Recidivism for Individuals Sentenced to Probation in New York State

The Recidivism for Individuals Sentenced to Probation Report details arrest, conviction and incarceration data for individuals who were sentenced to probation.

Cohort

This report analyzes the recidivism of individuals sentenced to probation from 2010 through 2018 for criminal convictions or Youthful Offender (YO) adjudications stemming from arrests for misdemeanor or felony offenses that required fingerprints to be taken.

- An individual may be counted in multiple cohort years but within each year, an individual is only counted once for their first probation sentence.

- An individual sentenced to “jail and probation”, also known as a split sentence, is included in the cohort based on the start date of their probation sentence.

Note: State law details the types of crimes that require fingerprints to be taken upon arrest (see CPL Article 160). YO status is granted by the court and results in a conviction being sealed and only available under limited circumstances (see CPL Article 720).

Outcome Measures

This report tracks arrests, convictions and incarceration that occurred after the probation start date. Follow-up periods range from one to five years, with earlier cohorts having longer follow-up windows.

Recidivism Types

- **Arrest:** Any arrest for felony or misdemeanor offense requiring fingerprints to be taken within the follow-up period.
- **Conviction:** Any arrest as defined above within the follow-up period that resulted in a conviction or YO adjudication. To allow for case processing time, conviction rates are not presented for the two most recent cohort years.
- **Incarceration:** Any criminal conviction or YO adjudication as defined above that resulted in a term of incarceration: prison, jail, jail + probation, or time served.

Individuals may have multiple recidivism events during the follow-up periods, but each person is only counted once for each recidivism type within each cohort.

Offense Types

Misdemeanor or Felony: Any misdemeanor or felony offense in state law that requires fingerprints to be taken upon arrest.

Felony offenses: Any felony level offense.

Violent Felony: Any felony offense included in state Penal Law Section 70.02, and Class A violent felonies.

Note: This report replaces the Probationer Felony Re-Arrest Rates Following Sentence to Probation Report. It uses updated data and methodology and as a result, comparisons should not be drawn between the data in each report.

Recidivism for Individuals Sentenced to Probation
Livingston
Arrest

Arrested for Felony or Misdemeanor Offenses

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	182	19.2%	28.6%	36.8%	44.0%	49.5%
2011	169	18.3%	25.4%	32.5%	38.5%	44.4%
2012	186	18.3%	27.4%	35.5%	40.3%	46.2%
2013	157	17.8%	29.3%	33.1%	40.1%	40.8%
2014	189	17.5%	28.6%	31.7%	33.9%	38.1%
2015	187	15.5%	21.9%	30.5%	37.4%	
2016	176	18.2%	27.3%	29.5%		
2017	196	17.9%	27.6%			
2018	164	15.9%				

Arrested for Felony Offenses

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	182	8.8%	13.7%	19.2%	21.4%	25.8%
2011	169	4.7%	9.5%	13.6%	18.9%	21.3%
2012	186	4.3%	10.8%	15.1%	21.5%	25.3%
2013	157	9.6%	17.2%	21.0%	26.1%	26.8%
2014	189	7.4%	14.3%	17.5%	20.6%	24.3%
2015	187	7.0%	10.2%	14.4%	17.6%	
2016	176	8.0%	13.1%	16.5%		
2017	196	8.2%	12.2%			
2018	164	9.1%				

Arrested for Violent Felony Offenses (incl. VFO like Class A-1)

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	182	0.5%	2.7%	3.3%	3.3%	4.4%
2011	169	0.6%	2.4%	3.0%	3.6%	4.1%
2012	186	1.1%	2.2%	2.7%	3.2%	4.3%
2013	157	1.3%	3.2%	3.8%	3.8%	3.8%
2014	189	1.6%	3.2%	3.7%	4.8%	5.3%
2015	187	1.1%	2.1%	3.7%	3.7%	
2016	176	0.6%	1.1%	1.7%		
2017	196	0.5%	1.5%			
2018	164	2.4%				

Recidivism for Individuals Sentenced to Probation
Livingston
Conviction

Conviction of Felony or Misdemeanor Offenses

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	182	13.2%	21.4%	26.9%	31.3%	36.3%
2011	169	11.8%	19.5%	21.9%	26.6%	29.0%
2012	186	13.4%	19.9%	26.3%	30.1%	35.5%
2013	157	12.1%	24.2%	28.0%	33.8%	35.7%
2014	189	14.8%	22.2%	26.5%	29.6%	33.3%
2015	187	11.2%	15.5%	20.3%	25.1%	
2016	176	13.1%	19.3%	21.6%		

Conviction of Felony Offenses

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	182	4.9%	8.8%	13.7%	15.4%	18.7%
2011	169	3.6%	5.9%	9.5%	11.8%	13.6%
2012	186	2.7%	5.9%	9.7%	12.9%	16.7%
2013	157	8.3%	12.1%	15.3%	17.8%	17.8%
2014	189	5.8%	10.1%	12.2%	14.3%	17.5%
2015	187	3.7%	4.8%	6.4%	7.5%	
2016	176	4.0%	5.7%	7.4%		

Conviction of Violent Felony Offenses (incl. VFO like Class A-1)

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	182	0.5%	1.1%	1.6%	1.6%	1.6%
2011	169	0.0%	0.6%	1.2%	1.2%	1.8%
2012	186	1.1%	2.2%	2.2%	2.2%	2.7%
2013	157	0.0%	0.0%	0.6%	0.6%	0.6%
2014	189	0.5%	1.6%	2.1%	3.2%	3.7%
2015	187	1.1%	1.1%	1.6%	1.6%	
2016	176	0.6%	0.6%	0.6%		

Conviction Leading to Incarceration

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	182	9.3%	16.5%	20.9%	23.6%	28.6%
2011	169	10.7%	16.6%	18.3%	20.7%	21.9%
2012	186	8.6%	16.1%	21.0%	23.7%	27.4%
2013	157	8.9%	17.2%	20.4%	25.5%	26.1%
2014	189	12.2%	18.5%	22.2%	24.9%	28.0%
2015	187	10.2%	12.3%	13.9%	17.6%	
2016	176	8.5%	13.6%	14.8%		