

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
New York State**

Arrest

Arrest for Felony or Misdemeanor Offenses

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	30,606	23.0%	33.9%	40.8%	45.7%	49.2%
2011	29,190	23.4%	34.2%	41.0%	45.4%	49.1%
2012	28,452	23.6%	34.3%	40.7%	45.6%	49.3%
2013	27,589	23.3%	34.0%	40.6%	45.5%	49.2%
2014	25,803	21.9%	32.8%	39.5%	44.3%	48.0%
2015	23,533	22.1%	32.3%	38.9%	43.5%	46.5%
2016	24,103	22.6%	32.8%	39.0%	42.9%	
2017	23,878	21.6%	31.4%	36.8%		
2018	21,643	21.0%	29.5%			
2019	19,799	18.9%				

Arrest for Felony Offenses

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	30,606	10.8%	17.6%	22.5%	26.3%	29.4%
2011	29,190	10.5%	17.1%	22.0%	25.8%	28.9%
2012	28,452	10.7%	17.2%	22.0%	26.0%	29.4%
2013	27,589	10.6%	17.2%	22.3%	26.3%	29.5%
2014	25,803	10.3%	17.0%	22.0%	25.9%	29.3%
2015	23,533	10.4%	17.1%	22.0%	25.7%	28.4%
2016	24,103	11.0%	17.5%	22.2%	25.4%	
2017	23,878	10.9%	17.1%	21.3%		
2018	21,643	10.7%	16.5%			
2019	19,799	10.0%				

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	30,606	3.4%	5.8%	7.6%	9.0%	10.2%
2011	29,190	3.3%	5.6%	7.3%	8.7%	9.8%
2012	28,452	3.2%	5.4%	7.0%	8.4%	9.8%
2013	27,589	3.2%	5.3%	7.0%	8.4%	9.6%
2014	25,803	2.8%	5.0%	6.7%	8.2%	9.5%
2015	23,533	2.9%	4.9%	6.5%	7.9%	9.2%
2016	24,103	3.0%	5.1%	6.7%	8.0%	
2017	23,878	2.9%	4.9%	6.6%		
2018	21,643	2.8%	5.0%			
2019	19,799	2.9%				

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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	30,606	13.0%	20.3%	25.6%	29.7%	33.0%
2011	29,190	12.9%	20.4%	25.5%	29.2%	32.5%
2012	28,452	13.2%	20.6%	25.7%	29.7%	32.9%
2013	27,589	13.1%	20.5%	25.6%	29.6%	32.7%
2014	25,803	12.7%	20.0%	25.0%	28.8%	
2015	23,533	13.0%	20.3%	25.2%		
2016	24,103	12.7%	19.4%			
2017	23,878	11.9%				

Conviction for Felony Offenses

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	30,606	4.2%	7.2%	9.8%	11.9%	13.8%
2011	29,190	4.0%	7.0%	9.6%	11.7%	13.5%
2012	28,452	4.2%	7.1%	9.6%	11.8%	13.7%
2013	27,589	4.2%	7.1%	9.6%	11.6%	13.4%
2014	25,803	3.9%	6.9%	9.1%	11.2%	
2015	23,533	3.9%	6.9%	9.3%		
2016	24,103	4.0%	6.8%			
2017	23,878	3.9%				

Conviction for Violent Felony Offenses

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	30,606	1.2%	1.9%	2.6%	3.0%	3.4%
2011	29,190	1.1%	1.8%	2.3%	2.8%	3.2%
2012	28,452	1.1%	1.8%	2.3%	2.8%	3.1%
2013	27,589	0.9%	1.6%	2.2%	2.6%	3.0%
2014	25,803	0.8%	1.4%	2.0%	2.4%	
2015	23,533	0.8%	1.4%	1.9%		
2016	24,103	0.9%	1.5%			
2017	23,878	0.8%				

Conviction Resulting in Incarceration

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	30,606	9.6%	14.9%	18.8%	21.6%	23.7%
2011	29,190	9.5%	14.9%	18.6%	21.2%	23.4%
2012	28,452	9.7%	15.2%	18.9%	21.5%	23.7%
2013	27,589	9.6%	14.9%	18.5%	21.1%	23.1%
2014	25,803	9.4%	14.5%	17.9%	20.6%	
2015	23,533	9.3%	14.6%	18.0%		
2016	24,103	9.0%	13.8%			
2017	23,878	8.5%				