

RECIDIVISM STUDY  
1975 ROBBERY/BURGLARY ARRESTS

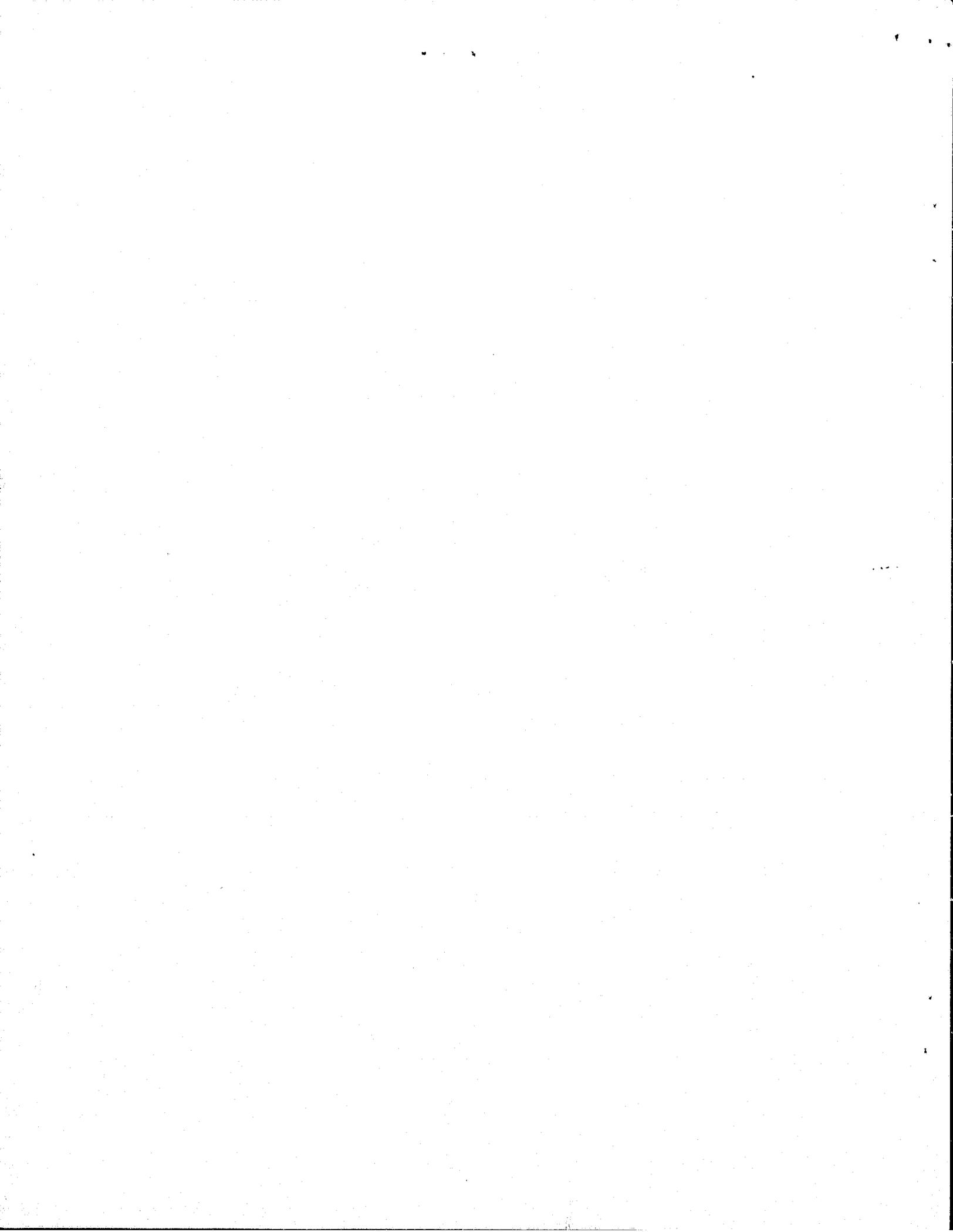
NCJRS

AUG 14 1978

ACQUISITIONS

Law Enforcement Planning Commission  
Statistical Analysis Center  
April, 1978

85105



## HIGHLIGHTS OF FINDINGS

### 1975 RECIDIVISM STUDY

1. Following a 1975 arrest for robbery or burglary, 16.5% of those convicted were re-arrested on one or more subsequent felony charges as of July 1, 1977.
2. Recidivists were found to have been arrested for a great variety of felony offenses, not just burglary and robbery. Forty-five out of 92 subsequent arrests were for robbery or burglary, 47 were for other felonies; 37 out of 98 prior arrests had been for robbery or burglary, 61 for other felonies.
3. Recidivists require more probation officer time and attention, and are less likely to respond, than other individuals on caseloads.
4. Eighty-nine point seven percent (89.7%) (for whom records were known) were characterized as sociopathic or antisocial individuals who could not have been deterred from subsequent felony arrests by increased supervision or rehabilitative efforts.
5. Approximately one-fourth of Idaho's probation/parole caseloads are comprised of chronic recidivists, according to probation officers interviewed.
6. One in ten of those convicted as a result of a 1975 arrest for robbery or burglary were designated by probation officers as recidivists for whom there was no known preventive sentence.
7. Sentences of incarceration did not prevent criminals from continuing to commit crime, as evidenced by a 19% recidivism rate among those still incarcerated. It did, however, change the environment in which subsequent offenses were committed and limited the type of victims of these offenses.
8. Forty-nine percent (49%) of recidivists in this study also had records of prior felony arrests, compared to 40% of non-recidivists who had prior felony arrests.
9. At least 69% of those recidivists for whom complete files were available also revealed juvenile records.
10. Social attitudes and problem-solving techniques which result in chronic criminal behavior were thought to have been learned in the family during childhood and to be a well-defined part of the recidivist's personality prior to his entrance into the adult Criminal Justice System.

RECIDIVISM STUDY  
1975 ROBBERY/BURGLARY ARRESTS

As a result of the Six-Area Studies of 1975 adult burglary and robbery arrests in Idaho, the Statistical Analysis Center (SAC) of the Idaho Law Enforcement Planning Commission identified 260 convicted persons, 59 of whom had been rearrested on one or more subsequent felony charges as of July 1, 1977, according to information gleaned from Idaho Criminal Identification Bureau-FBI "rap sheets." Although not all felony arrests are entered on these rap sheets, and entries do not necessarily imply guilt or conviction, it was felt that this information was the best available indicator of recidivism. SAC therefore determined to publish a study based on this definition of recidivism.

Of the 212 adults eventually convicted following the 1975 burglary arrests, data collected for 12 was insufficient to trace their criminal histories. These twelve convictions were eliminated from the study and analyses are based on the 200 convictions for whom all data was known. Data was sufficient among robbery convictions to include all 48 of them in this study.

Investigation of information on rap sheets revealed that 18 of the 59 individuals who were re-arrested (30.5%) had arrests dated subsequent to sentencing, but representing offenses committed prior to sentencing. Because it was SAC's intent to question why sentencing stemming from the 1975 conviction failed to deter defendants from subsequent arrests, and because these entries did not actually represent subsequent recidivist behavior, these 18 were eliminated, leaving 41 actual recidivists. Actual recidivists, then, represented 16.5% of convictions.

Table 1 delineates these convictions and rearrests by area and by the type of original arrest (robbery or burglary). Note that 34 (17%) of those 200 convicted after a burglary arrest were subsequently rearrested on other felony charges; seven (14.6%) of 48 robbery arrests were rearrested, for a total of 41 (16.5%) adults rearrested of 248 convicted and sentenced persons. (It should be noted that "robbery" and "burglary" headings in this table refer to the original arrest charges, and not necessarily to the eventual conviction charges.)

TABLE 1  
1975 RECIDIVISM STUDY  
CONVICTIONS AND REARRESTS

County	Convictions Resulting from 1975 Arrests of			Number of Defendants Rearrested		
	Burglary	Robbery	Total	Burglary	Robbery	Total
Ada	73	15	88	14	1	15
Bannock	39	9	48	1	3	4
Bonneville	33	16	49	8	3	10
Nampa	15	2	17	1	0	2
Cassia	—	2	2	—	0	0
Kootenai	13	4	17	1	0	1
Twin Falls	27	—	27	9	—	9
Total	200	48	248	34	7	41

Alcohol and/or misdemeanor arrests were disregarded, and only arrests in which the defendant was charged with a felony were included in the study. Some individuals were arrested more than once, and some arrests included more than one felony charge. Number and types of arrests of the 41 recidivists were as follows:

4 rearrests on 6 charges of robbery  
24 rearrests on 39 charges of burglary  
28 rearrests on 47 other felony charges

57 total rearrests on 92 charges, not including alcohol and/or misdemeanor charges.

Probation/parole\* officers to whom the study group had been assigned were then interviewed at length concerning their opinions regarding rearrests of the 41 recidivists. Regrettably, no information was available on 14 individuals. Five received sentences which did not result in supervision, and the Department of Corrections therefore has no files or information on them. No probation officer had become well enough acquainted with nine to recall them; for two of these nine cases, this lack of association was attributed to the fact that the defendant had absconded, and bench warrants are still outstanding for them. The remainder could not be recalled or their files located by the Department of Corrections. This may, in some cases, be due to interstate and intrastate transfers.

The remaining 29 were well known to supervising officers. All officers were presented with the same series of questions, followed by a questionnaire for organizing answers. Open questions were asked prior to introduction of the questionnaire in an effort to avoid influencing answers. Questions asked were:

- Why did sentencing on the 1975 conviction fail to deter the defendant from a subsequent felony arrest?
- What sentence might have prevented a subsequent arrest?
- What sentencing or supervisory resource, either available or unavailable, might have prevented a subsequent arrest?
- What community resource, either available or unavailable, might have deterred the defendant?
- What dynamics led to the subsequent arrest?

\*In Idaho, supervising officers are charged with both probationers and parolees, but will be referred to as "officers" or "probation officers" throughout the remainder of this report.

Appendix I is a reproduction of the form used to organize and tally answers given by probation officers. All information was accepted by the interviewer, and most respondents chose several of the optional answers for each defendant. The total number of times each answer was chosen is tallied for the 29 defendants in Table 2, below. In addition, probation officers noted that 20 of the 29 had records of juvenile offenses in their files.

TABLE 2  
1975 RECIDIVISM STUDY  
PROBATION OFFICER RESPONSES

a) Inappropriate sentence	7*	(24%)*
b) Sociopathic or antisocial defendant	21	(72%)
c) Inadequate therapeutic community resources	4	(14%)
d) Defendant's family contributed to the problem during childhood	16	(55%)
e) Defendant's associates contributed to problematic behavior & rearrest	6	(21%)
f) Heavy probation officer caseloads	2	(7%)
g) Complicated by alcohol (4) or drug (6) problems.	10	(34%)
h) Race problem	1	(3%)

\*Percentages based on 29; due to possibility of more than one response for each probationer, numbers will not total 29, percentages will not total 100%.

When interviewed, it was the opinion of officers that the majority of recidivists in this study (26 out of 29) could not have been deterred from subsequent felony arrests by increased efforts in supervision or rehabilitation, due to the probationers' basically antisocial approaches to problem solving. In most cases it was felt that a change in the defendant was the necessary component to deterrence, and probation officers could not identify a catalyst which would facilitate changes extrinsically. Officers repeatedly supported the philosophy of "giving the defendant a chance" to make changes of attitude within themselves. However, they did note seven of the 29 cases (24%) in which sentencing was "too light" in their opinion (Option a in the questionnaire). In five of these cases it was felt the defendant should have been assigned to a highly structured residential drug treatment facility instead of probation or a "120-day rider" evaluation at the North Idaho Correctional Institution in Cottonwood. However, officers complimented the Cottonwood 120-day rider program as a catalyst in improved defendant attitude, but the majority said that change in this category of individuals must be internal and self-motivated. Harsher sentencing was regarded as appropriate to certain cases, but not as a rehabilitation or deterrent measure so much as a punitive or supervisory measure.

Four responses concerning inadequate community resources (Option c) referred to a need for local structured residential treatment similar to the Cottonwood facility. One of these specifically designated the need for a halfway house, such as the Boise Channel Enterprises facility, which was not available at the time of the 1975 sentencing. Probation officers felt such facilities on a juvenile level would have been helpful in three additional cases.

All 16 responses concerning the defendants' families (Option d) related early childhood environment to recidivism in general; none credited family influence as a direct cause of any specific felony arrest, but rather blamed early guidance techniques for a general predisposition to antisocial behavior. Together with the 21 responses describing antisocial or sociopathic persons, there was a general feeling that the defendant entered the adult system with attitudes contra-indicative of adequate socialization and appropriately conforming behavior. Options e through f were considered factors contributing to recidivism, but in only two of these 18 responses (1-race, 1-drugs) were these factors considered the precise cause of recidivism. In all other cases, defendant attitude was identified as the specific cause.

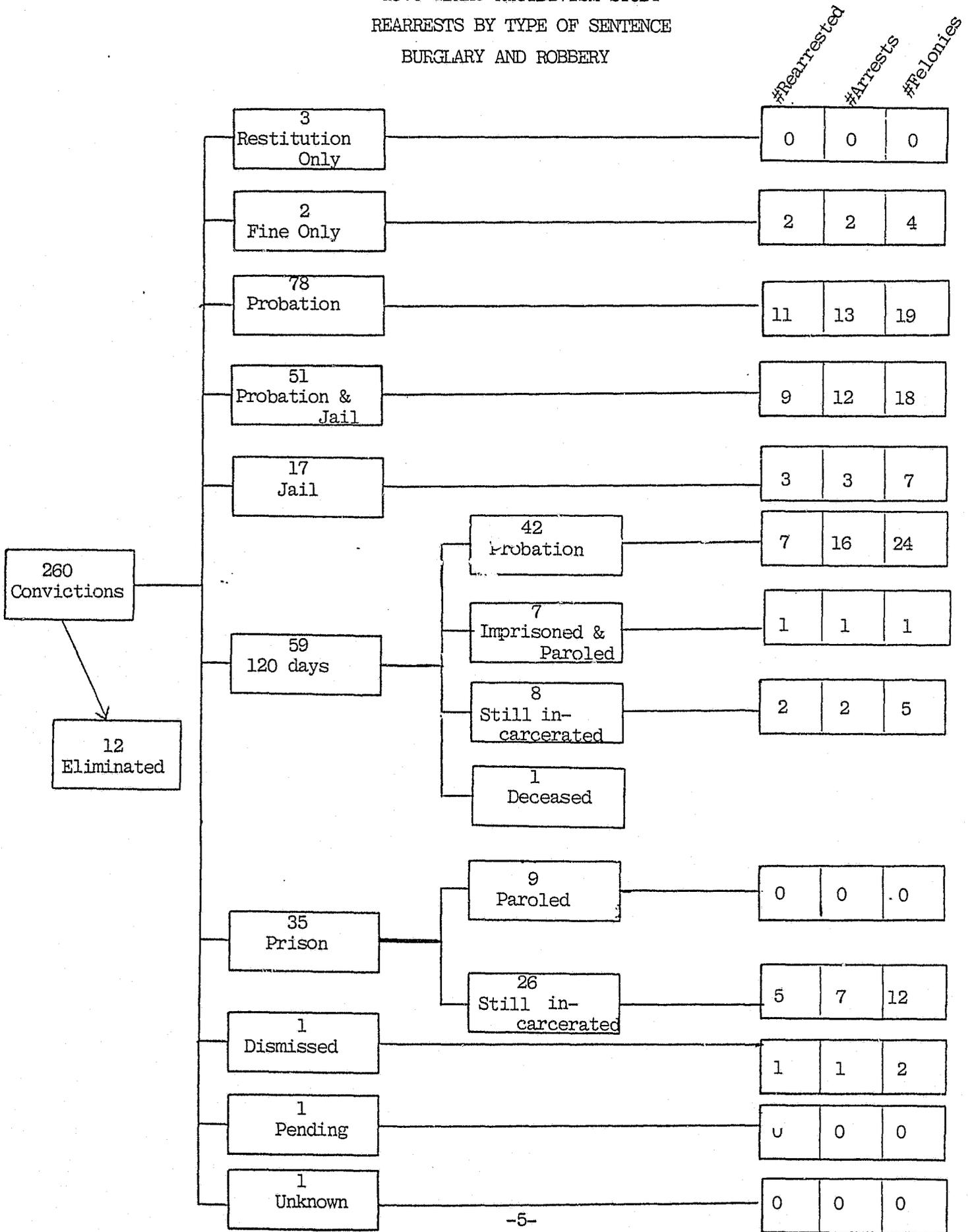
Probation officers throughout the study locations complained of heavy caseloads, but this problem was seen as a hindrance to offering adequate social and personal services to those individuals who were not likely to recidivate, rather than a cause of recidivism in the study group. Several officers indicated that overt recidivist behavior must often be attended to at the expense of persons on the caseload who might demonstrate more benefit from the same amount of attention. One officer stated, "If you had more time (to spend with the recidivist), you'd just spend it playing more of his games with him." Another comment which summarized many officers' feelings was, "If appropriate alternatives had been available when he was a juvenile, we'd have turned him around -- now he's a sociopath and can only change himself -- if he ever wants to." Such comments were part of general conversations and were therefore not included among tallied responses.

Officers and supervisors calculated that the category of individuals in this study comprises 25% of their caseloads. All but three of this study group of 29 were characterized as "habituals" or "repeaters" by supervising officers. Two showed marked improvement following 120-day riders, and one is considered to be much improved on probation. The remaining 26 (89.7%) could not be "rehabilitated" through any resource known to officers other than inner change.

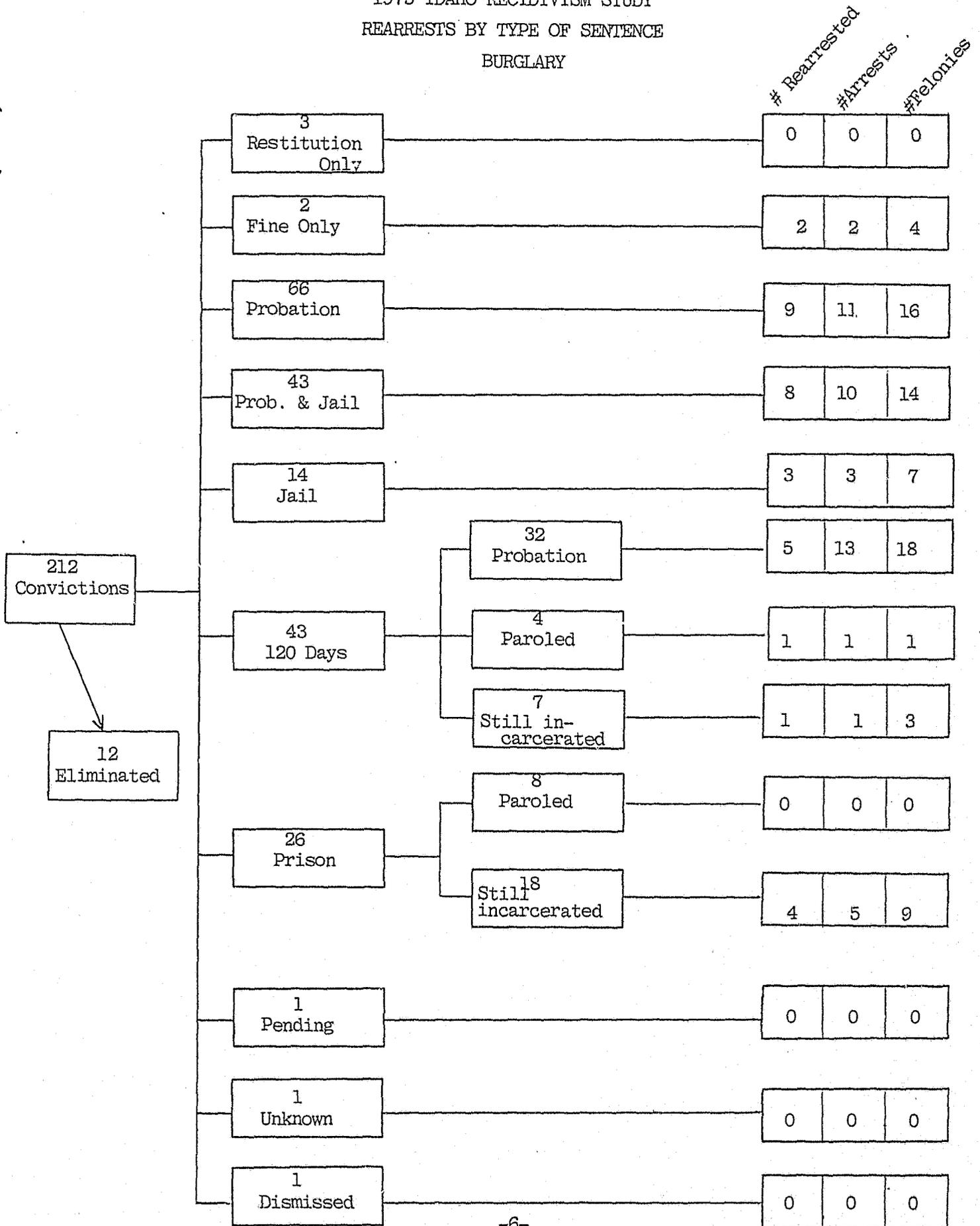
However, as discussed previously, it was SAC's intent to also examine sentencing alternatives and their relationship to success or failure. To view recidivism and sentencing, Flow Chart 1 was developed, showing all dispositional categories. It tabulates (a) the number of individuals rearrested, (b) the total number of rearrests, and (c) the total number of offenses with which these individuals were charged.

The same information was charted for original arrest categories of burglary (Chart 2) and robbery (Chart 3) individually. Because burglary accounted for the bulk of the composite chart, Charts 1 and 2 show similar trends. Chart 3, Robbery, shows some variations, but because the numbers for robbery are small, SAC was hesitant to draw any firm conclusions based on the trends in Chart 3.

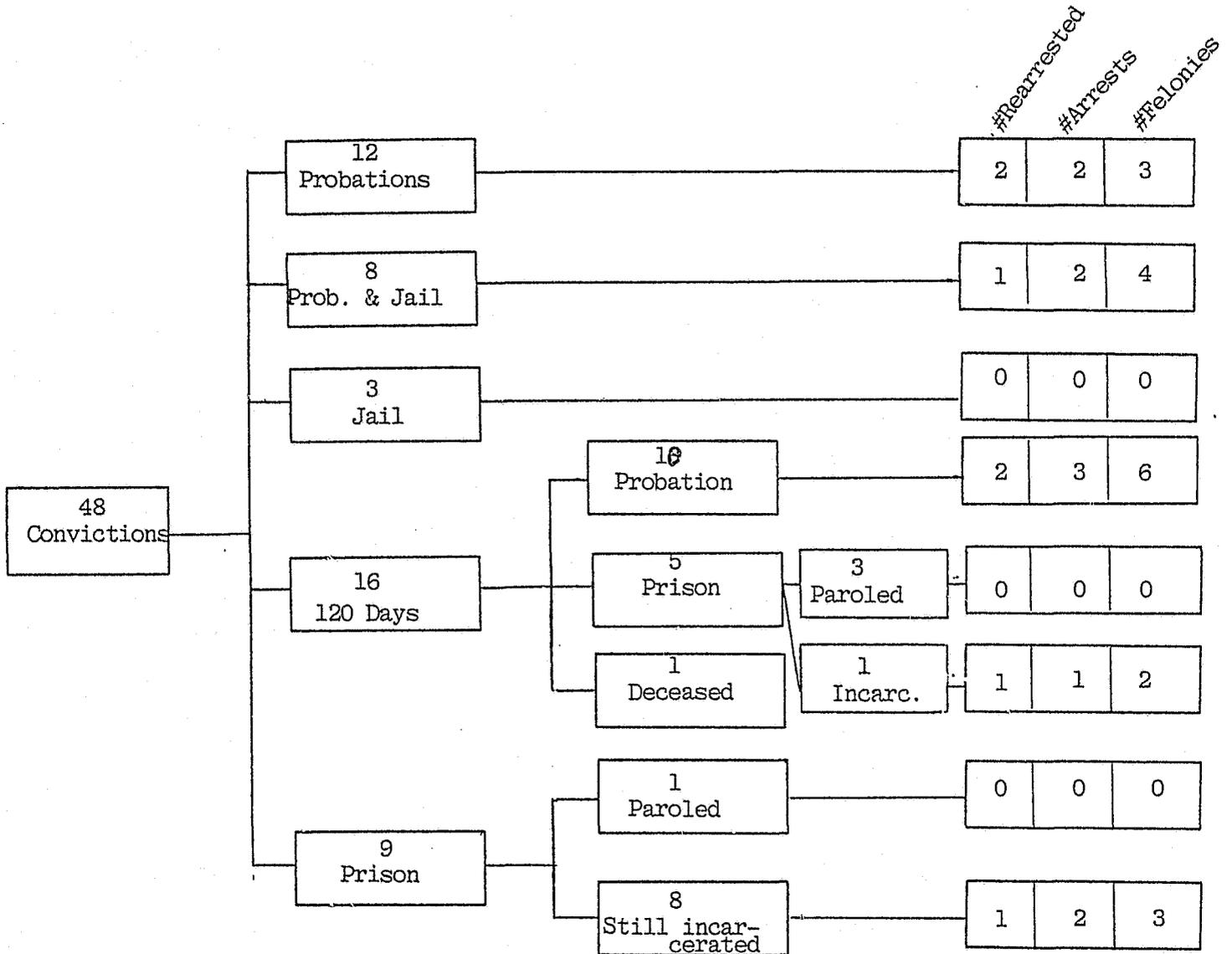
FLOW CHART I  
 1975 IDAHO RECIDIVISM STUDY  
 REARRESTS BY TYPE OF SENTENCE  
 BURGLARY AND ROBBERY



FLOW CHART II  
 1975 IDAHO RECIDIVISM STUDY  
 REARRESTS BY TYPE OF SENTENCE  
 BURGLARY



FLOW CHART III  
 1975 IDAHO RECIDIVISM STUDY  
 REARRESTS BY TYPE OF SENTENCE  
 ROBBERY



Because the original arrest categories of robbery and burglary were frequently not the final conviction charge for which sentence was imposed, information on the flow charts has been further broken down by conviction charge. This additional information is found in Appendix II for burglary arrests and Appendix III for robbery arrests. By comparing these appendices to Flow Charts 1 through 3, it is possible to identify the conviction charge for which any particular sentence was imposed.

In order to analyze and discuss Flow Chart 1, the data was organized into two separate tables. Table 3 shows the number receiving each type of sentence and of those, the number rearrested. Also shown is the ratio (expressed as a percent) of these two numbers. Table 3 is one measure of recidivism and allows comparison by sentence.

Table 4 shows the number receiving each type of sentence and the number of subsequent felony charges for each category. The ratio of these numbers, expressed as a percent, is also shown. This table can be used as an indication of subsequent criminal activity by sentence and can produce different results than if one just looks at the number rearrested as illustrated in Table 3. Discussion of the two tables follows.

Table 3 shows that the "Fine Only" and "Dismissed" (following conviction) categories both recidivated at a 100% rate, but numbers of individuals entering these dispositional categories are too small to identify as a reliable trend. The next highest recidivism ratio was among those who were imprisoned at the end of the 120 days and are still incarcerated. The third highest rate of recidivism was among individuals still incarcerated on prison sentences stemming from the 1975 conviction: 19.2% of the 26 who were imprisoned have since been charged with felonies while still incarcerated. They have been charged with 12 offenses, including escape, assault on correctional officers, and having contraband within the prison. Note that those individuals paroled after serving a prison term had not recidivated, and the composite recidivism rate for all prison sentences is 14.3%. The overall rates for prison sentences and probations are therefore very close. Higher rates were noted for jail sentences (both with and without probation) and sentences of 120-day evaluation riders.

TABLE 3  
1975 RECIDIVISM STUDY

Rearrested ratios. (Combined Burglary/Robbery)

Sentence	Number	Rearrested	Ratio(%)
Restitution	3	0	0
Fine Only	2	2	100
Probation	78	11	14.1
Probation/Jail	51	9	17.6
Jail	17	3	17.6
120/Probation	42	7	16.7
120/Paroled	7	1	14.3
120/Still Incarcerated	8	2	25.0
Prison/Paroled	9	0	0
Prison/Still Incarcerated	26	5	19.2
Dismissed	1	1	100
Pending	1	0	0
Unknown	1	0	0

The subsequent felony charges' ratios in Table 4 show that "Fine Only" and "Dismissed" sentences were again highest, but the reader is reminded of the small numbers involved. The next highest ratio is for the sentence 120-day/ still incarcerated (no change from the previous table). However, the third highest ratio is 120-day/probation, which is quite different from the rearrest table. Thus the subsequent criminal activity indicator shows this particular sentence much higher than the number rearrested ratios in Table 3.

TABLE 4  
1975 RECIDIVISM STUDY

Felony charge ratios (Combined Robbery/Burglary)

Sentence	Number	Number of Felony Charges	Ratio(%)
Restitution	3	0	0
Fine Only	2	4	200
Probation	78	19	24.4
Probation/Jail	51	18	35.3
Jail	17	7	41.2
120-day/Probation	42	24	57.1
120-day/Paroled	7	1	14.3
120-day/Still Incarcerated	8	5	62.5
Prison/Paroled	9	0	0
Prison/Still Incarcerated	26	12	46.2
Dismissed	1	2	200
Pending	1	0	0
Unknown	1	0	0

If one just looks at the number of subsequent felony charges by sentence as a measure of criminal activity by repeat offenders (regardless of the number given any particular sentence), the sentence 120-day/probation has the highest number of offenses (24) followed by probation (19) and probation/jail with 18. It is interesting to note that these three sentences all involve supervision for the convicted individuals and therein may lie the explanation. It is possible that individuals under supervision who continue criminal acts are much more likely to be observed or detected by criminal justice personnel than individuals without supervision.

After examining subsequent criminal arrests, one obvious question was, of course, "What did these defendants' prior records look like?" Twenty of the 41 recidivists (49%) also had prior adult felony records. These twenty had records of 59 prior arrests, charged with 98 prior felonies. (An additional two were arrested on three more felony charges concurrent with the 1975 study arrest. These are not included.) Three had been arrested for previous robberies (eight arrests on 12 robbery charges); 11 had been arrested for previous burglaries (17 arrests on 25 burglary charges); 16 had been arrested on various other felony charges (34 arrests on 61 felonies). Apparently, those recidivists convicted on arrests for burglary and/or robbery were not "just burglars" or "just robbers".

No particular relationship of prior adult record to subsequent record could be discerned, perhaps because some young defendants were appearing in adult court for the first time. Of the 248 who were convicted, 103 (41.5%) had prior adult felony arrests, but only the 20 individuals discussed above are found in this recidivist study group.

In summary, it was concluded from data and interviews that approximately one-fourth of Idaho's probation officers' caseloads are composed of individuals for whom no viable rehabilitative efforts can be identified.

The 26 recidivists for whom officers could identify no preventive or rehabilitative measures were all described as insufficiently socialized to conform to legal standards of behavior; they were responsible for numerous and varied types of crimes and could not generally be categorized as "burglars" or "robbers".

Based on present knowledge and resources, there is no justification to increase expenditures in rehabilitation efforts for this particular category of defendant at the present time. This is not to say that expenditures are not worthwhile for the remaining 75% of individuals being supervised in the criminal justice system; this study is not so ambitious as to address all types of offender problems in one report. But for those individuals defined as recidivists for the purpose of this study, no reliable rehabilitative technique other than inner change could be identified.

There did not seem to be any strong pattern of recidivism based upon type of conviction, but there were patterns based on type of sentence. It was established that persons who were imprisoned continued to be charged with crimes at a higher rate than individuals receiving other dispositions. It might then be concluded that incarceration was, indeed, the appropriate sentence for these high-level repeaters.

It was also found that the greatest number of subsequent offenses were generated by those assigned to 120-day riders and later released on probation. This sentence group had both the highest number of subsequent felony charges and the highest rate of charges per recidivist.

If one accepts the conclusion that some individuals will continue to commit crime even while incarcerated and that individuals who will commit subsequent crimes regardless of sentence should be incarcerated, then the subsequent criminal activities ratios (Table 4) for sentences involving incarceration should increase while ratios for other sentences should decrease. These findings do not suggest the elimination of a particular sentence, but rather indicate that individuals with subsequent felony charges should have perhaps been sentenced to incarceration, thus decreasing the failure ratios for other categories. However, this study shows that it is difficult to predict recidivism based on prior records, and thereby determine the most rehabilitative sentence. If defendant attitudes developed during the formative years are the bases of chronic criminal behavior, perhaps a reliable psychological test or an insightful presentence investigation report is capable of giving a judge the required predictive indicators of recidivism, but only if the test/investigator is reliable, well-trained, and skilled in handling such psychological and social science concepts as have been disclosed by probation officers as causes of recidivism.

## A P P E N D I C E S

- Appendix I . . . . . Sample questionnaire form
- Appendix II . . . . . Recidivism by Conviction: Burglary
- Appendix III. . . . . Recidivism by Conviction: Robbery
- Appendix IV . . . . . Ada County Burglary Recidivism Flow Chart
- Appendix V. . . . . Bannock County Burglary Recidivism Flow Chart
- Appendix VI . . . . . Bonneville County Burglary Recidivism Flow Chart
- Appendix VII. . . . . Canyon County Burglary Recidivism Flow Chart
- Appendix VIII . . . . . Kootenai County Burglary Recidivism Flow Chart
- Appendix IX . . . . . Twin Falls County Burglary Recidivism Flow Chart
- Appendix X. . . . . Ada County Robbery Recidivism Flow Chart
- Appendix XI . . . . . Bannock County Robbery Recidivism Flow Chart
- Appendix XII. . . . . Bonneville County Robbery Recidivism Flow Chart
- Appendix XIII . . . . . Cassia, Canyon, and Kootenai Counties Robbery Recidivism  
Flow Chart

APPENDIX I

DEFENDANT: \_\_\_\_\_

DOB: \_\_\_\_\_

Original Conviction: \_\_\_\_\_

DOA: \_\_\_\_\_

Subsequent Conviction: \_\_\_\_\_

DOS: \_\_\_\_\_

SENTENCE: \_\_\_\_\_

PO: \_\_\_\_\_

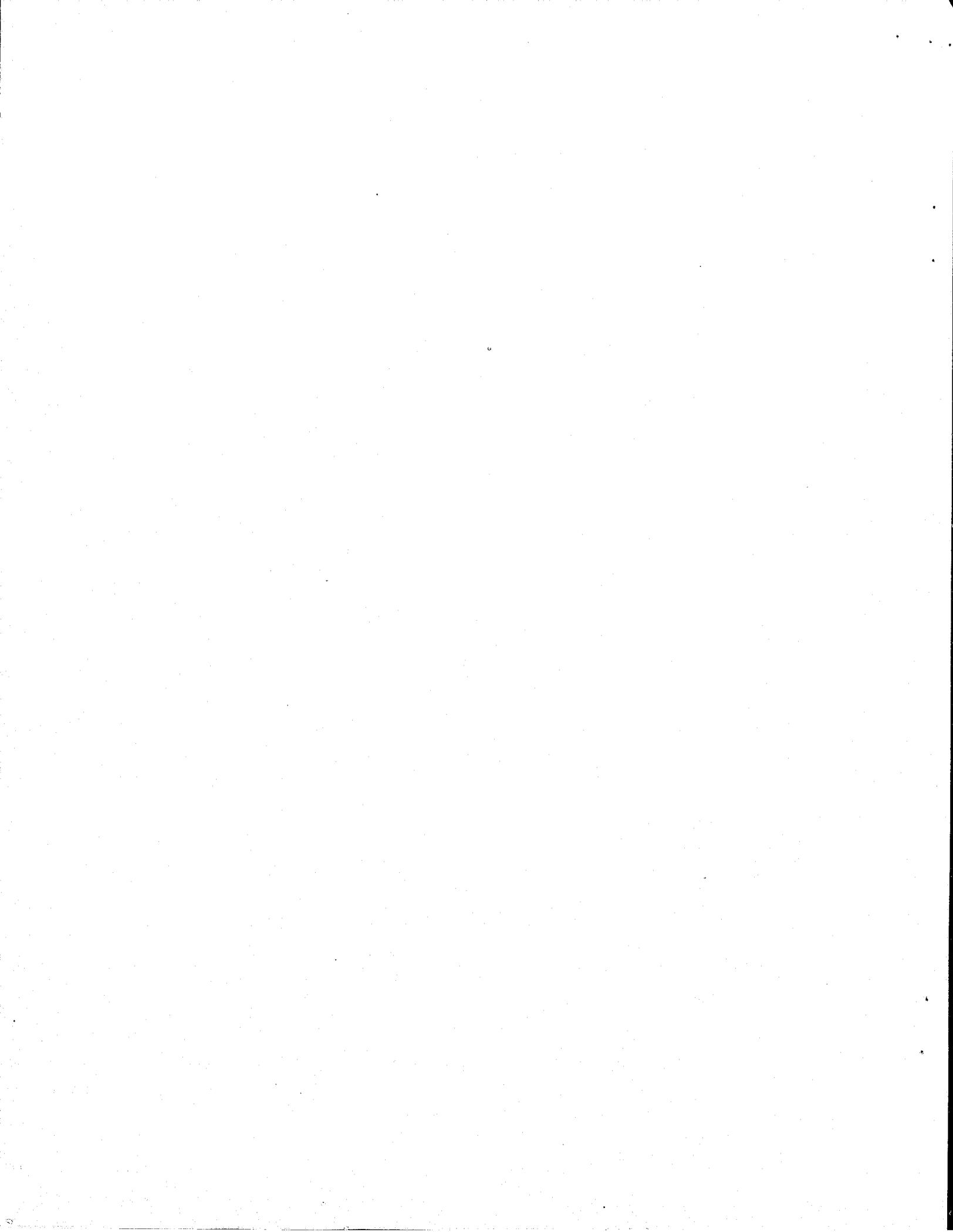
REASON FOR FAILURE OF SENTENCE TO DETER DEFENDANT FROM SUBSEQUENT ARREST:

- \_\_\_\_\_ Inappropriate sentence
- \_\_\_\_\_ Sociopathic defendant
- \_\_\_\_\_ Inadequate therapeutic community resources
- \_\_\_\_\_ Defendant's family
- \_\_\_\_\_ Defendant's associates
- \_\_\_\_\_ Heavy PO caseloads
- \_\_\_\_\_

Explain your choice: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

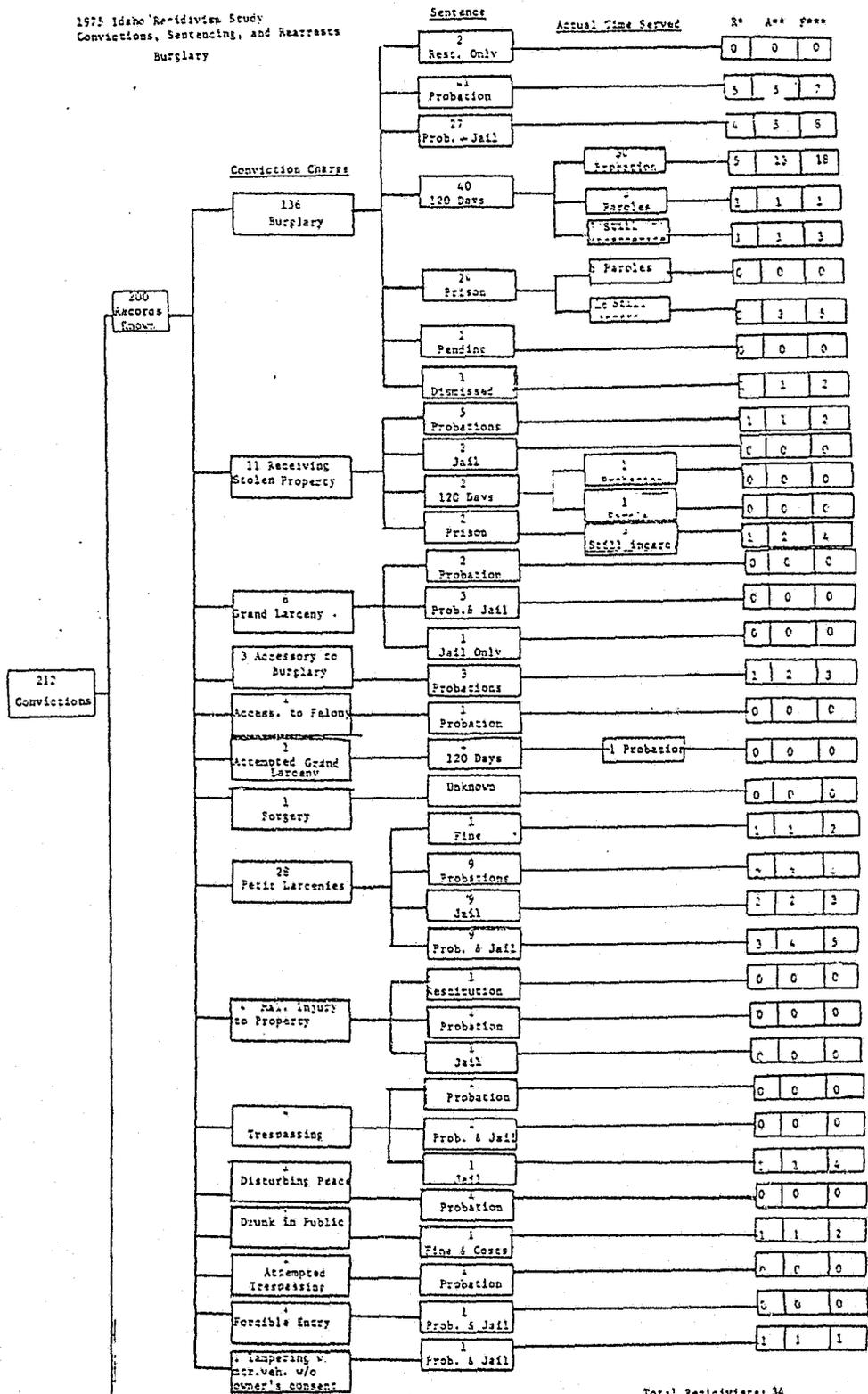
HOW WOULD YOU IMPLEMENT AN IMPROVEMENT IN THIS SITUATION? For instance, if you feel heavy caseloads contributed to the defendant's subsequent arrest, how would you use extra time with defendants should caseloads be reduced?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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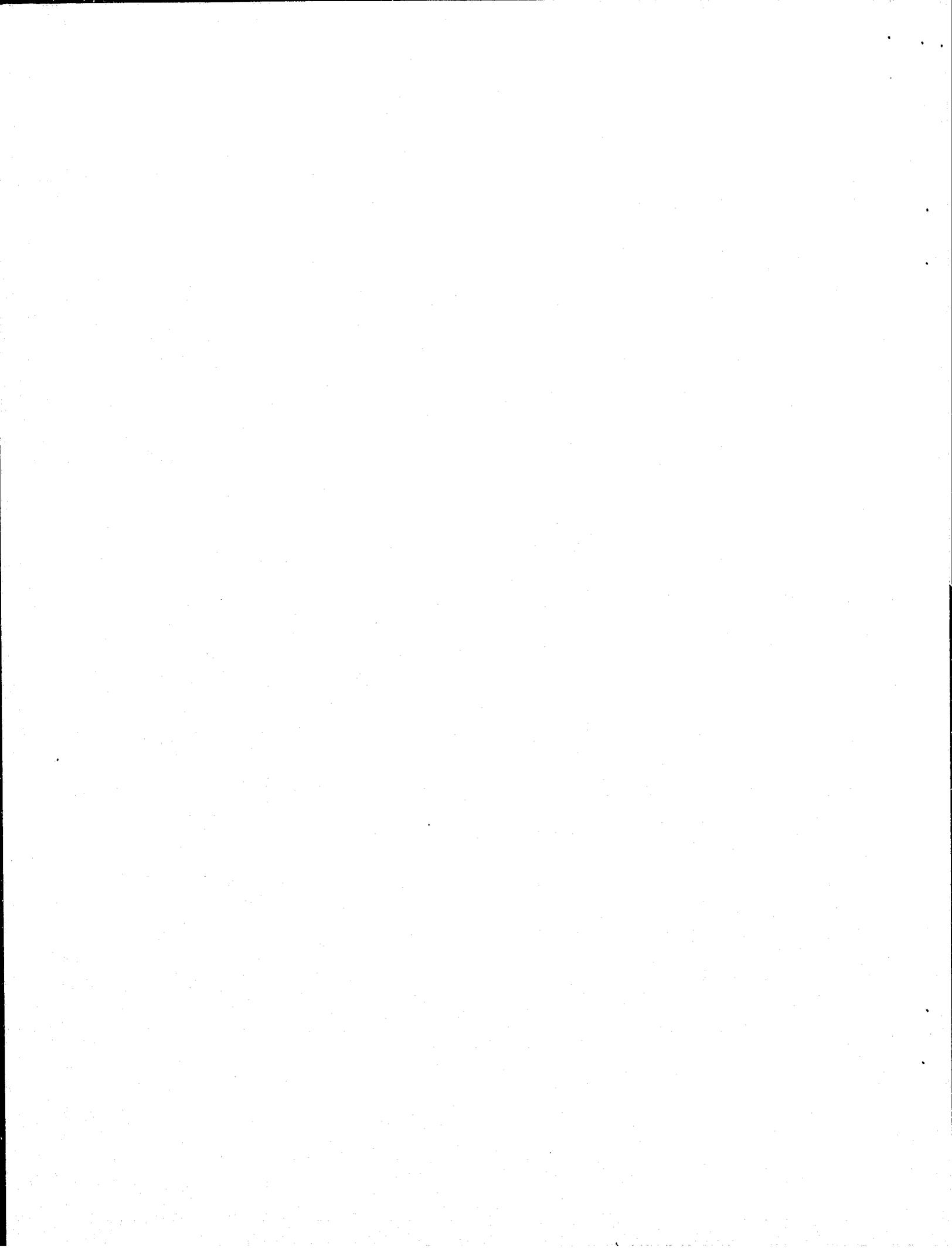
APPENDIX II

1975 Idaho Recidivism Study  
 Convictions, Sentencing, and Rearrests  
 Burglary



Total Recidivists: 34  
 Arrested: 47 times on 74 felony charges

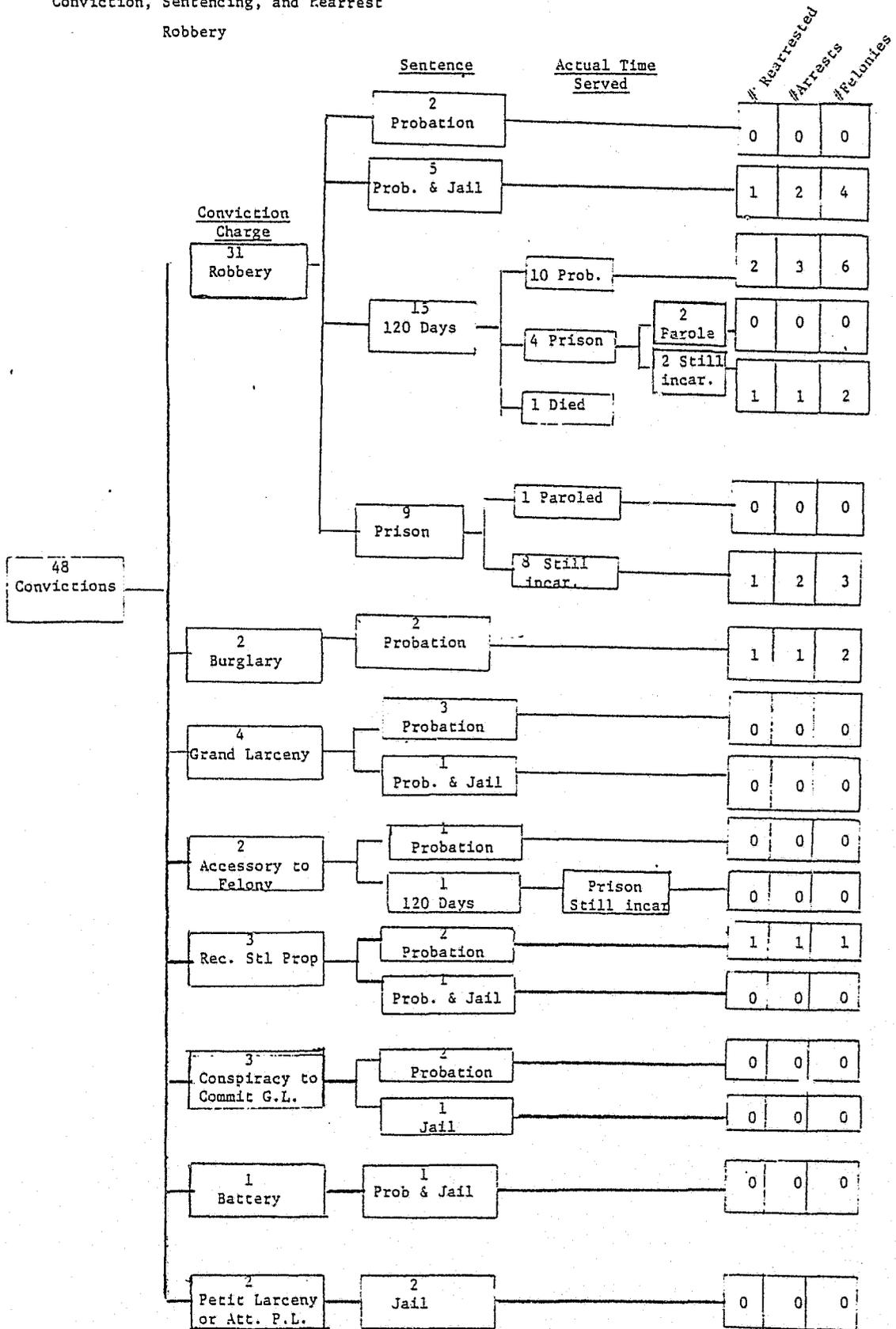
\*Rearrested  
 \*\*Arrests  
 \*\*\*Felonies



APPENDIX III

1975 Idaho Recidivism Study,  
Conviction, Sentencing, and Rearrest

Robbery

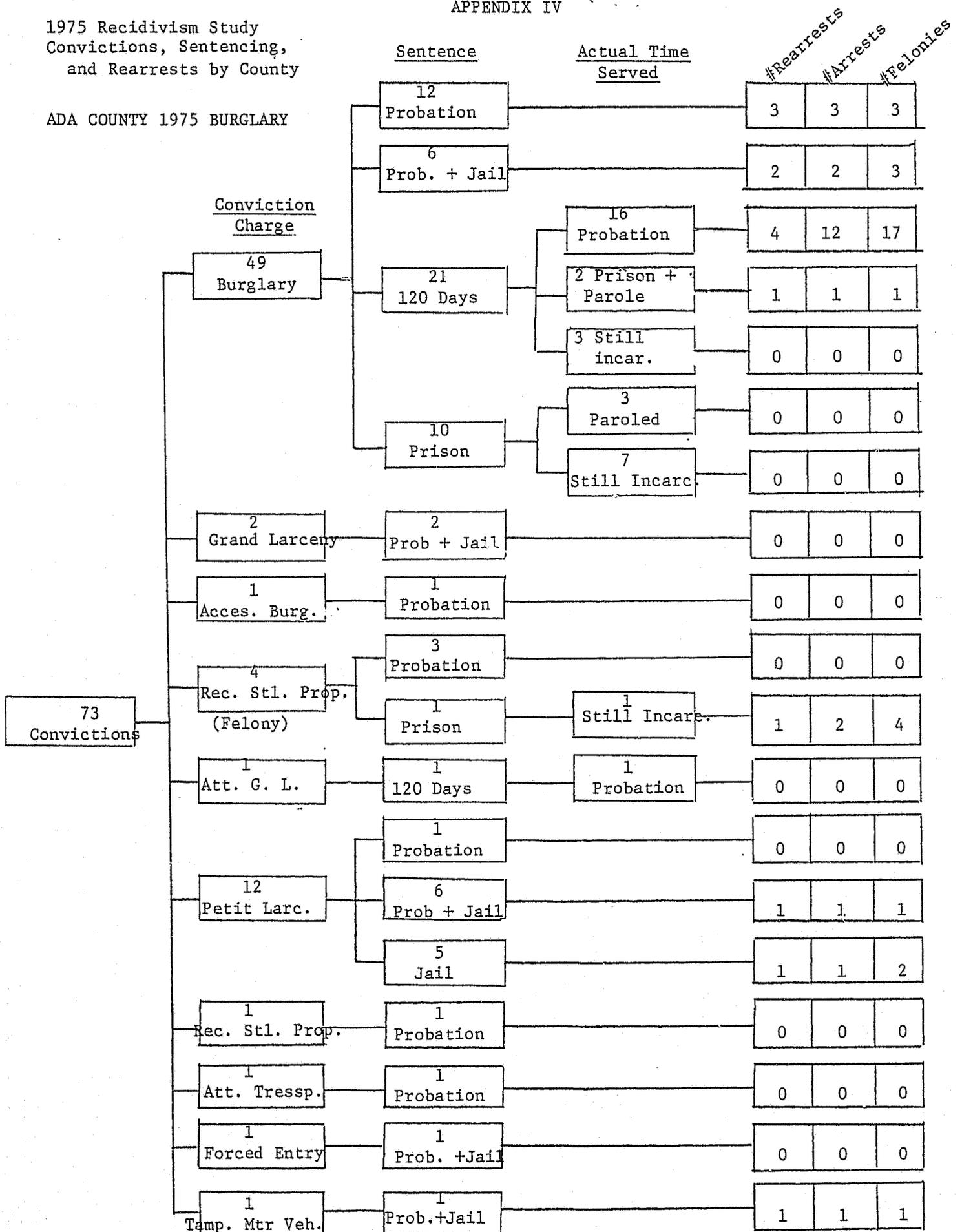


TOTAL RECIDIVISTS: 7  
Arrested 10 times on 18 felony charges.

APPENDIX IV

1975 Recidivism Study  
Convictions, Sentencing,  
and Rearrests by County

ADA COUNTY 1975 BURGLARY



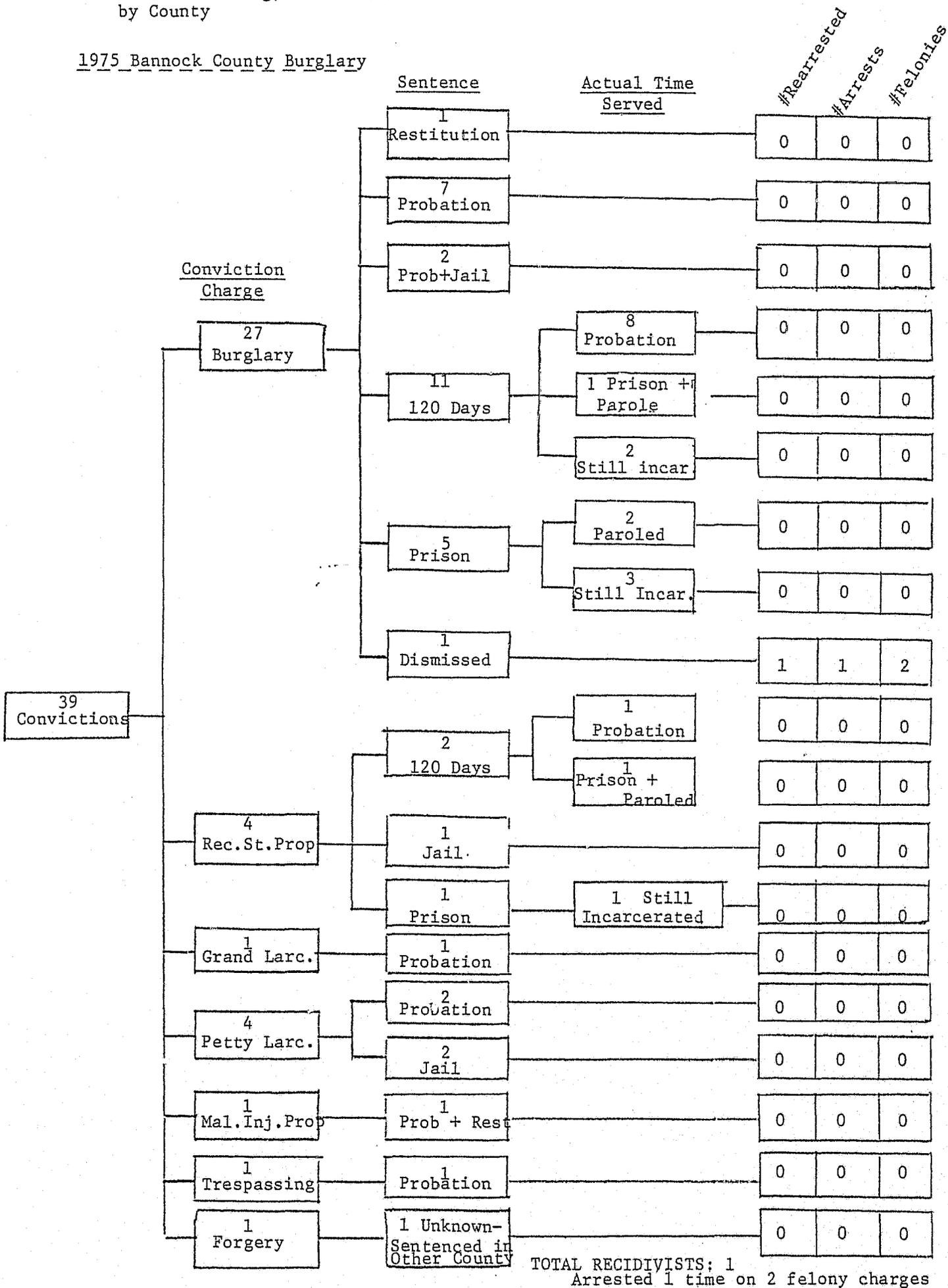
TOTAL RECIDIVISTS 14:

Arrested 22 times on 31 felony charges

1975 Recidivism Study  
 Convictions, Sentencing, and Rearrests  
 by County

APPENDIX V

1975 Bannock County Burglary



1975 Recidivism Study  
 Convictions, Sentencing & Rearrests by County

1975 Bonneville County Burglary

Conviction Charge	Sentence	Actual Time Served	#			
			Rearrests	Arrests	Felonies	
23 Burglary	1 Restitution		0	0	0	
	4 Probation		0	0	0	
	15 Prob + Jail		1	2	4	
	2 120 Days	1 180 Days		1	1	1
		1 ISCI Still Incarcerated		1	1	3
		1 Still Incarcerated		1	1	2
1 Grand Larceny	1 7 Days Jail		0	0	0	
5 Petty Larceny	1 Probation		1	1	1	
	2 Jail + Costs		1	1	2	
	2 Prob + Jail		2	3	4	
1 Dist. Peace	1 Probation		0	0	0	
2 Mal. In. Prop	1 Rest + Cost		0	0	0	
	1 Jail + Rest		0	0	0	
1 Rec. St. Prop	1 Jail		0	0	0	

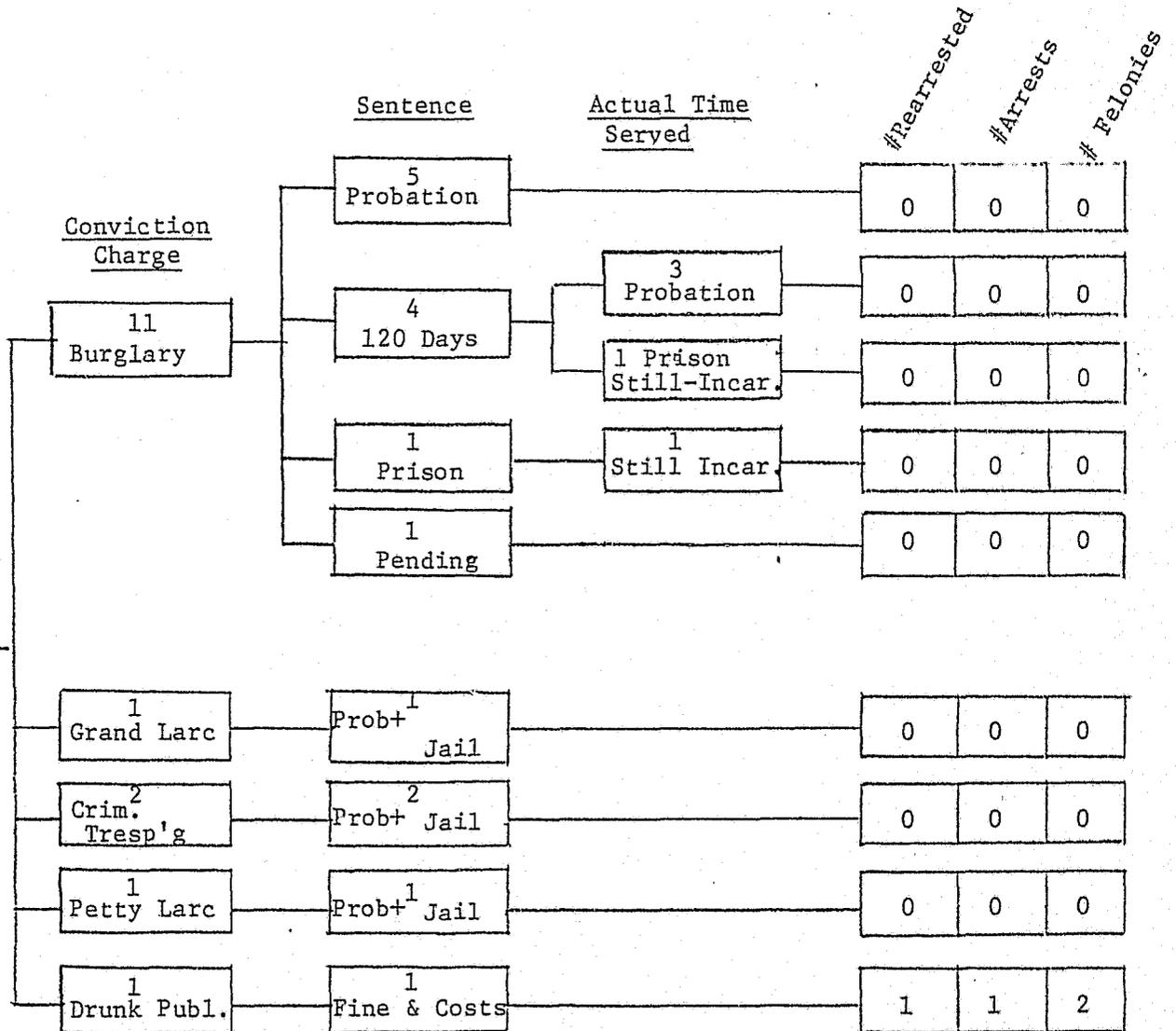
TOTAL RECIDIVISTS: 8

Arrested 10 times on 17 felony charges

APPENDIX VII

1975 Recidivism Study  
 Convictions, Sentencing, and Rearrests by County

1975 Canyon County Burglary



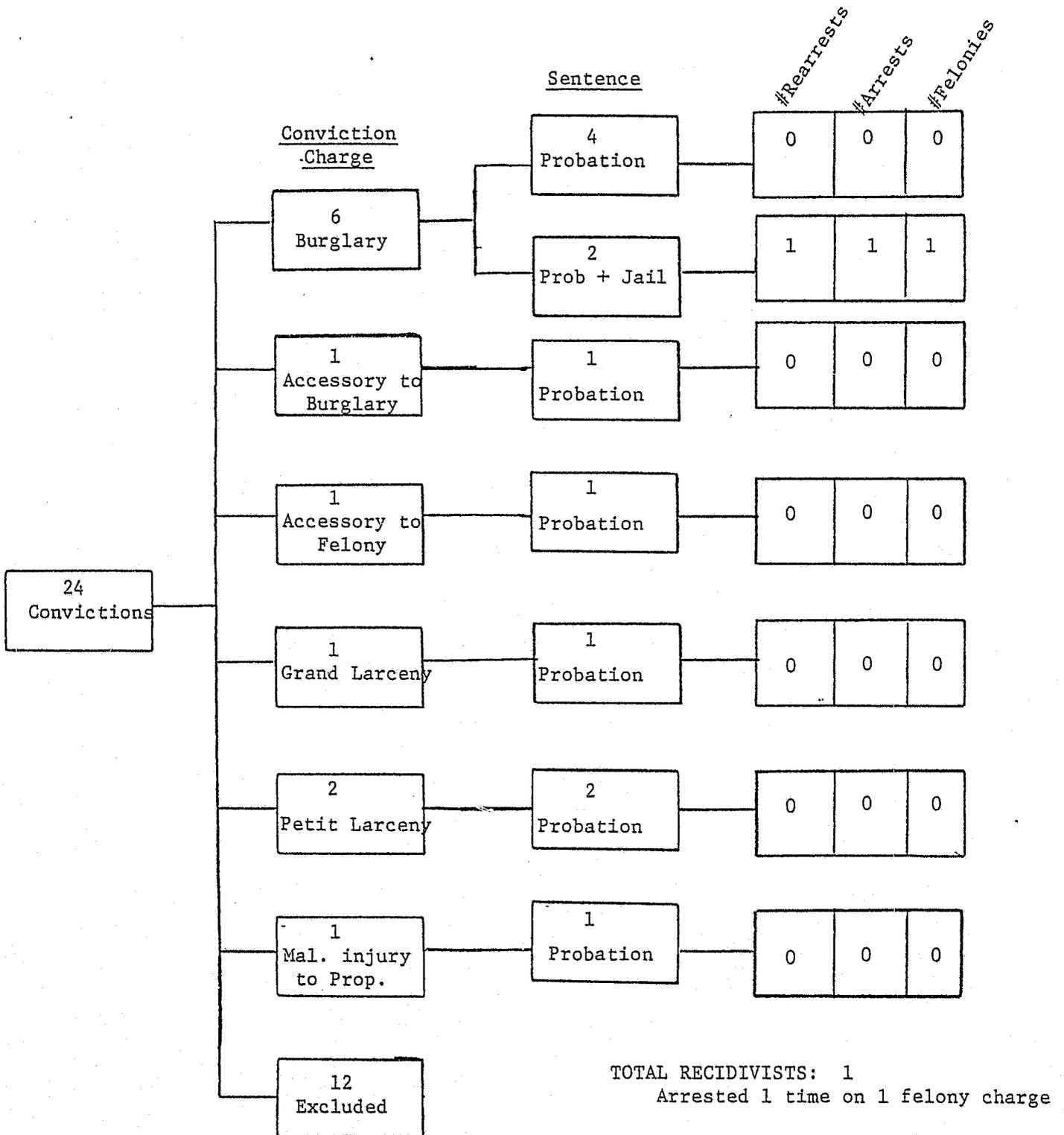
TOTAL RECIDIVISTS: 1

Arrested 1 time on 2 felony charges

APPENDIX VIII

1975 Recidivism Study  
Convictions, Sentencing and Rearrests by County

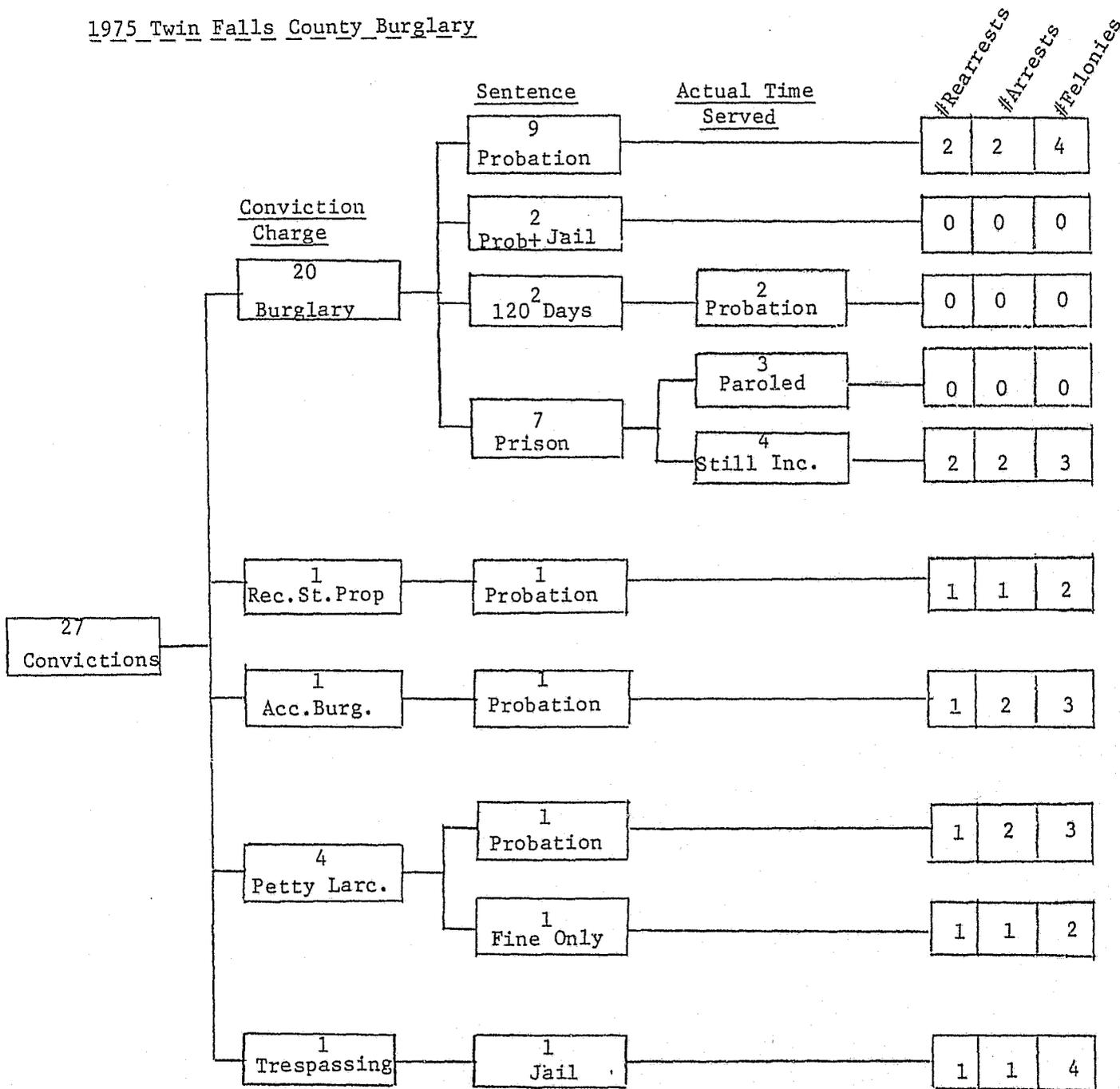
1975 Kootenai County Burglary



APPENDIX IX

1975 Recidivism Study  
 Convictions, Sentencing and Rearrests by County

1975 Twin Falls County Burglary

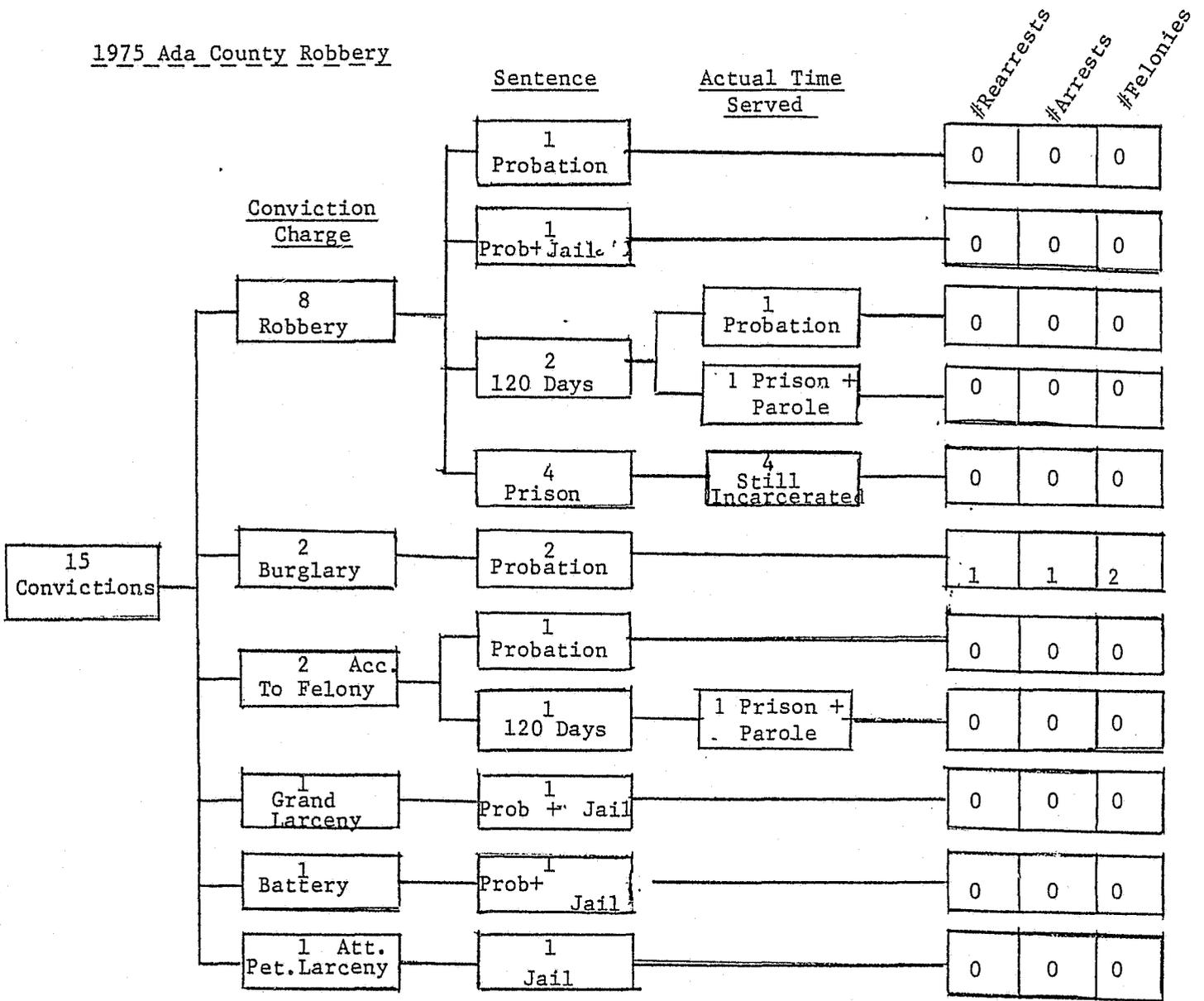


TOTAL RECIDIVISTS: 9  
 Arrested 11 time on 20-21 felony charges

APPENDIX X

1975 Recidivism Study  
 Convictions, Sentencing, and Rearrests by County

1975 Ada County Robbery



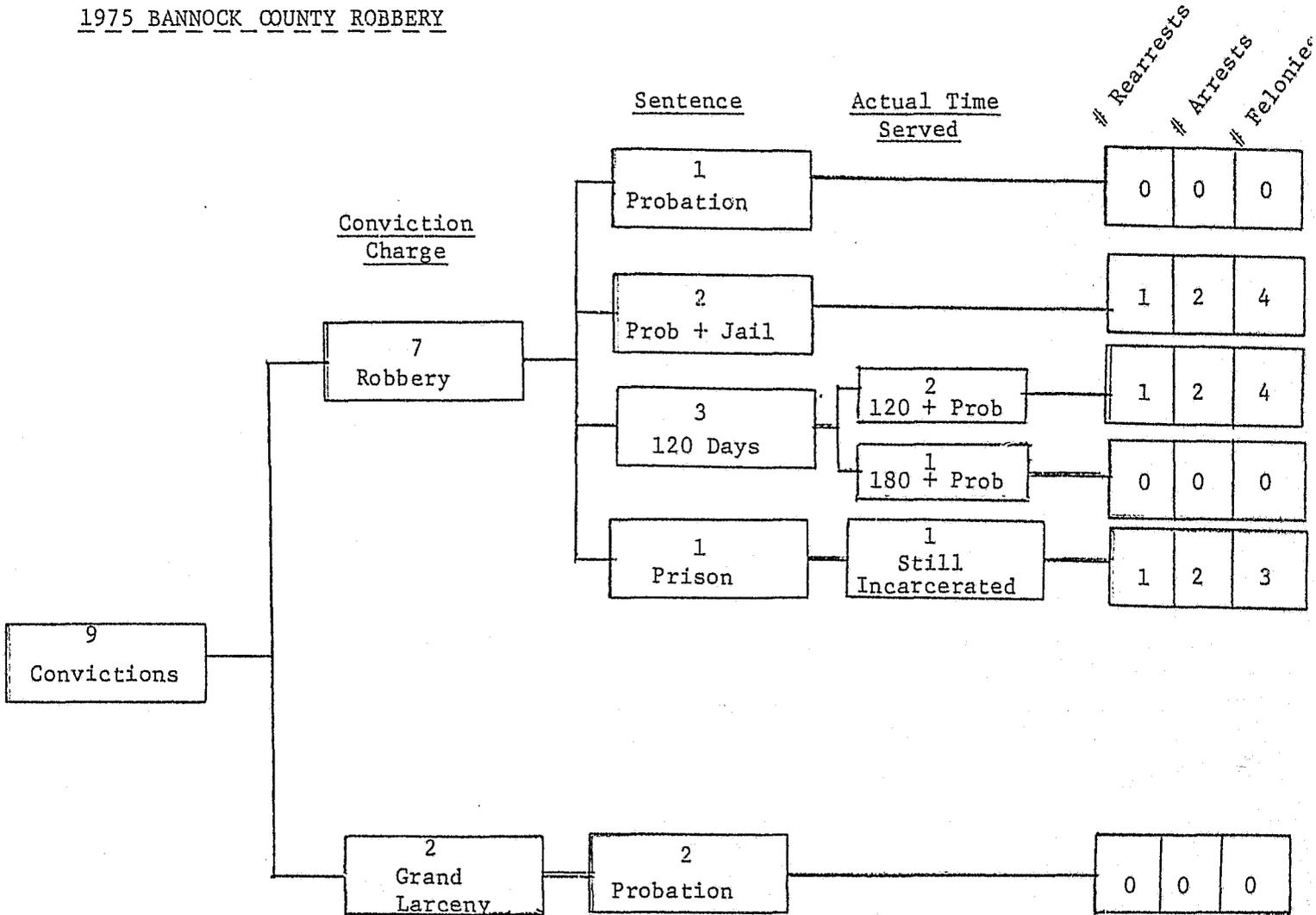
TOTAL RECIDIVISTS: 1

Arrested 1 times on 2 felony charges

APPENDIX XI

1975 Recidivism Study  
 Convictions, Sentencing, and Rearrests by County

1975 BANNOCK COUNTY ROBBERY



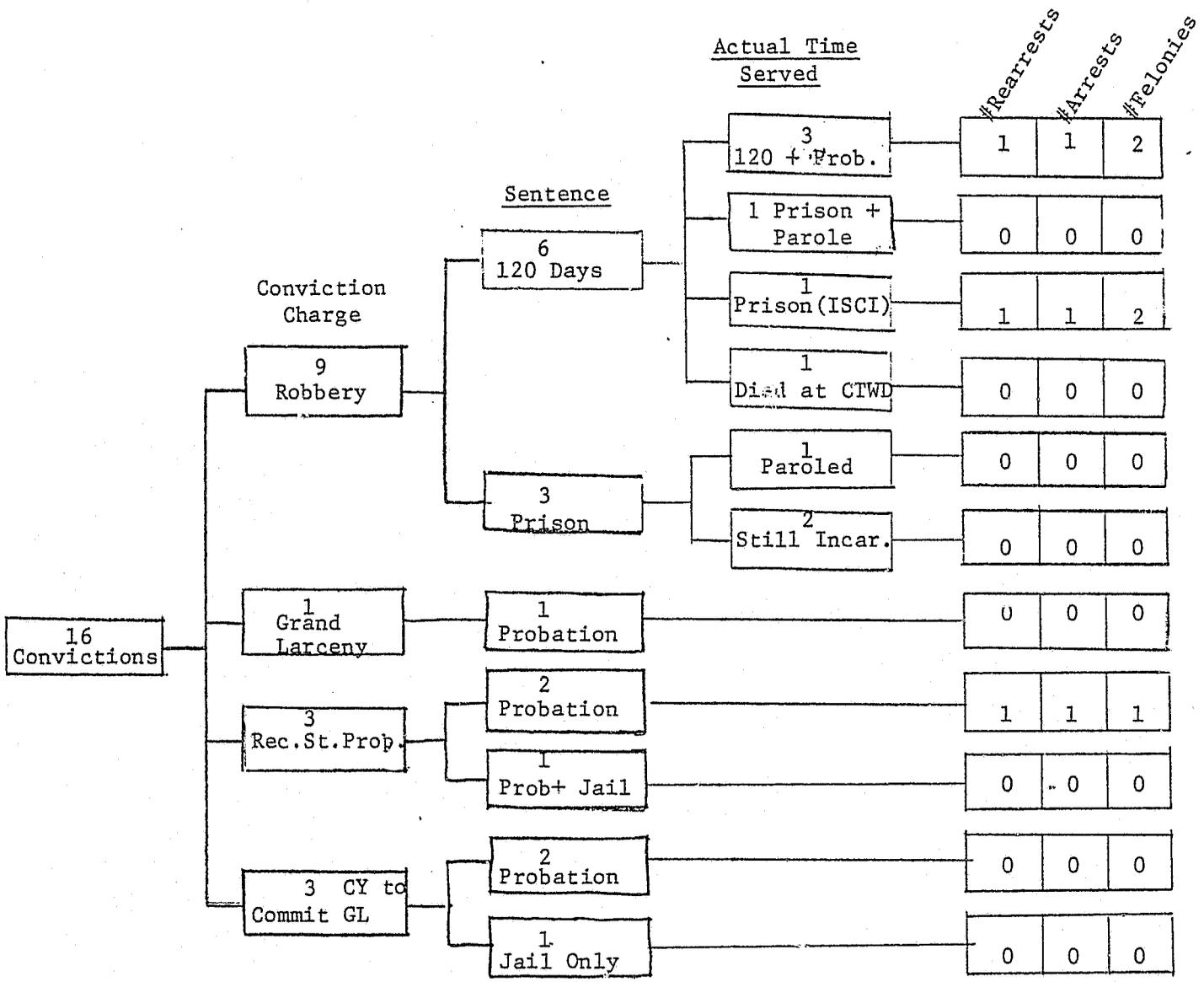
TOTAL RECIDIVISTS: 3

Arrested 6 times on 11 felony Charges.

APPENDIX XI

1975 Recidivism Study  
 Convictions, Sentencing and Rearrests by County

1975 Bonneville County Robbery



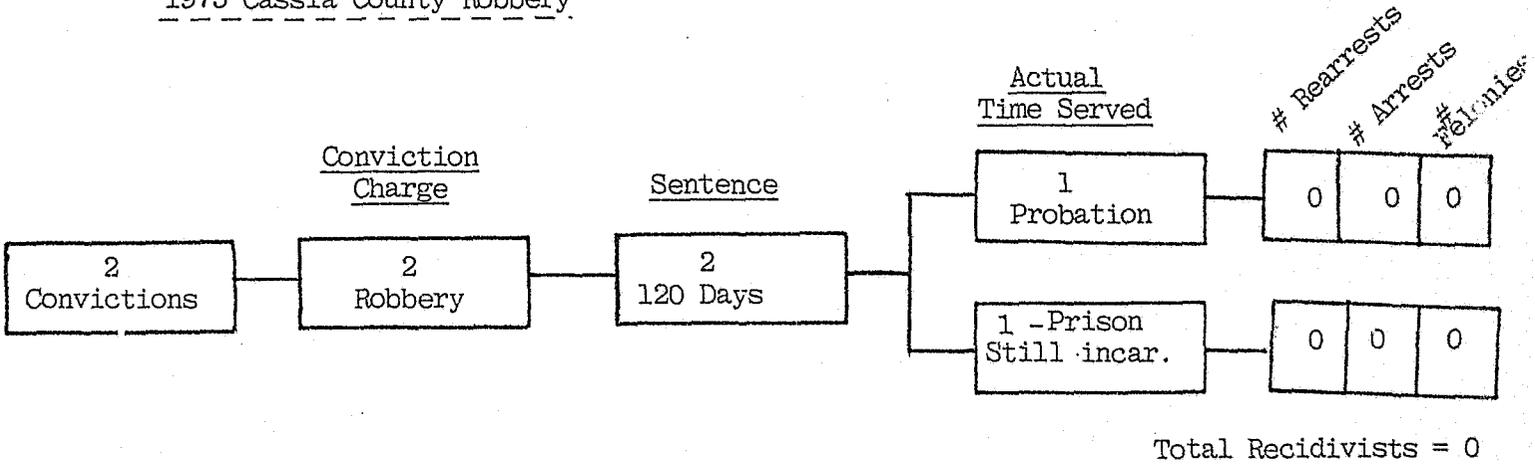
TOTAL RECIDIVISTS: 3

Arrested 3 times on 5 felony charges

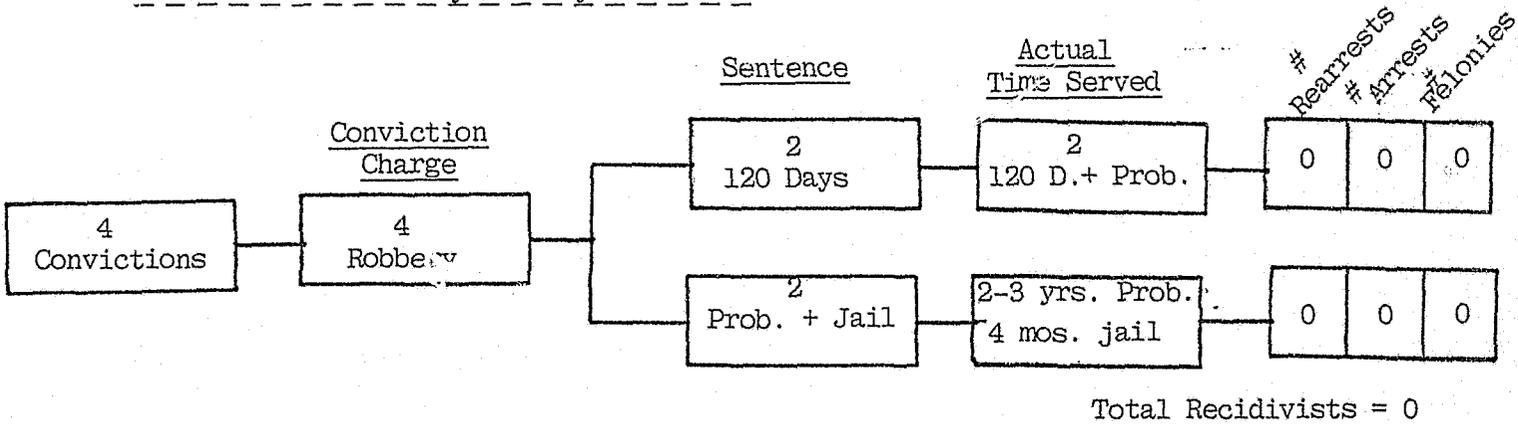
APPENDIX XIII

1975 Recidivism Study  
 Convictions, Sentencing, and Rearrests by County

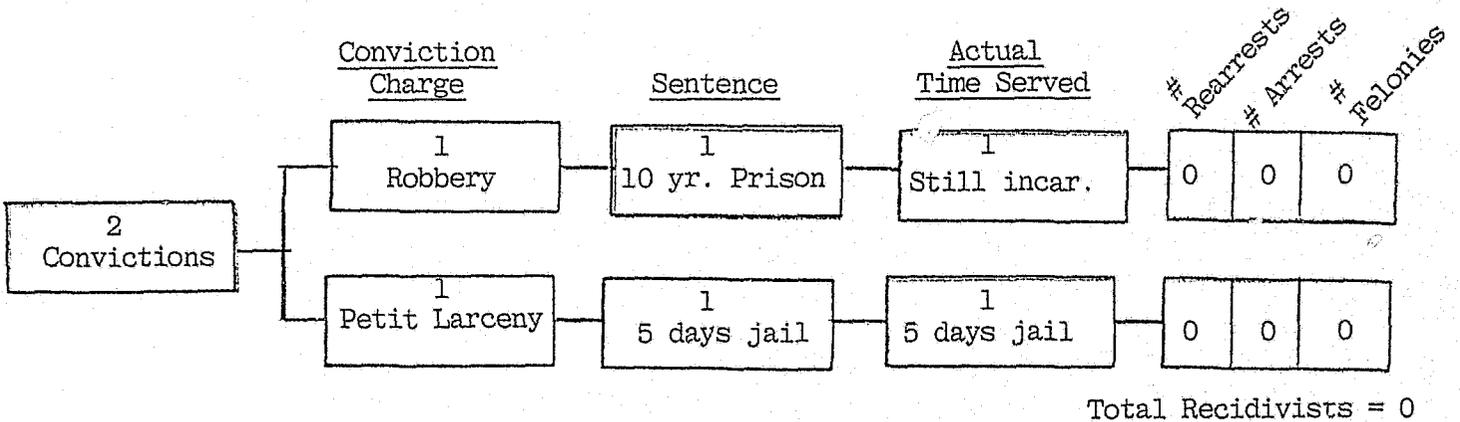
1975 Cassia County Robbery

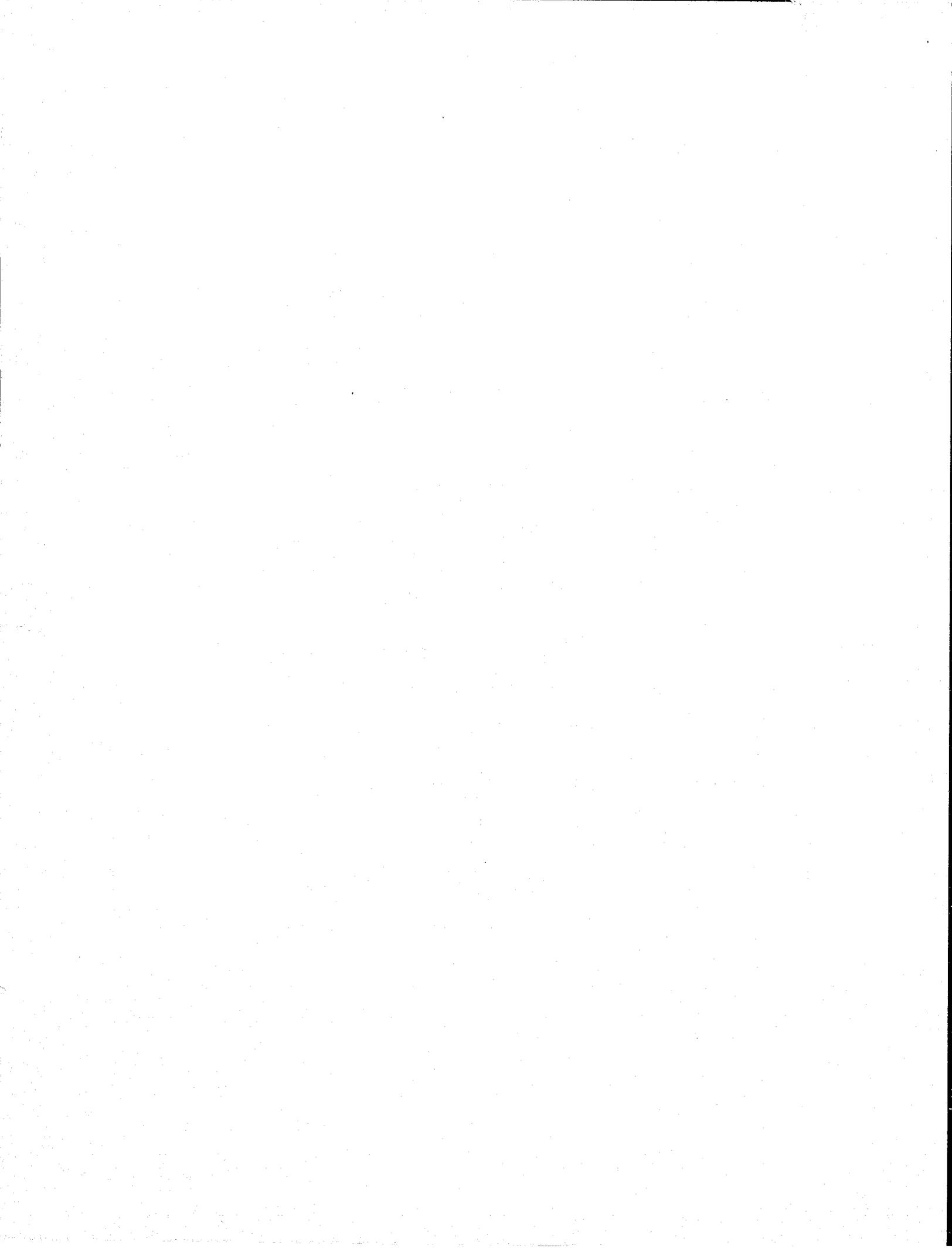


1975 Kootenai County Robbery Arrests --



1974 Canyon County Robbery





**END**