

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
Orange County**

Arrest

Arrest for Felony or Misdemeanor Offenses

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	621	23.0%	33.2%	41.4%	46.2%	49.3%
2011	693	20.3%	30.6%	37.8%	41.0%	44.9%
2012	579	23.1%	35.6%	41.6%	47.5%	51.8%
2013	631	24.2%	36.8%	44.4%	48.8%	52.8%
2014	686	22.9%	34.3%	42.1%	48.1%	51.3%
2015	642	17.4%	27.9%	34.6%	39.9%	43.0%
2016	664	20.5%	28.0%	35.7%	39.9%	
2017	672	19.8%	27.5%	32.4%		
2018	528	21.6%	29.7%			
2019	556	17.3%				

Arrest for Felony Offenses

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	621	12.2%	18.7%	22.5%	25.8%	29.1%
2011	693	7.8%	14.7%	18.2%	21.9%	25.0%
2012	579	9.5%	17.1%	22.5%	26.3%	29.7%
2013	631	10.9%	17.6%	22.3%	25.4%	27.3%
2014	686	8.5%	15.5%	21.0%	27.1%	30.3%
2015	642	6.9%	12.0%	17.1%	20.9%	23.1%
2016	664	8.7%	13.3%	19.1%	21.8%	
2017	672	8.2%	13.4%	16.1%		
2018	528	10.2%	15.2%			
2019	556	7.4%				

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	621	3.5%	6.6%	8.9%	10.1%	11.6%
2011	693	2.3%	3.9%	5.1%	6.1%	7.1%
2012	579	3.1%	6.0%	7.6%	8.8%	10.5%
2013	631	3.2%	5.4%	7.1%	7.8%	8.9%
2014	686	2.3%	4.1%	6.0%	7.0%	7.7%
2015	642	2.0%	3.3%	3.4%	4.7%	5.3%
2016	664	2.4%	3.8%	5.4%	6.3%	
2017	672	1.2%	2.8%	3.4%		
2018	528	2.7%	3.8%			
2019	556	2.0%				

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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	621	12.9%	18.7%	23.8%	28.2%	31.6%
2011	693	9.8%	17.2%	22.8%	26.0%	28.9%
2012	579	12.8%	22.3%	28.3%	32.5%	37.0%
2013	631	14.7%	22.5%	29.6%	33.0%	36.1%
2014	686	13.3%	22.0%	27.7%	33.1%	
2015	642	11.2%	17.8%	22.7%		
2016	664	11.4%	16.9%			
2017	672	10.3%				

Conviction for Felony Offenses

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	621	5.8%	8.1%	10.8%	12.1%	14.0%
2011	693	2.5%	5.5%	7.4%	9.7%	11.5%
2012	579	4.3%	7.4%	9.3%	11.9%	13.8%
2013	631	4.6%	7.6%	9.8%	11.1%	12.8%
2014	686	3.4%	6.6%	9.2%	11.8%	
2015	642	3.6%	5.6%	8.4%		
2016	664	2.9%	5.1%			
2017	672	3.3%				

Conviction for Violent Felony Offenses

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	621	1.9%	2.4%	3.1%	3.2%	3.7%
2011	693	1.0%	1.3%	1.3%	1.9%	2.6%
2012	579	1.0%	1.7%	1.7%	2.1%	2.9%
2013	631	1.0%	1.6%	1.7%	1.7%	2.4%
2014	686	1.2%	1.9%	2.6%	2.9%	
2015	642	0.6%	0.9%	1.2%		
2016	664	0.6%	1.2%			
2017	672	0.4%				

Conviction Resulting in Incarceration

Dispo. Yr	Cohort N	1 Year	2 Years	3 Years	4 Years	5 Years
2010	621	10.6%	14.3%	18.0%	20.6%	23.3%
2011	693	6.3%	11.4%	15.2%	18.3%	20.9%
2012	579	10.9%	16.2%	21.4%	23.8%	27.3%
2013	631	10.5%	16.3%	22.0%	23.9%	25.8%
2014	686	10.1%	16.2%	20.6%	24.2%	
2015	642	9.7%	13.6%	16.2%		
2016	664	8.9%	11.7%			
2017	672	8.3%				