

# Summary

## Frequent Offenders Monitor

### Mapping out juvenile and extremely active, adult frequent offenders

This report provides an insight into the backgrounds of registered very active frequent offenders, both adults and juveniles. The study is based on two cohorts (2003 en 2004). For both cohorts, any contact with the law until the end of December 2005 is mapped out.

What is the purpose of such a Monitor? In the security programme formulated by the Dutch Ministries of Justice and Interior & Kingdom Relations, a number of measures are announced which aim to prevent or reduce recidivism by frequent offenders. The most important measures are:

- Longer terms for detention or supervision;
- Intensification of the reintegration and supervision of ex-detainees and
- Improvement of after-care for addicts and/or criminals with psychiatric problems (Ministry of Justice, 2002).

The most important goal of the Frequent Offenders Monitor, in terms of its usefulness for society, is to provide an insight into primary process sources (including HKS, OMDATA, OBJD, CVS, LADIS), which relate to adult and juvenile frequent offenders. In this way, characteristics of frequent offenders can be described more accurately and completely than is the case when only one source of data is used.

Frequent offenders cause a great deal of trouble, especially in the larger cities: until recently, 20% of all reported and solved crimes per year were committed by offenders that regularly come into contact with the law, the so-called frequent offenders (Ministry of Justice, 2003a). Tackling the problems caused by juvenile and adult frequent offenders was therefore one of the key focus areas in the Security Programme of the Balkenende governments. In order to make it easier to monitor these groups, the WODC developed the Frequent Offenders Monitor, at the request of the Sanction and Prevention Policy and Judicial Youth Policy departments of the Ministry of Justice. The following section discusses the findings for the period 2003-2005.<sup>23</sup>

23 The preliminary police data of 2005 have not been used, as arrears in registration in police data in previous years gave a distorted view of the groups studied.

### Box s1 Most significant findings

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- The number of *registered* frequent offenders in 2004 increased compared to 2003, especially the group of juvenile frequent offenders. As the registration of police data for 2005 was still too much in arrears at the time of this study, the development in that year is as yet unknown.
  - Between 2003 and 2004, there were no significant changes in the composition of the frequent offender population in terms of age, sex, country of birth and criminal past.
  - Among both the juveniles and the extremely active, adult frequent offenders, many frequent offenders have a non-Dutch background.
  - Adult frequent offenders that were also active in 2004 and are present in the police and judicial data records, have more problems regarding education, work, substance dependency and housing than other frequent offenders.
  - The capacity in frequent offenders' institutions has not been fully used since the Frequent Offenders Institution Order took effect in October 2004.
  - Among the extremely active, adult frequent offenders, there seems to be a downward trend in registered recidivism.
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The primary objectives of the Frequent Offenders Monitor are:

- 1 Mapping out the information available nationwide on juvenile and adult frequent offenders.
- 2 Describing the inflow and outflow of these groups in the police system and judicial system.
- 3 Making an inventory of the standard action taken by the police and judicial organizations in respect of crimes committed by frequent offenders.

The implementation strategy of Frequent Offenders Monitor is as follows. On the basis of police data, a check is made every year to determine which individuals meet the 'juvenile frequent offender' (JFO) or 'extremely active, adult frequent offender' (EAAFO) characterization. C.f. box 2 for the definition of the key terms in this report. So far, such groups (cohorts) have been formed for the years 2003 and 2004. By linking information available at the various agencies, such as the Public Prosecution Department, the National Agency of Correctional Institutions and the probation service, the persons from the various cohorts are monitored over a period of time. Using this method, it is possible to identify changes in the frequent offender population. The development of recidivism of the successive frequent offenders' cohorts is also monitored.

The objective of the frequent offenders' policy is to realize a reduction in crimes committed by frequent offenders and in the number of frequent offenders. This means that there will be fewer frequent offenders in the long run (relatively speaking) and that they will be less liable to relapse into criminal behaviour.

## Box s2 Definitions of the terms used

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*Juvenile frequent offender (JFO) [jeugdige veelpleger, JVP]:* anyone aged between 12 and 17 who has had an official report [*process verbaal, pv*] drawn up against him/her more than five times in his/her entire criminal career, of which at least one of such reported incidents has occurred in the reference year, i.e. the year in which he/she was characterized as frequent offender.

*Extremely active, adult frequent offender (EAAFO) [Zeer actieve volwassen veelpleger, ZAVP]:* anyone aged 18 or over who has had an official report drawn up against him/her more than ten times during a period of five years, of which at least one of such reported incidents has occurred in the reference year, the reference year being the last year.

*Persistent frequent offender:* anyone labelled an extremely active frequent offender or juvenile frequent offender in 2003 who was registered one or more times through such an official report in 2004.

*Inactive frequent offender:* anyone labelled an extremely active frequent offender or juvenile frequent offender in 2003 who was not registered through an official report in 2004 and therefore no longer can be labelled as such in 2004. Together with the persistent frequent offenders, this group forms the total cohort from 2003.

*Beginner:* anyone who was not labelled an extremely active or juvenile frequent offender in 2003, but became one in 2004. Together with *part* of the persistent frequent offenders, this group forms the total frequent offenders cohort for 2004. After all, not all persistent frequent offenders in 2003 can be labelled frequent offenders in 2004.

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With the Frequent Offenders Monitor, this report attempts to give answers to the following questions:

- 1 What information regarding frequent offenders can be found in police and judicial data records?
- 2 How many frequent offenders are there, and what characteristics do they have?
  - 2.1 Can any changes in the characteristics of the frequent offenders group be identified over time, i.e. are there differences between the frequent offenders from the 2003 and the 2004 cohorts?
  - 2.2 What is the relationship between the characteristics of the frequent offenders and the Dutch population at large?
  - 2.3 What do the records say about the problems of adult frequent offenders?
  - 2.4 How many times have frequent offenders been involved in a crime, an official report, a trial, or a detention in their criminal career?
  - 2.5 What sentences were the frequent offenders given in the past?
  - 2.6 What kind of contact did juvenile frequent offenders have with the Child Care and Protection Board in their past?

- 3 Are there differences between *inactive frequent offenders* (frequent offenders that do not come up again after the reference year), *persistent frequent offenders* (frequent offenders that do come up again after the reference year) and *beginners* (frequent offenders that come up as newcomers in the second reference year)?
- 4 How do the various judicial organizations treat frequent offenders when they are already labelled as frequent offenders?
  - 4.1 What actions (interventions) does the probation service take in respect of adult frequent offenders?
  - 4.2 How often do frequent offenders come into contact with the law and what sentences are they given when they re-offend?
  - 4.3 To what extent are frequent offenders remanded in police custody or held in pre-trial detention?
  - 4.4 How often and for how long are frequent offenders locked up?
  - 4.5 To what extent is the Frequent Offenders Institution Order imposed and executed?
  - 4.6 To what extent are the dedicated places for juvenile frequent offenders, the so-called tenderplaatsen, used for this group?
  - 4.7 What is the percentage of frequent offenders taking up capacity in adult and juveniles' institutions?
- 5 How many frequent offenders have been involved in rehabilitation programmes for substance dependency?
  - 5.1 What are the characteristics of this group?
  - 5.2 What kinds of substance dependency problems are typical for this group?
- 6 What connections between background characteristics can be distinguished within the EAAFO group?

The most significant results will be described below.

### Group size

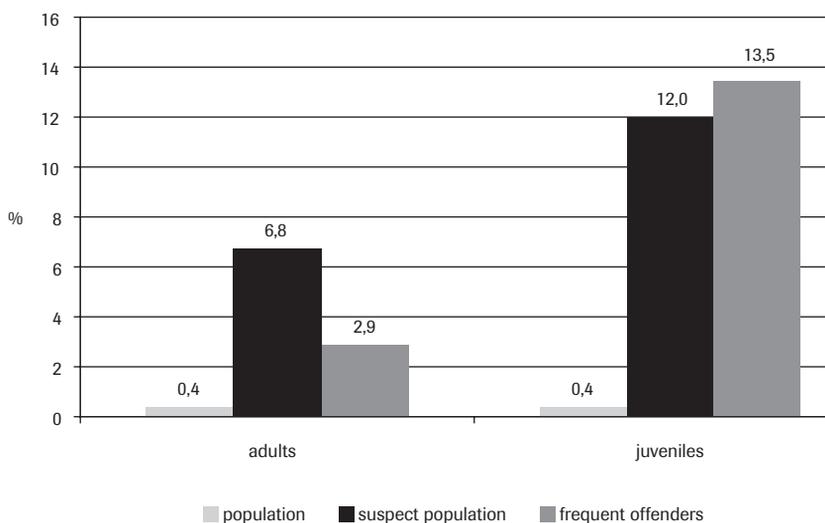
Table s1 shows the numbers of frequent offenders found in police records in 2003 and 2004. To contrast these figures, the aggregate population figures and total number of suspects are also stated for both years. Figure s1 shows the relative growth of the overall population, the suspect population and the frequent offenders population. Figure s1 shows that the growth of the number of EAAFOs is smaller than that of the number of adult suspects. Both relative growth figures, however, are much higher than the population growth figure. Among JFOs, growth in the frequent offenders group is somewhat more than growth in the juvenile suspect population; in the juvenile suspect population as well as in the group of JFOs, the growth is stronger than among the groups of adult suspects and adult frequent offenders.

Is the increase in the number of frequent offenders realistic or is the impact related to registration? It is possible that part of the increase can be attributed to stepped-up investigation and prosecution of suspects: the police figures supplied by Statistics Netherlands [*Centraal Bureau voor de Statistiek, CBS*] show that the rate of cases solved<sup>24</sup> in the period 2003-2004 increased by 7%. The extent to which this differs between the juveniles and adults cannot be seen, as the rates of cases solved cannot be subdivided according to age; after all, the age of perpetrators of unsolved crimes is unknown.

**Table s1 Number of juvenile and extremely active frequent offenders in their reference years 2003-2004**

	31 Dec. 2003	31 Dec. 2004	Increase (abs.)
<i>Population</i>			
Adults	12,654,365	12,707,935	53,570
Juveniles	1,194,681	1,199,916	5,235
<i>Suspect population</i>			
Adults	188,885	201,635	12,750
Juveniles	26,155	29,291	3,136
<i>Frequent offenders</i>			
EAAFO	5,899	6,068	169
AFO	1,069	1,213	144

**Figure s1 Increase of the number of frequent offenders in 2004 compared to 2003 (in terms of percentage); compared to the growth in the population/suspect population**



<sup>24</sup> The rate of crimes solved is the number of crimes solved divided by the total number of crimes registered times 100. A crime is considered solved if at least one suspect has been traced.

## Nature of the group

Has the composition of the frequent offenders population changed over the reference period? Table s2 gives some (static) background characteristics of the EAAFOs. No major differences can be seen in relation to these characteristics between the 2003 and the 2004 cohorts. There are, however, fewer women in the 'persistent frequent offenders' group than in the 'inactive frequent offenders' and 'beginners' groups. In the 'inactive frequent offenders' group, there are slightly more senior frequent offenders (c.f. box s2 for the meaning of these terms). The persistent frequent offenders also have a longer criminal record than the inactive frequent offenders. That is evident in relation to the beginners, as they usually were not labelled extremely active frequent offenders until 2004.

Table s3 contains the same characteristics, this time for the juvenile frequent offenders. Again, the differences between the cohorts are not very significant. Only the percentage of girls dropped in 2004 compared to 2003. The lowest percentage of girls can be found in the 'beginners' group.

**Table s2 Static background characteristics of extremely active frequent offenders; 2003-2004**

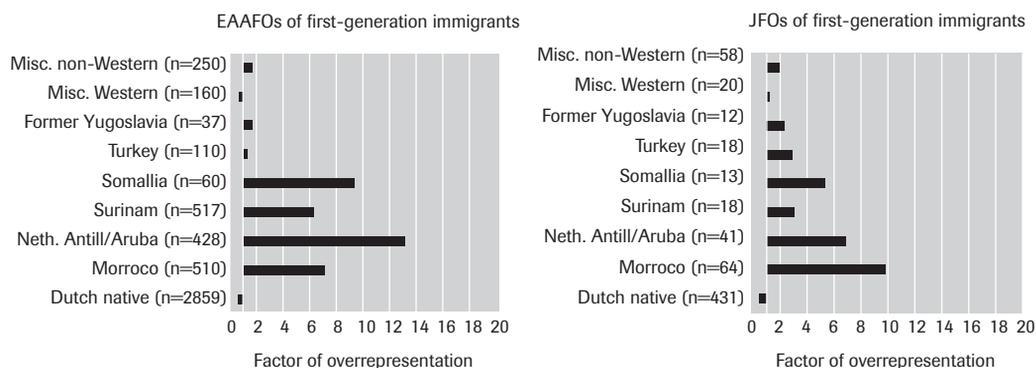
	2003 Cohort	Inactive frequent offenders 2003	Persistent frequent offenders 2003	Persistent frequent offenders 2004	Beginners 2004	2004 Cohort
N	5,899	1,405	4,494	4,494	1,976	6,068
% of women	6.6	7.0	6.4	6.4	6.9	6.5
Average age	33.8	34.1	33.8	34.8	32.8	34.1
Average age at first official report	18.6	19.5	18.3	18.3	18.7	18.4
Number of years since first conviction	15.3	14.9	15.5	16.5	14.1	15.6
Average number of official reports	43.6	38.6	45.2	47.9	31.6	43.4
Average number of criminal cases	40.9	35.6	42.5	45.5	28.9	40.3

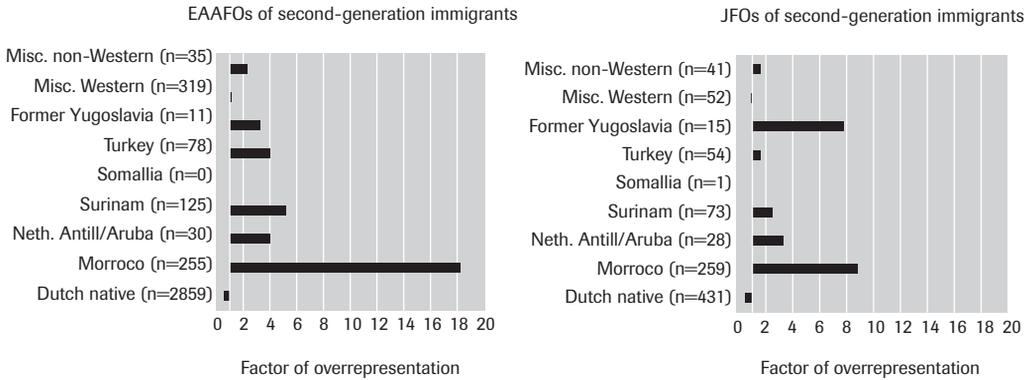
**Table s3 Static background characteristics of juvenile frequent offenders; 2003-2004**

	2003 Cohort	Inactive frequent offenders 2003	Persistent frequent offenders 2003	Persistent frequent offenders 2004	Beginners 2004	2004 Cohort
N	1,069	369	700	700	828	1,213
% female	6.2	6.8	5.9	5.9	4.0	4.5
Average age	16.6	16.6	16.5	17.5	16.4	16.6
Average age at first official report	13.2	13.2	13.2	13.2	13.4	13.3
Number of years since first conviction	2.8	2.9	2.8	3.8	2.6	2.9
Average number of official reports	8.1	7.7	8.3	9.8	7.0	8.0
Average number of criminal cases	5.9	5.7	6.1	7.6	5.2	5.9

**Box s3 Ethnic background**

Studies show that some ethnic groups (persons of foreign heritage) are found more often in the crime statistics than is to be expected on the basis of their number among the overall population in the Netherlands (Blom, Oudhof, Bijl and Bakker, 2005). To which extent is this true when focusing on frequent offenders? In figure 2 the facts regarding the extent of overrepresentation for the various ethnic groups were gathered (both for the EAAFOs and the JFOs from 2004). A factor exceeding 1 means overrepresentation. In the top half of the figure, ethnicity was derived from the suspect's country of birth (first-generation immigrants), in the bottom half, that one (one of) his/her parents (second-generation persons of foreign heritage). The biggest overrepresentation can be found among the Moroccan second-generation EAAFOs. This group is represented 18 times more than is to be expected on the basis of their number among the overall population. First-generation Antillians/Arubans, Somalis and Moroccans are also featured rather frequently in the statistics. Another striking aspect is that the second-generation juvenile Yugoslavs are found rather often; the group itself, however, is small. In absolute terms, the group of Somali frequent offenders is small, both among adults and juveniles.

**Figure 2 Ethnic background of frequent offenders 2004 compared to the overall population**



### Criminogenic factors

There is some information on the extremely active frequent offenders that usually relates to the reasons for starting and pursuing a criminal career. These are education, employment situation at the time the individual comes into contact with the law, and prevention of specific problems, such as a person’s substance dependency and their mental health. This dynamic<sup>25</sup> data is derived from CVS, the probation services database. For the juvenile frequent offenders, such a system is not available. Table s4 shows that the composition of the EAAFO group is fairly stable with regard to these characteristics. The differences between the 2003 and 2004 cohorts in the first and last column of table 4 are marginal. There are differences between the three sub-groups of adult frequent offenders. The scores of ‘persistent frequent offenders’ are the most unfavourable for all characteristics. Almost 60% of the EAAFOs that were also active in 2004 are persons who have no secondary education certificate (no primary and/or secondary education and lower secondary education without a certificate have been grouped in the same category). Eight in ten of these EAAFOs have no job, 75% are offenders who have substance dependency problems, over 30% have mental-health problems, according to the probation service, and more than 40% have problems with housing. The ‘inactive frequent offenders’ and the ‘beginners’ groups present a slightly less problematic picture with regard to these criminogenic factors, except for the mental-health condition of beginners. All problem areas reported are problems identified by individual probation officers.

25 Dynamic data covers people’s characteristics that may change over time.

**Table s4 Dynamic characteristics of extremely active frequent offenders; 2003-2004**

	2003 Cohort	Inactive frequent offenders 2003	Persistent frequent offenders 2003	Beginners 2004	2004 Cohort
<i>Level of education</i>					
no primary and/or secondary education	19.2	16.7	20.0	17.3	19.2
lower secondary education, no certificatediploma	37.8	35.8	38.4	36.1	37.9
LBO, (M)ULO or MAVO*	18.4	20.0	17.9	20.2	18.5
HAVO/VWO/MBO/HBO/WO**	9.2	9.0	9.2	10.0	9.3
<i>Job situation</i>					
unemployed/incapacitated for work	79.2	71.4	81.5	76.5	80.5
casual work	5.4	5.5	5.4	6.5	5.6
employed	0.6	0.6	0.6	0.8	0.7
attending school	1.0	1.4	0.9	1.7	1.2
miscellaneous/unknown	13.7	21.0	11.6	14.4	12.0
<i>Nature of problems</i>					
substance dependency	73.1	67.5	74.6	66.9	72.4
mental health	37.1	35.9	37.5	38.2	37.6
housing	42.2	37.9	43.4	40.7	42.6

\* Types of low-level secondary education.

\*\* Types of high-level secondary education and university education.

There is different background information available in respect of the juvenile frequent offenders. Table s5 lists the degree of urbanization of the places where they live, the monthly income of the parent(s) (single or combined income), whether or not the parents are on benefit and the housing situation of the juveniles. The table shows that inactive frequent offenders come rather often from areas that are urbanized to a moderate extent, or less or not at all urbanized. More than six in ten juvenile frequent offenders originate from highly urbanized to very highly urbanized areas. The parents of juvenile frequent offenders are on benefits three times more often than the parents of the overall juvenile population, namely 60%. Moreover, JFOs prove to be from broken families more than twice as often as other groups.

**Table s5 Socio-economic characteristics of the 2004 juvenile population and juvenile frequent offenders; 2003-2004**

	2003 Cohort	Inactive frequent offenders 2003	Persistent frequent offenders 2003	Beginners 2004	2004 Cohort	2004 Population
<i>Urbanization of place of residence* (%)</i>						
highly to very highly urbanized	59.3	51.8	63.3	65.3	64.1	41.3
moderately urbanized	20.4	23.3	18.9	19.3	19.2	21.6
less or not urbanized	15.5	20.3	13.0	13.9	14.4	37.1
<i>Fiscal monthly wage of parental household (**)</i>						
less than €1300	26.9	30.9	24.9	28.9	27.5	9.3
between €1300 and €2000	31.8	27.6	34.0	30.6	32.5	11.1
between €2000 and €3000	15.4	13.8	16.3	15.9	15.6	17.1
€3000 or over	17.7	19.5	16.7	19.0	18.2	60.5
<i>Parents on benefit (26-9-2003)***</i>						
at least one parents lives on benefits	60.1	59.9	60.3	57.0	58.9	21.5
neither parent lives on benefits	33.2	33.6	33.0	39.1	36.5	77.7
<i>Broken family (26-9-2003)*** (%)</i>						
No	41.1	37.7	42.9	40.0	41.1	76.9
Yes	52.3	55.8	50.4	56.2	54.4	22.2
Unknown	6.6	6.5	6.7	3.9	4.5	0.9

\* Highly to very highly urbanized  $\geq 1500$  addresses per sq km in the area; moderately urbanized 1000 to 1500 addresses per sq km in the area; less or not urbanized  $<1000$  addresses per sq km in the area

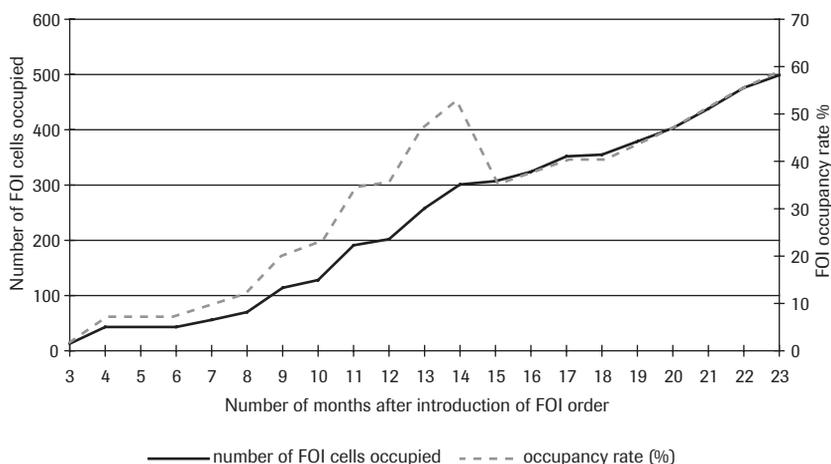
\*\* The parental household is taken to mean the partners and parent(s) in the parental household. The income comprises income from the main job, benefit, pension and study grants.

### The Frequent Offenders Institution Order

Since 1 October 2004, the courts have the option of imposing a Frequent Offenders Institution Order (FOI order) on 'persistent recidivists'. Frequent offenders can be placed in such institution for a maximum of two years. In 2005, such institutions could accommodate 544 persons. As of 2006, a total number of persons that can be accommodated has risen to 844. Figure s3 shows the absolute numbers and percentages of cells occupied in Frequent Offenders Institutions over time. The drop in the occupancy rate curve is due to the fact that 300 extra cells became available at once. Figure s3 shows that the capacity of the Frequent Offenders Institutions is still not being fully used, even a considerable period of time after the introduction of the order. In September 2006, 25 months after its introduction, 499 cells in Frequent Offender Institutions were occupied. This means that 60% of the capacity in place at the time was in use. At that moment, 138 cells were occupied by individuals upon whom the Public Prosecution Department intended to impose such order. It is unknown how many

people indeed will be placed in a Frequent Offenders Institution by the court, but even considering only the orders that have been executed, it is clear that the available capacity is not being fully used. As it turns out, almost all executed orders imposed in 2005 were imposed upon extremely active frequent offenders that were also active in 2004; hardly any 'inactive frequent offenders' is placed in those institutions. So it is not the case that these individuals have no more new antecedents, *because* they were put in a FOI.

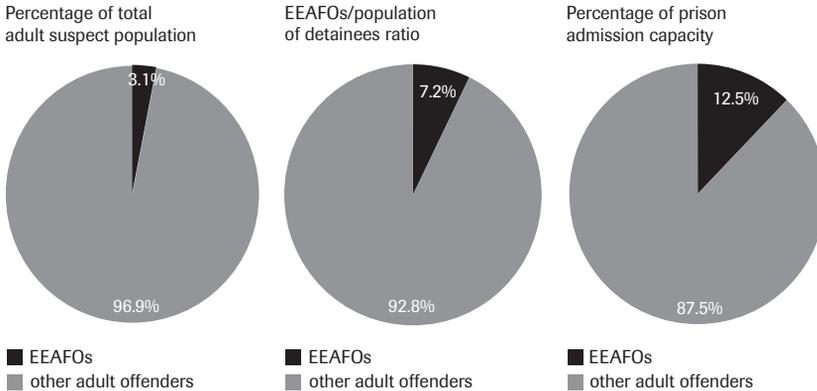
**Figure s3 Numbers and % of FOI orders; January 2005 – September 2006**



### FOI capacity taken up

Apart from being detained in an FOI, a frequent offender may also be detained in a standard remand centre or prison. How much of the 2004 detention capacity was taken up by the adult frequent offenders from 2003? Figure s4 gives an impression of this. The EAAFOs from 2003 together constitute 3% of the total population of adult suspects in that year. In 2004, a total of 61,446 individuals served time in Dutch penitentiary institutions for adults; the EAAFOs from 2003 detained in 2004 constitute 7.2% of that group. The records of the National Agency of Correctional Institutions also show that a total of 5,384,078 cell capacity days were available in the correctional institutions, of which days 12.5% was served by EAAFOs.

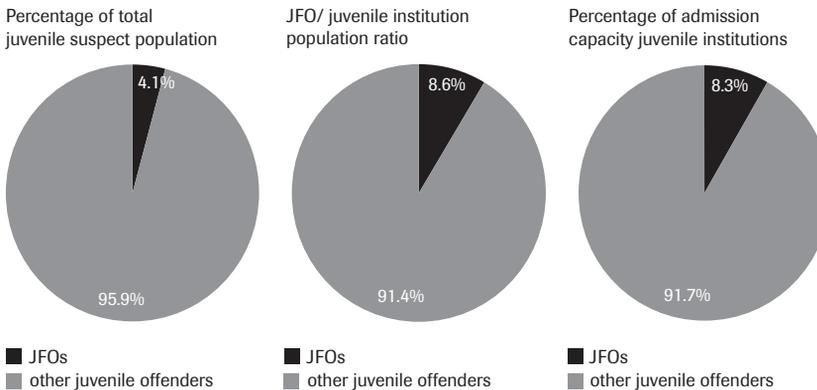
**Figure 4 Percentage of EAAFOs in the occupancy rate of correctional institutions in 2004**



The following figure (figure s5) shows the cells taken up in the correctional institutions for juvenile offenders.

4% of all juvenile offenders are frequent offenders. During 2004, there was a maximum of 910,675 cell capacity days available in correctional institutions for juvenile offenders, for 5,127 different juveniles detained. The JFOs detained from 2003 form well over 8.6% of this group. They were responsible for occupying the cell capacity for 76,920 days, i.e. 8.3% of the overall capacity. That means that they do not take up a disproportionate part of the capacity in the correctional institutions for juvenile offenders. It does show, however, that 132 JFOs from 2003 served time in correctional institutions for adults in 2004.

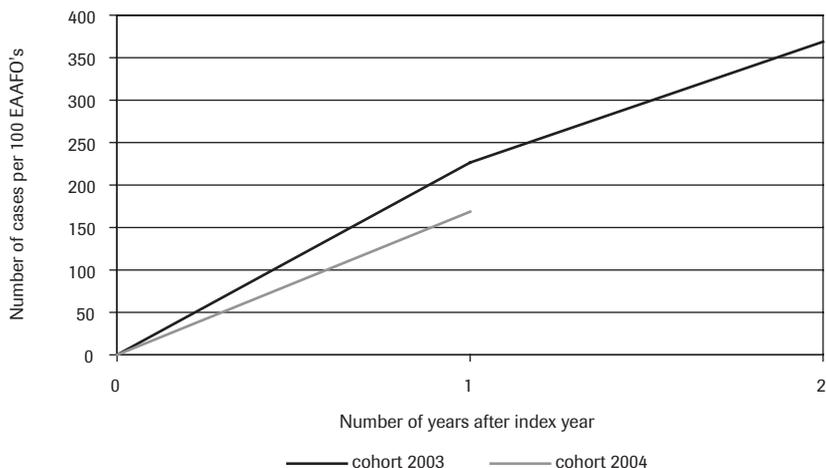
**Figure s5 Percentage of JFOs in the occupancy rate of correctional institutions for juvenile offenders 2004**



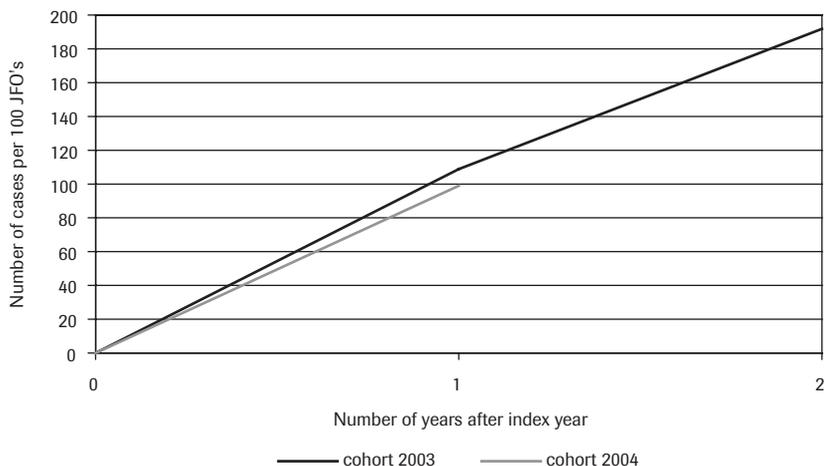
### Level of recidivism

How often do the extremely active frequent offenders and the juvenile frequent offenders come into contact with the law in the period *after the reference years 2003 and 2004*? Figures s6 and s7 give a first impression. As the cohorts are different in terms of size, the level of recidivism is expressed by total number of cases *per 100 frequent offenders*. In the first period after the reference year, the number of new criminal cases among the EAAFOs from 2004 is slightly under that of the extremely active frequent offenders from 2003 (figure s6). If this trend continues – which will not be clear until the following measurements in 2007 – it can then be determined that the registered level of recidivism for these groups – at least relatively speaking – has decreased.

**Figure s6 Recidivism of EAAFOs after reference year**



**Figure s7 Recidivism of JFOs after the reference year**

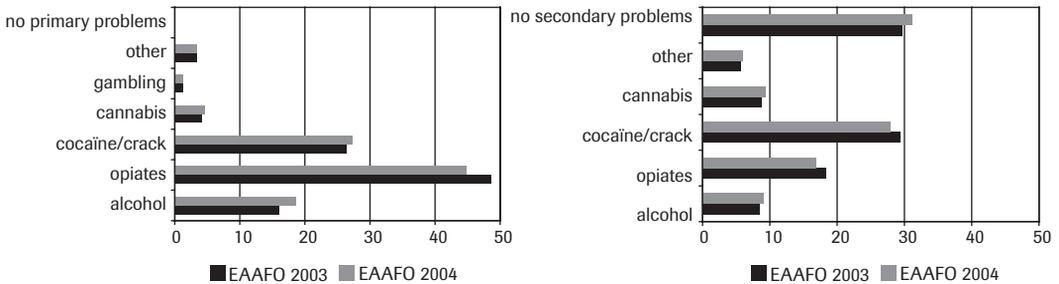


For the juvenile frequent offenders, it is more or less the same picture; figure s7 shows, however, that the decrease in recidivism is minor. This can be fully explained by the fact that there is somewhat of a backlog in case registration. Once the registration work has been caught up with, the curve showing the level of recidivism by JFOs from 2004 will go up higher.

**Frequent offenders in rehabilitation for substance dependency**

Seven in every ten EAAFOs from 2003 prove to be clients or former clients in rehabilitation programmes for substance dependency. Very few juvenile frequent offenders prove to be motivated to go into rehab (3.1%). This concerns the offenders registered for outpatient rehabilitation programmes offered by the judicial and non-judicial organizations.<sup>26</sup> Compared to the entire group of EAAFOs, this sub-group has even more problems. Figure s8 presents the primary and secondary dependency problems of these frequent offenders. When someone has incidental problems, it means that they depend on more than one substance, causing extra problems in addition to those caused by the main dependency.

**Figure 8 Primary and secondary problems of EAAFO from 2003 and 2004**



It turns out that a large group of the extremely active frequent offenders that come into contact with rehabilitation programmes use several substances; only 30% has no secondary dependency problems. The most frequently-used group of substances is opiates. In a striking number of cases, cocaine or crack is the secondary substance. In the majority of the cases, these people prove to suffer from these problems for five years or longer. It turns out that Dutch native suspects (56%) come into contact with rehabilitation programmes sooner than suspects from ethnic minorities (relatively speaking); in the entire EAAFO group, 47% is of native Dutch origin. This does not simply imply that their substance dependency is more serious; suspects from ethnic minority groups may

26 I.e. no admission to rehab clinics.

also be less easily inclined to seek help. After the Dutch native suspects, EAAFOs of Surinamese origin rank second in out-patient rehabilitation programmes.

### Conclusions

The frequent offender monitor is a collection point for national information on frequent offenders and their approach. The presented data already show some trends. Comparing 2003 to 2004 shows that:

- the number of registered frequent offenders has grown, especially the group of juvenile frequent offenders;
- the majority of frequent offenders is of foreign heritage. In particular, first and second generation of Moroccan heritage and persons born in the Netherlands Antilles, Aruba or Somalia are also overrepresented.
- the frequent offenders who were persecuted both in 2003 and 2004, have the most problems in varying areas, like addiction and housing.
- the available cell capacity for the Frequent Offenders Institution Order is occupied for 60% after two years;
- more than half of the JFOs are from broken homes;
- the parent(s) of JFPs are three times or more likely to receive benefits compared to the parents of the total juvenile population;
- the recidivism after one year of the EAAFOs of 2004 is significantly lower than the recidivism of the EAAFOs of 2003. The recidivism of JFO is fairly constant;
- 70% of the extremely active adult frequent offenders have been in contact with rehabilitation programmes for substance dependency. They deal with long-lasting addiction problems concerning mostly a combination of substances. More than half of the clients is autochthonous, which is slightly higher than is found in the complete EAAFO population.

The relationship between the different data and the implemented frequent offender policies will be investigated in another publication, namely the policy monitor which forms part of the frequent offenders monitor. The endeavour is to make clear how signalled trends in the data can be explained and – in relation to other WODC frequent offender research – an assessment can be made of the effects of the frequent offender policy.