Massachusetts Department of Youth Services

#### Juvenile Recidivism Report

**For Youth Discharged During 2013**

### **December 4, 2017**



**Charles Baker, Governor**

**Mary Lou Sudders, Secretary, Executive Office of Health & Human Services**

**Peter J. Forbes, Commissioner**

Massachusetts Department of Youth Services

#### 2017 Juvenile Recidivism Report

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### **Executive Summary**

This study tracks the criminal histories of 357 youth committed to DYS custody after their discharge in 2013 from the Massachusetts Department of Youth Services (“DYS”). The information on their arrests, convictions and incarcerations post discharge was evaluated to find the rate of recidivism for the entire cohort, as well as the recidivism rates for selected segments of that cohort.

Of the 357 subjects, 26% were convicted within one year of discharge from DYS. This compares with a 22% rate for the 2012 discharges; a 22% rate for the 2011 discharges; and a 25% rate for the 2010 discharges. Youth at high risk for conviction as adults tended to be males who had been committed to DYS custody for violent offenses.

|  |  |
| --- | --- |
|  | **One-Year** |
| **Gender** | **Reconviction Rate** |
| Males | 28% |
| Females | 11% |
|  |  |
| **Ethnicity** |  |
| Caucasian | 25% |
| Afr. American | 33% |
| Hispanic | 24% |
| Other | 18% |
|  |  |
| **DYS Committing****Offense Type** |  |
| Person | 27% |
| Property | 22% |
| Drug | 27% |
| Motor Vehicle | 20% |
| Weapons | 36% |
| Public Order | 23% |
|  |  |
| **Grid Level** |  |
| <= Grid 2 | 25% |
| Grid 3 | 28% |
| Grid 4 | 25% |
| >= Grid 5 | 30% |

1See page 10, Table 5 for DYS Offenses and Grids

## Key Findings:

* In the current study, the one-year conviction rate was slightly higher for the 2013 cohort (26%) compared to the 2012 cohort (22%).
* Of the youth who were convicted as adults for committing a criminal offenses within one year of discharge from DYS, 64% of those youth were convicted within the first six months.
* The recidivism rate for males was 28% while the rate for females was only 11%.
* Recidivism rates were highest for youth whose juvenile offenses involved weapons (36%), persons (27%), and property (27%). The lowest rates were for those committed for motor vehicle offenses (20%). See Figure 5.
* High recidivism rates were associated with youth who had been adjudicated for assault (43%). Low recidivism rates were associated with youth who had been adjudicated for breaking and entering (19%).
* Of the five DYS Regions, the Central Region had the lowest recidivism rate (19%).
* Among the major Massachusetts cities, New Bedford youth had the highest reconviction rates (35%), while Brockton youth had the lowest (13%). See

 Table 3.

**Table 1 Recidivism Rates for Former DYS Youth with Selected DYS Offenses**

**DYS Offense # Adjudicated Total in Recidivism Rate**

 **Sample**

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
| Assault | 12 | 28 | 43% |
| Assault and Battery | 23 | 77 | 30% |
| Larceny | 7 | 27 | 26% |
| Robbery | 13 | 63 | 21% |
| Breaking and Entering | 6 | 31 | 19% |
| A & B w/ Dangerous Weapon | 5 | 30 | 17% |

**Table 2 Recidivism Rates for Former DYS Youth - Misdemeanors vs. Felonies**

**DYS Offense # Adjudicated Total in Recidivism Rate**

 **Sample**

|  |  |  |  |
| --- | --- | --- | --- |
| Misdemeanor |  36 |  126 |  29% |
| Felony |  58 |  231 |  25% |

**Table 3 Recidivism Rates for Former DYS Youth From Six Major Cities**

## **Youth Hometown # Adjudicated Total in Recidivism Rate**

  **Sample**

|  |  |  |  |
| --- | --- | --- | --- |
| New Bedford | 7 |  20 |  35% |
| Springfield | 8 |  28 |  29% |
| Boston | 7 |  26 |  27% |
| Lawrence | 3 |  15 |  20% |
| Worcester | 5 |  26 |  19% |
| Brockton | 2 |  15 |  13% |

## **Introduction**

The Department of Youth Services (DYS) is the juvenile justice agency of the Commonwealth of Massachusetts. The Department’s mission is to promote positive change in the youth in our care and custody and to make communities safer by improving the life outcomes for the youth we serve. DYS invests in highly qualified staff and a service continuum that engages youth, families and communities in strategies that support positive youth development.

Total Programs:

As of January 1, 2017, DYS operates 84 programs including:

* 61 residential facilities, ranging from staff secure group homes to highly secure locked units; and,
* 23 community-based district and satellite offices to serve youth who live in the community (residing with a parent, guardian, foster parent or in an independent living program).

Total DYS Population:

* On January 1, 2017, DYS served 651 youth who were adjudicated as delinquent.
* 465 of these youth were adjudicated delinquent and were committed to DYS custody until age 18.
* 186 of these youth were adjudicated delinquent and were committed to DYS custody as youthful offenders until age 21.
* As a result of court orders, approximately 150 youth on any given day are detained and committed to DYS’ care while awaiting their next court appearance.

Juvenile Crime in Massachusetts:

* In FY 2017, Massachusetts had 8,648 juveniles arraigned on delinquency charges.
* Of these youth, 1,642 were detained and committed to DYS’ care while they awaited their court appearance.
* 331 of these youths were committed to DYS’ custody which represents approximately 4% of all juveniles arraigned.

Recidivism is generally the most common measure used to determine the effectiveness of interventions with juvenile offenders. This report details recidivism data for a sample of former DYS youth who were discharged from the agency during calendar year 2013. For purposes of this report, recidivism is defined as a conviction in the adult system for an offense committed within one year of discharge from DYS.

Prior research has found associations between juvenile recidivism and various factors related to age, socioeconomic status, educational history, peers, family dynamics, and substance use. The following have been identified (Baird, 1984; Wiebush et al., 1995) as primary risk factors for juveniles:

* Age of onset of criminality (usually age at first referral, first arrest, or first adjudication)
* Number of prior arrests / adjudications
* Prior Assaults
* Prior out-of-home placements
* Poverty
* Unemployment
* Drug / alcohol abuse
* School problems (including poor achievement, misbehavior in school, and truancy)
* Association with delinquent peers
* Family problems (including problems with parental control and poor relationships with family members)
* Mental or emotional disability

Treatment for the typical youth committed to DYS custody has been shown to be cost-effective in terms of reduced recidivism. Efforts have been made to estimate the costs to the community of a criminally-involved youth. Research has shown that, “Discounted to present value at age 14, [estimated] costs total $3.2-$5.8 million. The bulk of these costs ($2.7-$4.8 million) are due to crimes, while an additional $390,000 to $580,000 is estimated to be the value of lost productivity due to dropping out of high school. The cost of a heavy drug abuser is estimated to range between $480,000 and $1.1 million, although $700,000 of that amount is the cost of crime committed by heavy drug abusers (and hence already included in the crime cost estimates).” (Cohen & Piquero, 2009).

## **Method and Subjects**

The sample for the study consisted of 357 DYS youth discharged during the year 2013 (Table 4). *A detailed demographic breakdown of the sample can be found in Appendix C*. 90% of the sample was male; 34% were Caucasian; 29% African American; and 28% Hispanic. 56% of the sample had been classified as DYS grid level 3 and above. The remaining 44% were classified grid levels 1 or 2 (Table 5). Excluded from the study were youth for whom a criminal history was incomplete or could not be located. The subjects’ criminal histories were checked using the Commonwealth’s Criminal Offenders Record Information (CORI). All data was then entered for analysis into MS Excel. Using client information gathered from the Department’s Juvenile Justice Enterprise Management System (JJEMS), it was possible to calculate recidivism rates with respect to gender, grid level, DYS region, city, county, age at first commitment to DYS custody, and offense type.

**Table 4 Characteristics of the Sample**

  **N Minimum Maximum Mean Std. Deviation**

Age at First Arrest 357 8 17 14.3 1.5

Age at Commitment to DYS

Custody 357 13 18 16.2 1.1

Length of Stay in DYS (Yrs.) 357 0.1 7.8 2.3 1.5

**Table 5 Selected DYS Offenses and Grids**

**Offense Grid**

Disturbing the Peace 1

Petty Larceny 1

Possession of Marijuana 1

Distributing Marijuana 2

Possession of Cocaine 2

Poss. of a Dangerous Weapon 2

Receiving Stolen Property 2

B&E (Felony) 3

Larceny (Felony) 3

A&B With a Dangerous Weapon 4

Armed Robbery 4

Distributing Cocaine 4

Armed Assault & Robbery 5

Attempted Murder 5

Rape 5

Home Invasion 6

Murder in the 1st Degree 6

## **Results**

**Overall Rates:** Of the 357 subjects chosen for the study, 26% were convicted of an offense within one year of discharge from DYS. This compares with a 22% rate for the 2012 discharges; a 22% rate for the 2011 discharges; and a 25% rate for the 2010 discharges (Figures 1 and 2).

**Table 6 Rates of Arrests, Convictions, and Incarcerations Within One Year**

 **N %**

Arrests 201 56

Convictions 94 26

Incarcerations 73 20

**Gender:** Males re-offended at a much higher rate than females (28% and 11% respectively). For most of the 2004 - 2013 discharge cohorts, the re-conviction rate for females was less than 10%. (Figure 3).

**Ethnicity:** 33% of the African Americans; 25% of the Caucasians; and 24% of the Hispanics in the sample were reconvicted for offenses committed within one year of discharge (Figure 4).

**Offense Type:** With respect to youth committed to DYS’ custody, 36% of the weapons offenders, 27% of the drug offenders, 27% of the person offenders, 23% of the public order offenders, 22% of the property offenders, and 20% of the motor vehicle offenders were reconvicted for offenses committed within one year of discharge. Historically, property and drug offenders have tended toward the higher recidivism rates. (Figure 5). *Refer to Appendix A for a detailed list of offenses and offense types.*

**Grid Levels:** The one-year reconviction rates by grid level for the 2013 cohort were: 25% for grid levels 2 and below; 28% for grid level 3; 25% for grid level 4; and 30% for grid levels 5 and above (Figure 6). The recidivism rates for low-level offenders (grids 1 and 2) have been higher in the past eight years than in previous years, but the highest rates of recidivism have generally been by youth who have been committed to DYS for offenses at the grid level 4.

**Age at First Arrest:** Youth who were age 15 at the time of their first arrest had the highest reconviction rate (32%) in the 2013 cohort. The lowest reconviction rate (21%) was for those first arrested at age 14 (Figure 7). Previous research has often shown high recidivism rates for individuals who have a young age at first arrest.

**County:** The re-conviction rates for former DYS youth from the major Massachusetts counties were as follows: Bristol County, 36%; Essex County, 26%; Hampden County, 25%; Suffolk County, 24%; and Worcester County, 20% (Figure 8). Historically, the highest rates of recidivism have been for youth living in Suffolk County.

**DYS Region:** The reconviction rates for the five DYS regions were: Southeast, 31%; Northeast, 29%; Western, 25%; Metro, 23%; and Central, 19% (Figure 9). Compared to the previous year, the Central and Metro Regions showed significant decreases in reconviction rates. *A breakdown of each DYS Region by County can be found in Appendix B.*

The NE Regionwas re-established in 2007.

**Length of Time Until First Adult Conviction:**  Of the 357 former DYS youth in the sample, 17% were reconvicted of an offense committed within six months; 26% were reconvicted of an offense committed within one year; and 39% were reconvicted within two years (Figure 15). Research has consistently found that when discharged youth re-offend, they tend to do so within a short period of time. Of the former DYS youth who re-offended within one year, 64% committed their offense within six months of discharge.

**Conclusions**

Criminal justice professionals have not agreed on one standard definition of recidivism. Jurisdictions across the country use re-arrests, re-convictions, or re-incarcerations as criteria for recidivism events. Tracking periods vary from 6 months to 24 months. In addition, a recidivism event can be defined as a juvenile offense, an adult offense, or a combination of both. For these reasons, juvenile recidivism rates for Massachusetts were not compared to those from other states. Further complicating the issue is the fact that (1) each state has its own unique population; (2) in some states, juvenile rearrests or re-convictions are referred to as “relapses” rather than recidivism events; and (3) policy and practice changes in local police departments and courts can influence recidivism rates. Additionally, many crimes are not reported to the authorities. For example, victims of sexual assault only report offenses 5 to 20% of the time.

Juvenile recidivism rates for Massachusetts have generally been lower in the years 1998 through 2013, as compared to the years 1993 through 1997. In an attempt to improve outcomes for youth, DYS has increased investments in clinical, educational, and gender specific services; as well as intensive case management services for violent juvenile offenders in the Metro Boston Region (Suffolk County). Those investments signaled a shift from “warehousing” youth in the 1990s (when recidivism rates were close to 50%) to a strength based model of juvenile justice grounded in positive youth development which has demonstrated positive outcomes for youth. The shift in focus from containment to treatment is more consistent with the Massachusetts juvenile code and DYS’ statutory mandate (M.G.L. c. 18A).

Previous research has found that juveniles who re-offend tend to do so within a short period of time following release to the community. In the current study, among the subjects who re-offended within one year of discharge, 64% re-offended within six months. Youth at high risk for reconviction tended to be males who had committed violent juvenile offenses.

Research has shown improved outcomes (including reduced recidivism rates) when a highly structured transition is implemented from secure juvenile facilities to the community. This transition generally includes:

* Preparing confined youth for re-entry into the communities in which they reside.
* Making the necessary connections with resources in the community that relate to known risk and protective factors.

DYS has implemented a Community Services Network for committed youth who have been released to the community. The features of this model include increased contact with DYS youth by caring adults; emphasis on pro-social development; community connectedness; and building life skills and social competencies. DYS has seen significant decreases in recidivism rates since the agency began community supervision models in the 1990s. In 2015, DYS was awarded a $190,000 Community Services Grant by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The goals of the initiative include reducing recidivism and increasing public safety through improving community supervision for youth at medium to high risk of reoffending.

DYS is currently collaborating with the Pew Charitable Trusts, The Council of Juvenile Correctional Administrators, and the National Center for Juvenile Justice on the Results First Initiative. The Results First model compares the costs and benefits of a range of interventions geared toward incarcerated adults and youth. One of the primary goals is to ensure that adequate funding is directed toward programs and interventions that have been shown to be cost effective.

The 2012–2017 DYS Strategic Plan identified discharge and post discharge planning as a critical facet of the overall rehabilitative process. Every youth committed to DYS now goes through a thorough discharge planning process and every youth is offered an ability to remain involved with DYS on a voluntary basis (Youth Engaged in Services).  Services offered include, but are not limited to: case management support, independent living options, employment and training support, and support for secondary education pursuit. These additions to the service continuum could potentially have significant and positive impacts on recidivism.

Juvenile justice research has emphasized the importance of education for youth in the justice system. One study found that incarcerated youth with higher levels of educational attainment were more likely to return to school after release, and that those youth who returned to and attended school regularly were less likely to be rearrested within 12 and 24 months. Among the youth who were rearrested, those who attended school regularly following release were arrested for significantly less serious offenses compared to youth who did not attend school or attended less regularly (Blomberg, et al., 2011). It is the intent of DYS that education services facilitate a successful transition of youth to their home schools, alternative education settings, Hi-Set preparation, and/or post-secondary education.

The DYS strategic planning process has targeted education, vocational training, and employment for committed youth. This sustained focus on positive youth outcomes is a strategic attempt to interrupt the delinquency trajectory and to assist youth in becoming productive and law abiding as they return to their home communities.

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#### Appendix A

Offense List

|  |  |
| --- | --- |
| **Offense** | **Offense Type** |
| A&B | Person |
| A&B ON A CORRECTIONS OFFICER | Person |
| A&B ON A PUBLIC SERVANT | Person |
| A&B ON CHILD WITH INJURY | Person |
| A&B ON ELDER (+60)/DISABLED PERSON; BODILY INJURY | Person |
| A&B ON RETARDED PERSON | Person |
| A&B W/INTENT TO MURDER | Person |
| A&B WITH DANGEROUS WEAPON | Person |
| ABANDONMENT | Public Order |
| ABDUCTING FEMALES TO BE PROSTITUTES | Public Order |
| ABDUCTION | Person |
| ABUSE OF A FEMALE CHILD | Person |
| ABUSE PREVEVENTION ACT (VIOLATING RESTRAINING ORDER) | Public Order |
| ACCESSORY AFTER THE FACT | Public Order |
| ACCESSORY TO MURDER - AFTER FACT | Person |
| ACCOSTING | Public Order |
| ADULTERY | Public Order |
| AFFRAY | Public Order |
| ARMED ASSAULT & ROBBERY | Person |
| ARMED ASSAULT IN DWELLING | Person |
| ARMED ROBBERY | Person |
| ARMED ROBBERY WHILE MASKED | Person |
| ARSON | Property |
| ASSAULT | Person |
| ASSAULT W/INTENT TO MURDER | Person |
| ASSAULT WITH DANGEROUS WEAPON | Person |
| ASSUMING TO BE AN OFFICER | Public Order |
| ATTACHING WRONG PLATES-124P, 124B | Motor Vehicle |
| ATTEMPT TO COMMIT A CRIME | Public Order |
| ATTEMPT TO KIDNAP | Person |
| ATTEMPTED ARSON | Property |
| ATTEMPTED B&E DAYTIME | Property |
| ATTEMPTED B&E NIGHT | Property |
| ATTEMPTED MURDER | Person |
| ATTEMPTED RAPE | Person |
| ATTEMPTED SUICIDE | Public Order |
| ATTEMPTED UNARMED ROBBERY | Person |
| B&E | Property |
| BIGAMY OR POLYGAMY | Public Order |
| BOMB THREAT | Weapons |
| BOXING MATCHES | Public Order |
| BREAKING GLASS | Property |
| BRIBE | Public Order |
| BURGLARY, UNARMED | Property |
| BURN A MEETING HOUSE | Property |
| BURNING A DWELLING | Property |
| **Offense** | **Offense Type** |
| CARJACKING | Motor Vehicle |
| CARNAL ABUSE OF A FEMALE | Person |
| CARRYING A DANGEROUS WEAPON IN SCHOOL | Weapons |
| CARRYING A FIREARM IN A MOTOR VEHICLE | Weapons |
| CARRYING DANGEROUS WEAPON | Weapons |
| CIVIL RIGHTS ORDER VIOLATION | Public Order |
| COERCION TO JOIN A GANG | Public Order |
| COMPULSORY INSURANCE LAW-118A | Motor Vehicle |
| CONSPIRACY TO VIOLATE DRUG LAWS | Drug |
| CONSPIRACY-OTHER CRIME | Public Order |
| CONTEMPT OF COURT (COURT VIOLATION) | Public Order |
| CONTRIBUTING TO THE DELENQUINCY OF A MINOR | Public Order |
| COUNTERFEIT MONEY | Property |
| DISCHARGING A FIREARM WITHIN 500 FEET OF A BUILDING | Weapons |
| DISORDERLY CONDUCT | Public Order |
| DISTRIBUTE (CLASS A) | Drug |
| DISTRIBUTE (CLASS B)-COCAINE | Drug |
| DISTRIBUTE (CLASS C) | Drug |
| DISTRIBUTE (CLASS D) | Drug |
| DISTRIBUTE (CLASS E) | Drug |
| DISTRIBUTE TO MINOR (CLASS A) | Drug |
| DISTRIBUTE TO MINOR (CLASS B) | Drug |
| DISTRIBUTE TO MINOR (CLASS C) | Drug |
| DISTRIBUTING IN A SCHOOL ZONE | Drug |
| DISTURBING A SCHOOL ASSEMBLY | Public Order |
| DISTURBING THE PEACE | Public Order |
| FAILURE TO APPEAR ON PERSONAL RECOGNIZANCE | Public Order |
| FALSE FIRE ALARM | Public Order |
| FORGERY ON CHECK OR PROMISSORY NOTE  | Property |
| GAMBLING | Public Order |
| GUN LAW-CARRYING A FIREARM | Weapons |
| HAVING A FIREARM W/O A PERMIT | Weapons |
| HAVING ALCOHOL ON MDC RESERVATION | Public Order |
| HOME INVASION | Person |
| IDLE AND DISORDERLY | Public Order |
| ILLEGAL POSSESSION OF FIREWORKS | Weapons |
| INDECENT A&B | Person |
| INTIMIDATING A GOVERNMENT WITNESS | Public Order |
| KIDNAPPING | Person |
| LARCENY LESS | Property |
| LARCENY MORE (FELONY) | Property |
| LEAVING SCENE OF ACCIDENT AFTER INJURING PERSON | Motor Vehicle |
| LEAVING SCENE OF ACCIDENT AFTER INJURING PROPERTY | Motor Vehicle |
| MALICIOUS DESTRUCTION OF PROPERTY-OVER $250 | Property |
| MALICIOUS DESTRUCTION OF PROPERTY-UNDER $250 | Property |
| MANSLAUGHTER | Person |
| MAYHEM | Person |
| **Offense** | **Offense Type** |
| MINOR POSSESSIONG ALCOHOL | Public Order |
| MURDER IN THE 1ST DEGREE | Person |
| MURDER IN THE 2ND DEGREE | Person |
| OBSTRUCTING JUSTICE | Public Order |
| OPEN AND GROSS LEWDNESS | Public Order |
| OPERATING AS TO ENDANGER LIVES AND SAFETY-112A | Motor Vehicle |
| OPERATING UNDER THE INFLUENCE OF LIQUOR-111A | Motor Vehicle |
| OPERATING WITHOUT A LICENSE-114F | Motor Vehicle |
| PERJURY | Public Order |
| POSSESSION (CLASS A) | Drug |
| POSSESSION (CLASS B) | Drug |
| POSSESSION (CLASS C) | Drug |
| POSSESSION (CLASS D) | Drug |
| POSSESSION (CLASS E) | Drug |
| POSSESSION OF A DANGEROUS WEAPON | Weapons |
| POSSESSION OF BURGULAROUS TOOLS | Property |
| POSSESSION WITH INTENT TO DISPENSE (CLASS A) | Drug |
| POSSESSION WITH INTENT TO DISPENSE (CLASS B) | Drug |
| POSSESSION WITH INTENT TO DISPENSE (CLASS C) | Drug |
| POSSESSION WITH INTENT TO DISPENSE (CLASS D) | Drug |
| POSSESSION WITH INTENT TO DISPENSE (CLASS E) | Drug |
| POSSESSION-MARIJUANA (CLASS D) | Drug |
| PROSTITUTION | Public Order |
| RAPE | Person |
| RAPE OF CHILD | Person |
| RECEIVING AND/OR CONCEALING STOLEN PROPERTY | Property |
| RESISTING ARREST | Public Order |
| SHOPLIFTING | Public Order |
| SPEEDING-116A | Motor Vehicle |
| STALKING | Public Order |
| STATUTORY RAPE | Person |
| THREATENING | Public Order |
| TRESSPASS | Public Order |
| UNARMED ROBBERY | Person |
| USE WITHOUT AUTHORITY-114A | Motor Vehicle |
| VIOLATION OF PROBATION | Public Order |
| WANTON DESTRUCTION OF PROPERTY-OVER $250 | Property |
| WANTON DESTRUCTION OF PROPERTY-UNDER $250 | Property |

#### Appendix B

#### DYS Regions by County

**DYS Central Region**

* Worcester County

**DYS Metro Region**

* Suffolk County

**DYS Northeast Region**

* Essex County
* Middlesex County

**DYS Southeast Region**

* Barnstable County
* Bristol County
* Dukes County
* Nantucket County
* Norfolk County
* Plymouth County

**DYS Western Region**

* Berkshire County
* Franklin County
* Hampden County
* Hampshire County

#### Appendix C

Demographics of the Subjects