



Re-Arrest of Probationers in the San Diego Region

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BACKGROUND

With burgeoning prison populations over the past 20 years and increased scrutiny of the effectiveness of the correctional system, recidivism and reentry are topics that are garnering much attention from the public and law enforcement. Within the context of this environment, the San Diego County Probation Department was interested in learning more about what proportion of overall arrests in the county were probationers under its supervision. To answer this question, SANDAG's Criminal Justice Research Division (CJRD) examined probation and arrest data for the calendar year 2008 (the most recent data available at the time). It is worth noting that this effort was the first time these two data sets were merged and analyzed to try to identify the relationship between probationers under supervision and re-arrest. To complete this pilot project, the CJRD received data on all arrests that occurred in San Diego County in 2008 from the Automated Regional Justice Information System (ARJIS) and data on all individuals who were on probation at any point during 2008 from the Probation Department. Guiding the analyses were the following research questions:

1. How many arrests that occurred in the San Diego region in 2008 were of someone currently under probation supervision?
2. How many probationers under supervision were arrested in 2008?
3. Of those probationers arrested in 2008, what proportion was on active supervision?
4. What were the characteristics of probationers who were arrested in 2008?

SUMMARY OF RESULTS

- ❖ Of the 107,916 arrests in San Diego County in 2008, only 11 percent involved a local probationer.
- ❖ Nearly twice as many juvenile arrests (18%) were of a youth on probation, compared to just ten percent of all adult arrests involving a probationer.
- ❖ The majority of adult (79%) and juvenile (93%) probationers re-arrested in 2008 were on active supervision at the time of arrest.
- ❖ The current juvenile risk assessment accurately predicts recidivism, with youth categorized at the highest level of risk more likely to be re-arrested.

The following discussion details the results of these analyses, as well as how cases were matched and what variables were included in the analyses. To help clarify the probation process, a brief description is also included.

Because this was a pilot study, all of the data required to fully answer the proposed research questions were not available for analysis. For example, the data sets did not have information on crucial background characteristics (e.g., an individual's socioeconomic status, history of substance abuse or mental illness, prior criminal history, living situation and neighborhood, or employment status) that could be related to the findings presented in this report. This lack of information limits the type of conclusions that can be drawn until more comprehensive analyses are undertaken. Rather, the report offers a glimpse at the

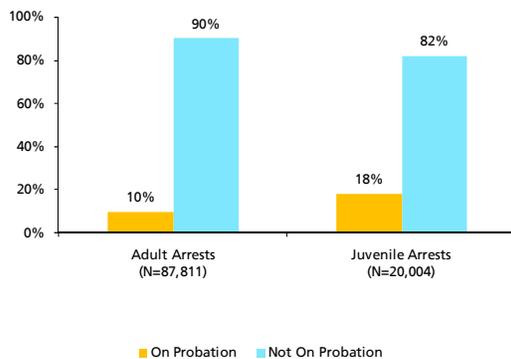
value of such an inquiry and encourages a more thorough exploration of the subject matter in the future.

OUTCOMES

How many arrests that occurred in the San Diego region in 2008 were of someone currently under probation supervision?

Examination of all 107,916 arrests that occurred in San Diego County in 2008 revealed that just over one in ten arrests (11%) involved someone on probation (not shown). However, the proportion of juvenile and adult probationers arrested varied. Specifically, 10 percent (8,443) of adults arrested were on probation at the time of arrest compared to 18 percent (3,682) of the juveniles who were arrested¹ (Figure 1).

**Figure 1
THE MAJORITY OF INDIVIDUALS ARRESTED IN 2008 WERE NOT ON PROBATION**



NOTE: Cases with missing information not included.

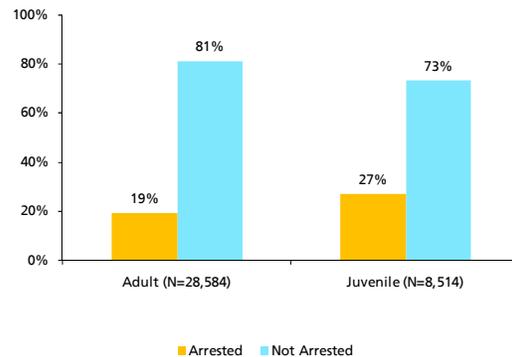
SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

¹ These numbers refer to the total number of arrests, including multiple arrests of the one individual.

How many probationers under supervision were arrested in 2008?

When looking at the proportion of probationers who were arrested in 2008, a smaller percentage of adult probationers were arrested compared to juveniles. Of the 28,584 adults on probation, 19 percent (5,563) were arrested in 2008, as were slightly more than one-quarter (27%, or 2,288) of the 8,514 juvenile probationers (Figure 2).

**Figure 2
LARGER PROPORTION OF JUVENILE PROBATIONERS ARRESTED IN 2008**



SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

Of those probationers arrested in 2008, what proportion was on active supervision?

The majority of adult probationers arrested in 2008 were on active supervision at the time of their arrest. Seventy-nine percent (79%) of the 5,563 adult probationers arrested were on formal probation at the time of their re-arrest and 27 percent² were on revoked

² Percentages do not equal 100 because an individual could have had more than one arrest during the time period.

DEFINITION OF ACTIVE SUPERVISION

A probationer on active supervision is on a probation officer's caseload with the frequency of contact determined by the rules for each type of caseload.

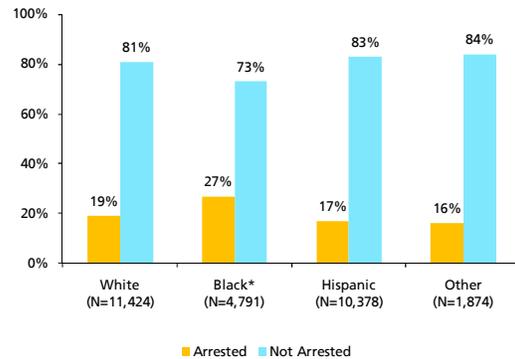
warrant or Proposition 36 revoked status at the time of re-arrest.

Of the 2,288 juveniles who were re-arrested, nearly all were on active supervision (93%) (not shown).

What were the characteristics of the adult probationers who were arrested in 2008?

To better understand whether any probationer characteristics were related to the probability of being re-arrested, information that was reliably available was analyzed. These analyses showed that a larger proportion of adult Black probationers were re-arrested, in comparison to Hispanics and probationers of "other" ethnicities (Figure 3). However, when interpreting this and other results it is important to note that other factors (e.g., an individual's socioeconomic status, history of substance abuse or mental illness, prior criminal history, living situation and neighborhood, or employment status) could possibly be more closely related to re-arrest but were not available in the data files. Thus, it may not be an individual's ethnicity/race that predicts re-arrest but rather a third factor that is related to both.

**Figure 3
RE-ARREST OF ADULT PROBATIONERS VARIES BY ETHNICITY/RACE**



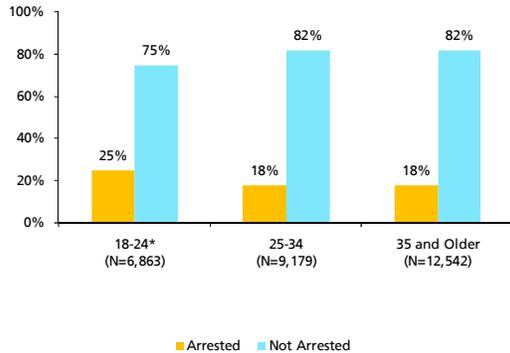
* Differences significant at the .05 level.

NOTE: Cases with missing information not included.

SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

Not surprisingly, age was found to be related to re-arrest, with adult probationers between 18 and 24 years old more likely to be re-arrested (25%) in 2008. There was no difference among the other groups, with 18 percent of 25 to 34 year olds and 18 percent of those 35 and older being re-arrested (Figure 4).

Figure 4
YOUNGER ADULT PROBATIONERS
MORE LIKELY TO BE RE-ARRESTED



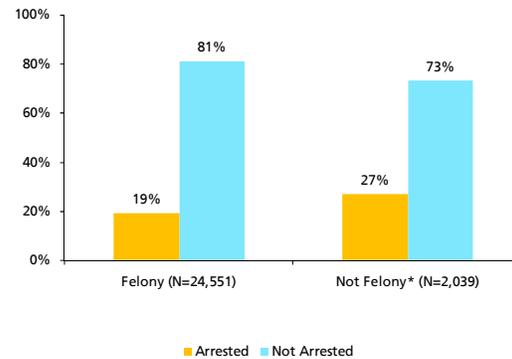
* Differences significant at the .05 level.

NOTE: Cases with missing information not included.

SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

To examine if prior criminal activity was associated with being re-arrested, staff analyzed the most recent conviction level associated with an individual being on probation in 2008. The outcome of this analysis showed that a smaller proportion of those probationers whose highest prior conviction was a felony were re-arrested (19%) compared to those whose previous high conviction was not a felony (27%) (e.g., misdemeanor) (Figure 5). Also worth noting is that gang registration³ had no impact on whether an individual was re-arrested (not shown).

Figure 5
AROUND ONE-QUARTER OF ADULT
PROBATIONERS WHOSE MOST RECENT
CONVICTION WAS NOT A FELONY
WERE RE-ARRESTED IN 2008



*Differences significant at the .05 level.

NOTE: Cases with missing information not included.

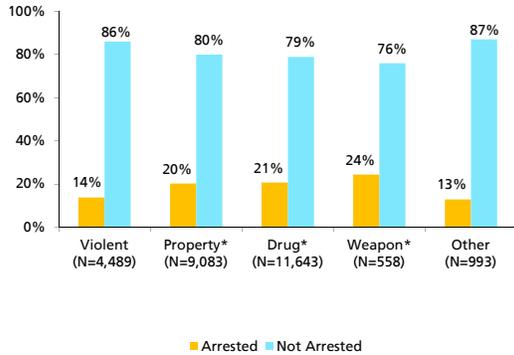
SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

In regard to the type of most recent prior conviction, at least one in five adult probationers whose high charge was for a property (20%), drug (21%), or weapons (24%) offense were re-arrested in 2008. This was significantly higher than the proportion of adult probationers re-arrested who had a violent (14%) or “other”⁴ (13%) high charge for their most recent conviction (Figure 6).

³ Gang registration for both juvenile and adult probationers is when an individual is court ordered to register with local law enforcement as a gang member.

⁴ “Other” charges could include other sex law violations (e.g., failure to register as a sex offender), disorderly conduct, forgery, and other felonies and misdemeanors.

Figure 6
ADULT PROBATIONERS WITH A PRIOR WEAPONS CONVICTION MOST LIKELY TO BE RE-ARRESTED IN 2008



* Differences significant at the .05 level.
 NOTE: Cases with missing information not included.
 SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

The individual characteristics and offenses of those adult probationers re-arrested are only two pieces of the puzzle and do not take into account how these different characteristics interact with each other to influence the odds of re-arrest. To learn more about the relationship between probationers and recidivism, logistic regression analysis was conducted to measure the odds of any of these factors (e.g., ethnicity/race) being related to arrest by controlling for other possible factors (e.g., prior felony). That is, if each of the variables is held constant, is the relationship still significant? Table 1 shows the results of the logistic regression model, with seven of the ten variables significantly related to being re-arrested in 2008. However, only two of the seven were positively related to arrest (i.e., increased one’s chances), with Black probationers 54 percent more likely to be re-arrested and males 12 percent more likely to be re-arrested. In other words, after taking into account an individual’s

prior charges, age, and gender, an individual’s ethnicity/race increased the likelihood of being re-arrested. However, as previously noted, key risk factors that other research has shown to be associated with recidivism were not available for inclusion in the model. For example, even though a positive association was found between Black probationers and re-arrest after taking into account recent criminal history, it is still not known if factors such as unemployment, mental health issues, and/or socioeconomic status could be contributing to this positive association. That is, there is information that would be valuable to include if this research is replicated and without it, caution should be taken when drawing conclusions based on these findings. Furthermore, while gender alone was not found to be related to re-arrest, when these same factors (e.g., prior arrest charge) were held constant, being male did increase the likelihood of being re-arrested.

Conversely, an individual’s odds of re-arrest decreased 20 percent if he/she was Hispanic or “other” ethnicity/race, and decreased the odds by nearly 40 percent if his/her most recent prior conviction was a felony or a violent offense. One possible explanation for this latter finding could be that those with more serious prior charges received a higher level of probation supervision and support. Finally, for every year older a probationer was, his/her chances of re-arrest decreased by 2 percent (Table 1).

Table 1
FACTORS SIGNIFICANTLY RELATED TO
AN ADULT PROBATIONER BEING
RE-ARRESTED IN 2008*

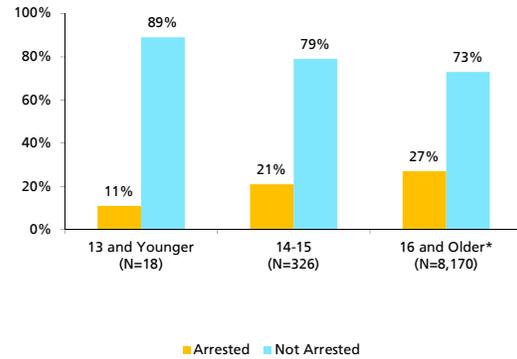
Odds of Being Re-Arrested	
Black	1.54
Male	1.12
Age (younger)	.98
Mexican/Hispanic	.80
Other Ethnicity/Race	.80
Most recent prior conviction felony	.63
Most recent prior conviction violent	.62

*Differences significant at the .05 level.
 NOTE: Cases with missing information not included.
 SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

What were the characteristics of the juvenile probationers who were arrested in 2008?

Examining the characteristics of juvenile probationers showed that older youth, those that had a more serious prior true finding (i.e., equivalent of a conviction in the adult system), Black youth, and those who were assessed at greater risk for delinquency were more likely to be re-arrested. As Figure 7 shows, youth 16 years old or older⁵ were significantly more likely to be re-arrested (27%), compared to youth 14 to 15 years old (21%) and those 13 years old and younger (11%).

Figure 7
OLDER JUVENILES MORE LIKELY TO BE
RE-ARRESTED IN 2008

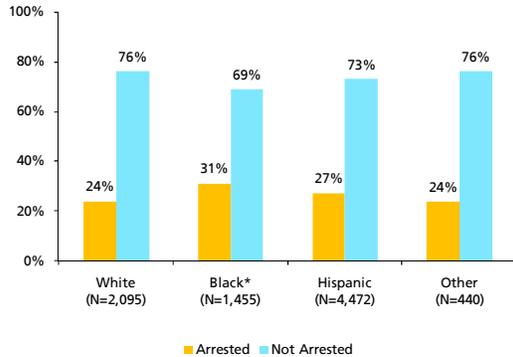


*Differences significant at the .05 level.
 NOTE: Cases with missing information not included.
 SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

In addition, a significantly higher proportion of Black youth were re-arrested in 2008 (31%) compared to youth from different ethnic/racial backgrounds. Approximately one-quarter of Hispanic (27%), White (24%), and youth of “other” ethnicities/races (24%) were re-arrested (Figure 8).

⁵ Youth 18 years old can still be on juvenile probation and are included in this age category.

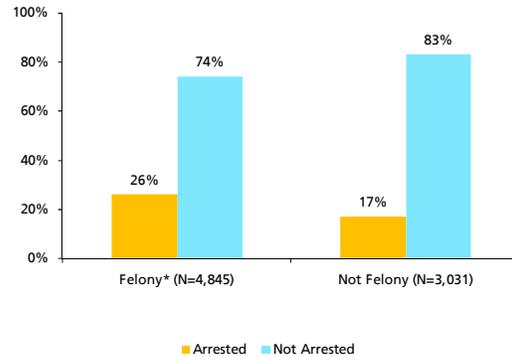
Figure 8
JUVENILE PROBATIONERS'
ETHNICITY/RACE ASSOCIATED WITH
BEING RE-ARRESTED IN 2008



* Differences significant at the .05 level.
 NOTE: Cases with missing information not included.
 SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

Unlike the adult probationers, a larger percentage of youth whose most recent prior true finding was for a felony were re-arrested (26%) compared to those whose prior high charge was not a felony (17%) (e.g., misdemeanor or status offense) (Figure 9).

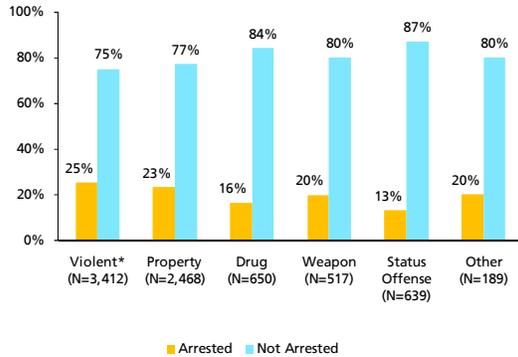
Figure 9
OVER ONE-QUARTER OF JUVENILE
PROBATIONERS WITH A PRIOR FELONY
TRUE FINDING WERE RE-ARRESTED IN
2008



* Differences significant at the .05 level.
 NOTE: Cases with missing information not included.
 SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

In regard to type of most recent prior true finding, a similar proportion of those probationers with a violent (25%) or property (23%) high charge were re-arrested. This was followed by those probationers with prior weapons or "other" charges, with one-fifth (20%) each re-arrested, and 16 percent of youth with a previous drug high charge. As expected, those juveniles whose prior high charge was a status offense (13%) (i.e., an offense only a juvenile can be arrested for, such as truancy) were least likely to be re-arrested (Figure 10).

Figure 10
PRIOR CHARGE ASSOCIATED WITH
JUVENILE PROBATIONER RE-ARREST IN
2008



* Differences significant at the .05 level.
 NOTE: Cases with missing information not included.
 SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

As with the adults, logistic regression analysis was conducted to identify possible predictors of recidivism with the available background variables⁶ placed in the model to test for any effect on re-arrest. As Table 2 shows, when controlling for the other background factors, three variables were found to increase the odds of a youth on probation being arrested again in 2008. Specifically, a youth whose most recent prior true finding was at the felony level was about two-times (1.95) more likely to be re-arrested, males were about one and a half times more likely (1.54), and Black youth were about 20 percent more likely (1.18). Age, gang registration as a condition of probation, prior use of a weapon, and type of prior offense were not found to be associated with re-arrest (not shown).

⁶ The following variables were available and included in the model: age, gender, ethnicity, gang registration, prior weapon use, and type and level of prior offense.

Table 2
FACTORS SIGNIFICANTLY RELATED TO
A JUVENILE PROBATIONER BEING
RE-ARRESTED IN 2008*

Odds of Being Arrested	
Most recent felony-level true finding	1.95
Male	1.54
Black	1.18

* Differences significant at the .05 level.
 NOTE: Cases with missing information not included.
 SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

Also available for analysis in the juvenile probation database were the assessment scores from the San Diego Regional Resiliency Check-Up (SDRRC). The SDRRC is a tool administered to all juvenile probationers to identify protective and risk factors for delinquency. Briefly summarized, as part of this assessment, youth are rated on 30 risk items and 30 protective factors, each of which is grouped into six dimensions: family, peer, individual, education, delinquency, and substance use. Examination of the resiliency levels indicate that a youth with a lower score (fewer protective factors and more risk factors) in the delinquency domain and a lower resiliency score overall were more likely to be re-arrested (Table 3). This finding suggests the SDRRC is accurately assessing those youth with the greatest needs and who are most likely to re-arrest.

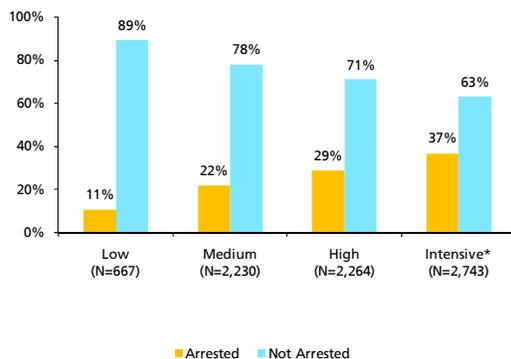
Table 3
LOWER ASSESSMENT SCORES WERE
ASSOCIATED WITH JUVENILE
PROBATIONERS
RE-ARRESTED IN 2008*

SDRRC Scores	Arrested	Not
Delinquency	-.77	.91
Total Resiliency	2.89	11.86
TOTAL	2,218	5,685

* Differences significant at the .05 level.
 NOTE: Cases with missing information not included.
 SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

The SDRRC has many functions in Probation and one application is categorizing youth into levels of risk of recidivism (from low to intensive) to determine type of supervision. As expected, a larger proportion of those youth placed in the highest category of risk (i.e., intensive level) were more likely to be re-arrested (37%) and this proportion decreased at each lower level (Figure 11).

Figure 11
RESILIENCY SCORE ASSOCIATED WITH
RE-ARREST



* Differences significant at the .05 level.
 NOTE: Cases with missing information not included.
 SOURCES: ARJIS 2008 Arrest Data and San Diego County 2008 Probation Data

SUMMARY AND CONCLUSION

In response to an exploratory question from the San Diego County Probation Department as to what proportion of those arrested in San Diego were on probation, SANDAG’s Criminal Justice Research Division examined the most recent arrest and probation data available to provide a preliminary answer to this question. Analyses of the data, including all individuals arrested in 2008 and those juveniles and adults under probation supervision during that time period, showed that probationers only comprised 11 percent of the over 100,000 arrests made across the region; however, 19 percent of all adult and 27 percent of juvenile probationers were re-arrested in San Diego County in 2008. Several factors were found to be significantly related to re-arrest, most predominantly gender and ethnicity/race for both juveniles and adults, age for adults, and prior felony true finding and resiliency score for juveniles. Unfortunately, because there was limited background information available in the data sets, more conclusive predictive analyses were not possible. In addition, because this was a preliminary study, lack of resources prohibited the thorough cleaning of the data and the results should be viewed as just one measure in understanding the relationships between being on probation and re-arrest.

The fact that merging these two large data sets did provide information about the scope and type of relationship between probationers and crimes in the San Diego region supports examining the feasibility of taking this study to scale. Specifically, information gleaned from this research suggests that with more time, resources, and additional background information, this type of

exploration could yield valuable information for law enforcement regarding which probationers are most likely to have continued justice system contact and what factors could contribute to the probability of re-arrest, including level of supervision, individual characteristics, geographic areas impacted, and re-arrest charges. In addition, the inclusion of parole data would provide a wider lens to examine recidivism. In a time of reduced law enforcement resources, more information available to inform strategic supervision and enforcement is invaluable.

METHODOLOGY

As noted earlier, to complete this pilot study, two sources were utilized: (1) arrest data from ARJIS, and (2) juvenile and adult probation data from the San Diego County Probation Department. Cases from the Probation files were matched with cases from the ARJIS file to identify individuals that were in both databases. However, because multiple users (e.g., frontline officers) input data into ARJIS, errors and omissions may have occurred. Unfortunately, resource constraints did not allow for cleaning the data. To help mitigate the cleaning issues, several steps were taken to match those arrested with those on probation. During the first step, data were linked to determine if an individual was in both files by matching on five variables. These variables included Social Security number (SSN); Department of Motor Vehicle (DMV) number; Criminal Identification and Investigation (CII) number for adults; and a combination of sex, last name, and date of birth (DOB) or a combination of sex, first name, and DOB. For the second step, if an arrest matched any of these conditions, it was initially paired with the respective

probationer and additional verification was done to ensure at least one additional variable was consistent across the two files (i.e., SSN, DMV, CII, or any name in one file with any name in the other). If an arrest corresponded on both these conditions, it was paired with the respective probationer in the final matched file. Cases that linked on only one step were not considered matches in the final file.

Once the files were matched, staff determined whether an arrest occurred while an individual was under probation supervision. After discussions with Probation staff, it was determined that cases with missing probation beginning or end dates fell outside the 2008 time period and were set to December 31, 2007 (beginning) and January 1, 2009 (end). For the analyses, probationers were considered "under supervision" during their entire time on probation, regardless of whether or not they were on active supervision.

RESEARCH LIMITATIONS

This pilot study was the first time these two large data sets were merged to determine the proportion of arrests in San Diego County comprised of individuals under probation supervision. With limited resources to devote to the project, a greater number of assumptions than may be desirable were made in order to discover the possible value of taking such a study to scale. While every effort possible was taken to mitigate the limitations noted below, it is important to keep these in mind when reviewing the results.

Data Cleaning Issues: The lack of resources significantly limited the amount of data that could be cleaned. If given the opportunity, more time would have been spent on cleaning the information to increase the confidence in the data.

Need for Additional Background

Data: One of the major limitations of this project was the lack of available data that could account for other factors that might be contributing to re-arrest (e.g., an individual's socioeconomic status, history of substance abuse or mental illness, prior criminal history, living situation and neighborhood, or employment status). Because these types of factors have been shown to be related to recidivism, conclusions about risk of recidivism cannot be drawn from this study. Rather, this project has provided insights into what would be necessary to take this type of research to the next level and does point to another path of discovering who among the probation population is at greatest risk for re-arrest. It is also important to note that information on parole status or probation to a different county was not available for analysis.

Because of these significant limitations, any policy or program decisions should be limited until additional resources are available to conduct a more thorough review of the data.

APPENDIX

BRIEF DESCRIPTION OF THE PROBATION PROCESS

Introduction

The San Diego County Probation Department (Probation) is responsible for a variety of duties involving adult (age 18 and older) and juvenile offenders, including supervising these individuals in the community when they receive a judicially imposed suspension of their incarceration sentence. Along with these field supervision duties, Probation manages five juvenile detention facilities, including two juvenile halls and three long-term camps which focus on treatment and rehabilitative programming. The following summary describes the key differences between Probation and parole, and Probation's process of providing active field supervision of adult and juvenile offenders in San Diego County.

Probation or Parole – What is the Difference?

It is a common misconception that “probation” and “parole” are one and the same, most likely because both involve the supervision of criminal offenders by a law enforcement agency. However, there are important differences to keep in mind when referring to these two very different types of supervision:

- Probation refers to a department within the San Diego County government which supervises adults and juveniles whose highest charge levels range from status offenses, which only apply to juveniles, to felonies. Parole falls under the auspices of the California Department of Corrections and Rehabilitation and utilizes parole agents to supervise

only ex-felons who have been conditionally released from state prison.

- Unlike parolees who are released conditionally to parole only after they have served a prison sentence, probationers may have their incarceration sentence “suspended” by a judge and be ordered to comply with probationary conditions. If the probationer fails to comply with these conditions, these violations are reported to the court and the judge may impose part or all of the suspended sentence as punishment.
- Each agency has different thresholds for how frequently agents/officers should meet with the offender and each uses a different system to calculate the most appropriate caseload size.

Probation Adult Supervision

In 2008, Probation's Adult Field Services Division supervised more than 18,000 adult offenders (ages 18 and older) at any one time. Adults under probationary supervision (probationers) must meet certain conditions (e.g., drug testing, attending counseling, paying fines) in order to avoid greater sanctions, including incarceration. Probation administers the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) assessment to all probationers to determine whether they pose a high, medium, or low risk to public safety. The department uses the results of this tool to determine caseload ratio (i.e., those at higher risk are placed in smaller caseloads) and how frequently the offender must meet with their probation officer. Table A1 shows the officer-to-probationer caseload ratio as well as the

frequency with which probation officers are expected to have contact with offenders on their caseload⁷.

**Table A1
CASELOAD RATIO AND FREQUENCY OF CONTACT FOR ADULT OFFENDERS**

Level of Risk	Caseload Ratio	Frequency of Contact
High	1:50	Twice per month
Medium	1:150	Every 3 months
Low	1:2,000	None*

**These low-risk individuals are not required to have regular contact with a probation officer. Probation would only make contact with them if and when they are re-arrested and returned to court.*

SOURCE: San Diego County Probation Department Annual Report, 2009

Regional Resiliency Check-up (SDRRC) and reviews the subscores from six domains, including delinquency. The delinquency subscore, considered to be the best predictor of recidivism, is used to determine the most appropriate level of supervision. The subscores for the other five categories are used to identify a youth’s needs to prevent delinquency and help in the creation of an individualized service plan. As with adults, juvenile probationers are categorized into three levels of supervision (high, medium, and low) and 15 types of field supervision, each with their own caseload ratio ranging from a high of 1:222 (for low-risk offenders in Juvenile Compliance) to a low of 1:15 (for high-risk offenders in Aftercare).

Probation Juvenile Supervision

The Probation Department’s Juvenile Field Services Division provides an array of services to juvenile offenders and their families with a focus on delinquency prevention and intervention. As of June 30, 2009, Probation supervised 4,784 youth in the community. With an eye toward providing the most appropriate supervision and services to prevent further involvement in the juvenile justice system, in 2009 Probation replaced its existing offense-based supervision plan with one that is now based on level of risk. To assess a youth’s risk level and the protective factors that may mitigate this risk, Probation uses the San Diego

⁷ This information is valid as of June 30, 2009. In an effort to adhere to evidence-based practices, Probation has been in the process of realigning their officer caseloads to ensure that offenders who pose the highest risk to public safety are placed under the highest level of supervision.