



# 2024

## PROBATION RECIDIVISM ANNUAL REPORT

NEW JERSEY JUDICIARY ANNUAL REPORT  
TO THE **GOVERNOR** AND **LEGISLATURE**

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## **I. EXECUTIVE SUMMARY**

On November 9, 2015, New Jersey Statutes §2C:45-6 was enacted. This legislation requires that the administrative director of the courts to establish a program to record and analyze the recidivism of adult probationers. The information to be recorded includes arrests, convictions resulting from the arrests, participation in treatment and other factors such as race, ethnicity, sex, and age.<sup>1</sup> The following report was prepared pursuant to the statute and provides details and characteristics of recidivism rates for adults sentenced to probation during the 2020 calendar year.

The overall cohort of the adult population analyzed in this report is 9,137. These clients were sentenced to a term of probation supervision by the Superior, Family or Municipal Courts during the calendar year of 2020. It only includes probationers sentenced in New Jersey and not those transferred here from other states. Recidivism is defined for this report as the three years immediately following sentence to probation.

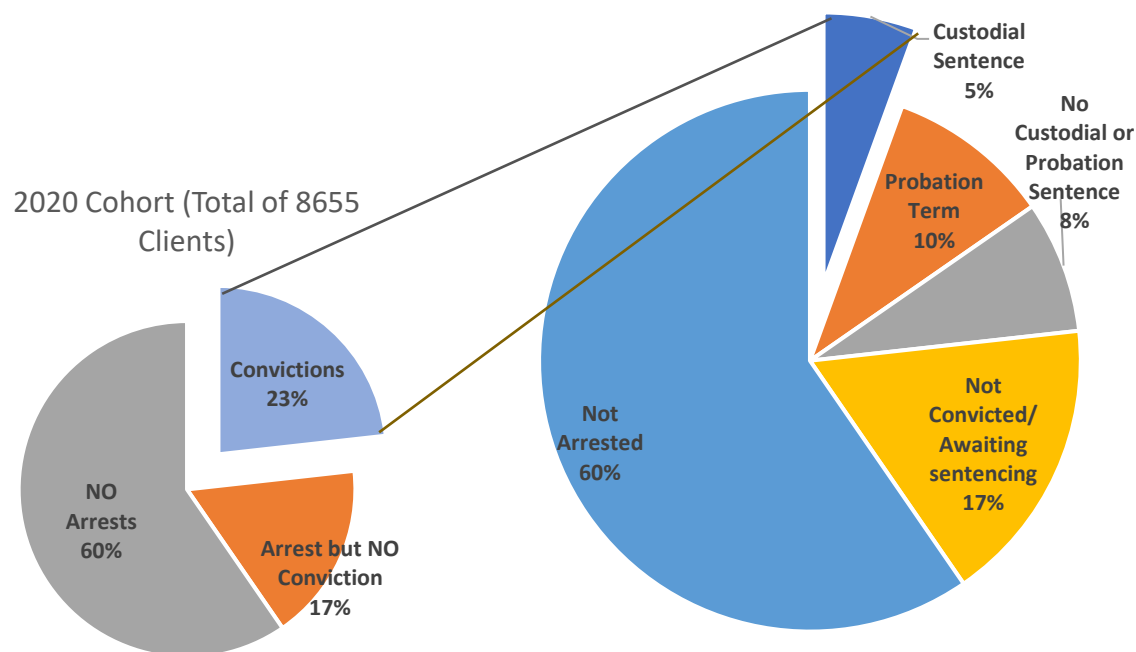
### **Key Findings**

- In the 2020 cohort, probation supervision achieved notable success with 60% of clients remaining arrest-free during the recidivism period.
- Although some clients faced rearrest, the conviction rate remained low, with only 23% of those charges leading to a conviction. This demonstrates that the probation division successfully reduced recidivism in approximately 77% of the cases.
- There were 95% of the clients that remained in community without any custodial sentence. This shows that over 9 out of 10 probationers were deemed not dangerous enough to serve a prison sentence.

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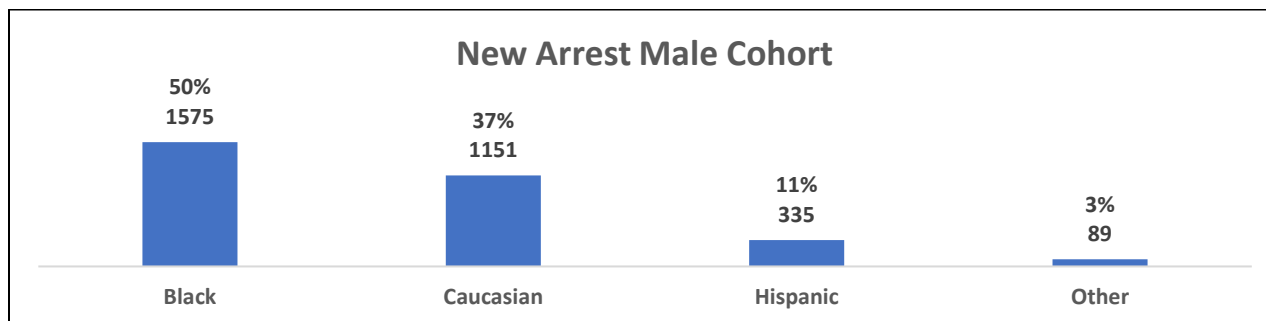
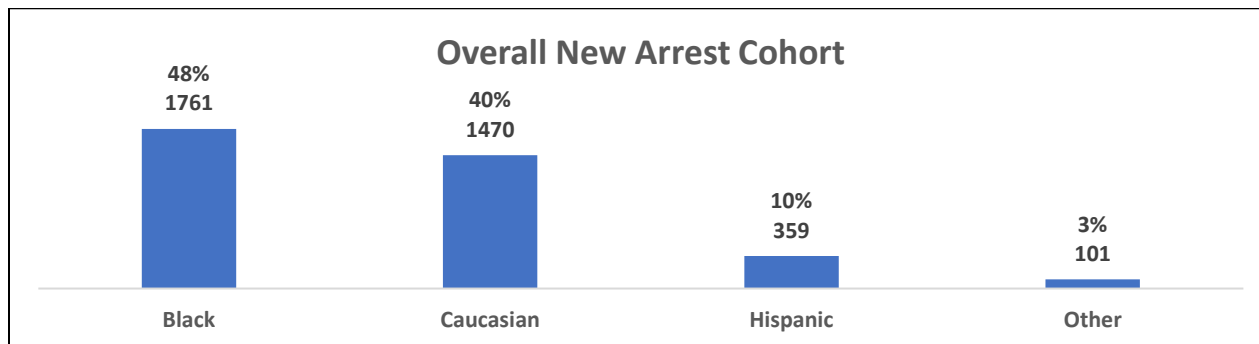
<sup>1</sup> N.J.S.A. 2C:45-6

## Conviction and Sentencing Distribution of the 2020 Adult Cohort



Some challenges that the report confirms include:

- Disproportionate representation of Black clients in the overall recidivating population, as well as the existence of disparities in recidivism rates among Black males.



- Identifying the needs of clients and securing appropriate resources to assist in preventing new arrests and employing rehabilitation strategies to help reduce addiction and drug usage.

- Limitations of data. When a case is expunged, it no longer exists in the probation databases. So, we are unable to provide data and statistics on clients with successful completion of probation that got expunged.

Overall, this recidivism report provides evidence that New Jersey's Probation Division is providing a positive sentencing option that is effective at rehabilitating clients and an important factor in reducing recidivism. In the report, recidivism is defined by statute as arrests for any offenses committed by persons on probation within three years following their sentence of probation. This report also examines the outcomes of those arrests within the three-year recidivism period. Only adult probationers sentenced to probation in the calendar year 2020 are included in the report.

We have examined client distributions in terms of rearrests, highest degree charges, and final custodial sentencing. This data shows recidivism outcomes as a measure of the continued success of probation and its methods and procedures. It is indicative of probation practices, sorting out the specialized caseloads and providing resources, individualized monitoring, and feedback to best assist the client to become productive citizens.

The Probation Division is dedicated to the advancement of evidence-based supervision strategies, otherwise known as Enhanced Outcome Based Supervision (EOBS). This recidivism report is an important part of measuring progress toward reaching these goals. Though the report highlights some challenges, the larger picture shows that probation is a vital sentencing alternative to incarceration that is positively impacting recidivism and promoting desistance among clients.

## II. INTRODUCTION

### 2024 PROBATION RECIDIVISM REPORT

New Jersey Judiciary's Probation Division is committed to the welfare and safety of children, families, and communities through fair treatment of all individuals by promoting positive behavioral change through the use of evidence-based practices; ensuring that individuals remain accountable to their families and communities; engaging and collaborating with the community, system-partners, and staff, while responding proactively to change. Probation is a sentencing alternative to incarceration that allows convicted individuals the opportunity to serve a criminal sentence in the community under the supervision of a probation officer. Probation supervision allows community members who have been convicted the opportunity to remain in the community while maintaining gainful employment and staying connected to their families. Probation's goal is to help reintegrate its clients into the community as responsible, law-abiding individuals, and if successful, serving a sentence on probation can prevent confinement and its adverse consequences.<sup>2</sup>

Probation officers, in the course of their work, assess their client's needs, including those that if unfulfilled, could make recidivism more likely, and work to support clients in remaining crime free. Probation officers utilize various intervention strategies that reinforce positive social behavior to ultimately help change the thought process of clients on probation. In determining the appropriate interventions an objective appraisal must be made of each client's background, risk, and needs. Moreover, by identifying criminogenic needs of each individual, probation officers can intervene with evidence-based strategies designed to change behavior. Probation officers seek to assist individuals in maintaining sobriety, locating mental health treatment services, obtaining or maintaining employment, and finding vocational training. A probation officer's primary functions are to promote positive behavior change and enforce court ordered conditions, with the ultimate goal of decreasing crime while increasing community safety. "In a desistance framework, crime reduction is viewed as a complicated change process in which individuals learn to be law abiding over time. In contrast, recidivism is a binary frame—people either succeed or they fail. Desistance allows for degrees of success even if there are occasional setbacks."<sup>3</sup>

On Nov. 9, 2015, legislation was enacted requiring the administrative director of the courts to establish a program to record and analyze the recidivism of all individuals sentenced to probation in order to measure the effectiveness of the state's rehabilitation programs.<sup>4</sup> The definitions of recidivism varies by state, but it generally is defined as a relapse into criminal behavior after a person has been sanctioned for a previous crime.<sup>5</sup> In the

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<sup>2</sup> See New Jersey Courts, Office of Probation Services.

[Recommendations Future Probation Supervision-Judicial Council Approved.pdf \(njcourts.gov\)](https://www.njcourts.gov/recommendations-future-probation-supervision-judicial-council-approved.pdf)

<sup>3</sup> From "Recidivism Reconsidered: Preserving the Community Justice Mission of Community Corrections" by Jeffrey Butts and Vincent Schiraldi, 2018, Harvard Kennedy School Papers from the Executive Session on Community Corrections.

<sup>4</sup> New Jersey Statutes Annotated ("N.J.S.A."), §2C:45-6(a).

<sup>5</sup> See National Institute of Justice, *Measuring Recidivism*. <https://www.nij.gov/topics/corrections/recidivism/Pages/measuring.aspx> and N.J.S.A. 2C:45-6b (setting forth the data points relevant to recidivism).

statute, recidivism is defined as arrests “for all offenses committed by persons on probation within three years following their sentence of probation.”<sup>6</sup>

Probation services prepared this report pursuant to N.J.S.A §2C:45-6, which requires that recidivism rates, trends, and patterns be prepared annually for distribution to the legislature, governor, and the public.<sup>7</sup> Probation services collected and analyzed data on all persons sentenced to adult probation in 2020, referred to hereafter as the 2020 cohort, to assess who was arrested within a three-year period from their probation start date. For the purpose of this report, this three-year period will be referred to as the “recidivism period”.<sup>8</sup> The conviction and sentencing data reported also were results that occurred within this period. As set forth in the recidivism legislation:

The program shall record data regarding types of crimes committed by offenders that result in a sentence of probation, the arrests for all offenses committed by persons on probation within three years following their sentence of probation and any convictions resulting from the arrests, crimes committed while on probation, the number of repeat offenders and the number of persons on probation concurrently serving a parole sentence. This data shall be analyzed to determine whether the rates and nature of arrests and convictions differ according to the criminal histories and personal characteristics of persons on probation, the treatment they received during the period of probation, participation and involvement in rehabilitation initiatives and programs, and such other factors as could be relevant to the purposes of this section, including, but not limited to, race, sex, ethnicity, and age.<sup>9</sup>

In April 2021, Probation services began working with the Judiciary’s Information Technology Office (ITO) to extract data for this report. More information about methodology and the different databases that were queried, and the evolving method of querying, can be found in *Appendix A*.

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<sup>6</sup> N.J.S.A. §2C:45-6(b).

<sup>7</sup> N.J.S.A. §2C:45-6, (c),(d).

<sup>8</sup> The recidivism period for the 2020 adult cohort is measured from the sentencing date in 2020 to three years after.

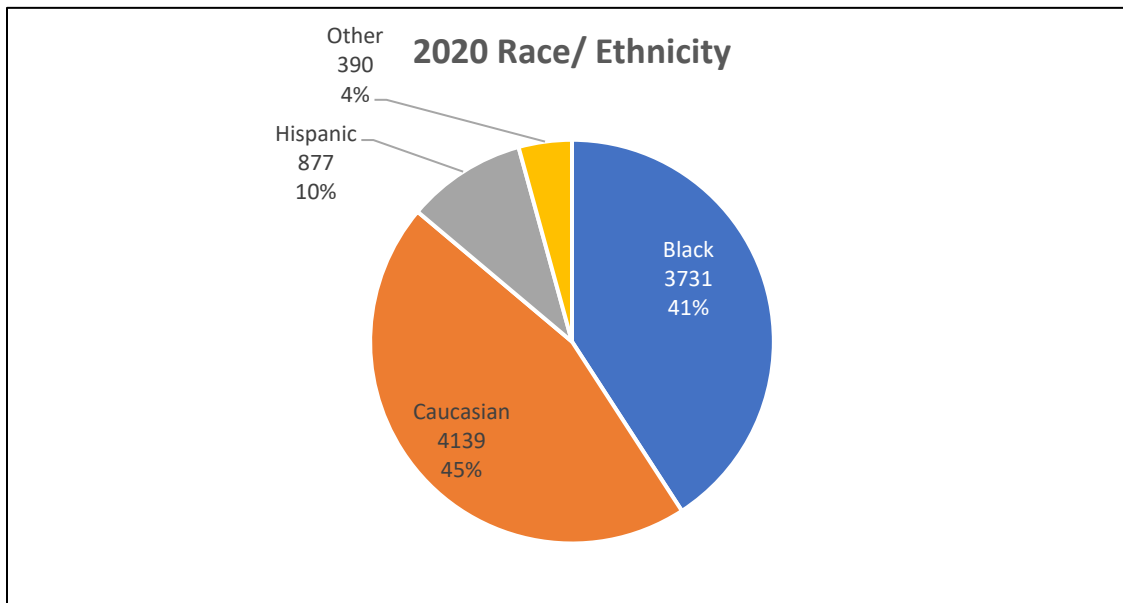
<sup>9</sup> N.J.S.A. §2C:45-6 (b)



### III. DEMOGRAPHICS OF ADULTS SENTENCED TO PROBATION IN 2020

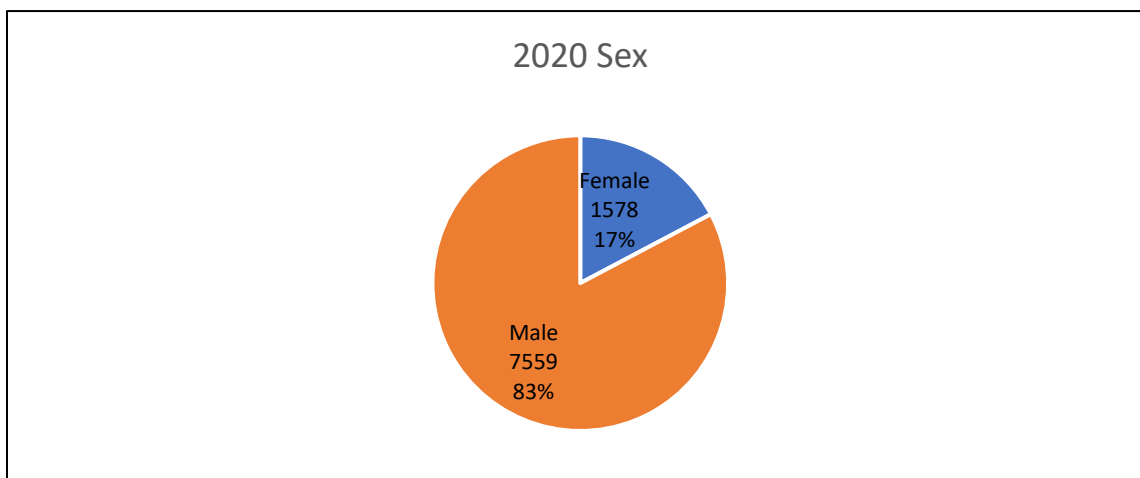
The first section of this report describes the demographics of the adult cohort for 2020. The total number of clients that were sentenced to probation services in 2020 were 9,137.

**Figure 1. Race/Ethnicity and Sex Distribution of the 2020 Adult Cohort**



The 2020 adult probation cohort was 45% (4,139) Caucasian and 41% (3,731) Black. Further, 10% (877) of the 2020 adult probation cohort were identified as Hispanic, and 4% (390) were identified as Other race/ethnicity<sup>10</sup>.

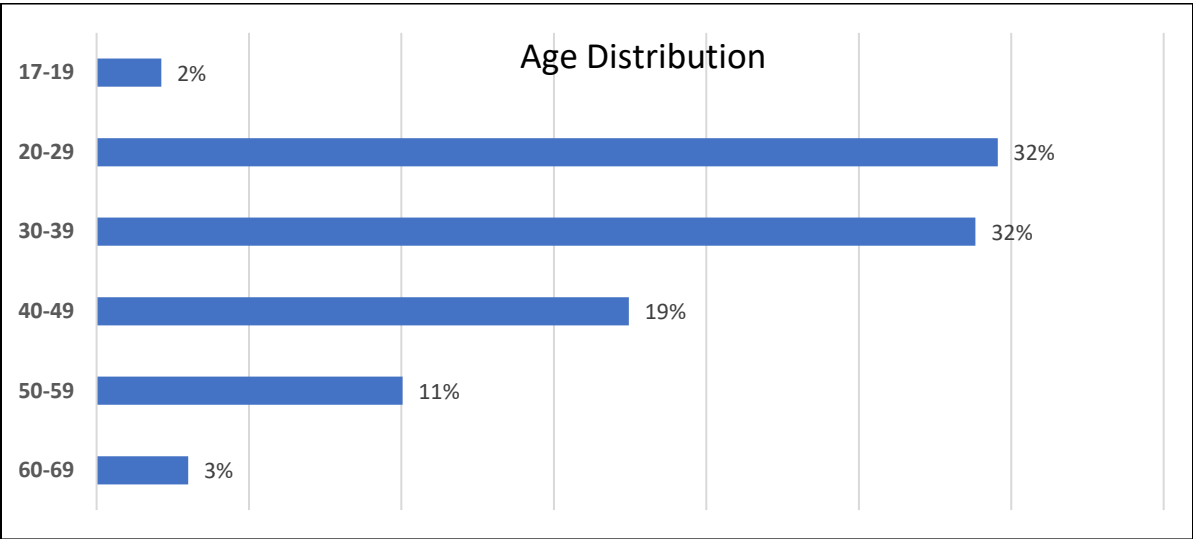
#### Sex Distribution of the 2020 Adult Cohort



There were 83% males and 17% females. The cohort shows males comprising the majority of the adult probation cohort distribution.

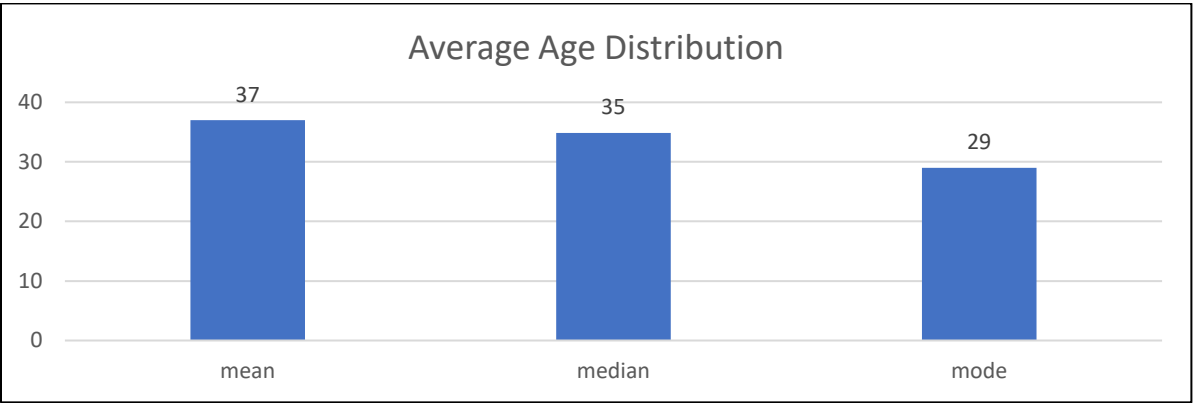
<sup>10</sup> Other includes Alaskan Native, American Indian, Asian, and clients without a category.

**Figure 2. Age Distribution of the 2020 Adult Cohort**



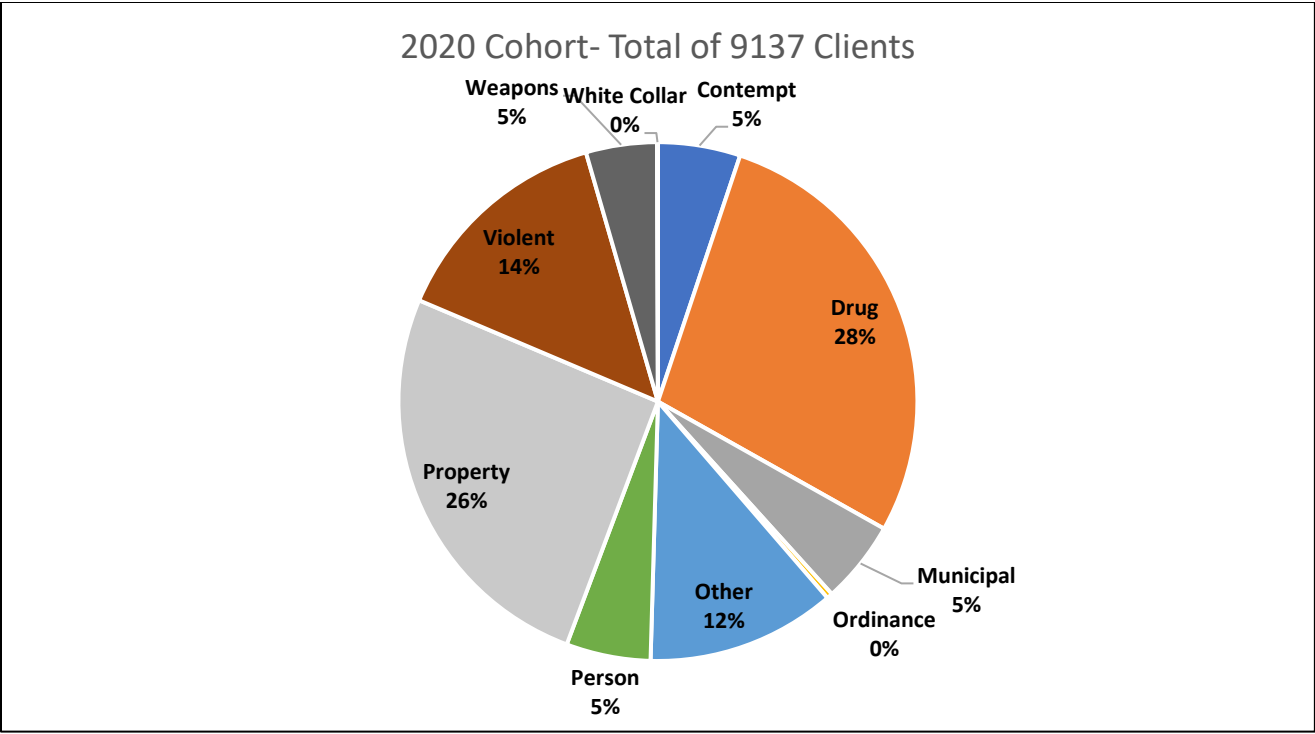
In 2020, the 20-29-year-old age group and 30-39-year-old age group represented the largest number of clients who were sentenced to probation. Both groups were 32%. It was followed by the 40-49-year-old age range, which accounted for 19% of the probation population.

**Mean, Median and Mode Age of the 2020 Adult Cohort**



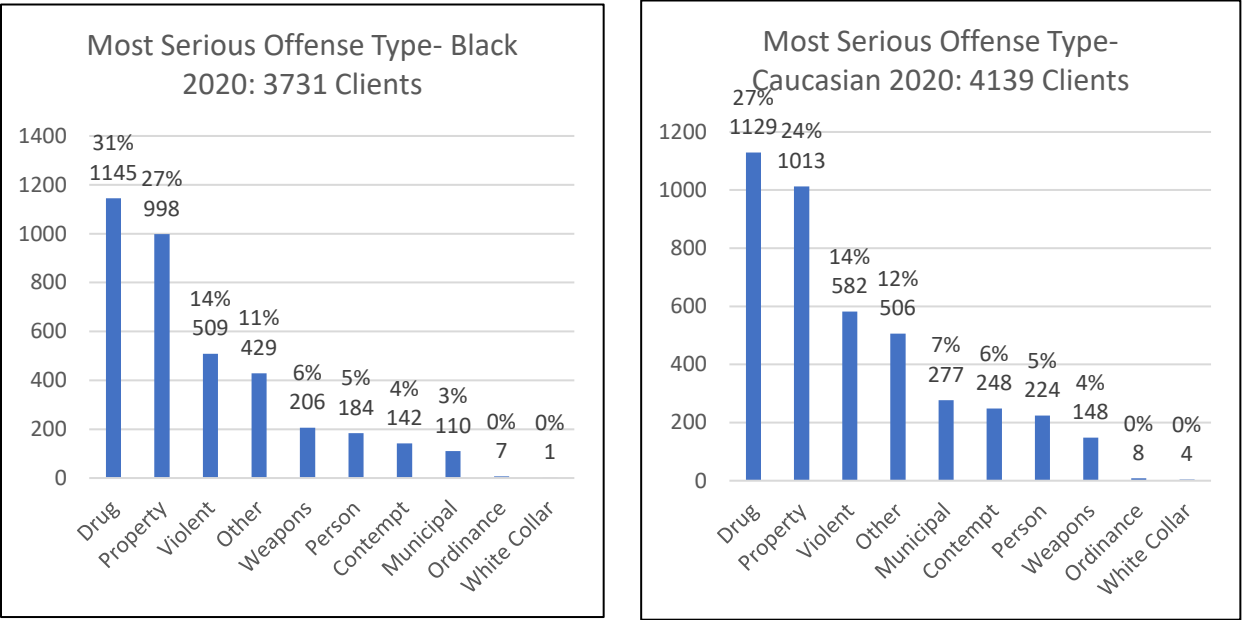
The mean is the average age of the clients within the cohort, the median is the middle age within the cohort, and mode is the most common age that appears multiple times within the data set. The mean age within the cohort was 37. The median age was 35 and mode age was 29.

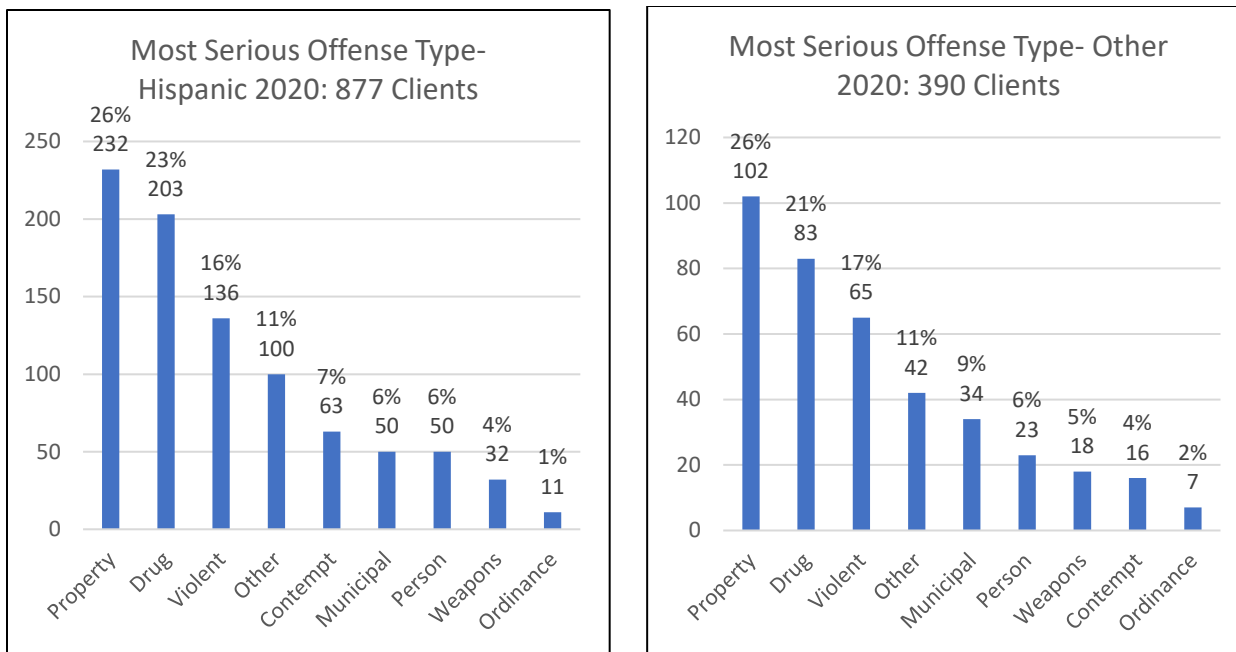
**Figure 3. Offense- Type Distribution of the 2020 Adult Cohort**



Most of the 2020 adult probation cohort clients were sentenced to probation in 2020 for drug and property offenses. Drug offenses represented 28% of the overall types of offense in 2020. Property offenses came close at 26%. Violent and other offenses accounted for 14% and 12% respectively. In contrast, few clients were sentenced to probation for weapons, contempt, municipal and persons offenses accounting for 5% each.

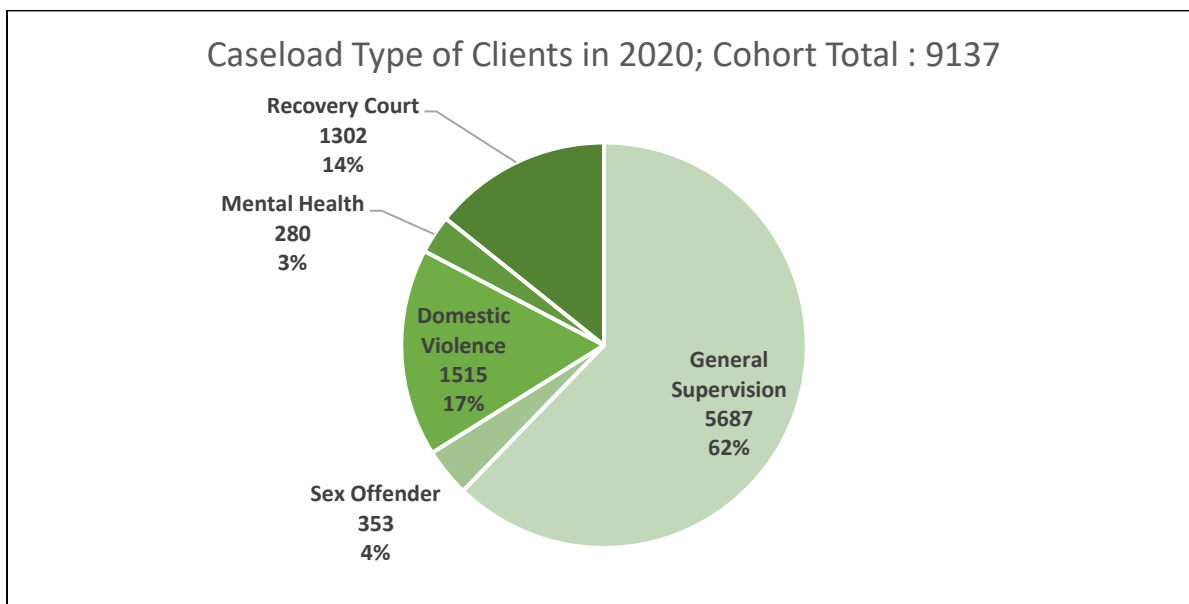
Figure 4. Offense- Type Distribution by Race/Ethnicity of the 2020 Adult Cohort





There was no significant difference in the offense type by race distribution when comparing the cohorts in different demographics. Most of the clients were sentenced to probation in 2020 for drug and property offenses. There were 1,129 Caucasians for drugs and 1,013 Caucasians for property offenses. There were 1,145 Black clients for drugs and 998 Black clients for property offenses. Hispanic population had less clients for drug and property offenses, being 232 for drugs and 203 for property offenses. Other demographic population also had property offense as the highest category, being 102 clients for property offense type. More information about offense type categories can be found in *Appendix B*.

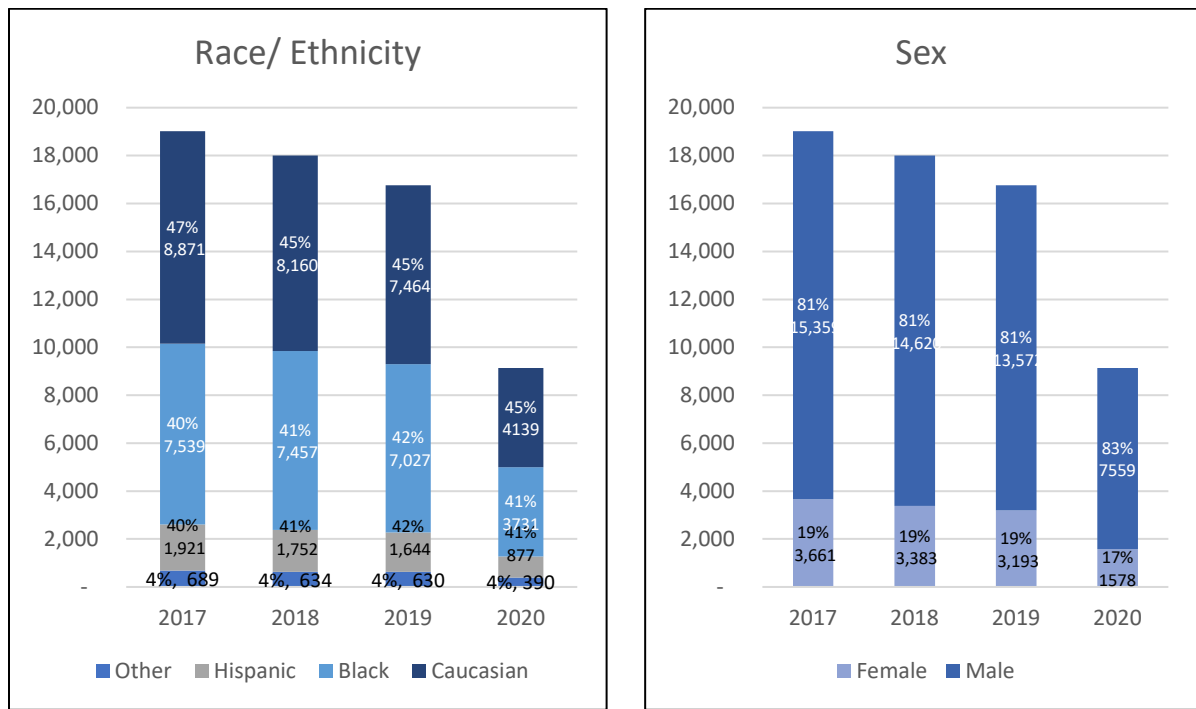
**Figure 5. Caseload Type of Clients in the 2020 Cohort Total of 9,137 Clients**



Most of the clients in the probation cohort, 62%, were placed under general supervision for their entire

probation term. However, about 4 in 10 clients were transferred to a specialized caseload at some point during their supervision. Each specialized caseload is designed to use interventions that match the client needs. Probation officers who work with these clients also are specially trained to deal with the specific challenges of their caseload type. In the 2020 cohort, 17% of clients were in the domestic violence (DV) caseload. This was followed by the recovery court (RC) caseload with 14% of the probation cohort. Sex offender (SO) caseload and the mental health (MH) caseloads comprised the smallest percentages of specialized caseloads being 4% and 3% respectively.

**FOUR YEAR COMPARISON OF PROBATION DEMOGRAPHICS**  
**Figure 6. Demographic Comparison of the 2017, 2018, 2019 and 2020 Adult Cohorts**



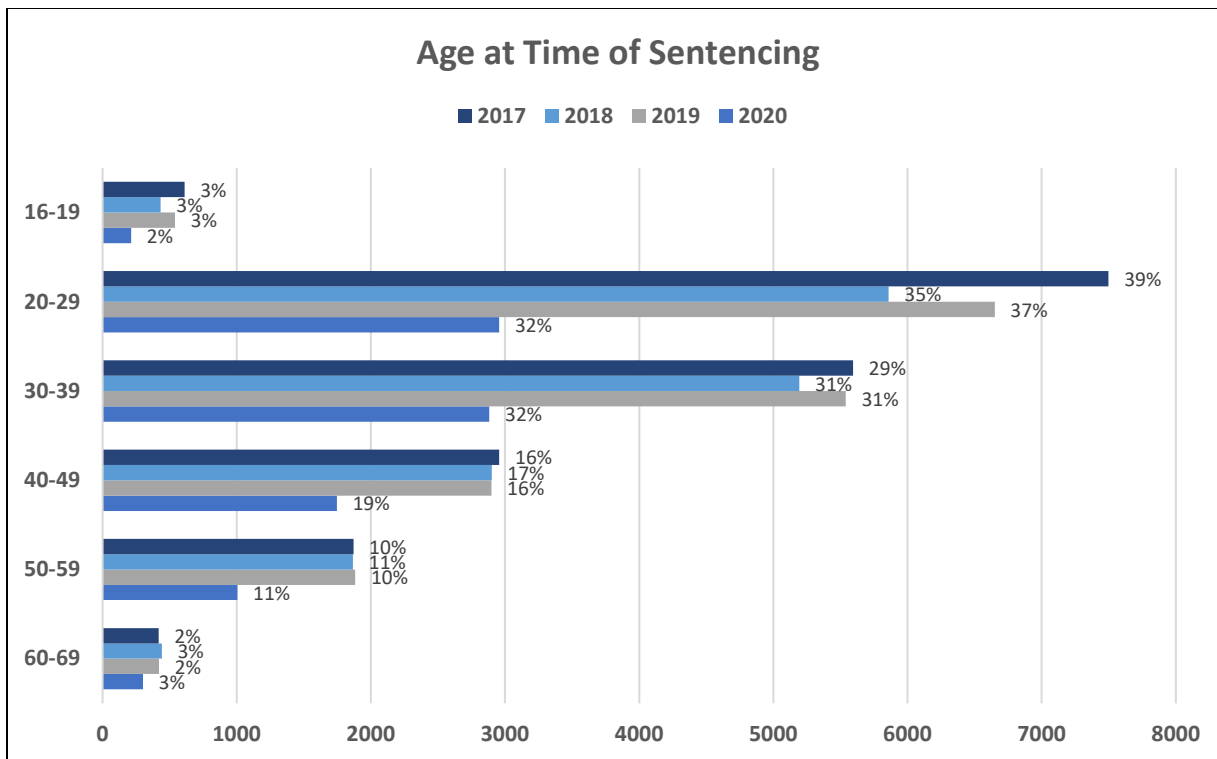


Figure 6 shows race, gender and age over the last four years of adult probationer cohorts, starting with the 2017 adult cohort. The sex and race/ethnicity distribution has remained relatively consistent in each cohort with minor differences. Caucasian was the most prevalent group among the four years but decreased marginally from 47% in 2017 to 45% in 2020. The female distribution decreased slightly over the four years from 19% in 2017 to 17% in 2020. There were marginal variations in the age distribution for each cohort, however, the largest number of probationers were between the ages 20 and 29 at sentencing. This group also has decreased from 39% in 2017 to 32% in 2020.

**Figure 7. Most Serious Offense Type Comparison of the 2017, 2018, 2019 and 2020 Cohorts**

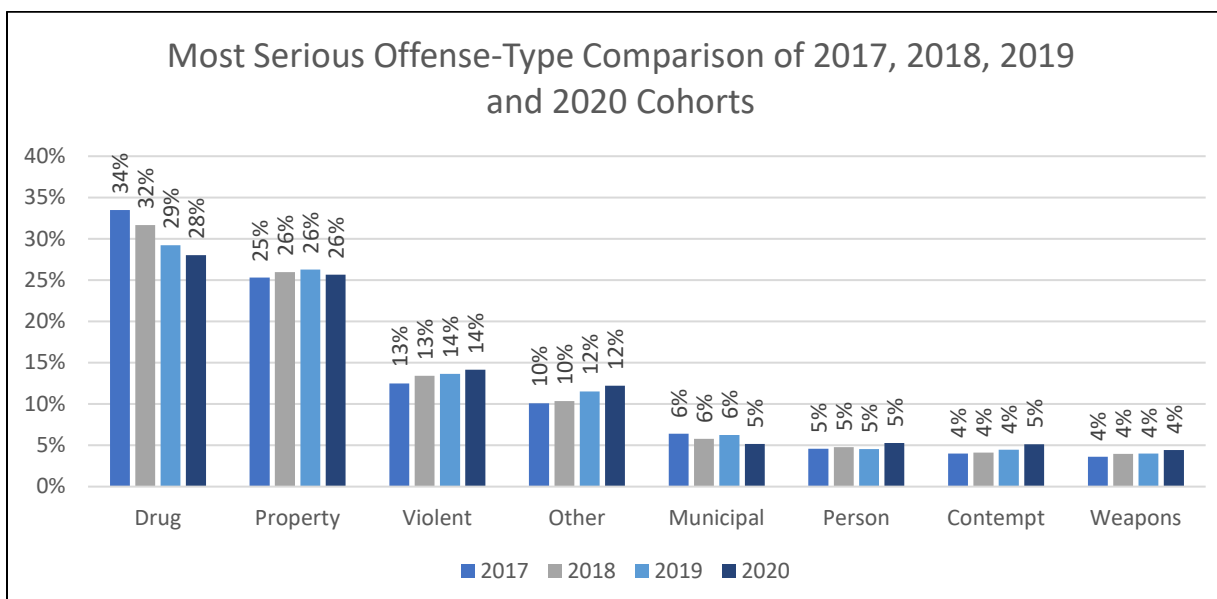
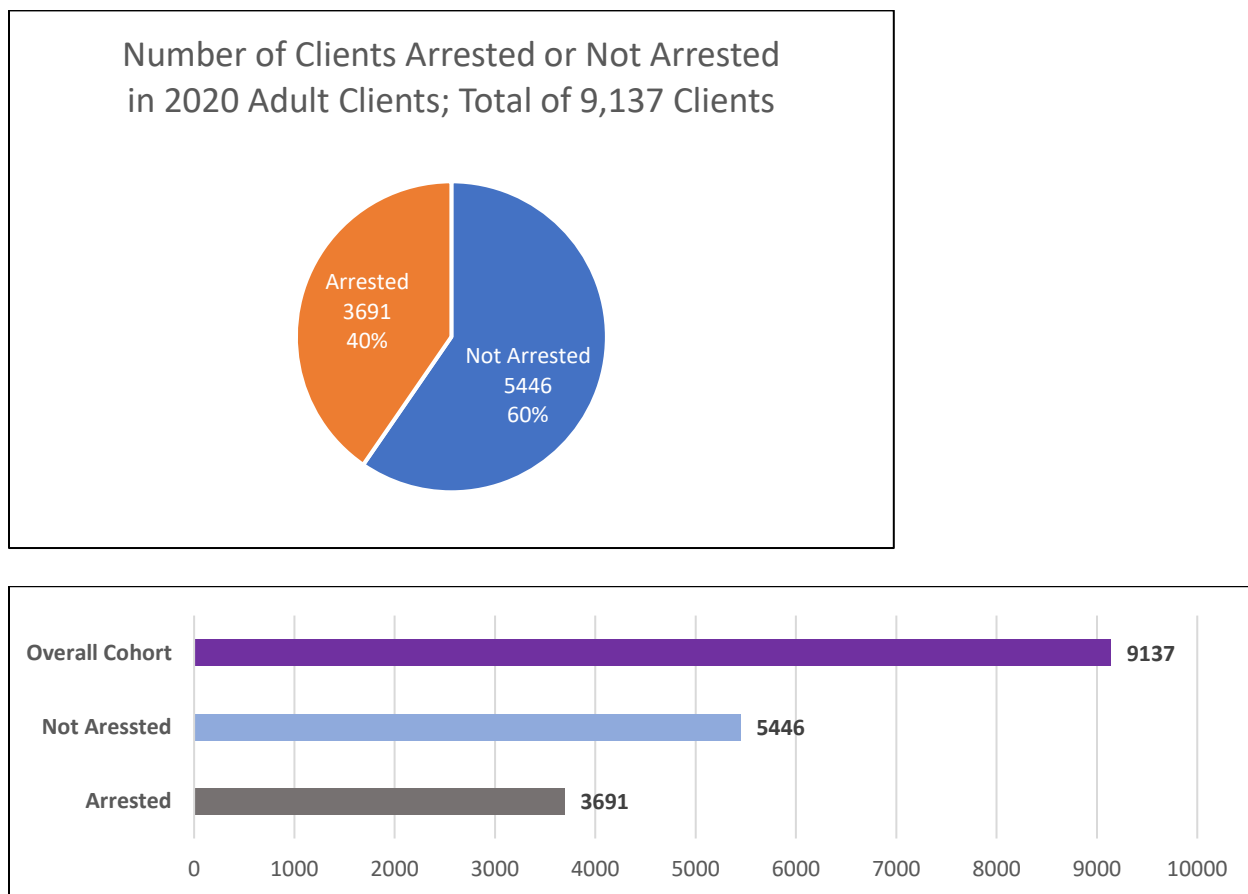


Figure 7 illustrates a comparison of the most serious offense-type which resulted in each client's sentence to adult probation in 2017, 2018, 2019 and 2020. As shown in the chart, there were no major changes in the distribution rate of the most serious offense-type between the 2017 and 2020 adult cohorts. Drug and property offenses were the most serious offense-types that resulted in the majority of sentences to adult probation in 2017, 2018, 2019 and 2020. The most notable differences were in the drug offense-type which decreased from 34% in 2017 to 28% in 2020.

## IV. NEW ARRESTS

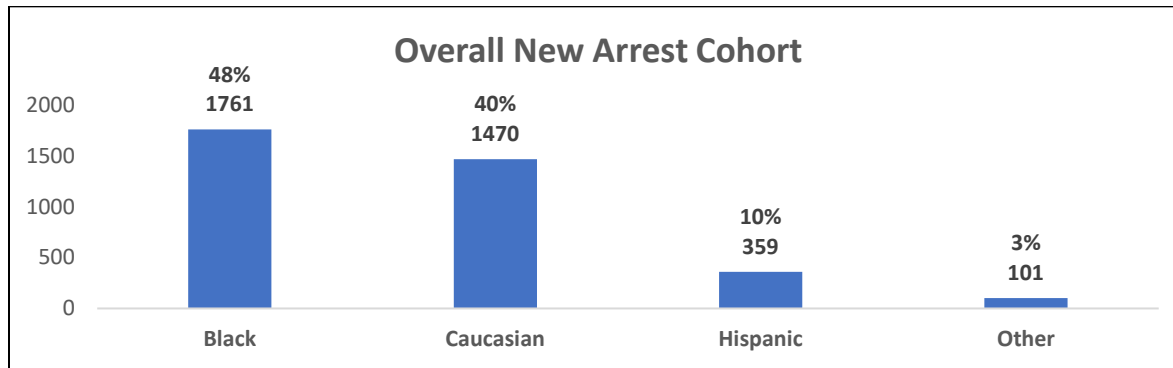
In this report, recidivism is defined by statute as arrests for any offense committed by a client sentenced to probation within three years following their probation sentence. Pursuant to the statute, the characteristics of arrests for the 2020 adult cohort during the recidivism period will be discussed in this section. This section will provide information about the number of clients who remained arrest free. The arrest data is comprised of adult clients who were arrested within the three-year recidivism period after their initial probationary sentence. Of the 9,137 clients in the 2020 cohort, a total of 3,691 clients were arrested at least once. This indicates a rearrest recidivism rate of 40%. Most clients (60%) remained arrest free during the recidivism period. Figure 8 illustrates this data.

**Figure 8. Number of Clients Arrested or Not Arrested in the 2020 Adult Cohort**





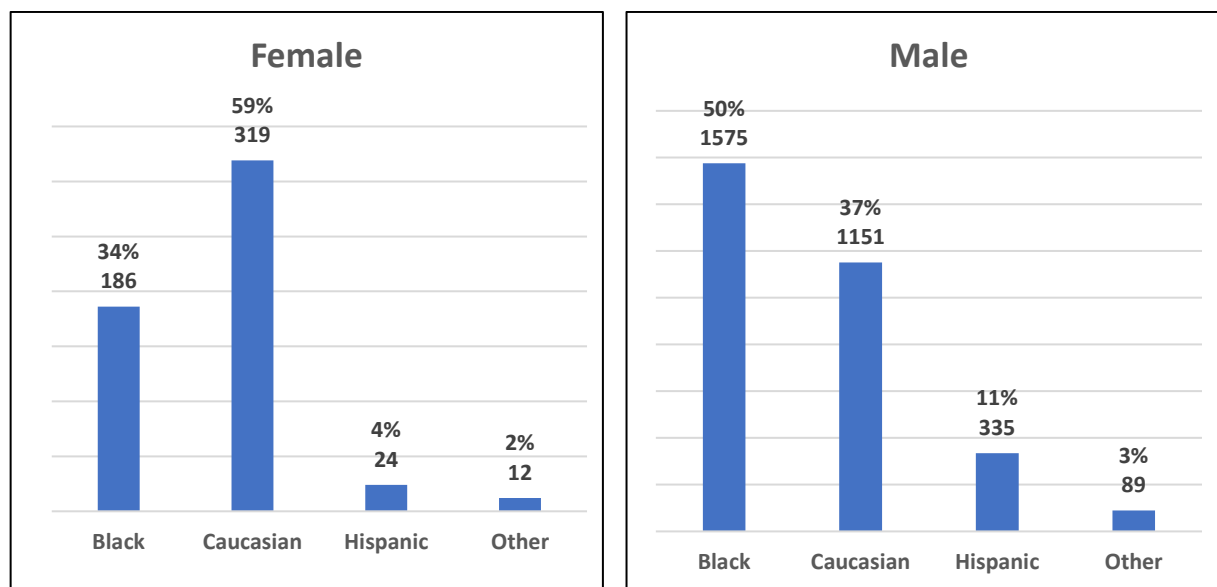
**Figure 9. New Arrest Rates by Race/Ethnicity**



### **NEW ARREST RATES BY SEX AND RACE/ETHNICITY**

Figure 9 shows the new arrest rates during the three-year recidivism period for the 2020 cohort broken down by sex and race/ethnicity. Overall, Black clients had the highest new arrest rates with 48%. Caucasian was the second highest group, at 40% in the 2020 cohort. Hispanic and other groups accounted for the least percentage in this cohort.

#### **New Arrest Rates by Sex and Race/Ethnicity**



The breakdown shows that among female new arrest probation clients, Caucasian females had the highest new arrest rate during the three-year recidivism period at 59% of the female new arrest clients. Black females had the second highest percentage at 34%. The new arrest rate was low among the Hispanic female group accounting for 4%.

Among the men, Black male new arrest probation clients had the highest new arrest rate during the three-year recidivism period 50% in 2020. Caucasian males had a lower percentage distribution at 37%. Hispanic males

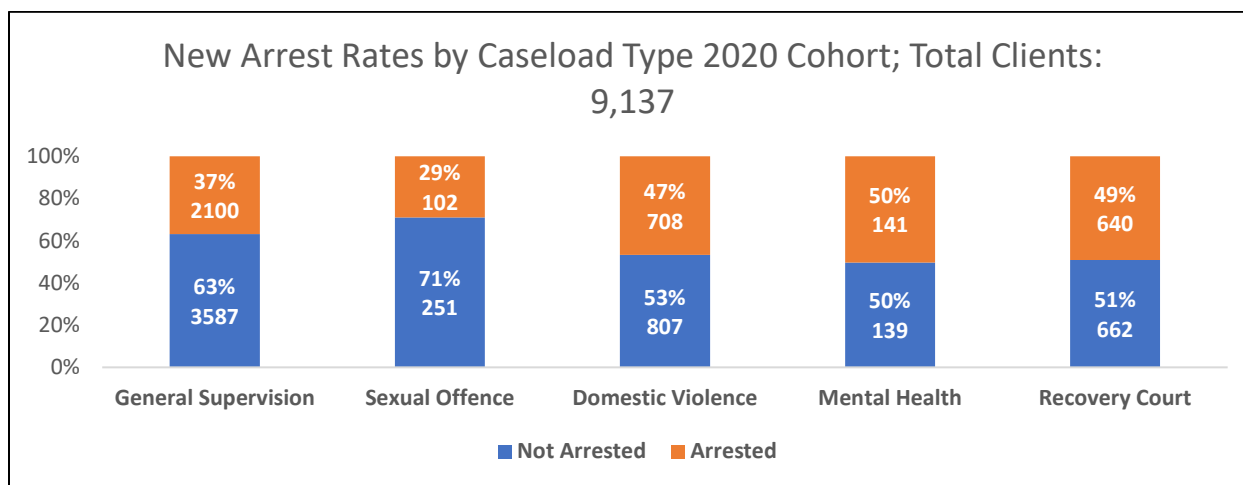
accounted for 11% of the male new arrest cohort. A full breakdown of the new arrest totals and percentages by sex and race/ethnicity is illustrated in *Appendix C*.

### NEW ARREST RATES BY CASELOAD TYPE

The adult probation population is divided into four major caseload types or supervision indicators. The primary caseload in which most clients are supervised under is known as general supervision. To address the specific needs of supervised clients, probation services also includes specialized supervision for domestic violence, sex offenses, drug offenses and mental health. The recovery court supervision program helps clients with drug related issues. The Adult Mental Health Supervision Program is designed to help probation clients with mental illnesses. Clients can be referred to the mental health caseload in a number of ways, most often during probation orientation or by a probation officer. In addition, there are probation clients, who are charged with domestic violence or sex offenses and sentenced to a term of probation with varying conditions. The sex offender and domestic violence caseloads were designed to be segregated and supervised by probation officers specially trained in the dynamics of sex offender or domestic violence supervision. The goals of the initiative are to improve offender accountability and community protection. All three of these specialized caseloads have specially trained probation officers and use interventions to match client needs.

Figure 10 shows the new arrest rates for the 2020 cohort broken down by caseload type. Overall, during the three-year recidivism period, clients on mental health caseload had a new arrest rate of 50% in 2020. Forty nine percent of clients in recovery court caseload got arrested during the three-year recidivism period. Clients on domestic violence caseload were close with a new arrest rate of 47% in 2020. Clients on sex offender caseload had the lowest new arrest rate of 29%. In total, 43% of clients arrested were on a specialized caseload. In contrast when we observe sentencing data in fig 23, we see a major reduction in sentenced population percentages at the end of the recidivism period. Further breakdowns by race/ethnicity are shown in *Appendix D*.

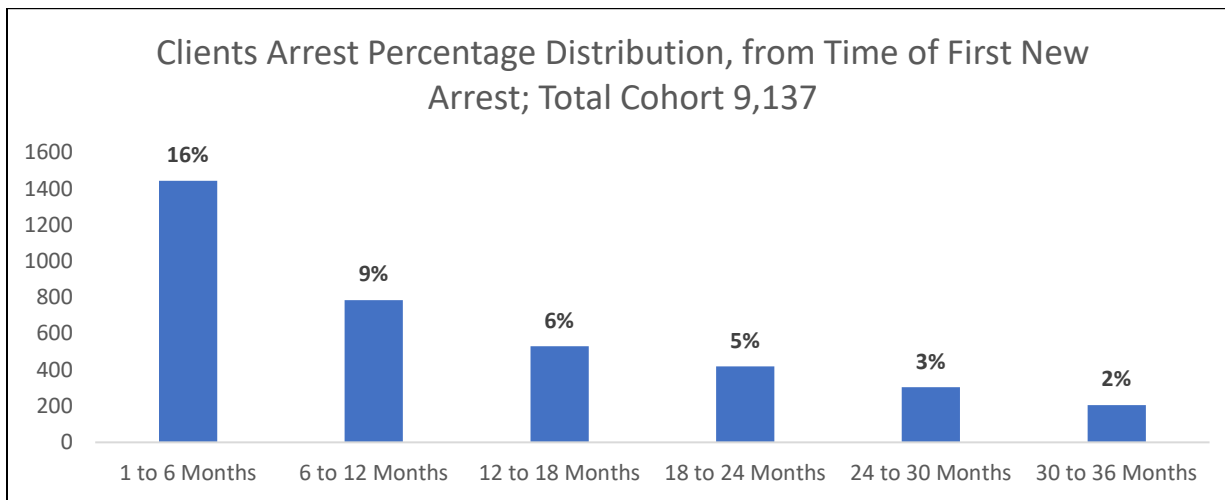
**Figure 10. New Arrest Rates by Caseload Type**



## REARREST IS LESS LIKELY THE LONGER A CLIENT NAVIGATES PROBATION

Examining the time to first arrest/recidivism can be useful in differentiating between clients who are arrested early from those who remain arrest free for longer periods. Measuring the length of time to the recidivism event also can help policymakers determine an appropriate period of supervision for clients sentenced.<sup>11</sup>

**Figure 11. Percent of Clients in the 2020 Adult Cohort who were Arrested, by Time of First New Arrest**



New arrest data for the 2020 adult cohort indicates that there was a steady decrease in rearrests throughout the three-year recidivism period. The frequency of rearrests broken down into timeframes is important because it helps probation officers determine when interventions are most needed.

Figure 11 shows rearrest rates broken down into six-month intervals during the three-year recidivism period. For the 2020 cohort it shows a gradual decline in the rearrest rate from 16% in the first six months to 9% in the second six months and continues to decline gradually over the next two years. This trend of decline was consistent across sex and race/ethnicity. Additional breakdowns with totals are shown in *Appendix E*.

On average in the final year of the three-year recidivism period, about nine in 10 clients remain rearrest free. This indicates that there is increased compliance as clients have continuous contact with probation services.

## NEW ARREST RATES IMPROVED IN 2020 COMPARED TO 2018 and 2019

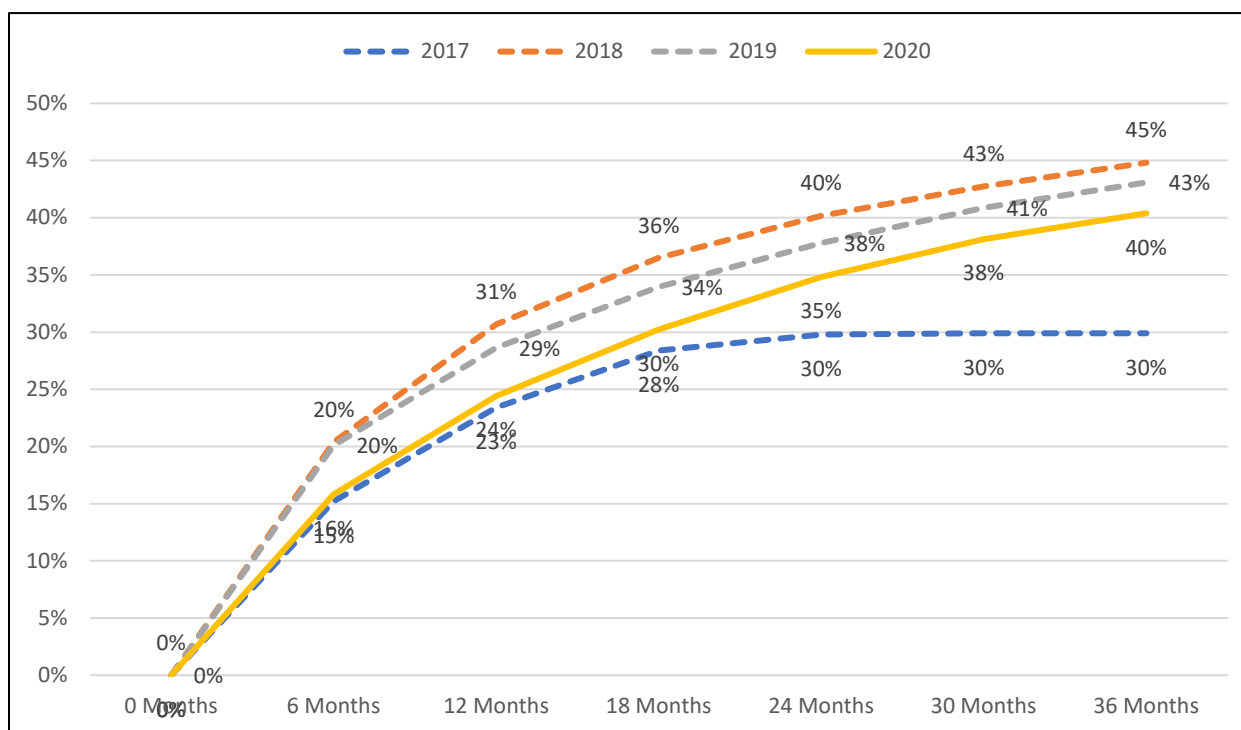
Figure 12 shows the cumulative percent of clients who were arrested, by the period of their first new arrest/recidivism event for the 2020 adult cohorts. The chart illustrates the first new arrest/recidivism rate over the three-year period broken down into six-month intervals for each cohort of 2017, 2018, 2019 and 2020. The overall curve suggests that as time goes on, the recidivism rises at a lesser rate every six months. By the end of

<sup>11</sup> U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. *2018 Update on Prisoner Recidivism: A 9-Year Follow-up Period 2005-2014*. (2018) and United States Sentencing Commission. *Recidivism Among Federal Offenders: A Comprehensive Overview*. (2016).

the three-year period, in the 2020 cohort 40% of clients were rearrested cumulatively. The recidivism arrest rate is less for the 2020 cohort being 40% compared to 2018 which is 45% and 43% in 2019.

Time After Probation Sentence 2020 Cohort	%	Cumulative %
1 to 6 Months	16%	16%
6 to 12 Months	9%	24%
12 to 18 Months	6%	30%
18 to 24 Months	5%	35%
24 to 30 Months	3%	38%
30 to 36 Months	2%	40%

**Figure 12. Time to First New Arrest for the 2017, 2018, 2019 and 2020 Adult Cohorts**



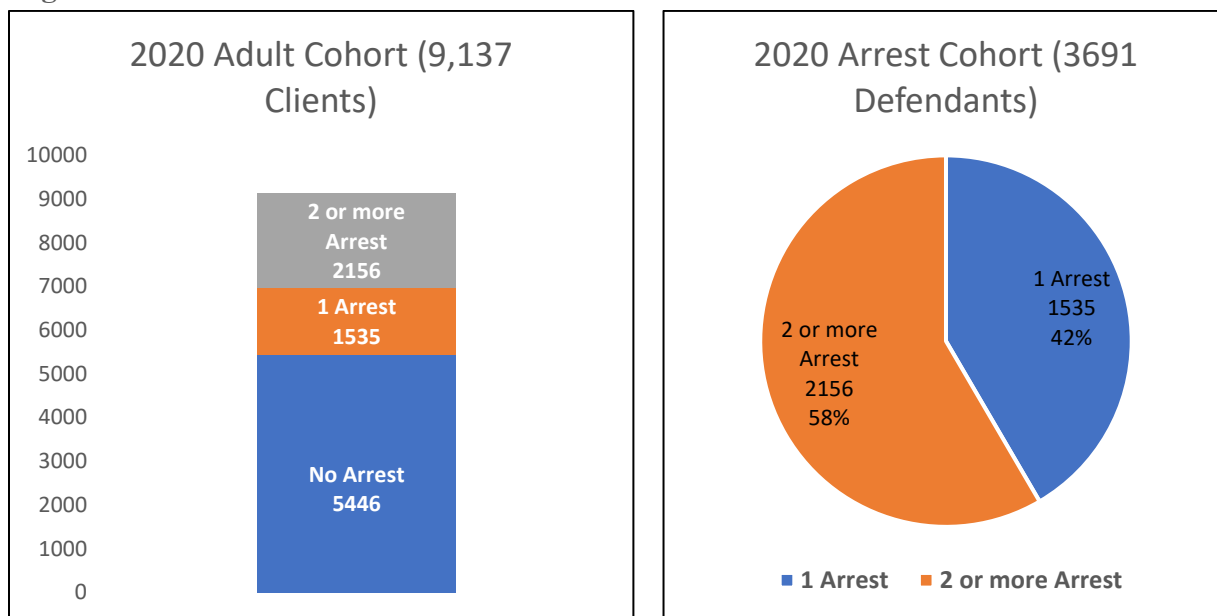
### NEW ARREST DISTRIBUTION PER CLIENT

The statute also requires the Judiciary to identify “the number of repeat offenses.”<sup>12</sup> Figure 13 shows the rate of clients who remained arrest free, those who were arrested once, and clients who were arrested two or more times during the recidivism period. This is a simple count showing the number and percentage of clients who fell into each category. The column in figure 13 shows the entire adult cohort and the pie chart shows the subpopulation of clients who were newly arrested at least once. As shown in the column of the chart, most clients were not arrested at all (60% in 2020). However, those who were arrested, were slightly more likely to be arrested more than once. As shown in the pie chart in Figure 13, of the 3,691 clients newly arrested in the 2020 cohort,

<sup>12</sup> N.J.S.A. 2C:45-6 (b).

58% of them were arrested twice or more. For new arrest distributions broken down by sex and race/ethnicity, see *Appendix F*.

**Figure 13. New Arrest Distribution Per Client in the 2020 Adult Cohort**

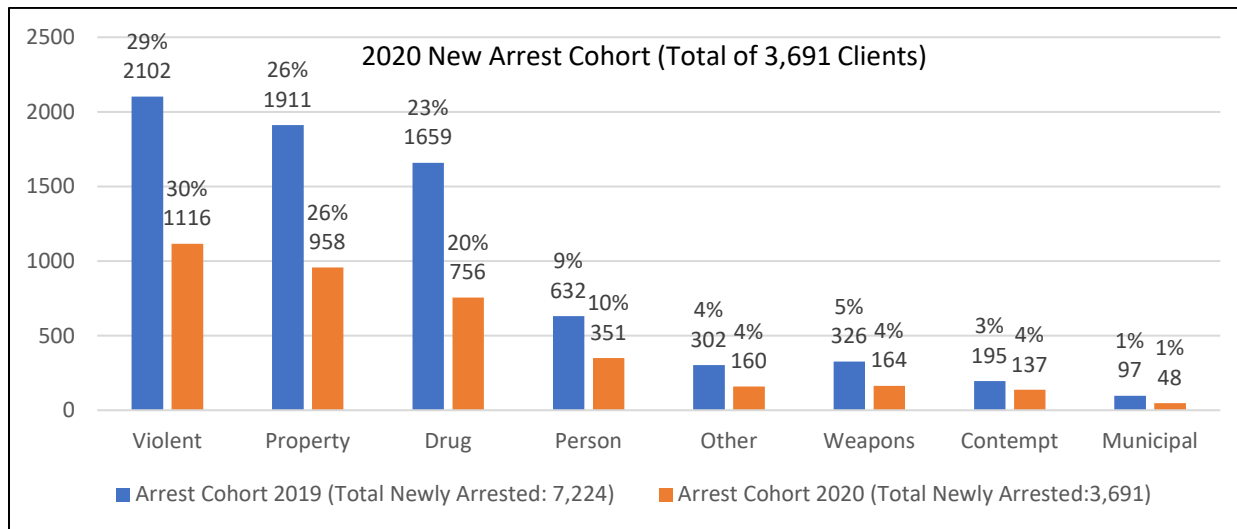


Note: The column chart shows the percentage of clients in each category, as a percent of the entire cohort. The pie chart shows the percentage of clients in each category, as a percent of those who were newly arrested (arrest cohort).

### **MOST SEVERE NEW ARREST BY OFFENSE-TYPE**

This section summarizes the most severe charge by offense-type for which clients in the 2020 cohort were newly arrested. Because some clients were arrested multiple times during the recidivism period, the data in this section considers all arrests that occurred during the three-year period and identifies and analyzes only the most serious/severe charge for each client. The offense-type subcategories are listed in *Appendix B*. The methodology for identifying the degree of the offense included the actual degree (first, second, third, fourth, disorderly persons, and petty disorderly persons), as reflected in the Judiciary's systems. Offenses that did not have a degree listed in the system were ranked according to the category hierarchy as reflected in *Appendix B* in the following order in decreasing severity: violent person, property, weapons, drugs, contempt, other and municipal. The percentages in this section are calculated as a percent of the subpopulation of adult clients who recidivated (arrest cohort).

**Figure 14. New Arrest Per Client by Most Serious Recidivism Offense-Type**



Note: Clients could have been arrested or charged for more than one offense or offense-type during the three-year recidivism period; the most serious/severe one is reported in this chart.

### **VIOLENT AND PROPERTY OFFENSES COMPRISE THE MAJORITY OF MOST SERIOUS NEW ARRESTS**

Figure 14 shows the most serious offense type which resulted in the arrest of each client during the recidivism period. Most serious offenses involved drug, property and violent charges. This paralleled the trend of the original most severe charges<sup>13</sup> shown in the previous section, which also showed drug, property and violent offenses as the leading offenses which resulted in initial sentences to probation in 2020. Of the 3,691 clients newly arrested in the 2020 cohort, 30% of the most serious arrests were violent offense related. This was followed by property offenses at 26% in 2020. Drug offenses accounted for 21%. Breakdowns by sex and race/ethnicity are shown in *Appendix G*.

<sup>13</sup> Original most serious charge refers to the most severe charge which resulted in the initial probation sentence in 2020

**Figure 15. Comparison of the Most Serious Original and New Arrest Offense Type Per Client in the 2020 Arrest Cohort**

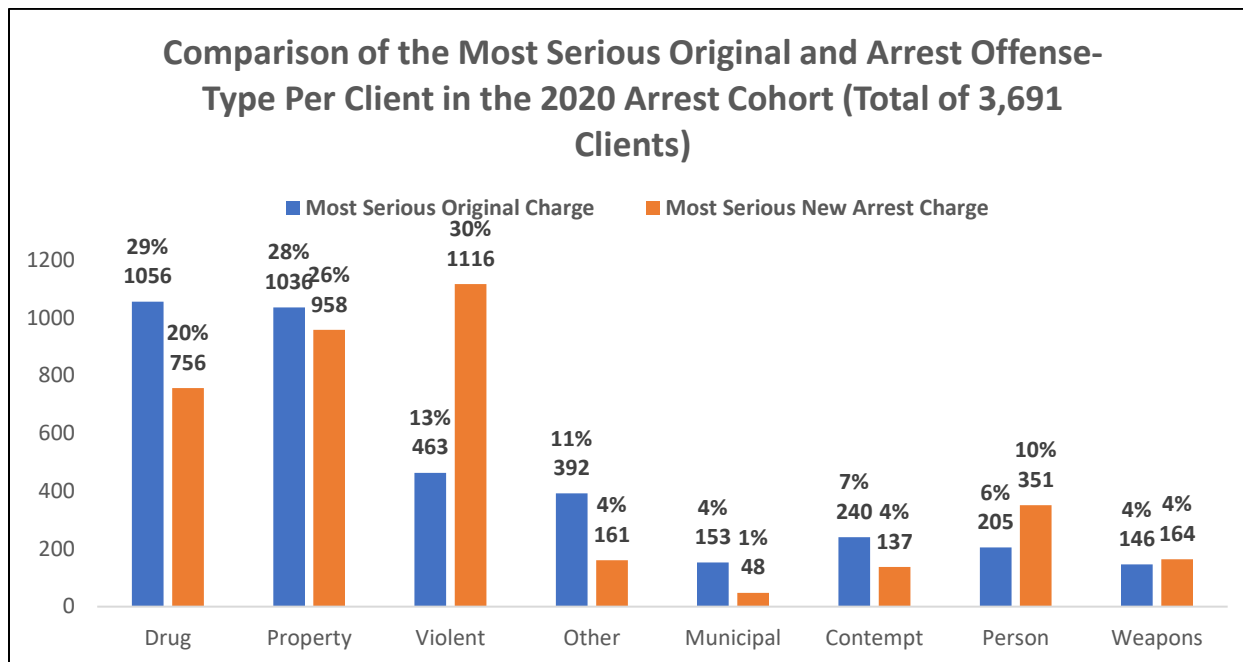


Figure 15 is a comparison of the most serious original offense-type which resulted in the initial 2020 probation sentence for the subpopulation of adult clients who recidivated, and the most serious recidivism offense-type for which each client was arrested during the recidivism period. This chart does not include the initial charge before sentencing to probation. The initial charge before sentencing is typically higher than what a client is finally charged with as we observe in the criminal justice system.

As shown in the chart, the distribution of recidivism offense-types followed the same general trend as the original most serious offense-types with some variations. The new arrest rates of drug and property charges remained relatively reduced, while violent and person offense type new arrest rates were higher than the original most serious charge. It should be noted that the original charge is a final charge in the conviction process while the new arrest charge is the initial charge, which is typically higher than the final charge after conviction.

## SEVERITY COMPARISON OF THE MOST SERIOUS ORIGINAL AND NEW ARREST CHARGES

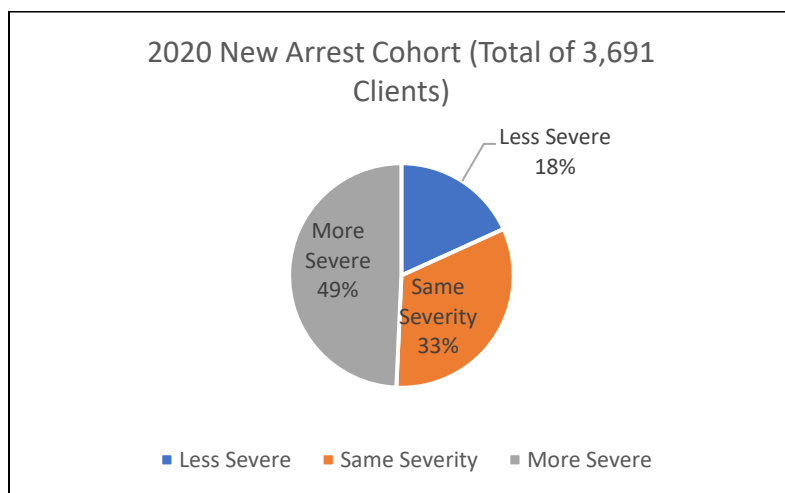
In addition to recidivism as a method of determining the success of clients under supervision, probation services also takes desistance into account. Where recidivism is a binary framework defined by a single event in which a client is arrested, desistance is a process that is not limited to abstinence from crime, but also includes reduction in the frequency and/or seriousness of offending.<sup>14</sup> This section explores the severity of the arrests. For

<sup>14</sup> John H. Laub and Robert J. Sampson, *Understanding Desistance from Crime*, 28 Crime and Justice 1 (2001).

this analysis, the most serious original and most serious new arrest charge of each client in the arrest cohort was identified and compared. Each client was then categorized as having a most serious new arrest charge that was more severe, less severe or the same severity as the original most serious charge. Figure 16 shows this comparison of the severity of original and new arrests/recidivating charges. It addresses the question of whether new arrest charges were more severe, less severe or the same severity as the original charge. The percentages in Figure 16 are calculated as a percent of the subpopulation of adult clients who recidivated (arrest cohort).

As shown in Figure 16, 18% clients had a most serious new arrest charge that was less severe than the original most serious charge in 2020. Another 33% had a new arrest charge that was the same severity in 2020. Those with more severe new arrest charges accounted for 49% of the arrest cohort. The chart also shows that combined, the majority, 51% of most serious new arrests, were charges that were the same or less severe than the original most serious charge which resulted in probationary sentences. Additional breakdowns of severity comparisons by sex and race/ethnicity are shown in *Appendix H*.

**Figure 16. Severity Comparison of Most Serious Original and Most Serious New Arrest Charge**



In the following section severity rates of convictions also will be examined and compared to the original offense (figure 20). This comparison will provide an additional perspective because it is the final resolution of the charge.



## V. CONVICTIONS

This section examines the characteristics of the convictions resulting from arrests that occurred during the recidivism period. When a client is arrested for an offense, the matter must be brought to a resolution, which might or might not result in a conviction. A conviction will arise on any charge through a verdict of guilt by jury or by an admission of guilt by plea—or, in the case of quasi-criminal municipal offenses, a finding of guilt by a judge.<sup>15</sup> Typical non-conviction resolutions include dismissal of the charges, withdrawal of the complaint or charging document, or a non-guilty verdict. It should also be noted that the data extraction methods used were not able to capture the specific reasons for non-convictions. Therefore, some clients might still have cases pending a resolution at the time the conviction data was gathered. In future reports we will attempt to distinguish non-convictions which have been resolved from those that are still undecided.

The conviction data was obtained from adult clients in the 2020 cohort, who after their initial probationary sentence were arrested within the recidivism period and subsequently convicted during the three-year recidivism period. If any arrest during the recidivism period resulted in a conviction during the three-year window, the individual was counted as convicted. Multiple convictions were not accounted. The analysis captures whether a client was or was not convicted during the recidivism period.

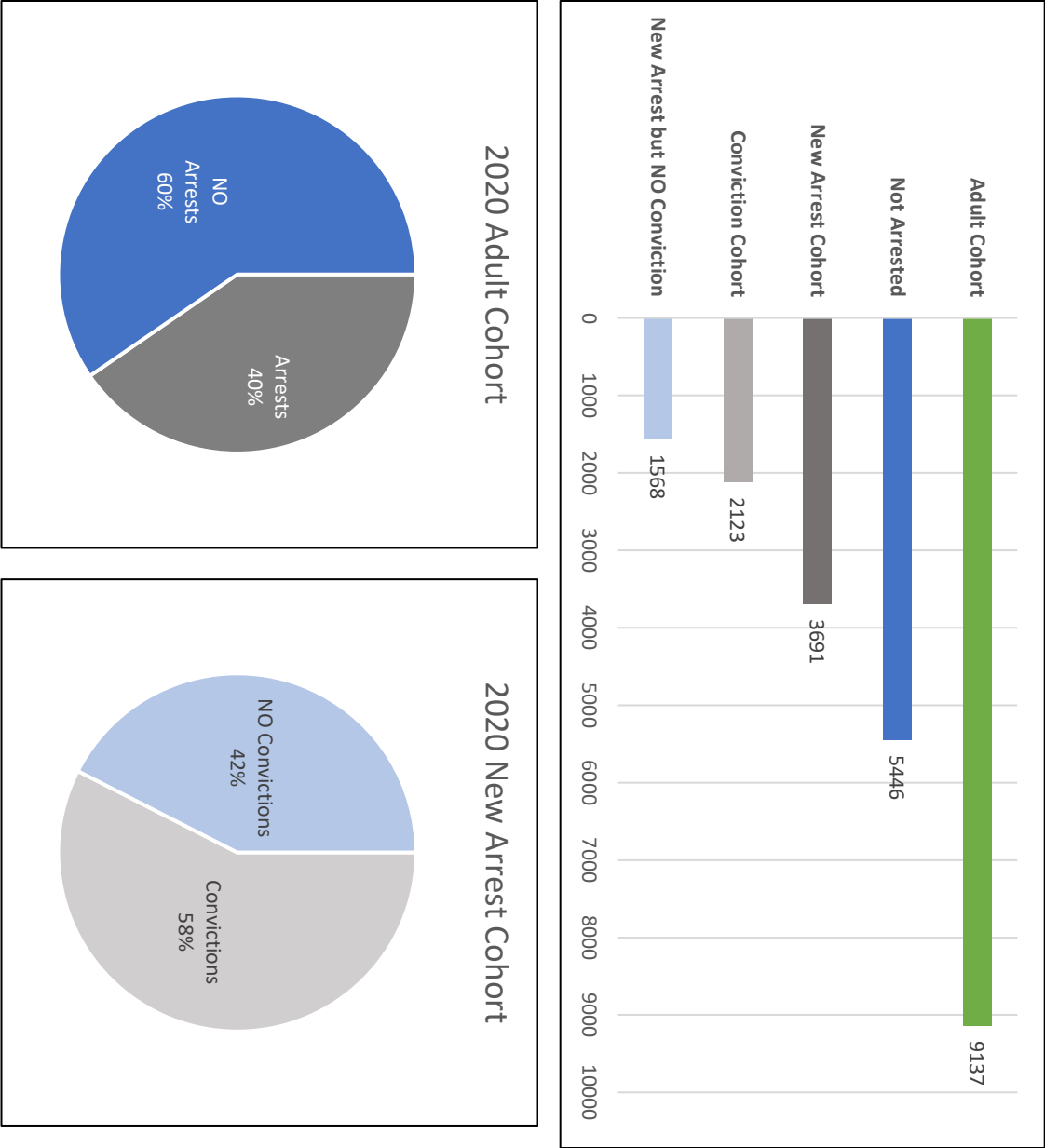
Although by statute this report measures recidivism as the first instance of arrest during the three-year recidivism period, it is also valuable to examine the conviction data of clients because it incorporates confirmation from the justice system that the defendant has been found guilty of committing the offense. Definitions and measures of recidivism vary and institutions throughout the United States have adopted different ways of measuring recidivism. It is useful to consider conviction data as arrest rates reveal law enforcement involvement, yet also presume that a person is innocent of a crime. In this section conviction rates offer a supplemental viewpoint to show the effectiveness of probation and client compliance with the terms of supervision.

According to the conviction data, as shown in Figure 17, of the 3,691 clients newly arrested in the 2020 cohort, 42% were not convicted. More specifically, 1,568 arrested clients from the 2020 cohort remained conviction free during the recidivism period. This indicates that more than a quarter of arrested clients were not convicted of any offenses during the three-year time window. Breakdowns of conviction totals and rates by sex and race/ethnicity are illustrated in *Appendix I*.

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<sup>15</sup> N.J.S.A. 2C:44-4a.

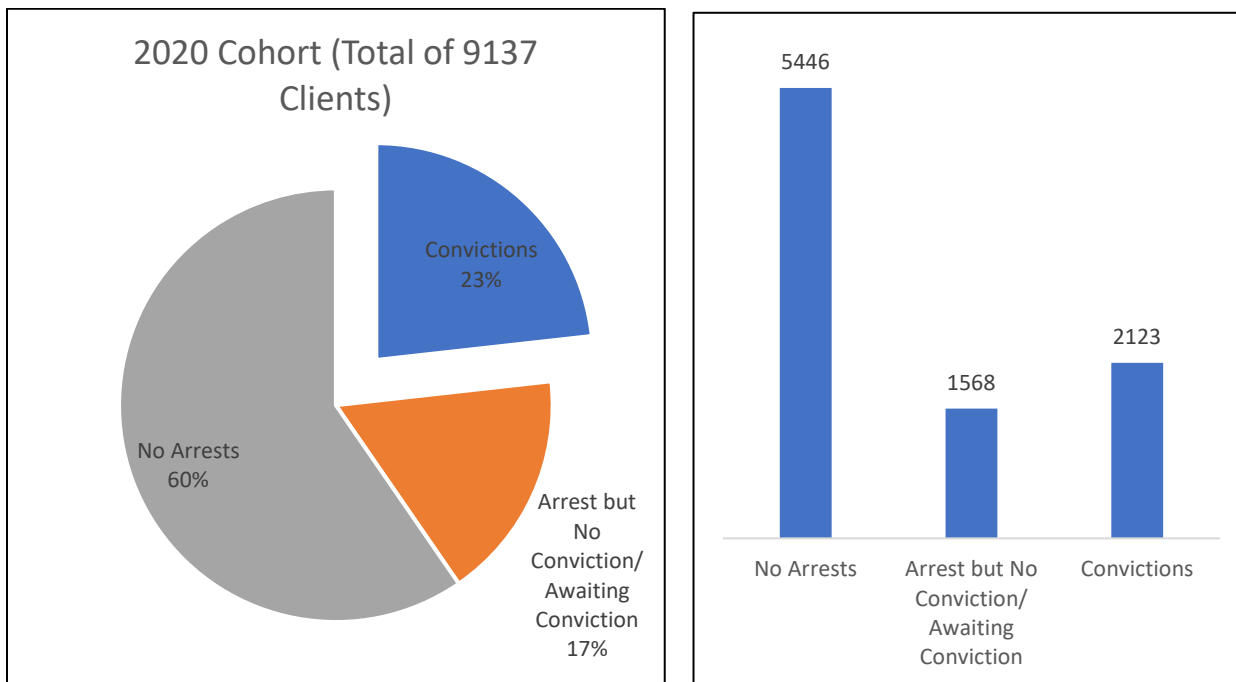
Figure 17. Conviction Results in the 2020 Adult Cohort and New Arrest Cohort



## CONVICTION AS A MEASURE OF RECIDIVISM

Although by statute this report classifies a person as a recidivist if he or she has been arrested for a new offense, convictions are also a widely accepted measure of recidivism. Using convictions as the measure of recidivism, a person would only be classified a recidivist if an arrest resulted in a subsequent conviction during the recidivism period. Based on the conviction data for the 2020 cohort this would indicate a lower recidivism rate since not all arrests result in a conviction. Figure 18 shows the conviction, non-conviction and non-arrests as percentages of the entire adult cohort for the two years. As shown in Figure 18, the percentage of clients who were arrested and convicted in the entire 2020 cohort was 23%. By the end of the three-year recidivism period, 8 in 10 clients sentenced to probation in 2020 remained in the community with no new convictions.

**Figure 18. Overall Cessation of Offending in the 2020 Adult Cohort**



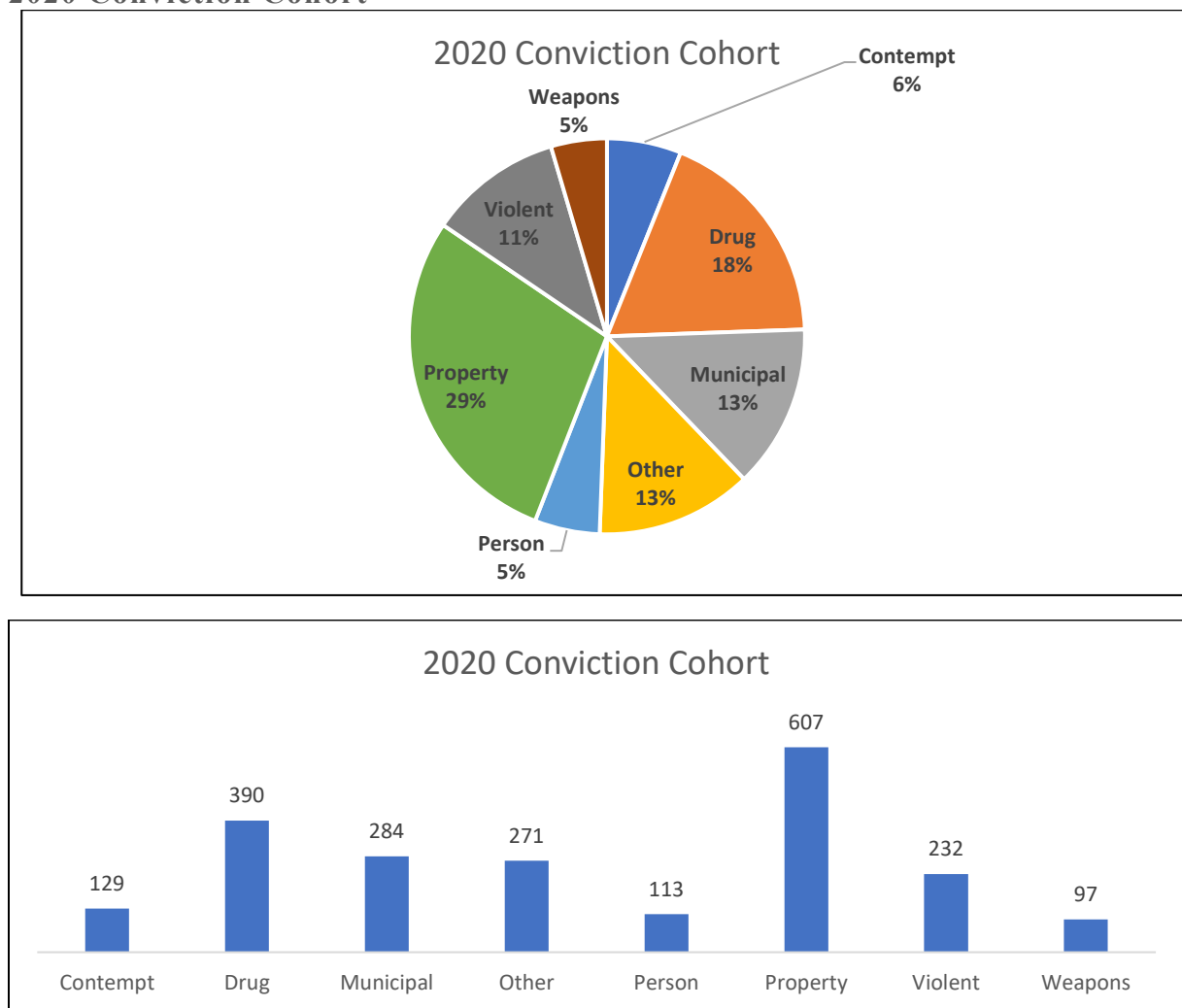
## MOST SERIOUS CONVICTION OFFENSES BY OFFENSE-TYPE

This section summarizes the most serious offense by offense-type per client resulting in a conviction. Figure 19 illustrates the most serious conviction offense-types in the 2020 conviction cohort.

Earlier, the arrest section of this report identified drug offenses as the leading most serious arrest offense-type, followed by property offenses. Conviction data for 2020 cohorts followed the same general trend, but with an overall decline in the most severe offense-types. Property related crimes made up 29% of the most serious offense-types in 2020, followed by drug related offenses which were 18%. This was followed by municipal and 'Other' offense types which made up 13% each of most serious offense-types in 2020. Together the additional offense-types (violent, contempt, persons, and weapons offenses) made up less than 30% of most serious offense-

types. Additional breakdowns of these offense-types by sex and race/ethnicity are shown in *Appendix J*.

**Figure 19. Conviction Charge Per Client by the Most Serious Offense Type<sup>16</sup>**  
**2020 Conviction Cohort**



Note: Clients could have been convicted or charged for more than one offense or offense-type; the most serious/severe one for each client is reported in this chart. This chart only includes convicted clients. For 'other' category see Appendix B

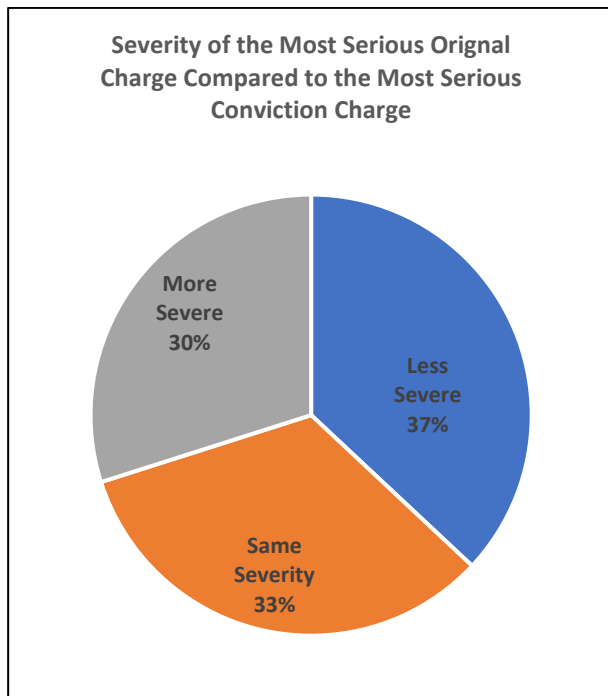
### SEVERITY OF ORIGINAL OFFENSE COMPARED TO CONVICTION CHARGE

Earlier in the arrest section, the severity of the original and new arrest offenses was compared. Like the arrest section, the most serious conviction charges were compared to the most serious probation charge to examine whether convictions were more severe, less severe or the same severity as the probation charge. Figure 20 shows this comparison of the severity of the probation vs. conviction charge. Additional breakdowns by sex and race/ethnicity are illustrated in *Appendix K*.

<sup>16</sup> The most serious conviction charge is the most severe charge which resulted in a recidivist's conviction after their initial probation sentence. i.e. If a client was convicted of multiple charges, the most severe charge supersedes the less severe charges.

Most of the clients in the 2020 cohort leave the three-year recidivism period with no convictions<sup>17</sup>. Of the clients who were convicted of an offense, most charges were for offenses that were less severe than the original offense which resulted in probationary sentence being 37% in 2020. This was followed by charges of the same severity with 33% of the conviction cohort. Charges that were more severe were the least at 30% of the cohort. As shown in figure 20, about 70% of most serious convictions in 2020 were for charges that were the same or less severe than the original most serious charge that resulted in initial probationary sentences.

**Figure 20. Severity of the Most Serious Original Charge Compared to the Most Serious Conviction Charge**



Note: Clients could have been convicted for more than one offense or offense-type during the three-year recidivism period. Similarly, the client's initial sentence to probation could have been for more than one offense. The most serious/severe charges are compared in this chart.

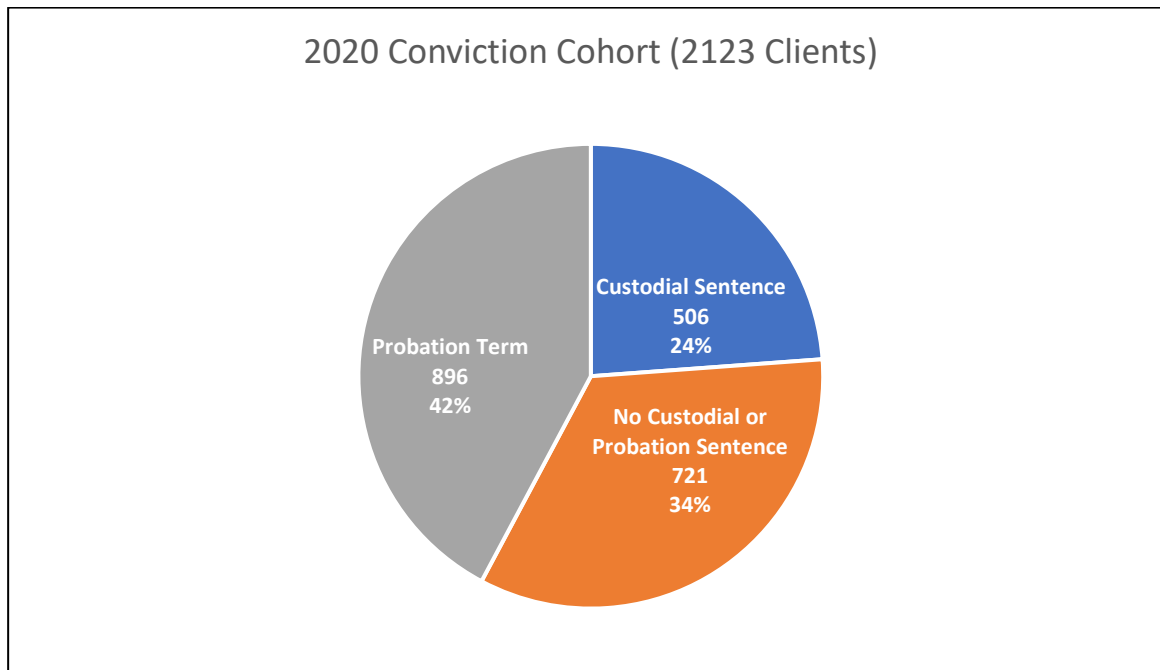
<sup>17</sup> No convictions include resolved cases and cases that were not resolved within the three-year recidivism period.

## VI. SENTENCING

A sentence occurs after conviction when a judge imposes punishment and/or treatment. The sentence could include fines, penalty fees, community service, and assessments. The sentence will also include, where appropriate, restitution to the victim for any financial loss. The judge often also will impose a term of probation and/or imprisonment<sup>18</sup>. Results shown are the results of data available within three years of their sentence to probation.

This section discusses sentencing data of clients who were arrested during the recidivism period and subsequently convicted. The data is categorized by convicted recidivated adult clients who received a sentence of incarceration, probation<sup>19</sup> or neither incarceration nor probation within the three-year recidivism period. It should also be noted that the data extraction methods used were not able to capture some clients that have been convicted of offenses not serious enough to warrant a severe sentence of probation or incarceration— their sentence could have included community service and/or fines. Other clients still could have cases pending a sentencing resolution as of the time the data was harvested.

**Figure 21. Sentencings for Convicted Clients Conviction Cohort**



Note: Split sentences where the defendant was sentenced to both probation and a custodial sentence was included in the probation sentence category.

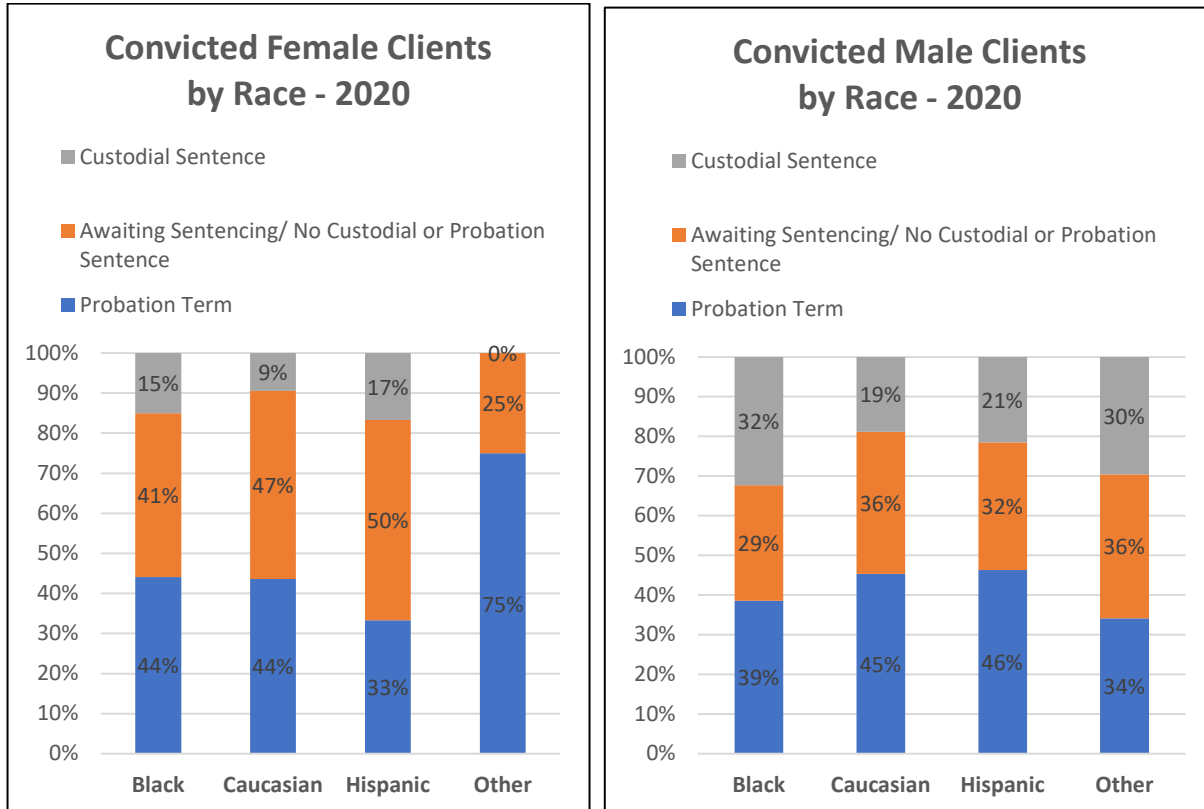
<sup>18</sup> See N.J.S.A. 2C:43-2b.

<sup>19</sup> Split sentences where the defendant was sentenced to both probation and a custodial sentence was included in the probation sentence category.

## SENTENCING RESULTS AMONG CONVICTED CLIENTS

Figure 21 illustrates that during the three-year recidivism period, most convicted clients were sentenced to a probation term. In 2020, 42% of convicted clients were sentenced to probation. Of the convicted clients, 24% were subsequently sentenced to a custodial term in 2020. In addition, some convicted clients were awaiting sentencing or received no custodial or probation sentence. As shown in the chart, 34% of convicted clients from the 2020 conviction cohort were awaiting sentencing or received no probation or custodial sentence.

**Figure 22. Sentencings by Sex and Race/Ethnicity**



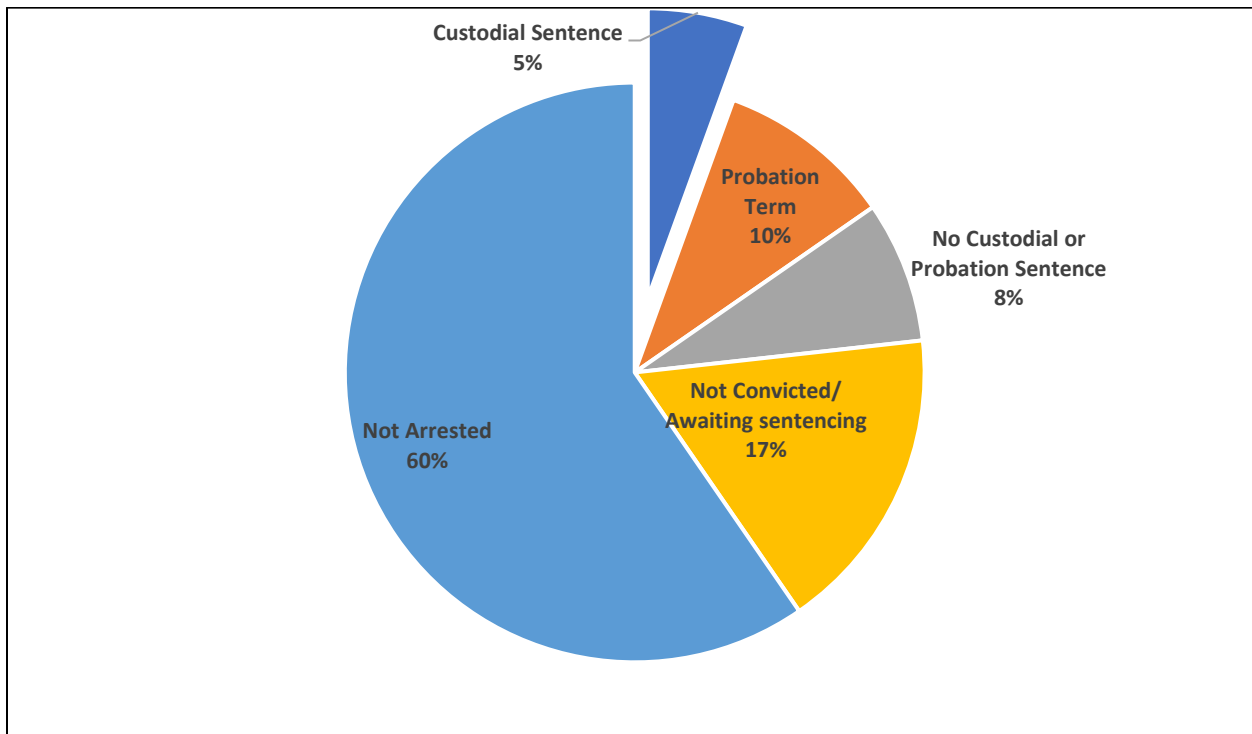
## SENTENCING BY SEX AND RACE/ETHNICITY

Figure 22 illustrates the sentencings of convicted clients broken down by sex and race/ethnicity. The breakdown by sex shows that male clients had more serious sentencings compared to female clients. Males had higher rates of custodial sentences and lower rates of no custodial or probation sentence compared to females across race/ethnicity. The breakdown by sex and race/ethnicity reveals that Black males, and Hispanic females had the highest percentage of custodial sentencings. In all cases they were more likely to be sentenced to a custodial sentence and less likely to receive no custodial or probation sentence.

## OVERALL CLIENT RESULTS

Figure 23 shows the overall summary of client results in the entire 2020 adult cohort. Of the overall client results, most of the clients in the 2020 adult probation cohort remained free of arrests and convictions. Of the clients who were convicted, most were sentenced to probation or received no probation or custodial sentence. Combined with the number of clients who were not arrested or convicted, this means that most clients remained in the community after the three-year recidivism period. As shown in Figure 23, about 90% of clients in the 2020 cohort or about 9 in 10 clients sentenced to probation for both years continued to live in the community where they could still be productive citizens. A complete breakdown of these results by sex and race/ethnicity are illustrated in *Appendix L*.

**Figure 23. Summary of Overall Client Results in the 2020 Adult Cohort**





## VII. ONGOING INITIATIVES: TREATMENT

Treatment, through probation, is a therapeutic program administered by mental health and medical professionals in areas involving mental health, drugs and alcohol, domestic violence, and sexually abusive behavior. A client could be referred for such treatment in one of two ways. First, the court could order the client to complete treatment. Such an order constitutes a special condition of probation, with which the client is obligated to comply. Second, a client could be referred to treatment by a probation officer—after having been sentenced. In such a scenario, the court might not have imposed treatment on the client, but they might nevertheless be identified as a person in need of treatment by a probation officer. A standard condition of probation authorizes a probation officer to order an evaluation and course of treatment.<sup>20</sup>

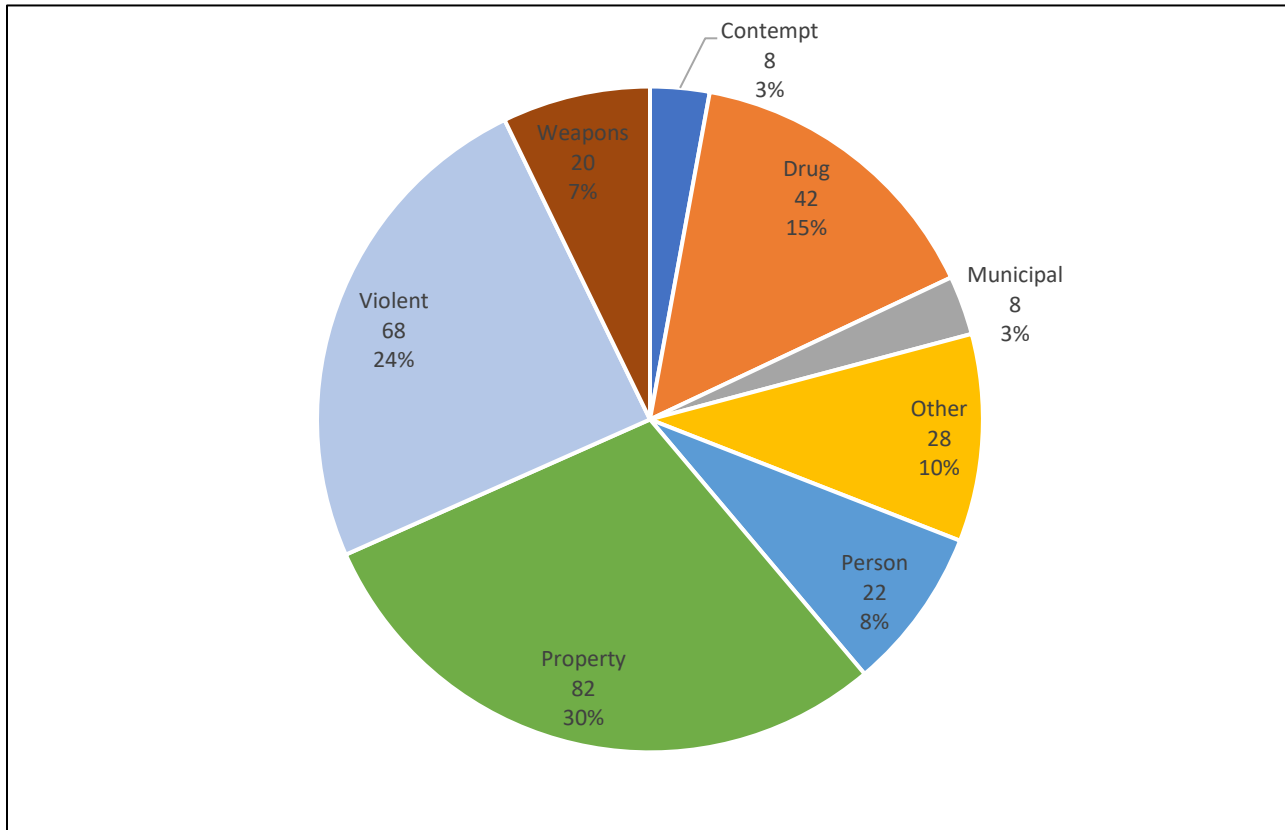
In addition to challenges with data quality, the availability of treatment resources varies throughout the state. The state relies on services from third-party treatment providers, and the availability of these providers could vary based on various factor such as transportation, language barriers, and funding. These areas of treatment include mental health treatment, domestic violence treatment (batterer’s intervention counseling), sex-specific treatment, and drug/alcohol treatment. As part of its ongoing efforts to produce positive results for the population of clients in need of treatment options, probation services is developing policies and procedures to enhance relationships with community partners, which will increase communication to solve ongoing problems—such as reduction of wait-time for treatment. Regardless of whether the client was sentenced to treatment, or when the client tests positive for drugs and/or alcohol, the probation officer will refer the client to obtain a substance abuse evaluation. Most of these evaluations are conducted by licensed substance abuse evaluators who are employed by the Judiciary. The substance abuse evaluators first determine whether treatment is necessary, and if so, the level of treatment. They connect the client to inpatient or outpatient services. The substance abuse evaluators take on the crucial role of building relationships with community resources. They also address difficulties that could arise with linking clients to the appropriate services. Probation is continuing to implement new policies and procedures to improve access to other areas of community treatment and services.

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<sup>20</sup> At intake, standard conditions of probation are provided-to and signed-by the client. See N.J.S.A. 2C:45-1f and R. 3:21-7(a). Standard condition number seven reads: “You shall cooperate in any medical and/or psychological examinations, tests and/or counseling your probation officer recommends.”

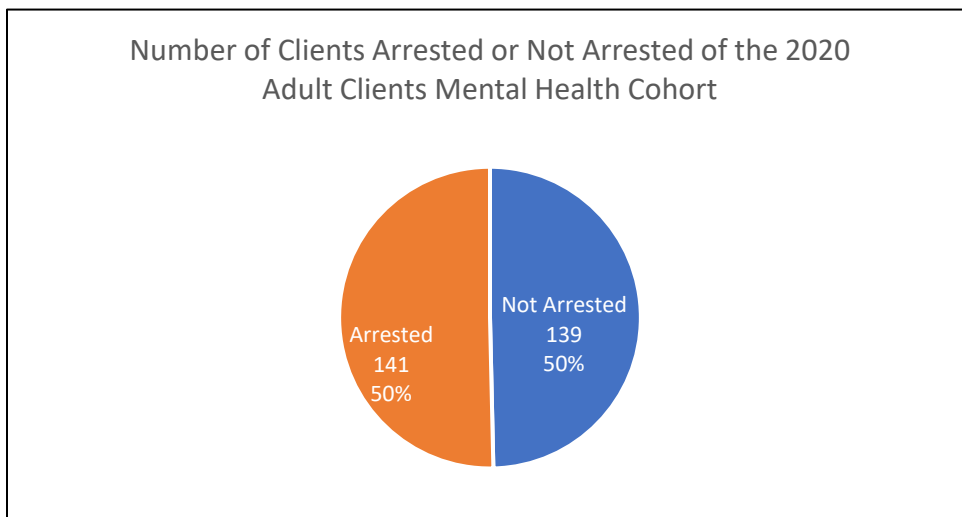
## VIII. MENTAL HEALTH COHORT RECIDIVISM

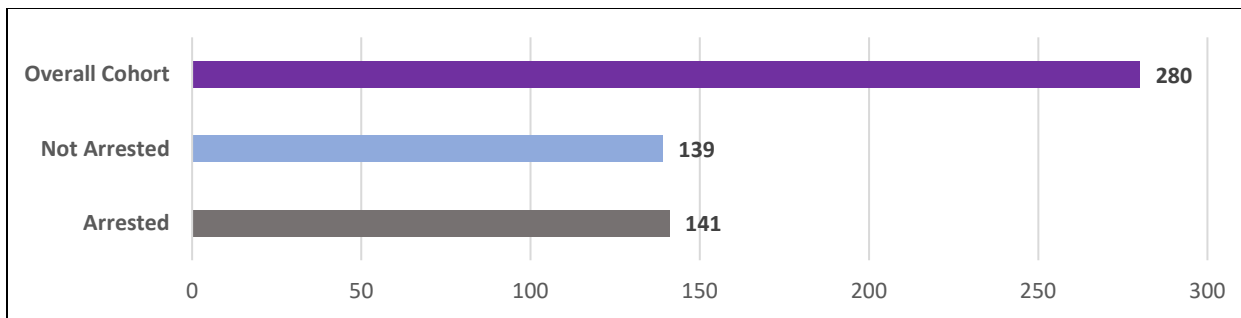
Figure 24. Offense Type Distribution of the 2020 Mental Health Adult Cohort



Most mental health cohort clients were sentenced to probation in 2020 for property and violent offenses. Property offenses represented 30% of the mental health cohort. Violent offenses were 24%. Clients on drug related charges constituted 15% of the mental health cohort.

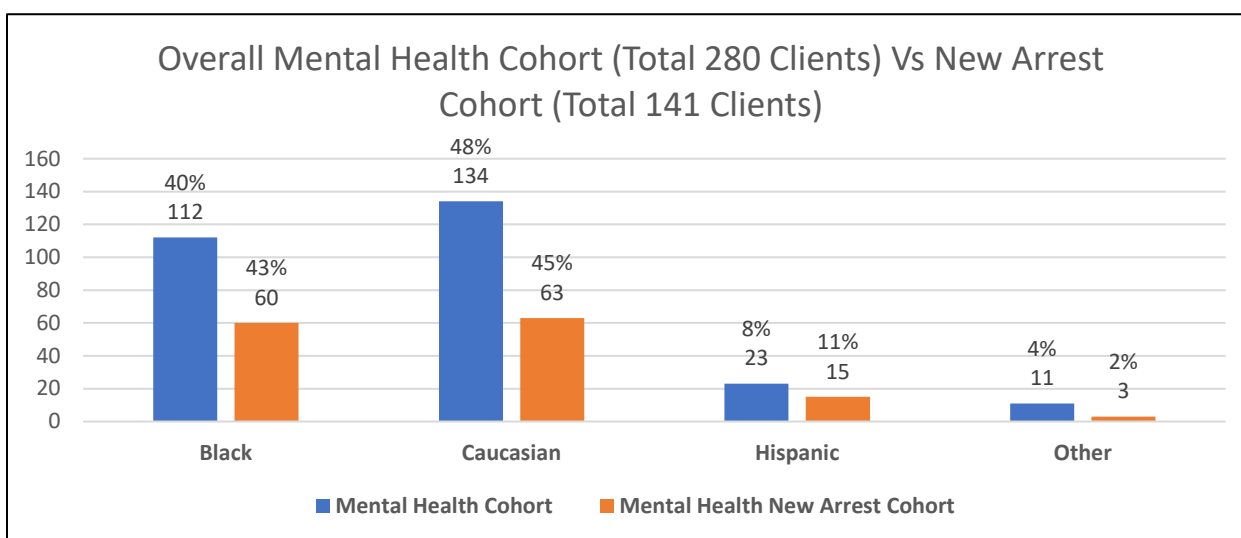
Figure 25. Number of Clients Arrested/ Not Arrested of the 2020 Mental Health Adult Cohort





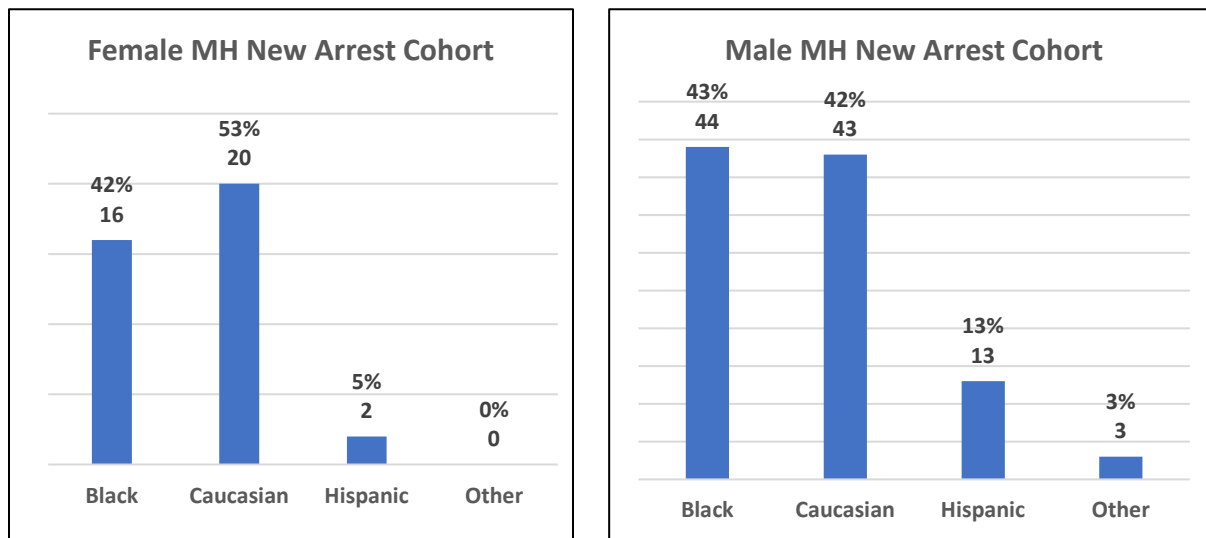
Of the 280 clients in 2020 adult probation cohort who were on the mental health specialized caseload, a total of 141 clients were arrested at least once. This indicates the recidivism rate of 50%. Fifty percent of the clients on mental health cohort remained arrest free during the three-year recidivism period.

**Figure 26. New Arrest Rates of the 2020 Mental Health Adult Cohort by Race/Ethnicity**



The majority of the mental health cohort population was Caucasian (48%), followed by Black (40%) and Hispanic (8%). New arrest demographics showed similar distributions. Among the mental health clients arrested during the recidivism period, Caucasians had the highest new arrest rate of 45%. Blacks were the second highest group, at 43% and Hispanics were at 11%.

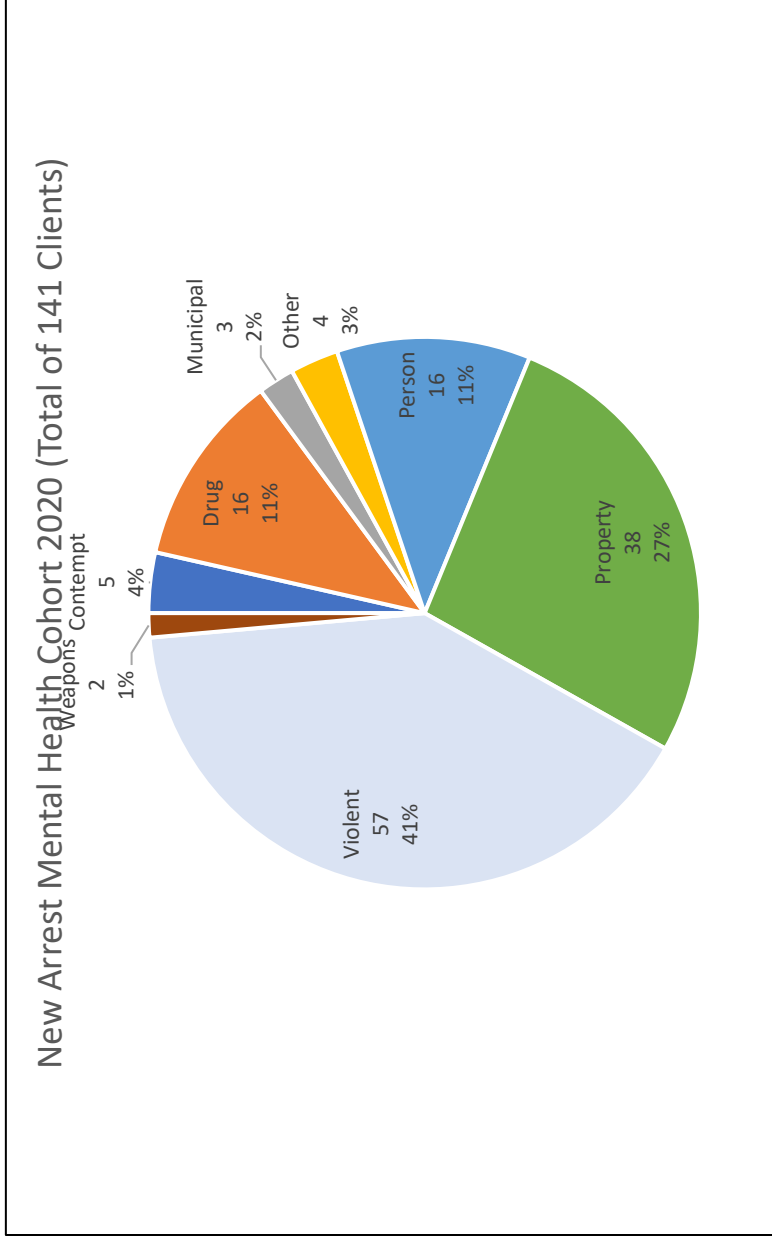
## New Arrest Rates of the 2020 Mental Health Adult Cohort by Sex and Race/Ethnicity



The breakdown shows that among the mental health female probation clients, Caucasian females had the highest arrest rate during the three-year recidivism period at 53% of the female clients. Black females had the second highest percentage at 42%. The arrest rate was low among the Hispanic female group accounting for 5% during the three-year recidivism period.

Among the men, Black male probation clients had the highest arrest rate during the three-year recidivism period of 43% in 2020. Caucasian males came close with 42% arrest rate. Hispanic males accounted for 13% of the male arrest cohort. A full breakdown of the arrest and non-arrest totals and percentages by sex and race/ethnicity is illustrated in Appendix M.

**Figure 27. New Arrest Per Client by Most Serious Recidivism Offense-Type of the 2020 Mental Health Cohort**



Note: Clients could have been arrested or charged for more than one offense or offense-type during the three-year recidivism period; the most serious/severe one is reported in this chart.

Out of the 141 clients newly arrested on the mental health caseload in 2020, 41% of them were newly arrested for violent offenses as their most serious offense. 27% of the newly arrested mental health cohort were due to property offenses. Drug and persons offenses both were 11% of the mental health arrest cohort. Breakdowns by sex and race/ethnicity are shown in Appendix N.

**Figure 28. Overall Cessation of Offending in the 2020 Mental Health Adult Cohort**

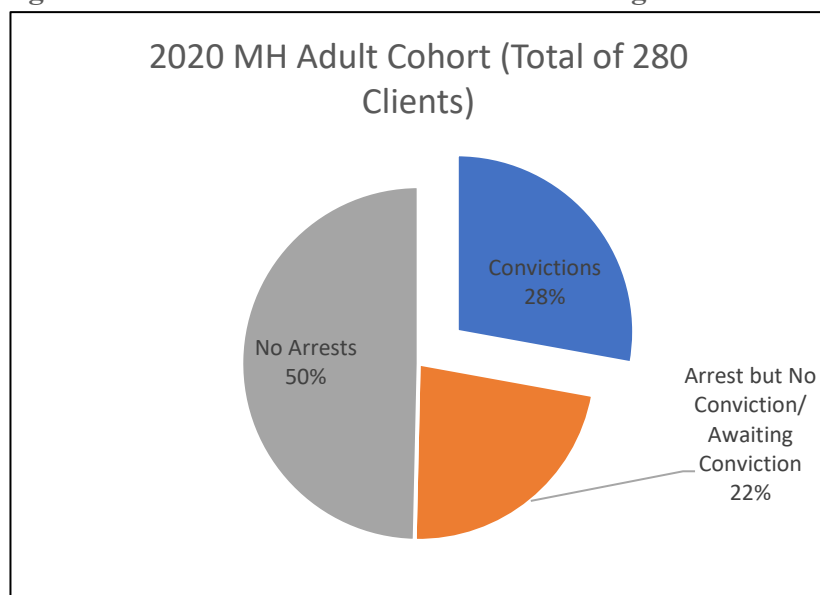
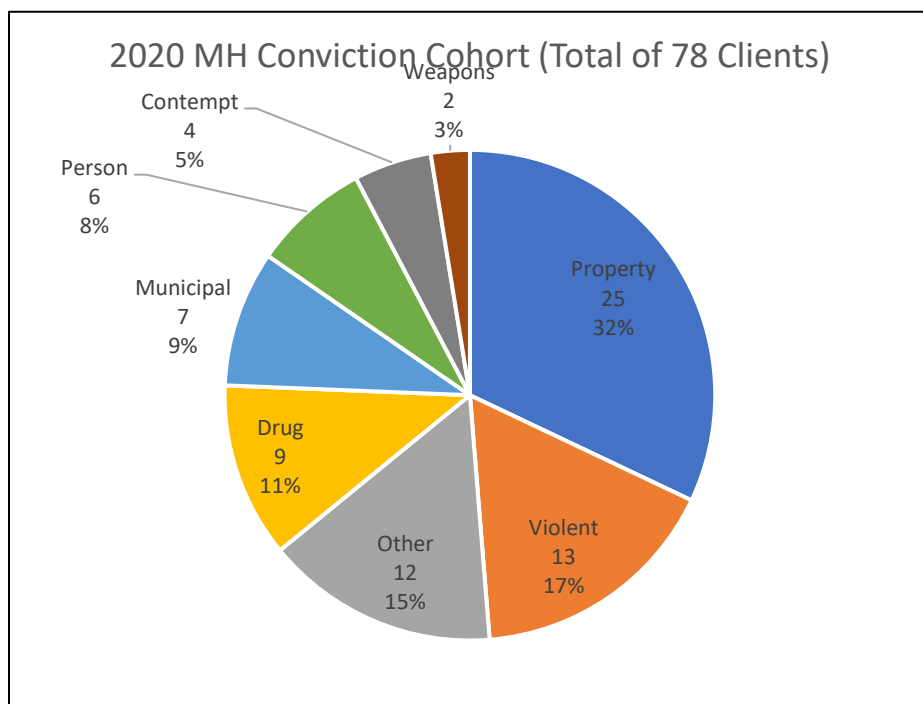


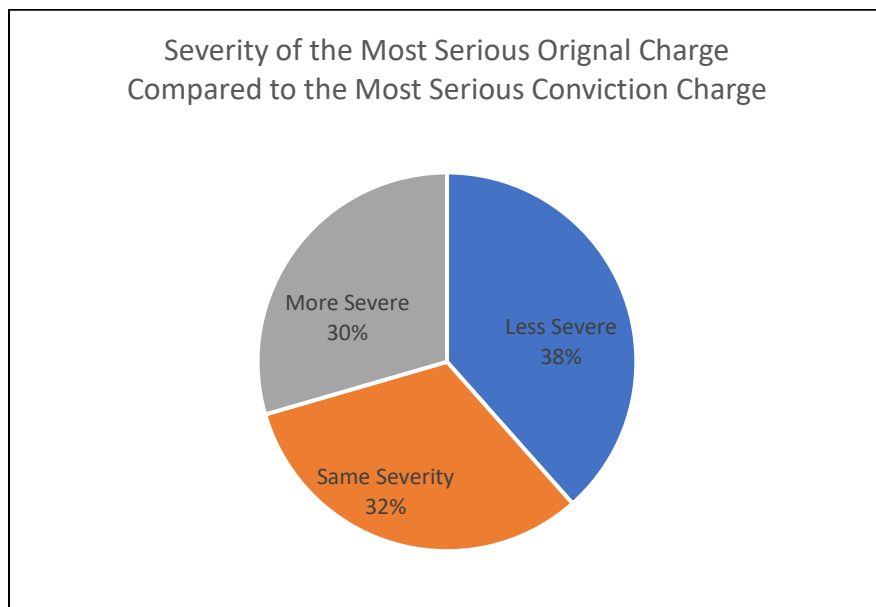
Fig 28. shows the conviction, no conviction and no arrests as percentages of the 2020 mental health adult cohort. The percentage of clients who were newly arrested and convicted in the 2020 mental health cohort was 28%. By the end of the three-year recidivism period, 7 in 10 clients sentenced to probation in 2020 remained in the community with no new convictions. Breakdowns of conviction totals and rates by sex and race/ethnicity are illustrated in Appendix O.

**Figure 29. Conviction Charge Per Client by the Most Serious Offense Type of the 2020 Mental Health Conviction Cohort**



Conviction data for 2020 mental health cohorts shows property related offenses made up 32% of the most serious offense-types convictions, followed by violent related offenses which were 17%.

**Figure 30. Severity of Most Serious Original Charge Compared to Most Serious Conviction Charge of the 2020 Mental Health Adult Cohort**



The most serious conviction charges were compared to the most serious probation charge to examine whether new convictions were more severe, less severe or the same severity as the probation charge. Figure 30. shows this comparison of the severity of the probation versus conviction charge. Additional breakdowns by sex and race/ethnicity are illustrated in Appendix P.

Most clients in the 2020 mental health cohort leave the three-year recidivism period with no convictions<sup>21</sup>. Of the clients who were convicted of an offense, most charges were for offenses that were less severe than the original offense which resulted in the probationary sentence, being 38% in 2020. This was followed by charges of the same severity with 32% of the conviction cohort. Charges that were more severe were the least. In 2020, they were 30%. As shown in figure, about 70% of most serious convictions in 2020 were for charges that were the same or less severe than the most serious charge that resulted in the original probationary sentences.

<sup>21</sup> No convictions include resolved cases and pending cases that were not resolved within the three-year recidivism period.

**Figure 31. Summary of Overall Client Results of the 2020 Mental Health Adult Cohort**

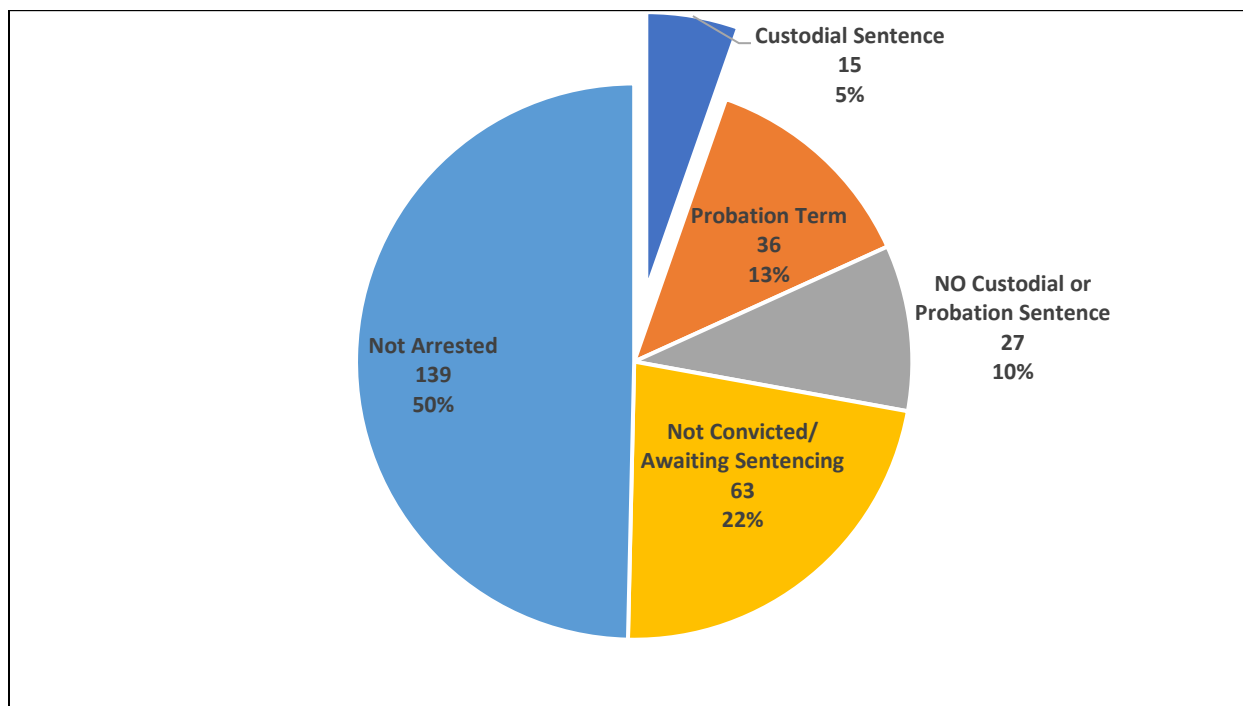


Figure 31. shows the overall summary of client results in the 2020 mental health adult cohort. As shown in the figure, 95% of clients in the 2020 cohort or 9 in 10 mental health clients sentenced to probation for 2020 continued to live in the community where they could still be productive citizens. A complete breakdown of these results by sex and race/ethnicity are illustrated in *Appendix Q*.



## **IX. ENHANCED OUTCOME BASED SUPERVISION (EOBS)**

Probation services is continuing to develop the use of evidence-based supervision strategies, otherwise known as Enhanced Outcome Based Supervision (EOBS). The core of evidence-based supervision practices and programming is centered on research. This change entails a strategic paradigm shift from focusing largely on punishment, enforcement, and monitoring, to using evidence-based practices aimed at promoting positive behavior change and desistance among probation clients<sup>22</sup>. The implementation of these strategies has been accomplished through statewide trainings in various EOBS tools, the implementation of the Ohio Risk Assessment System (ORAS) and Ohio Youth Assessment System (OYAS), quality assurance, and the enhancement of probation systems to support EOBS.

In 2018, probation services adopted the use of Core Correctional Practices (CCP), and by the end of 2019 training of all existing managers, officers, and staff was completed. The training was developed by the University of Cincinnati and focuses on the core skills needed to support cognitive behavioral programming including relationships skills, effective use of reinforcement, effective use of disapproval, effective use of authority, prosocial modeling, cognitive restructuring, social skills training and problem-solving skills. By equipping probation officers with these additional skills, probation services aims to improve the effectiveness of community supervision and overall desistance.

The Judiciary continues to work with the University of Cincinnati to implement the ORAS and OYAS—an actuarial risk and needs assessment that identifies a client’s criminogenic needs or static and dynamic factors that push a person toward anti-social or criminal behavior. The ORAS and OYAS helps officers to assess clients, target interventions, and inform case planning and treatment referrals based on each individual client’s needs.<sup>23</sup> In 2020, probation services initiated trainings of both tools and is working with the University of Cincinnati to update systems to facilitate the use of the instruments. The ORAS/OYAS trainings are a three-day course developed by the University of Cincinnati. The trainings focus on certifying participants on the scoring of the ORAS/OYAS, teaching participants effective interviewing skills and creating individualized case plans using results from the ORAS/OYAS. The implementation of these tools is an essential part of effectively implementing evidence-based supervision. Information acquired from the ORAS/OYAS helps to ensure that each client receives the appropriate risk classification and interventions needed to promote desistance.

Probation services also is in the process of implementing a statewide quality assurance plan to ensure fidelity of the ORAS and OYAS instruments, as well as other evidence-based tools (CCP, Structured Response Grid and Motivational Interviewing). The quality assurance plan includes staff in the vicinages working in conjunction with the central office to ensure that the ORAS and OYAS instruments are completed accurately by probation officers and consistently across the state. In addition to this, to ensure that probation services fosters

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<sup>22</sup> Harvard Kennedy School Executive Session on Community Corrections, *Towards an Approach to Community Corrections for the 21<sup>st</sup> Century: Consensus Document of the Executive Session on Community Corrections* (2017).

<sup>23</sup> Ohio Department of Rehabilitation and Corrections. Ohio Risk Assessment System. <https://www.drc.ohio.gov/oras> (last visited April 23, 2020).

objectivity and does not intensify racial inequalities, the quality assurance plan also will examine the extent to which the ORAS/OYAS and other EOBS tools could impact racial disparities.

The probation division's goal is to help reintegrate its clients into the community as responsible, law-abiding community members with the use of practices that are rooted in research. Probation is in the process of implementing these strategies and quality assurance statewide. These evidence-based practices will help probation services in its commitment to the welfare and safety of children, families, and communities, and promoting positive behavioral change in clients.

## **X. SUMMARY**

Probation officers serve as a client's supporter and role model, committed to the client's rehabilitation and the goal of safer communities, with the help of family, friends, and the community—all in an effort to achieve a normal and productive life. The probation division is dedicated to the advancement towards evidence-based supervision strategies, EOBS. This recidivism report is an essential part of measuring progress towards reaching these goals. Although the report highlights some challenges which probation services continues to address, the larger picture shows that probation is an effective sentencing alternative to incarceration. Overall, as this report details, probation services is working as intended to positively impact recidivism and promote desistance among clients.

By statute for purposes of this report, a person is classified as a recidivist if they have been arrested for a new offense within three years following their sentence to probation. However, arrest data in the absence of subsequent results only presents one aspect of recidivism. Therefore, this report also examines conviction and sentencing data to provide a more holistic view of reoffending. In calendar year 2020, a total of 9,137 people were sentenced to adult probation. The report shows that most of these clients who were sentenced to probation in 2020 were not arrested and/or convicted of an offense during the recidivism period.

Regarding recidivism by conviction, the conviction data was taken from adult clients who, after their initial probationary sentence, were arrested and convicted within the three-year recidivism period. The conviction data shows that eight in 10 adult clients in the 2020 cohort were not convicted or arrested of any offenses during the recidivism period. While the recidivism rate, by arrest, was 40% in 2020, the percentage of clients who were convicted and arrested was only 24% in 2020. This demonstrates that all adult clients who were sentenced to probation in 2020, only 2 in 10 were subsequently convicted of an offense during the three-year recidivism period.

Regarding the clients who were arrested and/or convicted of an offense after their initial probation sentence, the report indicates an overall de-escalation in the severity of offenses with which recidivists were charged. Figure 14 shows that the majority of the most serious new arrest charges were violent offense type followed by property related. Figure 19 shows that the majority of conviction charges were property offense type followed by drug offense type. Figures 16 and 20 illustrate that new arrest and conviction charges were more likely to be less than or equal to the original charge that resulted in initial probation sentences.

The report also examines other patterns including the time to first arrest/recidivism event, which can be useful in differentiating between clients who are arrested early from those who remain arrest free for longer periods. Figure 11 shows that the rate of first new arrest is highest within the first six months of the recidivism period, then gradually decreases over the following 36 months. Measuring the length of time to the recidivism event also can help policymakers determine an appropriate period of supervision for clients sentenced to probation. Figure 12 illustrates that recidivists in the 2020 cohort remained arrest free longer than those in the

2018 and 2019 cohorts, which ultimately resulted in a lower recidivism rate. The recidivism rate went from 45% in the 2018 cohort, to 40% in the 2020 cohort.

The sentencing section of the report indicates that most clients sentenced to probation in 2020 showed positive results during the recidivism period. Most clients were not arrested or convicted of an offense during the recidivism period. Figure 21 shows that of the clients who were convicted, most were sentenced to probation or received no probation or custodial sentence. Combined with the number of clients who were not arrested or convicted, this means that about nine in 10 clients remained in the community where they can still be productive citizens. Figure 23 illustrates that custodial sentences made up a small amount of the overall results for clients in the 2020 cohort. Only about 1 in 10 clients sentenced to probation in both years were subsequently sentenced to incarceration.

The mental health cohort showed a similar pattern, where the new arrest rate was about 50% of the cohort. But the conviction data shows that only 5% of the cohort was finally sentenced to prison. This demonstrates that only about 1 in 10 clients were subsequently convicted of an offense during the three-year recidivism period.

The primary challenges that the report confirms includes: a disproportionate representation of Black clients in the probation population, as well as the existence of disparities in recidivism rates among Black males; Identifying the needs of clients and securing appropriate resources to assist in preventing new arrests and employing rehabilitation strategies to help reduce addiction and drug usage. However, probation services is committed to continuously identifying challenges, and progressively making improvements to better serve its clients and the larger community.

Additionally, due to the way systems are designed in New Jersey, when a client case is expunged, it no longer exists in the probation databases. Thus, this report does not analyze cases which were expunged during the follow-up period.

Though this report confirms some challenges and limitations, overall, this recidivism report provides evidence that New Jersey's Probation Division is providing a positive sentencing option that is effective at rehabilitating clients and an important factor in reducing recidivism.

## **Appendix A: Methodology**

The data for this report includes persons sentenced to adult probation in the calendar year 2020 and summarized the characteristics of those persons who recidivated within three years from their sentence. The cohort only included persons sentenced to adult probation from municipal, superior, domestic violence and recovery court, and excluded other cases supervised by probation services, such as persons sentenced to conditional discharge, community service, pretrial intervention, or collections only. There is a DOC report that calculates recovery court recidivism with different methodology, hence the recovery court recidivism rates would differ from the DOC report.

The data was gathered from the Judiciary's legacy data systems. The analysis was then narrowed to adult clients who incurred a new arrest(s) within three years following their probation sentence (2020 arrest cohort). The first arrest during the three-year period determined whether a person was said to have recidivated. The arrest/recidivism rate presented shows the percentage of clients from the adult cohort who were arrested for a new offense within the recidivism period. However, some clients were arrested more than one time. As a result, the report also captures the number of persons who were arrested once and those who were arrested two or more times during the recidivism period. In the analysis of arrest offense-types and severity, the report considers all arrests that occurred during the recidivism period and identifies and analyzes only the most serious/severe offense for each client. If an individual was arrested twice during the recidivism period, the most serious offense is used for offense-type and severity analysis and might not necessarily be the first arrest. The conviction and sentencing results were the results of those arrests that occurred during the recidivism period. If any arrest during the recidivism period led to a conviction or sentence during the three-year window, the client was included in the conviction and sentencing data.

The conviction data presented includes clients from each cohort who were convicted of any arrest during the three-year recidivism period. Like the arrest data, the report considers all conviction charges but only analyzes the most serious/severe conviction charge of each person in the offense-type and severity analysis. If an individual was convicted of multiple charges, the most serious charge was used for analysis.

The sentencing rates presented were separated into three categories describing the different results for persons who were convicted of any arrest during the recidivism period. The incarceration rate presented is the percentage of convicted clients from each cohort who were sentenced to a custodial term for any arrest that occurred during the recidivism period. The probation sentencing rate is the percentage of convicted clients from each cohort who were sentenced to a probation term or a split term (custody and probation) for any arrest that occurred during the recidivism period. The rate of neither probation nor incarceration was the percentage of convicted clients from each cohort who did not receive a sentence of probation or incarceration within the three-year recidivism period.

Data extraction methods used were not able to capture the specific reasons for non-convictions or neither probation nor incarceration sentence results. Therefore, some clients might still have cases pending a resolution as of the end of the three-year recidivism period.

## **Appendix B: Sub-categories of Offenses—Most Severe to Less Severe**

### **1. VIOLENT**

Homicide

Assault

Disarming Officer

Terrorism

Sexual Offenses

### **2. PERSON**

Child Labor

Children and Family

Kidnapping and Related

Prostitution

Reckless Endangering

Robbery

Threats

Stalking

Sex Offender Registration

### **3. PROPERTY**

Burglary and Intrusion

Fraud

Fraud and Forgery

Property

Theft

Racketeering

Casino Related

Gambling Offense

### **4. WEAPONS**

Firearm Related

Weapons

### **5. DRUGS**

Drug Related

DWI

## **6. CONTEMPT**

Contempt

Perjury and Falsification

Nonsupport

## **7. OTHER**

Agriculture

Animal Related

Arts

Biased

Code Related

Explosives

Hazardous Waste

Health Related

License Related

Maritime

Medical

Motor Vehicle

White Collar

Permit and Code

School

Sentence

State Park Code

Transportation

Fishing

Alcohol Related

Contract

Accomplice

Inchoate

Fines and Restitution

Obstructing

## **8. Municipal**

Ordinances



## Appendix C: Non-Recidivists and Recidivists Totals and Rates by Sex and Race/Ethnicity

2020							
Race/Ethnicity	Sex	Not Arrested	Arrested	Cohort Total	Arrest Rate	Percent Not Arrested	Total
Black	Female	343	186	529	35.2%	64.8%	100.0%
	Male	1,627	1,575	3,202	49.2%	50.8%	100.0%
	<b>Total: Black</b>	1,970	1,761	3,731	47.2%	52.8%	100.0%
Caucasian	Female	599	319	918	34.7%	65.3%	100.0%
	Male	2,070	1,151	3,221	35.7%	64.3%	100.0%
	<b>Total: Caucasian</b>	2,669	1,470	4,139	35.5%	64.5%	100.0%
Hispanic	Female	55	24	79	30.4%	69.6%	100.0%
	Male	463	335	798	42.0%	58.0%	100.0%
	<b>Total: Hispanic</b>	518	359	877	40.9%	59.1%	100.0%
Other	Female	40	12	52	23.1%	76.9%	100.0%
	Male	249	89	338	26.3%	73.7%	100.0%
	<b>Total: Other</b>	289	101	390	25.9%	74.1%	100.0%
Sex	<b>Total: Female</b>	1,037	541	1,578	34.3%	65.7%	100.0%
	<b>Total: Male</b>	4,409	3,150	7,559	41.7%	58.3%	100.0%
<b>TOTAL</b>		5,446	3,691	9,137	40%	60%	100%

## Appendix D: Non-Recidivists and Recidivists Totals and Rates by Caseload Type and Sex and Race/Ethnicity

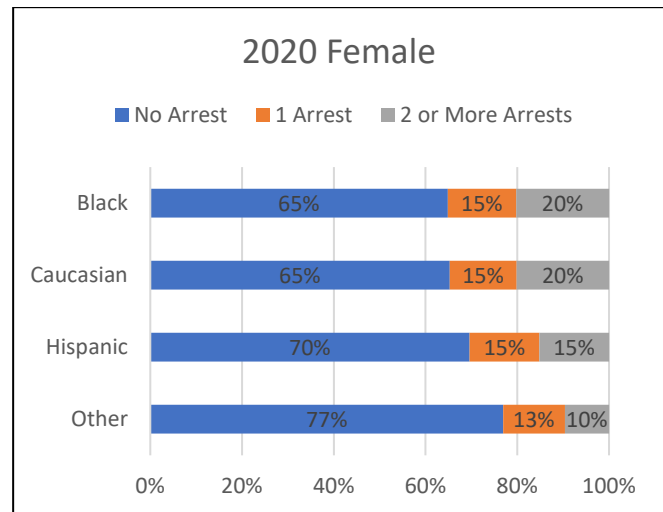
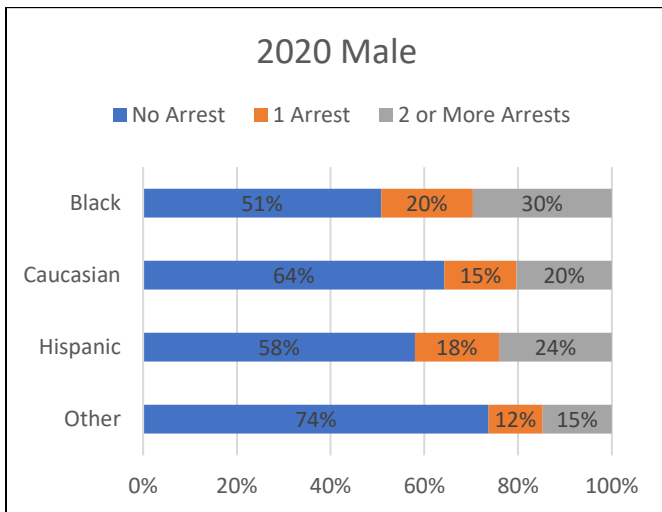
2020															
Race/Ethnicity	Sexual Offense			Domestic Violence			Mental Health			Recovery Court			General Supervision		
	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL
Black	74	45	119	244	303	547	52	60	112	237	296	533	1363	1057	2420
Caucasian	120	39	159	428	302	730	71	63	134	356	277	633	1694	789	2483
Hispanic	32	13	45	89	89	178	8	15	23	54	55	109	335	187	522
Other	25	5	30	46	14	60	8	3	11	15	12	27	195	67	262
<b>COHORT TOTAL</b>	<b>251</b>	<b>102</b>	<b>353</b>	<b>807</b>	<b>708</b>	<b>1515</b>	<b>139</b>	<b>141</b>	<b>280</b>	<b>662</b>	<b>640</b>	<b>1302</b>	<b>3587</b>	<b>2100</b>	<b>5687</b>
Sex	Sexual Offense			Domestic Violence			Mental Health			Recovery Court			General Supervision		
	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL	Not Arrested	Arrested	TOTAL
Female	11	2	13	73	74	147	39	38	77	144	83	227	770	344	1114
Male	240	100	340	734	634	1368	100	103	203	518	557	1075	2817	1756	4573
<b>COHORT TOTAL</b>	<b>251</b>	<b>102</b>	<b>353</b>	<b>807</b>	<b>708</b>	<b>1515</b>	<b>139</b>	<b>141</b>	<b>280</b>	<b>662</b>	<b>640</b>	<b>1302</b>	<b>3587</b>	<b>2100</b>	<b>5687</b>

## Appendix E: First Arrest/Recidivism Event Broken Down into Six Month Intervals by Sex and Race/Ethnicity

Race/Ethnicity	Sex	0-6 Months	6-12 Months	12-18 Months	18-24 Months	24-30 Months	30-36 Months	Total
<b>Black</b>	Female	65	36	31	27	16	11	186
	Female %	35%	19%	17%	15%	9%	6%	100%
	Male	639	340	216	166	128	86	1575
	Male %	41%	22%	14%	11%	8%	5%	100%
	<b>Total: Black</b>	<b>704</b>	<b>376</b>	<b>247</b>	<b>193</b>	<b>144</b>	<b>97</b>	<b>1761</b>
	<b>Black %</b>	40%	21%	14%	11%	8%	6%	100%
<b>Caucasian</b>	Female	133	57	42	39	28	20	319
	Female %	42%	18%	13%	12%	9%	6%	100%
	Male	451	257	167	127	88	61	1151
	Male %	39%	22%	15%	11%	8%	5%	100%
	<b>Total: Caucasian</b>	<b>584</b>	<b>314</b>	<b>209</b>	<b>166</b>	<b>116</b>	<b>81</b>	<b>1470</b>
	<b>Caucasian %</b>	40%	21%	14%	11%	8%	6%	100%
<b>Hispanic</b>	Female	8	6	3	1	4	2	24
	Female %	33%	25%	13%	4%	17%	8%	100%
	Male	115	69	53	50	29	19	335
	Male %	34%	21%	16%	15%	9%	6%	100%
	<b>Total: Hispanic</b>	<b>123</b>	<b>75</b>	<b>56</b>	<b>51</b>	<b>33</b>	<b>21</b>	<b>359</b>
	<b>Hispanic %</b>	34%	21%	16%	14%	9%	6%	100%
<b>Other</b>	Female	1	3	3	0	4	1	12
	Female %	8%	25%	25%	0%	33%	8%	100%
	Male	33	18	16	9	7	6	89
	Male %	37%	20%	18%	10%	8%	7%	100%
	<b>Total: Other</b>	<b>34</b>	<b>21</b>	<b>19</b>	<b>9</b>	<b>11</b>	<b>7</b>	<b>101</b>
	<b>Other %</b>	34%	21%	19%	9%	11%	7%	100%
<b>TOTAL</b>		<b>1445</b>	<b>786</b>	<b>531</b>	<b>419</b>	<b>304</b>	<b>206</b>	<b>3691</b>
<b>%</b>		<b>39%</b>	<b>21%</b>	<b>14%</b>	<b>11%</b>	<b>8%</b>	<b>6%</b>	<b>100%</b>

## Appendix F: New Arrest Distribution Per Client by Sex and Race/Ethnicity

2020					
Race/Ethnicity	Sex	No Arrest	1 Arrest	2 or More	Total
Black	Female	343	79	107	529
	Male	1627	625	950	3202
	<b>Total: Black</b>	<b>1970</b>	<b>704</b>	<b>1057</b>	<b>3731</b>
Caucasian	Female	599	134	185	918
	Male	2070	496	655	3221
	<b>Total: Caucasian</b>	<b>2669</b>	<b>630</b>	<b>840</b>	<b>4139</b>
Hispanic	Female	55	12	12	79
	Male	463	143	192	798
	<b>Total: Hispanic</b>	<b>518</b>	<b>155</b>	<b>204</b>	<b>877</b>
Other	Female	40	7	5	52
	Male	249	39	50	338
	<b>Total: Other</b>	<b>289</b>	<b>46</b>	<b>55</b>	<b>390</b>
<b>TOTAL</b>		<b>5446</b>	<b>1535</b>	<b>2156</b>	<b>9137</b>



## Appendix G: Arrest Per Client by Most Serious Recidivism Offense-Type Broken Down by Sex and Race/Ethnicity

FEMALES: Most Serious Offense-Type 2020									
Race/Ethnicity	Contempt	Drug	Municipal	Other	Person	Property	Violent	Weapons	Total
Black	4	23	1	10	20	80	43	5	186
	2%	12%	1%	5%	11%	43%	23%	3%	100%
Caucasian	12	103	4	13	14	92	76	5	319
	4%	32%	1%	4%	4%	29%	24%	2%	100%
Hispanic	1	2	1	0	0	6	14	0	24
	4%	8%	4%	0%	0%	25%	58%	0%	100%
Other	0	3	0	0	2	3	4	0	12
	0%	25%	0%	0%	17%	25%	33%	0%	100%
TOTAL	17	131	6	23	36	181	137	10	541
	3%	24%	1%	4%	7%	33%	25%	2%	100%
MALES: Most Serious Offense-Type 2020									
Race/Ethnicity	Contempt	Drug	Municipal	Other	Person	Property	Violent	Weapons	Total
Black	34	302	16	67	173	351	520	112	1575
	2%	19%	1%	4%	11%	22%	33%	7%	100%
Caucasian	65	252	20	53	94	339	293	34	1150
	6%	22%	2%	5%	8%	29%	25%	3%	100%
Hispanic	12	57	3	13	40	71	133	6	335
	4%	17%	1%	4%	12%	21%	40%	2%	100%
Other	9	14	3	4	8	16	33	2	89
	10%	16%	3%	4%	9%	18%	37%	2%	100%
TOTAL	120	625	42	137	315	777	979	154	3149
	4%	20%	1%	4%	10%	25%	31%	5%	100%

## Appendix H: Severity of Most Serious Original Charge Compared to Most Serious New Arrest Charge, by Sex and Race/Ethnicity

2020					
Race/Ethnicity	Sex	Less Severe	Same Severity	More Severe	Total
Black	Female	36	64	86	186
	Male	253	497	825	1575
	<b>Total: Black</b>	<b>289</b>	<b>561</b>	<b>911</b>	<b>1761</b>
Caucasian	Female	58	128	133	319
	Male	251	366	534	1151
	<b>Total: Caucasian</b>	<b>309</b>	<b>494</b>	<b>667</b>	<b>1470</b>
Hispanic	Female	4	8	12	24
	Male	53	109	173	335
	<b>Total: Hispanic</b>	<b>57</b>	<b>117</b>	<b>185</b>	<b>359</b>
Other	Female	0	5	7	12
	Male	17	23	49	89
	<b>Total: Other</b>	<b>17</b>	<b>28</b>	<b>56</b>	<b>101</b>
Sex	<b>Total: Female</b>	98	205	238	541
	<b>Total: Male</b>	574	995	1581	3150
<b>TOTAL</b>		<b>672</b>	<b>1200</b>	<b>1819</b>	<b>3691</b>

## Appendix I: Conviction Totals and Rates by Sex and Race/Ethnicity

2020							
Race/Ethnicity	Sex	Arrested but Not Convicted	Convicted	Arrest Cohort Total	Adult Cohort Total	Percent of Clients in Arrest Cohort Convicted	Percent of Clients in Adult Cohort Convicted
<b>Black</b>	Female	93	93	186	529	50%	18%
	Male	703	872	1575	3202	55%	27%
	<b>Total: Black</b>	<b>796</b>	<b>965</b>	<b>1761</b>	<b>3731</b>	<b>55%</b>	<b>26%</b>
<b>Caucasian</b>	Female	138	181	319	918	57%	20%
	Male	439	712	1151	3221	62%	22%
	<b>Total: Caucasian</b>	<b>577</b>	<b>893</b>	<b>1470</b>	<b>4139</b>	<b>61%</b>	<b>22%</b>
<b>Hispanic</b>	Female	12	12	24	79	50%	15%
	Male	130	205	335	798	61%	26%
	<b>Total: Hispanic</b>	<b>142</b>	<b>217</b>	<b>359</b>	<b>877</b>	<b>60%</b>	<b>25%</b>
<b>Other</b>	Female	8	4	12	52	33%	8%
	Male	45	44	89	338	49%	13%
	<b>Total: Other</b>	<b>53</b>	<b>48</b>	<b>101</b>	<b>390</b>	<b>48%</b>	<b>12%</b>
<b>Sex</b>	<b>Total: Female</b>	251	290	541	1578	54%	18%
	<b>Total: Male</b>	1317	1833	3150	7559	58%	24%
<b>TOTAL</b>		1568	2123	3691	9137	58%	23%

## Appendix J: Conviction Per Client by Most Serious Conviction Offense-Type Broken Down by Sex and Race/Ethnicity

FEMALES: Most Serious Conviction Offense-Type									
Race/Ethnicity	Contempt	Drug	Municipal	Other	Person	Property	Violent	Weapons	Total
Black	4	4	15	14	2	42	10	2	93
	4.3%	4.3%	16.1%	15.1%	2.2%	45.2%	10.8%	2.2%	100.0%
Caucasian	7	44	38	20	1	50	19	2	181
	3.9%	24.3%	21.0%	11.0%	0.6%	27.6%	10.5%	1.1%	100.0%
Hispanic	3	1	4	0	0	2	2	0	12
	25.0%	8.3%	33.3%	0.0%	0.0%	16.7%	16.7%	0.0%	100.0%
Other	0	1	0	0	0	2	1	0	4
	0.0%	25.0%	0.0%	0.0%	0.0%	50.0%	25.0%	0.0%	100.0%
TOTAL	14	50	57	34	3	96	32	4	290
	4.8%	17.2%	19.7%	11.7%	1.0%	33.1%	11.0%	1.4%	100.0%
MALES: Most Serious Conviction Offense-Type									
Race/Ethnicity	Contempt	Drug	Municipal	Other	Person	Property	Violent	Weapons	Total
Black	37	183	76	108	58	246	101	63	872
	4.2%	21.0%	8.7%	12.4%	6.7%	28.2%	11.6%	7.2%	100.0%
Caucasian	58	118	120	94	36	197	66	23	712
	8.1%	16.6%	16.9%	13.2%	5.1%	27.7%	9.3%	3.2%	100.0%
Hispanic	16	33	24	30	14	57	26	5	205
	7.8%	16.1%	11.7%	14.6%	6.8%	27.8%	12.7%	2.4%	100.0%
Other	4	6	7	5	2	11	7	2	44
	9.1%	13.6%	15.9%	11.4%	4.5%	25.0%	15.9%	4.5%	100.0%
TOTAL	115	340	227	237	110	511	200	93	1833
	6.3%	18.5%	12.4%	12.9%	6.0%	27.9%	10.9%	5.1%	100.0%

**Appendix K: Severity of Most Serious Original Charge Compared to Most Serious Conviction Charge, by Sex and Race/Ethnicity**

2020					
Race/Ethnicity	Sex	Less Severe	Same Severity	More Severe	Total
Black	Female	37	34	22	93
	Male	270	330	272	872
	<b>Total: Black</b>	<b>307</b>	<b>364</b>	<b>294</b>	<b>965</b>
Caucasian	Female	82	48	51	181
	Male	294	201	217	712
	<b>Total: Caucasian</b>	<b>376</b>	<b>249</b>	<b>268</b>	<b>893</b>
Hispanic	Female	8	2	2	12
	Male	79	69	57	205
	<b>Total: Hispanic</b>	<b>87</b>	<b>71</b>	<b>59</b>	<b>217</b>
Other	Female	0	3	1	4
	Male	15	16	13	44
	<b>Total: Other</b>	<b>15</b>	<b>19</b>	<b>14</b>	<b>48</b>
Sex	<b>Total: Female</b>	127	87	76	290
	<b>Total: Male</b>	658	616	559	1833
<b>TOTAL</b>		785	703	635	2,123



## Appendix L: Overall Client Results by Sex and Race/Ethnicity

2020							
Race/Ethnicity	Sex	Not Arrested	Arrested but Not Convicted	No Custodial or Probation Sentence	Probation Term	Custodial Sentence	Adult Cohort Total
Black	Female	343	93	38	41	14	529
	Male	1627	703	254	336	282	3,202
	<b>Total: Black</b>	<b>1970</b>	<b>796</b>	<b>292</b>	<b>377</b>	<b>296</b>	<b>3,731</b>
Caucasian	Female	599	138	85	79	17	918
	Male	2070	439	255	323	134	3,221
	<b>Total: Caucasian</b>	<b>2669</b>	<b>577</b>	<b>340</b>	<b>402</b>	<b>151</b>	<b>4,139</b>
Hispanic	Female	55	12	6	4	2	79
	Male	463	130	66	95	44	798
	<b>Total: Hispanic</b>	<b>518</b>	<b>142</b>	<b>72</b>	<b>99</b>	<b>46</b>	<b>877</b>
Other	Female	40	8	1	3	0	52
	Male	249	45	16	15	13	338
	<b>Total: Other</b>	<b>289</b>	<b>53</b>	<b>17</b>	<b>18</b>	<b>13</b>	<b>390</b>
Sex	<b>Total: Female</b>	1037	251	130	127	33	1,578
	<b>Total: Male</b>	4409	1317	591	769	473	7,559
<b>TOTAL</b>		<b>5,446</b>	<b>1,568</b>	<b>721</b>	<b>896</b>	<b>506</b>	<b>9,137</b>

## Appendix M: Non-Recidivists and Recidivists Totals and Rates by Sex and Race/Ethnicity for Mental Health Cohort

2020							
Race/Ethnicity	Sex	Not Arrested	Arrested	Cohort Total	Arrest Rate	Percent Not Arrested	Total
Black	Female	16	16	32	50.0%	50.0%	100.0%
	Male	36	44	80	55.0%	45.0%	100.0%
	<b>Total: Black</b>	52	60	112	53.6%	46.4%	100.0%
Caucasian	Female	22	20	42	47.6%	52.4%	100.0%
	Male	49	43	92	46.7%	53.3%	100.0%
	<b>Total: Caucasian</b>	71	63	134	47.0%	53.0%	100.0%
Hispanic	Female	1	2	3	66.7%	33.3%	100.0%
	Male	7	13	20	65.0%	35.0%	100.0%
	<b>Total: Hispanic</b>	8	15	23	65.2%	34.8%	100.0%
Other	Female	0	0	0	0.0%	0.0%	0.0%
	Male	8	3	11	27.3%	72.7%	100.0%
	<b>Total: Other</b>	8	3	11	27.3%	72.7%	100.0%
Sex	<b>Total: Female</b>	39	38	77	49.4%	50.6%	100.0%
	<b>Total: Male</b>	100	103	203	50.7%	49.3%	100.0%
<b>TOTAL</b>		139	141	280	50%	50%	100%

**Appendix N: Arrest Per Client by Most Serious Recidivism Offense-Type Broken Down  
by Sex and Race/Ethnicity for Mental Health Cohort**

<b>FEMALES: Most Serious Offense-Type 2020</b>									
<b>Race/Ethnicity</b>	<b>Contempt</b>	<b>Drug</b>	<b>Municipal</b>	<b>Other</b>	<b>Person</b>	<b>Property</b>	<b>Violent</b>	<b>Weapons</b>	<b>Total</b>
<b>Black</b>	0	2	0	0	3	5	6	0	16
	0%	13%	0%	0%	19%	31%	38%	0%	100%
<b>Caucasian</b>	2	3	0	0	0	5	9	1	20
	10%	15%	0%	0%	0%	25%	45%	5%	100%
<b>Hispanic</b>	0	0	0	0	0	2	0	0	2
	0%	0%	0%	0%	0%	100%	0%	0%	100%
<b>Other</b>	0	0	0	0	0	0	0	0	0
	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>TOTAL</b>	2	5	0	0	3	12	15	1	38
	5%	13%	0%	0%	8%	32%	39%	3%	100%
<b>MALES: Most Serious Offense-Type 2020</b>									
<b>Race/Ethnicity</b>	<b>Contempt</b>	<b>Drug</b>	<b>Municipal</b>	<b>Other</b>	<b>Person</b>	<b>Property</b>	<b>Violent</b>	<b>Weapons</b>	<b>Total</b>
<b>Black</b>	1	2	2	1	7	12	19	0	44
	2%	5%	5%	2%	16%	27%	43%	0%	100%
<b>Caucasian</b>	2	6	1	3	5	10	15	1	43
	5%	14%	2%	7%	12%	23%	35%	2%	100%
<b>Hispanic</b>	0	3	0	0	1	3	6	0	13
	0%	23%	0%	0%	8%	23%	46%	0%	100%
<b>Other</b>	0	0	0	0	0	1	2	0	3
	0%	0%	0%	0%	0%	33%	67%	0%	100%
<b>TOTAL</b>	3	11	3	4	13	26	42	1	103
	3%	11%	3%	4%	13%	25%	41%	1%	100%

## Appendix O: Conviction Totals and Rates by Sex and Race/Ethnicity for Mental Health Cohort

2020					
Race/Ethnicity	Sex	No Arrest	1 Arrest	2 or More	Total
Black	Female	16	7	9	32
	Male	36	14	30	80
	<b>Total: Black</b>	<b>52</b>	<b>21</b>	<b>39</b>	<b>112</b>
Caucasian	Female	22	6	14	42
	Male	49	20	23	92
	<b>Total: Caucasian</b>	<b>71</b>	<b>26</b>	<b>37</b>	<b>134</b>
Hispanic	Female	1	0	2	3
	Male	7	5	8	20
	<b>Total: Hispanic</b>	<b>8</b>	<b>5</b>	<b>10</b>	<b>23</b>
Other	Female	0	0	0	0
	Male	8	2	1	11
	<b>Total: Other</b>	<b>8</b>	<b>2</b>	<b>1</b>	<b>11</b>
<b>TOTAL</b>		<b>139</b>	<b>54</b>	<b>87</b>	<b>280</b>



**ADMINISTRATIVE OFFICE OF THE COURTS**

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**FEBRUARY 2025**