

## Recidivism for Individuals Sentenced to Probation

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 2019 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. The arrest cannot be for a crime committed before 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  
Herkimer County**

**Arrest**

**Arrest for Felony or Misdemeanor Offenses**

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	90	13.3%	27.8%	44.4%	50.0%	54.4%
2011	121	19.8%	32.2%	38.8%	42.1%	45.5%
2012	99	25.3%	34.3%	44.4%	54.5%	57.6%
2013	118	16.9%	34.7%	40.7%	45.8%	49.2%
2014	115	21.7%	31.3%	40.9%	46.1%	48.7%
2015	92	22.8%	28.3%	34.8%	41.3%	43.5%
2016	91	16.5%	22.0%	34.1%	39.6%	
2017	91	19.8%	28.6%	34.1%		
2018	76	25.0%	30.3%			
2019	82	18.3%				

**Arrest for Felony Offenses**

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	90	5.6%	8.9%	15.6%	18.9%	24.4%
2011	121	11.6%	20.7%	24.8%	27.3%	28.9%
2012	99	12.1%	16.2%	21.2%	25.3%	27.3%
2013	118	5.9%	14.4%	21.2%	24.6%	25.4%
2014	115	9.6%	17.4%	21.7%	24.3%	27.8%
2015	92	5.4%	7.6%	12.0%	13.0%	16.3%
2016	91	6.6%	11.0%	16.5%	20.9%	
2017	91	6.6%	12.1%	16.5%		
2018	76	6.6%	14.5%			
2019	82	8.5%				

**Arrest 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	90	2.2%	4.4%	5.6%	6.7%	6.7%
2011	121	3.3%	5.8%	6.6%	8.3%	8.3%
2012	99	2.0%	5.1%	6.1%	6.1%	6.1%
2013	118	2.5%	4.2%	4.2%	5.9%	5.9%
2014	115	3.5%	4.3%	5.2%	5.2%	6.1%
2015	92	0.0%	0.0%	1.1%	1.1%	3.3%
2016	91	2.2%	3.3%	3.3%	6.6%	
2017	91	1.1%	5.5%	5.5%		
2018	76	0.0%	5.3%			
2019	82	2.4%				

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**Conviction**

**Conviction for Felony or Misdemeanor Offenses**

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	90	6.7%	15.6%	24.4%	31.1%	36.7%
2011	121	15.7%	28.1%	32.2%	34.7%	37.2%
2012	99	19.2%	25.3%	34.3%	42.4%	45.5%
2013	118	11.0%	25.4%	32.2%	35.6%	39.0%
2014	115	14.8%	21.7%	29.6%	34.8%	
2015	92	14.1%	20.7%	23.9%		
2016	91	13.2%	17.6%			
2017	91	13.2%				

**Conviction for Felony Offenses**

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	90	3.3%	5.6%	8.9%	12.2%	17.8%
2011	121	5.8%	13.2%	14.0%	14.9%	16.5%
2012	99	9.1%	15.2%	17.2%	21.2%	23.2%
2013	118	3.4%	8.5%	13.6%	13.6%	13.6%
2014	115	3.5%	7.8%	10.4%	12.2%	
2015	92	3.3%	4.3%	6.5%		
2016	91	4.4%	6.6%			
2017	91	4.4%				

**Conviction for Violent Felony Offenses**

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	90	0.0%	1.1%	1.1%	2.2%	2.2%
2011	121	0.8%	2.5%	2.5%	3.3%	3.3%
2012	99	1.0%	4.0%	4.0%	4.0%	4.0%
2013	118	0.8%	1.7%	1.7%	1.7%	1.7%
2014	115	0.0%	0.0%	0.0%	0.0%	
2015	92	0.0%	0.0%	0.0%		
2016	91	0.0%	0.0%			
2017	91	0.0%				

**Conviction Resulting in Incarceration**

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	90	2.2%	4.4%	8.9%	14.4%	20.0%
2011	121	7.4%	13.2%	17.4%	19.8%	22.3%
2012	99	13.1%	18.2%	21.2%	26.3%	28.3%
2013	118	5.1%	14.4%	17.8%	18.6%	19.5%
2014	115	8.7%	11.3%	16.5%	20.0%	
2015	92	9.8%	13.0%	15.2%		
2016	91	11.0%	14.3%			
2017	91	6.6%				