Arrests of Individuals Under Probation Supervision in the San Diego Region 2012

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ARRESTS OF INDIVIDUALS UNDER PROBATION SUPERVISION IN THE SAN DIEGO REGION 2012

BACKGROUND

While crime and arrest rates have been at historic lows in recent years (both in San Diego and nationally), an important question that remains is what proportion of adults and juveniles under local community supervision account for arrests made by law enforcement, and how has this changed since Assembly Bill 109 (AB 109), or Public Safety Realignment, went into effect in 2011? That is, do individuals under community supervision represent a greater proportion of arrests now, compared to before this statewide change took place?

As such, three primary research questions guided the analyses conducted here:

1. How many arrests in 2012 were of someone currently under traditional probation supervision or who was a realigned offender (PRCS or MS)?

2. How many probationers and realigned offenders (PRCS and MS) were arrested while under probation supervision in 2012?

3. What were the characteristics of probationers and realigned offenders who were arrested while under probation supervision in 2012?

The question of how often individuals under probation supervision are arrested was first investigated locally with arrest and probation data from 2008. The results of these analyses were published in a CJ Bulletin[1] that preceded the release of a report prepared by the Council of State Governments Justice Center

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[1] Keaton, S., Schroeder, G., Ward, B., Doroski, L., & Burke, C. (2010). *Re-Arrest of Probationers in the San Diego Region*. San Diego, CA: SANDAG.

SUMMARY OF RESULTS

ADULT OFFENDERS

❖ 12% of adult arrests in 2012 involved someone under probation supervision, slightly higher than the 10% reported for 2008.

❖ 24% of adults under supervision were re-arrested during their period of supervision. However, this varied by type of offender, with 36% of PRCS offenders re-arrested, compared to 22% of traditional probationers and 22% of MS offenders.

❖ While PRCS offenders were more likely to be re-arrested than others under supervision, analyses revealed that the strongest predictor of re-arrest was being assessed as high-risk for recidivism, rather than what type of offender you were.

❖ These analyses and other research support the view that COMPAS is a valid predictor of risk and is appropriately being used to assign offenders to supervision levels in San Diego County.

JUVENILE OFFENDERS

❖ 12% of juvenile arrests in 2012 involved a youth on probation, fewer than the 18% reported for 2008.

❖ 21% of juveniles under supervision were re-arrested during this period of supervision, lower than the 27% reported for 2008.

❖ Factors related to re-arrest for juveniles included being male, Black or Hispanic, and having a true finding for a weapons offense. Those who were younger, had a higher resiliency score, and a prior true finding for a drug offense were less likely to be re-arrested.

in 2013[2] that examined a similar issue among four California cities with data from both probation and parole. Because of the significant change in the justice system across the state since AB 109 went into effect on October 1, 2011, it seemed timely to reinvestigate this issue in San Diego County and to supplement the previous analyses with risk assessment data.

While a comprehensive evaluation of how AB 109 has affected the criminal justice system in San Diego County is currently underway, this report is a helpful resource in the ongoing monitoring and discussion of how returning ex-offenders can most effectively be supervised in the community to ensure public safety and the most effective reintegration possible.

The following discussion details the results of these analyses, as well as how cases were matched and what variables were included in the analyses.

How Did AB 109 Affect California Probation Departments?

As a result of AB 109, or Public Safety Realignment, two groups of offenders became local probation departments' responsibility, rather than the state's. These two populations include:

❖ **Post-Release Community Supervision (PRCS) Offenders**: Individuals released from prison after serving sentences for a non-violent, non-serious, or non-high-risk sex offenses. Prior to AB 109, these individuals would have been supervised by parole for up to three years, on average. After October 1, 2011, these individuals are supervised by probation for up to three years, but possibly as little as 6 months (at the discretion of probation if there is no arrest or violation, no positive drug tests, and employment or school enrollment is verified) or 12 months (mandated by law if no custodial violation).

❖ **Mandatory Supervision (MS) Offenders:** Individuals sentenced to a term of imprisonment to be served in county jail per 1170(h) who previously would have served that term in state prison. Some of these individuals are given a split-sentence, with a portion of their prison term spent in local jail and the remaining time as a MS offender under the supervision of probation.

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[2] Council of State Governments Justice Center (2013). *The Impact of Probation and Parole Populations on Arrests in Four California Cities.* New York, NY: Author.

ANALYSES OF ADULT DATA

How Many Adult Arrests in 2012 Were of Someone Currently Under Traditional Probation Supervision or Who Was a Realigned Offender?

Local law enforcement made 83,125 adult arrests in San Diego County in 2012. During the same calendar year, there were 23,121 adults under some type of probation supervision (not shown). As Figure 1 shows, 12 percent of adult arrests were of someone under probation supervision and 88 percent were of someone *not* currently under supervision[3]. Not shown in the figure, there was some variation by the highest charge at arrest, with those under probation supervision representing 18 percent of arrests where the highest charge was a felony-level offense, but only 7 percent where the highest charge was a misdemeanor, infraction, or some other type of non-felony offense. Of the 9,617 adult arrests that involved an individual under probation supervision, 74 percent represented someone under traditional probation, 25 percent a PRCS offender, and 1 percent MS offender[4]. Compared to the composition of those under probation supervision, those under traditional supervision were underrepresented in this breakdown (representing 86% of those under supervision) and PRCS offenders were overrepresented (representing 13% of those under supervision) (not shown). It is important to note that this probation supervision status refers to the most recent status prior to the arrest (or the last status of 2012 if they were

not arrested) and that the arrest statistics could include multiple arrests per individual.

Figure 1
THE MAJORITY OF ADULT ARRESTS IN 2012 WERE OF SOMEONE NOT CURRENTLY SUPERVISIED BY PROBATION
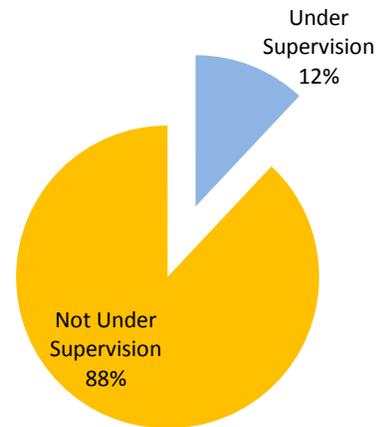

TOTAL = 83,125

SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Compared to the data analyzed previously for 2008, a greater percent of adult arrests were of someone under probation supervision in 2012 (12% compared to 10% earlier).

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[3] In the four-city study cited previously, the re-arrest rate for probationers varied across the jurisdictions, from 8 percent in San Francisco to 13 percent in Redlands, 14 percent in Los Angeles, and 20 percent in Sacramento. The average was 14 percent.

[4] It is worth noting that as time goes on, the percent of the population represented by PRCS offenders may decline, and the percent represented by MS offenders may increase as fewer offenders are eligible to be sentenced to serve their time in state prison and more offenders are sentenced to serve their prison term in county jail.

How Many Adult Probationers and Realigned Offenders Were Arrested While Under Probation Supervision in 2012?

In terms of what percentage of individuals under probation supervision were arrested while under supervision, 24 percent of adults (5,467 of the 23,121) were arrested one or more times and the majority (76%) were not arrested.

Figure 2
AROUND ONE-QUARTER OF ADULTS ARRESTED WHILE UNDER SUPERVISION IN 2012
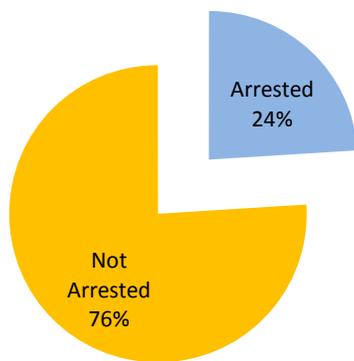
TOTAL = 23,121

SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

by supervision type, there was variation, as Figure 3 shows. Specifically, while less than one-quarter of traditional probationers (22%) and MS offenders (22%) were re-arrested, over one-third (36%) of PRCS offenders were, supporting the view that collapsing realigned offenders by type conceals significant differences between the two groups.

Figure 3
PRCS OFFENDERS MORE LIKELY TO BE RE-ARRESTED DURING SUPERVISION, COMPARED TO OTHER ADULTS UNDER PROBATION SUPERVISION

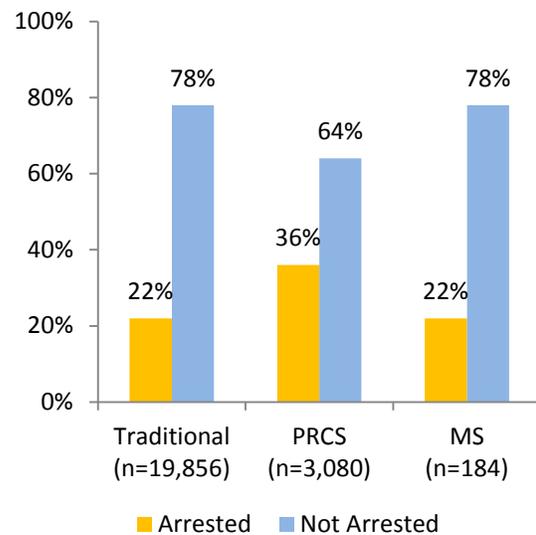*NOTE: Cases with missing information not included.*
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

For these analyses, three types of adult offenders under supervision[5] by probation were examined. These included those under traditional probation supervision, which represented 86 percent (19,856) of the 23,121 adults, PRCS offenders (13% or 3,080), and MS offenders (1% or 184) (not shown). When the re-arrest rate was analyzed

The percent of adults under traditional probation supervision re-arrested increased from 19 percent in 2008 to 22 percent in 2012. For realigned offenders, the re-arrest rate in 2012 was 22 percent for MS offenders and 36 percent for PRCS offenders.

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[5] An overview of probation supervision is provided at the end of this research bulletin.

What Were the Characteristics of Adult Probationers and Realigned Offenders Who Were Arrested While Under Probation Supervision in 2012?

To better understand what factors were associated with re-arrest, univariate analyses were conducted examining the correlation between demographic characteristics, recent criminal history, assessed risk level, and whether the offender was in current contact with probation at the time of the arrest or on warrant status. These analyses were then followed with multivariate analyses to determine how these factors interacted with one another and what was most predictive of re-arrest.

Gender, Age, and Ethnicity

Of the 23,121 adults under probation supervision, 79 percent were male and 21 percent were female (not shown). As Figure 4 shows, the re-arrest rate varied among the adults by gender, with 24 percent of males re-arrested, compared to 21 percent of females, which was a significant difference.

In terms of age, around one in five (21%) of the adults under supervision were between the ages of 18 and 24, one-third (34%) were between 25 and 34, and over two in five (45%) were 35 years of age or older (not shown). As Figure 5 shows, age was also found to be related to re-arrest, with adult probationers between 18 and 24 years old significantly more likely to be re-arrested (27%), compared to those between 25 and 34 and 35 years of age and older (both 23%).
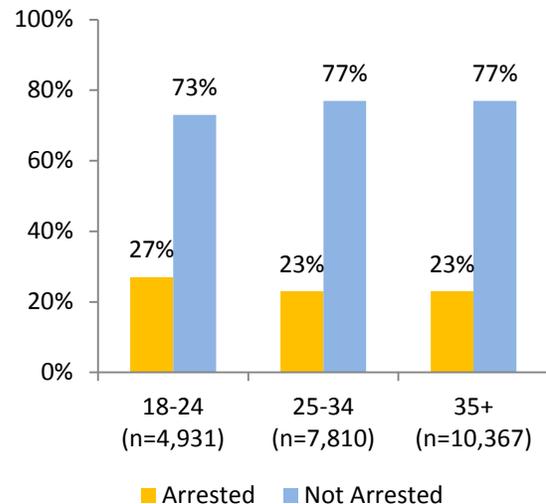
Figure 4
ADULT MALES UNDER PROBATION SUPERVISION MORE LIKELY TO BE RE-ARRESTED THAN ADULT FEMALES*
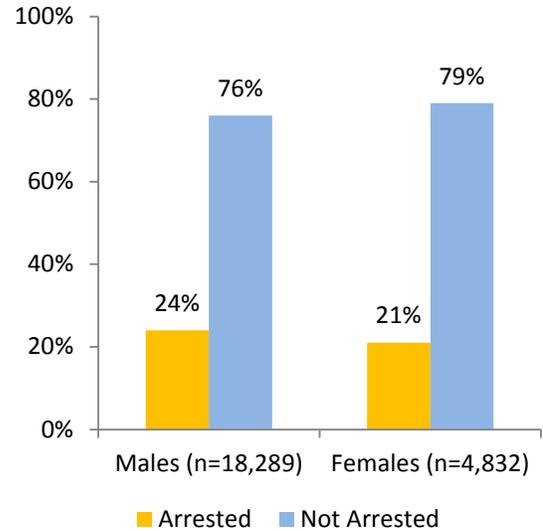
* Differences significant at the .05 level.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Figure 5
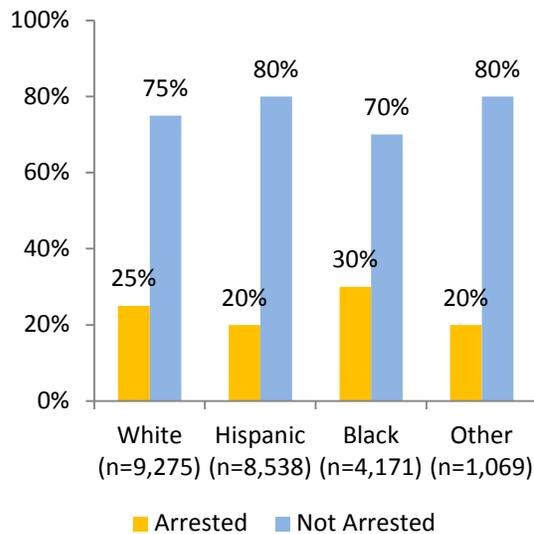**YOUNGER ADULTS UNDER PROBATION SUPERVISION MORE LIKELY TO BE RE-ARRESTED***

* Differences significant at the .05 level.
NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Forty percent (40%) of the adults under supervision were White, 37 percent were Hispanic, 18 percent were Black, and 5 percent represented other ethnicities (not shown). Once again, re-arrest rates varied by ethnicity, with a larger proportion of Black adults under supervision re-arrested (30%), in comparison to White (25%), Hispanic (20%), and those of "other" ethnicities (20%) (Figure 6).

In terms of the level of the most recent conviction, almost all (95%) of those under supervision had a high charge that was a felony, while 5 percent had a misdemeanor (not shown). As Figure 7 shows, and as one might expect, those with a recent felony were significantly more likely to be re-arrested while under supervision (23%), compared to those with a misdemeanor (16%).

Figure 6
BLACK ADULTS UNDER PROBATION SUPERVISION MORE LIKELY TO BE RE-ARRESTED, COMPARED TO OTHER ETHNICITIES*
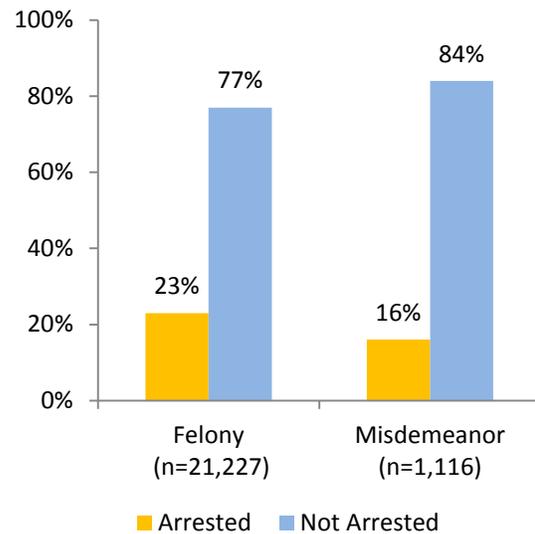
Differences significant at the .05 level.
NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Figure 7
ADULTS UNDER PROBATION SUPERVISION WITH A RECENT FELONY CONVICTION MORE LIKELY TO BE RE-ARRESTED COMPARED TO THOSE WITH A MISDEMEANOR*
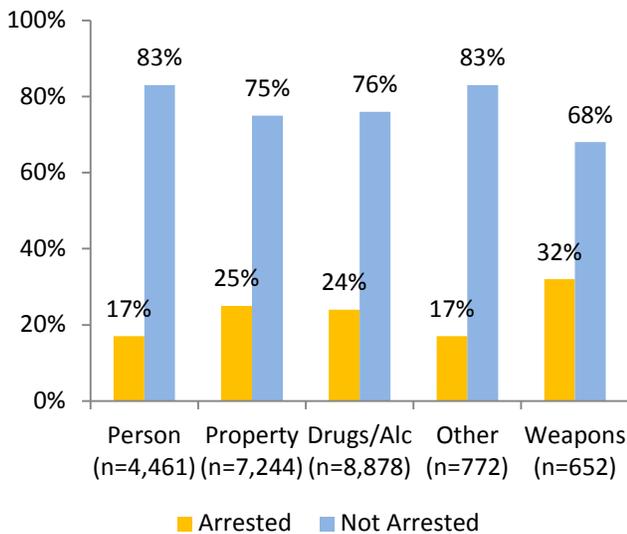
Differences significant at the .05 level.
NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Most Recent Conviction

To examine if recent criminal activity (i.e., the instant offense) was associated with being re-arrested, the most recent conviction level (felony or misdemeanor) and type (crime against a person or property, drugs, weapons, or other) that resulted in the current supervision were evaluated as a predictor of re-arrest.

In regard to the type of most recent prior conviction, 40 percent of the adults under supervision were convicted of an alcohol or other drug offense, 33 percent for a crime against property, 20 percent for a crime against person, 4 percent for another type of offense, and 3 percent for a weapons offense (not shown). As Figure 8 shows, the re-arrest rate was significantly higher for those with a

high charge at conviction for a weapons offense (32%), with the probability of a re-arrest varying from 25 percent (for those with a crime against property) to 17 percent (for those with a crime against a person or an "other" offense). "Other" charges could include sex law violations (e.g., failure to register as a sex offender), disorderly conduct, forgery, and other felonies and misdemeanors.

Figure 8
ADULTS UNDER PROBATION SUPERVISION WITH A RECENT WEAPONS CONVICTION MOST LIKELY TO BE RE-ARRESTED IN 2012*

* Differences significant at the .05 level.
NOTE: Cases with missing information not included.
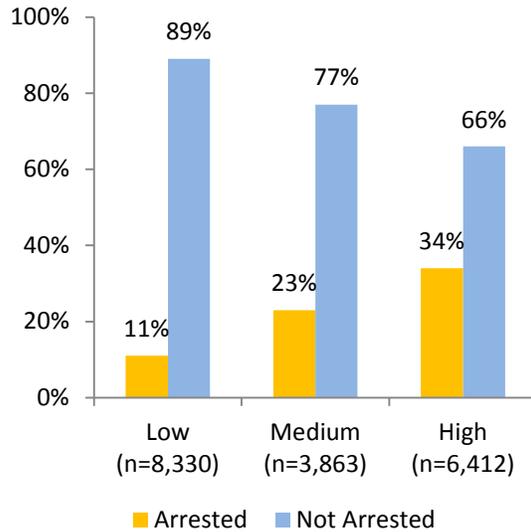*SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data*

Finally, while one percent of the adults under probation supervision had registering as a gang member as a condition of his/her probation, this was not a significant predictor of re-arrest alone, with 24 percent of those with no such condition being re-arrested, compared to 26 percent of those with this condition (not shown).

Assessed Risk Level

When considering the proportion of individuals under probation supervision who were arrested, a key factor to understand is their recommended supervision level, which is determined by their assessed risk level. To determine supervision level, probation administers the COMPAS to all probationers. A review of the scores (for the 18,605 adults of the 23,121 with an assessment) shows that when considering traditional probationers and realigned offenders together, almost half were recommended to be on a low-risk caseload (45%), followed by 21 percent on a medium-risk level, and 34 percent on a high-risk level (not shown). As Figure 9 shows, those who were assessed as appropriate for low-risk supervision were the least likely to be re-arrested during supervision (11%), while those recommended to medium-risk supervision and high-risk supervision were arrested at a greater rate (23% and 34%, respectively). Interestingly, data from the previously mentioned Council of State Governments study revealed that assessments, as conducted in three of the four California cities, were not predictive of re-arrest during the study period, with San Francisco being the only exception. San Francisco utilizes the same assessment instrument (COMPAS) as San Diego. This pattern of results of COMPAS risk level predicting recidivism is also consistent with internal analyses conducted by the San Diego County Probation Department for the past three years, with 20 to 23 percent (across the three years) of low risk offenders recidivating compared to 51 percent to 55 percent of high risk offenders.

> *The COMPAS assessment was a significant predictor of risk and re-arrest in San Diego County, as well as in San Francisco, as reported in a similar report published in 2013.*
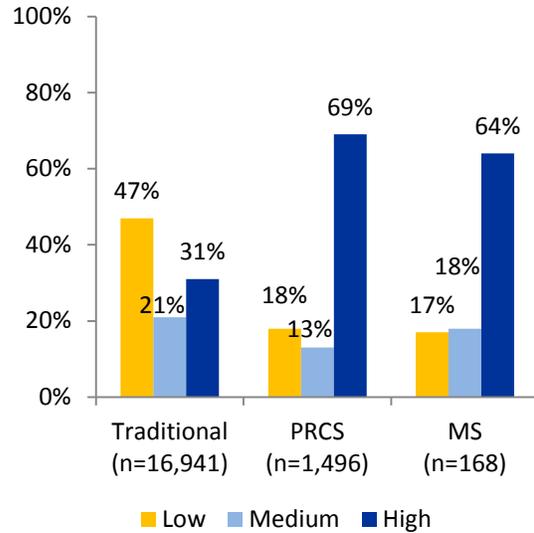
Figure 9
ADULTS UNDER PROBATION SUPERVISION ASSESSED AS APPROPRIATE FOR HIGH-RISK SUPERVISION MOST LIKELY TO BE RE-ARRESTED DURING SUPERVISION*

Differences significant at .05 level.
NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

When considering how recommended supervision level varied by the type of offender being supervised, there was significant variation across the types. Specifically, as Figure 10 shows, traditional probationers were more likely to be assessed as appropriate for a low-risk case load (47%, compared to 18% of PRCS and 17% of MS offenders) and less likely to be appropriate for a high-risk case load (31%, compared to 69% and 64%, respectively).

Figure 10
REALIGNED OFFENDERS MORE LIKELY TO BE ASSESSED AS APPROPRIATE FOR HIGH-RISK SUPERVISION*

Differences significant at .05 level.
SOURCE: San Diego County 2012 Probation Data

When considering the re-arrest rate by recommended supervision level and type of probation supervision, it was fairly consistent across the three types of probation supervision categories, as Figure 11 shows, with those assessed as low-risk least likely to be re-arrested and those assessed as high-risk most likely to be re-arrested, regardless of the type of offender (traditional, PRCS, MS). The one slight deviation was for MS offenders, with none of the 31 individuals assessed as appropriate for medium-risk supervision re-arrested.

Figure 11
ADULTS UNDER PROBATION SUPERVISION ASSESSED AS HIGH-RISK MOST LIKELY TO BE RE-ARRESTED, REGARDLESS OF THE TYPE OF SUPERVISION
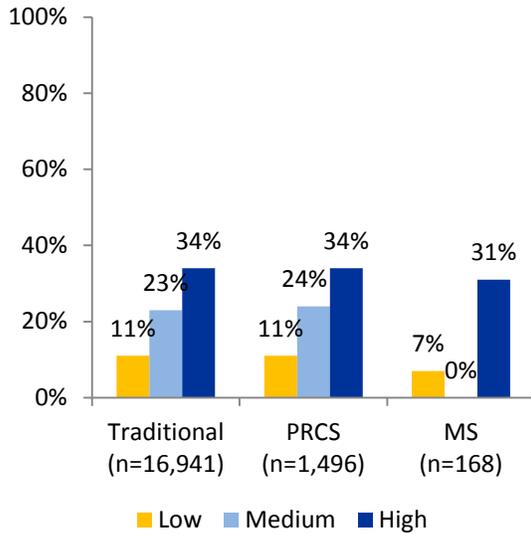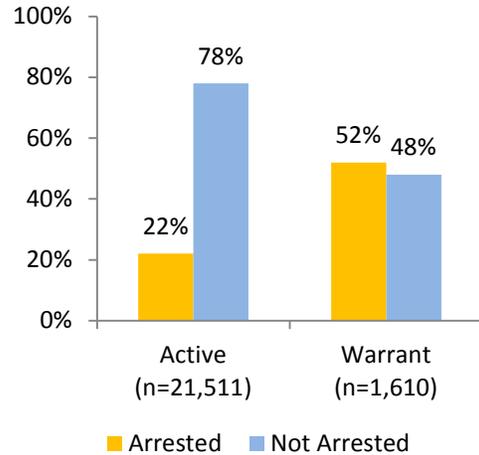

NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Warrant Status

Finally, the last factor for analysis was whether the offender was being actively supervised, or if s/he was not in compliance and was on warrant status. Almost all (93% or 21,511) of the adults under probation supervision were active, while the rest (7% or 1,610) were on warrant status (not shown). As Figure 12 shows, and as would be expected, individuals under probation supervision who were active had a significantly lower re-arrest rate (22%), compared to those who were under warrant status (52%).

Figure 12
ADULTS BEING ACTIVELY SUPERVISED BY PROBATION LESS LIKELY TO BE RE-ARRESTED THAN THOSE ON WARRANT STATUS*

*Differences significant at .05 level.
NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Across the probation supervision categories, there was essentially no difference in the proportions that were being actively supervised, with 93 percent of those on traditional probation, 93 percent PRCS offenders, and 92 percent of MS offenders considered as being on active supervision (now shown). However, when comparing the re-arrest rate by supervision type and status, while those offenders under traditional supervision and MS offenders were less likely to be re-arrested if they were being actively supervised (18% each, versus 56% and 54%, respectively), the reverse was true for PRCS offenders, with those being actively supervised re-arrested more often (30%), compared to those who were on warrant status (14%) (Figure 13). This difference may reflect the use of flash incarceration by probation with PRCS offenders. Through flash incarceration, PRCS offenders who are violating the terms of their supervision can be returned to jail for up to ten days without returning to court.

Figure 13
TRADITIONAL PROBATIONERS AND MS OFFENDERS MORE LIKELY TO BE RE-ARRESTED WHEN ON WARRANT STATUS, BUT REVERSE TRUE FOR PRCS OFFENDERS*
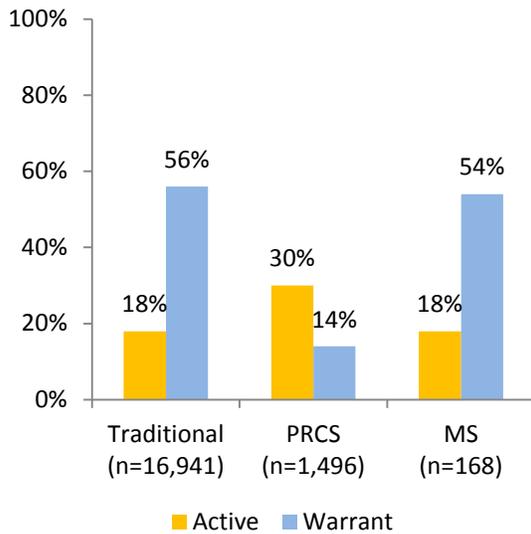
*Differences significant at .05 level.
NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Multivariate Analyses

The individual characteristics and offenses of those adults under probation supervision who were 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 offenders under supervision and recidivism, including being on traditional probation compared to being a realigned offender (PRCS or MS), logistic regression analyses were conducted to measure the odds of any of these factors being related to arrest by controlling for other possible factors (e.g., prior felony, risk level). That is, if each of the other variables is held constant, is the relationship still significant? Building on the previous analyses, those factors shown to

have had a significant association with being re-arrested were included in the models. In addition, several different models were created in order to identify and then remove any confounding variables.

Table 1 shows the results of the first logistic regression model, which included static independent variables (e.g., ethnicity, gender, prior criminal history), with seven of the eleven variables significantly related to increasing a probationer's odds of being re-arrested in 2012[6]. Being male (19% more likely) and Black (28% more likely) were the two demographic characteristics that increased one's odds of re-arrest. Criminal history factors that increased the likelihood of being re-arrested were those individuals whose most recent conviction was for a drug, property, or weapons offense (43%, 60%, and 89% more likely, respectively). Being a registered gang member also increased the odds of an offender being re-arrested (75% more likely). In regard to AB 109, individuals classified as MS did not have a greater likelihood of re-arrest; however, PRCS offenders were almost two times more likely to be re-arrested. In other words, after taking into account an individual's ethnicity/race, gender, criminal history, and probation status (formal versus AB 109), being male, Black, having committed a weapons, drug, or property offense, or being a PRCS offender did increase the odds of being re-arrested.

> *The strongest predictor of re-arrest while under probation supervision was being assessed as high-risk for recidivism, regardless if the offender was a traditional probationer, PRCS offender, or MS offender.*

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[6] Being Hispanic or an "other" ethnicity significantly decreased one's odds of re-arrest.

Table 1
FACTORS SIGNIFICANTLY RELATED TO AN ADULT PROBATIONER BEING RE-ARRESTED IN 2012*

Odds of Being Re-Arrested	
Male	1.19
Black	1.28
Most recent conviction drug	1.43
Most recent conviction property	1.60
Gang registration	1.75
Most recent conviction weapons	1.89
PRCS	1.99

NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Table 2
ASSESSED RISK LEVEL GREATLY INCREASED THE ODDS OF A PROBATIONER BEING RE-ARRESTED IN 2012

Odds of Being Re-Arrested	
Male	1.14
Most recent conviction drug	1.14
Most recent conviction property	1.36
Most recent conviction weapons	1.40
Medium risk	2.32
High risk	4.11

NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

However, when the level of risk for recidivism was introduced into the model (Table 2), some of the factors in Table 1 were no longer significant and some were less strongly related. Specifically, when risk level was considered, the chance of offenders identified as Black or who were gang registrants was no longer a significant predictor of re-arrest. In addition, while being male and having a recent conviction for a drug, weapons, or property offense still increased the chance of re-arrest, it was less strong than when risk was not considered in the model. When controlling for risk level, it is not surprising that those individuals assessed as high-risk according to the COMPAS, regardless of probation status (traditional, PRCS, or MS) were over three times more likely to be re-arrested and those at medium-level were over two times more likely to be arrested. In other words, it is the risk level, not whether an offender is on a regular probation caseload or is realigned, that influences being re-arrested.

ANALYSES OF JUVENILE DATA

How Many Juvenile Arrests in 2012 Were of Someone Currently under Probation Supervision?

Local law enforcement made 13,822 juvenile arrests in 2012, and during the same calendar year, there were 5,384 juveniles under probation supervision. Similar to adults, the majority of arrests (88%) made by law enforcement in San Diego County involved someone *not* under supervision (Figure 14).

Compared to the data analyzed previously for 2008, a smaller percent of juvenile arrests were of someone under probation supervision in 2012 (12% compared to 18% earlier).
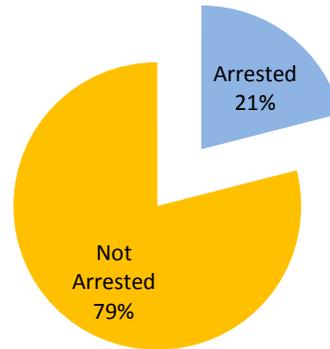
Figure 14
THE MAJORITY OF JUVENILE ARRESTS IN 2012 WERE OF SOMEONE NOT CURRENTLY SUPERVISED BY PROBATION

Under Supervision 12%

Not Under Supervision 88%
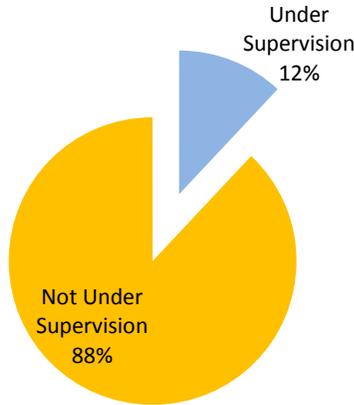
TOTAL = 13,822

SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

How Many Juvenile Probationers Were Arrested While Under Probation Supervision in 2012?

In terms of what percentage of individuals under probation supervision were arrested while under supervision, 21 percent of juveniles (1,142 of the 5,384) were arrested one or more times, and the majority (79%) were *not* arrested (Figure 15).

> *The re-arrest rate for juvenile probationers decreased from 2008 to 2012, from 27 percent in the earlier year, to 21 percent more recently.*

Figure 15
AROUND ONE IN FIVE JUVENILES ARRESTED WHILE UNDER SUPERVISION IN 2012

Arrested 21%

Not Arrested 79%

TOTAL = 5,384

SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

What Were the Characteristics of Juvenile Probationers Who Were Arrested While Under Probation Supervision in 2012?

Gender, Age, and Ethnicity

Overall, 80 percent of the juveniles under probation supervision were male and 20 percent were female (not shown). As Figure 16 shows, male youth on probation were significantly more likely to be re-arrested (22%, compared to 17% for females), similar to adult males as described in the previous section.
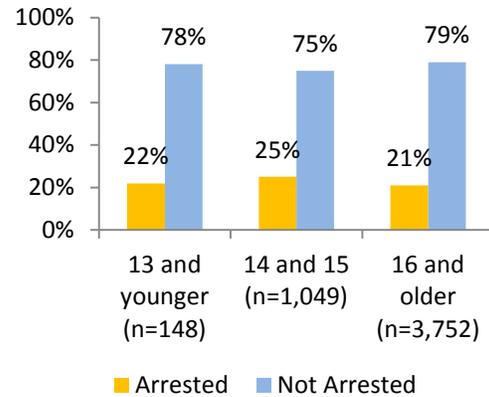
Figure 16
JUVENILE MALES ON PROBATION SIGNIFICANTLY MORE LIKELY TO BE RE-ARRESTED DURING SUPERVISION THAN FEMALES*
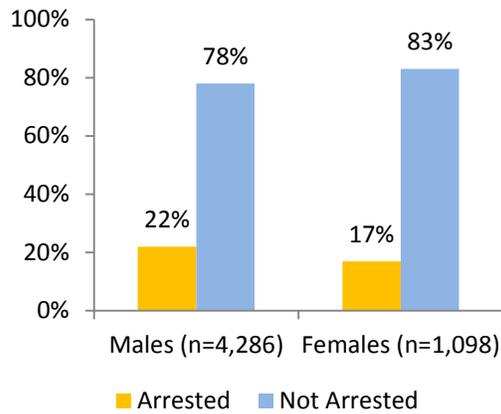
Differences significant at the .05 level.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Figure 17
JUVENILE PROBATIONERS BETWEEN 14 AND 15 SIGNIFICANTLY MORE LIKELY TO BE ARRESTED*

* Differences significant at the .05 level.
NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Among the juvenile probationers, 3 percent were 13 years of age or younger, 21 percent were between 14 and 15, and 76 percent were 16 years of age or older (not shown). As Figure 17 shows, youth between 14 and 15 were significantly more likely to be re-arrested during the period of supervision (25%), compared to those who were 13 or younger (22%) or 16 and older (21%).
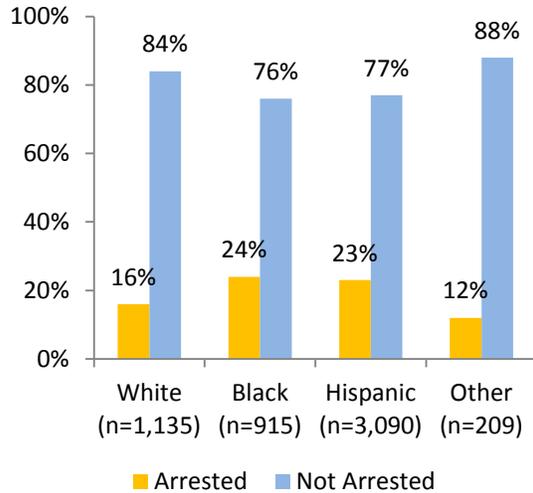
Finally, overall, 58 percent of the probation youth were described as Hispanic, 21 percent as White, 17 percent as Black, and 4 percent as representing other ethnicities (not shown). As Figure 18 shows, a significantly higher proportion of Black and Hispanic youth were re-arrested while under supervision (24% and 23%, respectively) compared to youth from a different ethnic/racial background; less than one in five White (16%) and youth of "other" ethnicities (12%) were re-arrested.

Figure 18
JUVENILE PROBATIONERS' ETHNICITY ASSOCIATED WITH PROBABILITY OF BEING RE-ARRESTED*

White (n=1,135): Arrested 16%, Not Arrested 84%
Black (n=915): Arrested 24%, Not Arrested 76%
Hispanic (n=3,090): Arrested 23%, Not Arrested 77%
Other (n=209): Arrested 12%, Not Arrested 88%
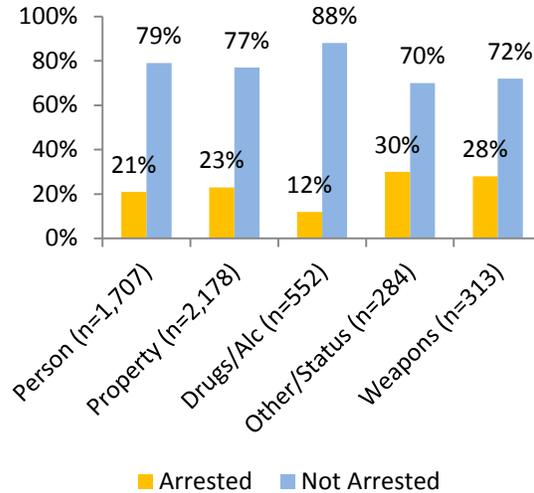
■ Arrested ■ Not Arrested

* Differences significant at the .05 level.
NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Most Recent True Finding

Overall, 49 percent of the youth were on probation for a true finding for a felony-level offense and 51 percent for a misdemeanor-level offense. The re-arrest rate for these youth did not significantly vary as a function of this level of crime, with 23 percent of those with a felony re-arrest, compared to 21 percent of those with a misdemeanor (not shown).

However, there were some differences by type of offense. Overall, 34 percent of the youth had a highest true finding for an offense against a person, 43 percent for an offense against property, 11 percent for an alcohol or other drug-related offense, 6 percent for a weapons offense, and 6 percent for another type of offense or a status offense (not shown). As Figure 18 shows, youth with a high charge for an "other" or status offense and a weapons offense were most likely to be re-arrested, and those with a drug/alcohol offense were least likely.

Figure 19
TYPE OF MOST RECENT HIGHEST TRUE FINDING SIGNIFICANTLY RELATED TO PROBABILITY OF A RE-ARREST*

Person (n=1,707): Arrested 21%, Not Arrested 79%
Property (n=2,178): Arrested 23%, Not Arrested 77%
Drugs/Alc (n=552): Arrested 12%, Not Arrested 88%
Other/Status (n=284): Arrested 30%, Not Arrested 70%
Weapons (n=313): Arrested 28%, Not Arrested 72%
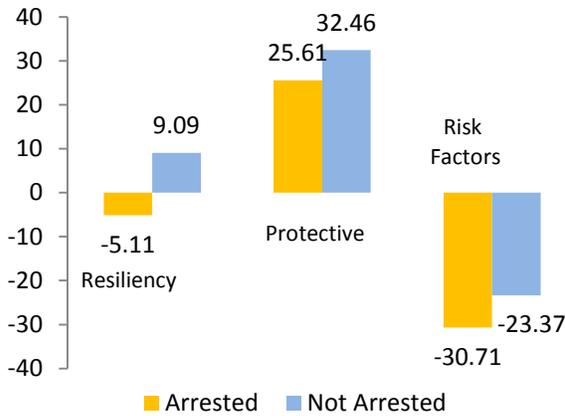
■ Arrested ■ Not Arrested

* Differences significant at the .05 level.
NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Assessed Risk Level

Also available for analysis in the juvenile probation database were the assessment scores from the San Diego Regional Resiliency Checkup (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 domains: 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) were more likely to be re-arrested (Figure 20). This finding suggests the SDRRC is accurately assessing those youth with the greatest needs and who are most likely to be re-arrested.
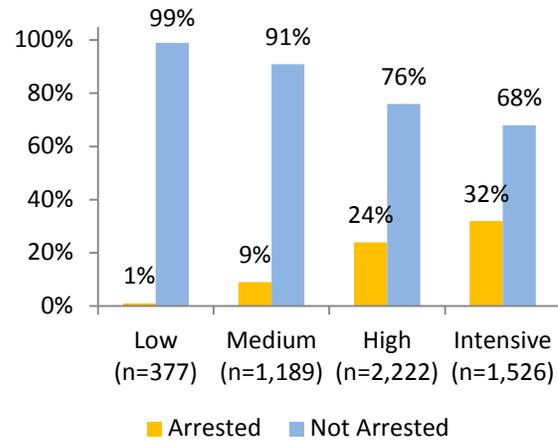
Figure 20
JUVENILES WITH LOWER RESILIENCY SCORES MORE LIKELY TO BE RE-ARRESTED DURING SUPERVISION*

* Differences significant at the .05 level.
NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

Figure 21
DELINQUENCY SCORE ASSOCIATED WITH RE-ARREST*

* Differences significant at the .05 level.
NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 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. When an internal evaluation was conducted on the tool, it was found that the overall "delinquency score" was the best predictor of recidivism. This was the case for those youth re-arrested in 2012, with youth who had the highest delinquency score (i.e., intensive level) more likely to be re-arrested (32%) compared to those with lower overall delinquency scores (Figure 21).

Multivariate Analyses

As with the adults, logistic regression analysis was conducted to identify possible predictors of recidivism with the available background variables[7] placed in the model to test for any effect on re-arrest. As Table 3 shows, when controlling for the other background factors, four variables were found to increase the odds of a youth on probation being re-arrested in 2012. Demographic factors shown to increase the odds of re-arrest were being male (51% more likely), Black (46% more likely), or Hispanic (28%). As for criminal history, those youth with a prior true finding for a weapons offense were 45 percent more likely to be re-arrested.

The model also showed several factors that decreased the odds of a youth being re-arrested. These included youth who were younger, had a lower delinquency and risk score on the SDRRC, and whose prior true finding was for a drug offense (not shown).

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[7] 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 3
FACTORS SIGNIFICANTLY RELATED TO A JUVENILE PROBATIONER BEING RE-ARRESTED IN 2012*

Odds of Being Re-Arrested	
Male	1.51
Black	1.46
Hispanic	1.28
Prior true finding for weapons offense	1.45

* Differences significant at the .05 level.
NOTE: Cases with missing information not included.
SOURCES: ARJIS 2012 Arrest Data and San Diego County 2012 Probation Data

SUMMARY AND CONCLUSION

As a follow-up to an earlier analysis regarding how many arrests are made of someone under probation supervision, the current effort was completed to better understand what changes may have occurred for both adult and juvenile offenders since public safety realignment, or AB 109, was enacted across the State of California in October 2011. While this effort was not a recidivism study that involved tracking individuals and their level of contact with the system over time and after supervision ends, it does provide additional insight to other data recently published by SANDAG that shows that crime rates remain at near 30-year lows and how realignment may or may not be affecting crime in the region.

As described here, overall, only 12 percent of adult arrests involved an individual currently under probation supervision. This rate was slightly higher than what was reported for individuals under probation supervision in 2008, but was still lower than the four California city average of 14 percent reported by the Council of State Governments Justice Center (2013) for data compiled between

2008 and mid-year 2011. In terms of what proportion of individuals under probation supervision was re-arrested, this figure also increased in 2012 to 24 percent, from 19 percent in 2008. However, this rate did vary significantly by the type of adult under supervision, with 22 percent of traditional probationers and MS offenders re-arrested, compared to 36 percent of PRCS offenders. While a number of factors were related to an adult offender's re-arrest, multivariate analyses revealed that males, who were assessed as medium or high risk and who were most recently convicted for a drug, property, or weapon offense, were most likely to be re-arrested. This finding demonstrates the importance of considering an offender's assessed risk, and not merely if s/he is a realigned offender. In addition, it is worth that the COMPAS appears to be a valid tool as administered in San Diego County (and in San Francisco where it is also used and was found to significantly predict re-arrest) to assign individuals to supervision level.

Juveniles under probation supervision also represented 12 percent of arrests, but this was a smaller percentage than what was reported in 2008 (when they represented 18 percent). Similarly, while 21 percent of juveniles on probation were re-arrested while under supervision, this was also a decline from the 27 percent reported in 2008. Multivariate analyses for significant predictors of re-arrest for youth indicated that males, those identified as Black or Hispanic, and who had a recent true finding for a weapons offense were significantly more likely to be re-arrested, and that those who were younger, had a lower assessed delinquency and risk score, and whose prior true finding was for a drug offense were less likely to be arrested. While San Diego County has taken steps to better understand and address disproportionate minority contact in the juvenile justice system, this finding should be shared with key stakeholders to demonstrate the importance of ongoing discussion and action on this issue.

METHODOLOGY

As noted earlier, to complete this 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 who 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, excluding the initial matched condition). If an arrest corresponded on both 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 2012 time period and were set to December 31, 2011 (beginning) and January 1, 2013 (end). If probation status changed during the study time period, the most current status at the time of the first arrest was used for the analysis.

OVERVIEW OF PROBATION SUPERVISION

The San Diego County Probation Department utilizes "risk-based supervision," which means that the frequency of contacts and depth of engagement with offenders is determined by their assessed level of risk. Those offenders assessed as "high risk" to recidivate are supervised on smaller caseloads and are seen more frequently than those assessed as medium risk. Generally, those assessed as low risk are assigned to an administrative caseload (banked) and are not required to report to an assigned officer. Probation also employs a proactive model of supervision that includes probation officers employing the components of case management to ensure that offenders comply with supervision terms and engage in services as required by a case plan. The development of case plans are linked to a concept called Risk-Need-Responsivity, which means the static risk of re-offense and dynamic service needs of the offender inform what services will best reduce the offender's risk of recidivating.[8] Offenders who are actively supervised are also required to report regularly to probation offices and are subject to announced and unannounced visits to their homes. Juveniles may also be contacted at school. Supervision activities may also include drug testing and searches of their homes.

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[8] Chief Probation Officers of California (2013, Fall). Assessing Risks and Needs of Realigned Populations: Post-Release Community Supervision and Services. CPOC Issue Brief, 1, 4. Sacramento, CA: Author.

RESEARCH LIMITATIONS

As part of this effort, 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. Rather, the report offers a glimpse at the value of such an inquiry and encourages a continued exploration of the subject matter in the future.

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.

Different Measures of Recidivism: There are numerous ways to measure recidivism, including arrest, prosecution, conviction, and reincarceration. In addition, one could speak of recidivism during the period of supervision, as well as for some standard length of follow-up. It is important to remember when interpreting these data that the measure considered here was arrest during supervision and it is possible results may be different if other measures were used.

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.