior Adult Record	1978 Y.O. Sample	1978 Gen. Pop. (16 - 20 years)
No Prior Adult	30 ( 30%)	266 ( 14.4%)
No Prior Institutionalization	51 ( 51%)	866 ( 47.2%)
Local Commitment Only	19 ( 19%)	604 ( 33.0%)
State or Federal Commitment	0 ( 0%)	102 ( 5.4%)
	100 (100%)	1838 (100.0%)

Although 70% of the 1978 youthful offender sample had histories of prior arrest, only 19% had previous adult commitments, all of which were at the county level. (The average time served for prior adult commitments was 4 1/2 months per individual). The adult arrest records of the youthful offender sample differed significantly from the arrest records of the general population. The percentage of persons in the sample group having no prior arrest is nearly twice as high as the percentage found in the general population of similar age.

It should be noted, however, that 81% of the surveyed Youthful Offender commitments were under 19 years of age as compared to 47% of the comparison group.

### Conviction Offense by Security Classification Level 1978 Sample Initial Facility After Classification

Offense	Classification Level					
	Max A	Max B	Med A	Med B	Min	
Murder	-	-	1	-	-	1
Homicide	-	1	-	-	-	1
Rape	1	-	-	-	-	1
Sexual Offense	-	1	1	1	-	3
Other than Rape						
Assault	1	1	-	1	1	4
Robbery	5	12	4	5	17	43
Injury	(3)	(6)	(2)	(2)	(7)	-
No Injury	(2)	(6)	(2)	(3)	(10)	-
Arson	-	2	-	-	-	2
Burglary	4	7	3	-	19	33
Grand Larceny	1	1	-	-	2	4
Dangerous Drug	-	-	-	1	1	2
Forgery	-	1	1	-	-	2
Dangerous Weapon	-	1	-	1	1	3
Other	-	-	-	-	1	1
	12	27	10	9	42	100

In this survey the security classification level is determined by the place of initial commitment after reception. The modal classification category, for the sample group, is minimum, followed by Max B, Max A, Med A and Med B, respectively. Although the minimum security level facilities received the largest proportion of youthful offender commitments, they acquired a relatively smaller share of violent offenders than did the other security levels. Sixty percent of the 58 sample commitments received by Maximum and Medium level facilities, were convicted of murder, rape, sexual abuse, assault, robbery or arson, while only 42% of the 42 sample minimum security level commitments were convicted of those crimes.



### Program Participation

Fifty percent of the sample commitments participated in a combination educational-vocational program, while 23% were involved in industries, 10% maintenance, another 3% reported no program involvement and the remaining 14% offered no information pertaining to program involvement.

### Facility Transfer

Facility transfer was examined in this study, in an attempt to gain insight into systematic movement of youthful offenders and its affect upon program adjustment. It has been noted, during the past few years, that the Department tends to transfer inmates frequently, resulting in program interruption. The following paragraphs will analyze and discuss the relationship between transfer and program adjustment.

A transfer, as classified in the present study, is a move from one facility to another, resulting in more than one month's stay in the new facility. Movement which is strictly for pre-release or parole purposes are excluded from transfer classification. Below is the breakdown of the number of transfers experienced by the sample group.

#### Number of Transfers Occurring Within the Sample Group

Transfers	Individuals in Sample	
0	42 persons	( 42%)
1	43	( 43%)
2	3	( 3%)
3	7	( 7%)
4+	5	( 5%)
	100	100%

The vast majority (85%) of the sample group received less than 2 transfers throughout their sentence. The transfers are also broken down in this study, as follows: transfer "up" (higher security-level), transfer "down" (lower security level) and transfer "across" (equal security level).

The table below indicates the percentage of the sample group receiving transfers within the aforementioned categories.

### Individuals Receiving One or More Transfer by Transfer Direction

Transfer Direction	Number of Individuals Receiving Transfer(s)
Up (higher security)	27 ( 47%)
Down (lower security)	11 ( 19%)
Across (equal security)	15 ( 26%)
Up and Down	3 ( 5%)
To C.N.Y.P.C.	2 ( 3%)
	58 (100%)

Nearly all of the transfers to higher security levels were due to disciplinary problems, with only four transfers precipitated by inmate request.

Although transfer information adds insight into program continuity, it may be deceptive due to the instability of the measure, e.g., numerous transfers may occur within a short period of time, allowing for the inmate to serve a large portion of his sentence within one facility. Consequently, it is helpful to examine the time served in terms of the proportion of a sentence occurring within one facility. Below is a breakdown of the sample group according to the largest proportion of their sentences served at one facility.

#### Largest Proportion of Time Served at One Facility

Number of Individual	% of Time Served
42 (42%)	100%
41 (41%)	75%
15 (15%)	50%
2 ( 2%)	25% or less

A large proportion (83%) of the sample served approximately 75% or more of their time in one facility. Therefore, facility transfer alone should not be used in assessing the impact of inmate movement on program interruption.



Time Served. In accord with the Youthful Offender Sentencing Act, all 100 of these commitments were received with unspecified minimum sentences.

Of the 100 cases, 55 had maximum sentences of three years; 45 had maximum sentences of four years.

As of the date of this report, 94 of these 100 Youthful Offenders had been released by Board action (69); conditional release (24); or court order (1).

The average time served by these 94 Youthful Offenders was 18.9 months.

Conclusion and Discussion. In addition to a demographic profile of the surveyed offenders, this survey sought to examine the institutional record of these Youthful Offenders.

In view of the recent critical examination of the Department's transfer and programmatic practices, certain of the findings of this survey are of particular note.

A sizable percentage of these Youthful Offenders were immediately transferred to a minimum security facility following classification, especially those not convicted of violent offenses.

Relative to the widespread criticism of the negative impact of frequent transfers on program interruption, 85% of the sample was transferred less than two times, excluding transfers strictly for pre-release or parole purposes. Eighty-three percent (83%) of these young offenders served over 75% of their sentences in one facility.

Correspondingly, the case records of 73% of these individuals contained evidence of program participation in academic education, vocational education or industrial training.

While the findings of this survey obviously apply only to the sampled cases, it is noteworthy that in these surveyed cases there were infrequent facility transfers and a high level of program participation among the sampled cases. As such, this survey finding may be viewed as further substantiation of the premise that a positive result of the Department's current efforts to reduce the amount of facility transfers will be a corresponding increase in the level of uninterrupted programmatic involvement among the inmate population.



**END**