

Summary

Relapse in reoffending

Exploring the decline of reconviction rates among adjudicated juvenile offenders and released prisoners in the years 2002-2010

Policy programmes in the field of Dutch criminal law often aim at the reduction of recidivism, which is the relapse of prosecuted offenders into criminal behavior. Several years ago, the Dutch government stipulated specific recidivism targets in a comprehensive set of measures indicated as the 'Safety Programme'. For convicted juvenile offenders and for adult former prisoners the medium-term recidivism will have to be reduced by 10 percentage points between 2002 and 2010 (Ministry of Justice & Ministry of the Interior and Kingdom Relations, 2007). To examine whether these goals were achieved, the Recidivism Monitor of the WODC observed the yearly progression of reconviction rates among juveniles and adults. The results of these observations are shown in the current report, and can be used to evaluate the effects of previously implemented offender related recidivism policies.

The results suggest that, overall, in five different offender populations (i.e., overall juvenile offenders, former inmates of juvenile detention centers, overall adult offenders, former prisoners and former clients of the Probation Office) criminal reconviction rates have gone down in 2002-2010. At the start of the observation period, reconviction rates immediately declined for all adult offenders, whereas these rates for juvenile offenders declined somewhat later. In general, the reconviction rates of juvenile offenders declined slightly less strong than those of adult offenders. The reconviction rates of adult former prisoners exhibited the sharpest decline; the stipulated target was met for this particular population. For juvenile offenders the target was nearly met.

The core feature of the current report is the attempt to explain the observed trends in reconviction rates. To facilitate this, the Recidivism Monitor worked with research bureau Regioplan on a method to link reconviction rates to policies concerning recidivism reduction. The main research question of the current report therefore is:

Can the judicial policies that have been aimed at offenders and suspects arguably be held responsible for the observed reduction in criminal recidivism among juvenile offenders and adult former prisoners?

To accurately determine whether the implemented offender oriented judicial policies actually affected reconviction rates, three classes of alternative explanations were incorporated into the design of the research:

- 1 in general the crimes rates have dropped;
- 2 there is less crime being registered;
- 3 prosecution has focused on offenders with increasingly lower recidivism risks.

To formulate an answer to the central question it is necessary to isolate the effect of the offender oriented policy measures from the operation of the three types of alternative explanations. Due to the complexity of the subject, the research will not provide firm conclusions and definite answers. It will be exploratory of nature. Nonetheless, by investigating and isolating alternative causes, at least an educated

guess can be made concerning the effects of implemented policies on reconviction rates. Furthermore, do note that the current study only concerns offender-oriented policies and not the effects of the criminal justice policy or government policy in general. It may be that crime has decreased during the study period and it is also conceivable that the Dutch government has contributed to this end. It is however, not the subject of this investigation.

Method

The research consisted of multiple parts. The first component was the recidivism study. The research of the Recidivism Monitor is based on data from the Dutch Offenders Index (DOI) . The DOI is an anonymous and encrypted version of the official registration of judicial documentation in the Netherlands and usually provides adequate information for determining reconviction rates. However, for more specific populations additional information is required. For instance, data from the National Agency of Correctional Institutions and from Statistics Netherlands (CBS) were obtained to adequately determine the reconviction rates for former prisoners. The current study examines the prevalence of recidivism up to two years after imposing the sanction or release from the institution. A reconviction was only considered valid when the reconviction was due to a crime, and not a misdemeanor. Furthermore, acquittals or technical decisions were not included. Although juvenile offenders and adult former prisoners were the most important offender groups in this evaluation, the reconviction rates of former clients of the Probation Office, adult offenders and former inmates of juvenile detention centers were also calculated.

The second component of the research consisted of an extensive literature study carried out by Regioplan. The aim of this study was to examine which factors, on either theoretical or empirical grounds, were associated with recidivism in the Netherlands. Regioplan also reviewed the policy measures aimed at the reduction of recidivism and executed in the period 2002-2010. A key issue within this study was the systematic review of the implemented policy measures, which resulted in an objective indicator for the realization of the programmes that brought forth the measures.. This indicator will be called the 'implementation score'. It indicates how well the intended policy programme was executed and thus serves as a model for the degree to which the implemented measures can be of influence when it comes to the level of recidivism.

The last component was a form of 'contribution analysis' (Mayne, 2012). This entails a mix of quantitative and qualitative research methods to find support for the theory of change that underlies the policy aimed at reducing recidivism. Contribution analysis involves explicitly exploring alternative explanations. As previously stated, in this study there are three categories of alternative explanations examined: (1) crime rates dropped in general; (2) less crime is being registered; (3) there have been selection effects. The explanations do not exclude each other, they can be valid all together. In this study we will try to isolate the effect of the policy programmes from the effects of the other types of explanations.

To accomplish this, several steps were taken. Firstly, quantitative indicators of various factors were extracted from the literature review of Regioplan. Secondly, a probability analysis was performed to assess the potential impact these various factors could have had on national reconviction rates, and whether data on these factors were available on an individual (micro) or on an aggregated (macro) level

for further analyses. Moreover, principal components analyses were performed to evaluate whether multiple macro-factors could be combined into single factors. Subsequently, multiple hierarchical logistic regression analyses were performed to provide an estimation of the impact of implemented programmes on reconviction rates among juvenile offenders and adult former prisoners. Although the intention was to incorporate as many macro-factors as possible into the models, the low number of observations on the macro-level (i.e. nine, because there are nine years between 2002 and 2010) limited the feasibility of these analyses.

Results

The inventory made by Regioplan showed that there were 21 policy measures aimed at the decrease in recidivism executed in the period 2002-2010. Within this period, two stages can be distinguished. The first stage lasted from 2002-2006, during which the Safety Programme was implemented to reduce the overall discontent with and fear of crime on the national level. The Dutch government wanted to remedy the lack of enforcement on crime and also handle an offender-oriented approach. The first stage entailed to nine specific measures, such as the introduction of the punitive measure for persistent offenders, the establishment of the Accreditation Panel for Behavioral Programs and the development of a widely-to-be-used screening device for establishing the individual's risk of recidivism (i.e., RISC).

The Safety program was followed by the policy programme 'Safety begins with Prevention', which lasted from 2007 to 2010. This programme was more oriented towards prevention of (repeat) crime and therefore further emphasized the offender oriented approach. Several policy measures introduced during the first stage were prolonged in the second. But in addition, twelve new separate policy measures were initiated. Of those the introduction of a system of aftercare for former prisoners and a new form of release on parole can be considered the most important. In general the focus of the programme was on preventing recidivism among (high frequent) juvenile offenders and former prisoners.

Regioplan reviewed the 21 policy measures to assess how well they have been implemented and whether they have reached their intended target groups. Even though gradually more policy measures were implemented during 2002-2010, not all measures were deemed fully implemented. By the end of 2010, only five out of ten programmes targeting adult offenders were scored as 'sufficient' or 'reasonable'. Furthermore, programmes targeting juvenile offenders were scored slightly higher on average: six out of eleven programmes obtained a 'sufficient' or higher score. Both for juvenile and adult offenders, the implementation score exhibited a strong negative correlation with the prevalence of recidivism. In other words, the increase of adequately implemented recidivism programmes was strongly associated with an overall reduction in recidivism. However, at this point the association can not be considered causal, because the alternative explanations are not yet accounted for.

The next step in the research was the inventory of alternative explanations. Out of the three classes of alternative explanations (i.e., general societal factors, reduction in crime registration, and selection effects) six macro-factors were construed with the help of PCA that were considered relevant for the explanation of the drop of the reconviction rates:

- 1 increased societal cohesion;
- 2 an increase of primary prevention initiatives;

- 3 more general deterrence;
- 4 a more favorable socio-economic climate;
- 5 stronger filter mechanisms in the processing of crime by the police and the judiciary; and
- 6 the decline of the generation of highly active heroin-addicted offenders.

Each of these macro-factors may explain (part of) the decrease in recidivism rates. To account for an influence of selection mechanisms on the micro level (i.e. relating to the individual offenders), six common background characteristics were integrated into the model as well: sex, age, country of birth, type of the index offense; number of previous criminal cases; and age of onset at the time of the first criminal case. Moreover, for former prisoners ethnicity, marital status, employment and personal income, and household income and situation were considered as well.

In the final step of the study, the micro data and the macro-factors, including the implementation-score symbolizing the possible effect of the offender oriented policy programmes, were introduced in a multiple hierarchical logistic regression model. As the macro-factor relating to heroin addicts is not relevant for juvenile offenders and the macro-factor 'socio-economic climate' can be explained better by micro factors (i.e. employment and income), the model differed for juvenile offenders and former prisoners.

The regression model for juvenile offenders shows that the background characteristics were all strongly associated with reconviction rates on the personal level. Furthermore, offenders in earlier cohorts were less prolific in terms of the base rate of recidivism than offenders included in later cohorts. Due to exceptionally strong correlations among the macro-factors (i.e., $r > 0.90$), only one macro-factor at a time could be examined alongside the micro factors in a regression analysis. Consequently, the analyses that were done do not account for any associations between the macro-factors themselves. Nonetheless, the analyses pointed out that all macro-factors maintain a significant negative relationship with the reconviction rate among juvenile offenders when all the micro-factors are accounted for. After correction for the influence of the microdata, the estimated maximum effect of the implementation score was the largest of all macro-factors, together with those of the increased societal cohesion and the filter mechanisms identified in the processing of crime. Therefore, these three factors can be considered the mostly likely causes for the decline in the reconviction rate among juvenile offenders.

In the regression model for adult former prisoners the background characteristics on the individual level were also significantly associated with the reconviction rate. For instance, living conditions following imprisonment appeared to be predictive of subsequent reoffending: former prisoners who were employed or on social benefits were less prone to reoffend than so-called 'inactive' individuals. Furthermore, former prisoners in a single person household or with a low personal or household income were also more at risk to reoffend. Similar to the analysis for juvenile offenders, the macro-factors appear to be strongly intercorrelated. So again only one macro-factor at a time could be examined alongside the micro factors. As was the case with juvenile offenders these analyses showed that all of the relevant macro-factors were associated with recidivism among former prisoners too. Given the size of the estimated effects, increased societal cohesion, the filter mechanisms in the processing of crime and the implementation-score again emerged as the most powerful explanatory factors.

Conclusion and discussion

This study aimed to determine the impact of offender-oriented policy programmes executed in the Netherlands on the level of known reoffending among juvenile offender and adults released from prison. A causal link could not be established, though a strong association was suggested alongside other explanatory factors. To put it in other words: it is deemed plausible that the implemented policy measures jointly have reduced recidivism rates together with more general trends in the reduction of crime at the national level. As various measures were not fully executed as planned, it is likely that the policy programmes could have contributed even more to the reduction of recidivism if only full implementation would have been achieved.

Partly implemented policy measures that will continue to develop and programmes newly executed after 2010, probably will influence recidivism rates in the years beyond the scope of the current study. We have only reviewed the situation between 2002 and 2010. The consequences of the introduction of new screening devices, changes in the operation of probation agencies, the further development of aftercare facilities and cognitive-behavioral training programs, and the budget cuts that were announced relating to the prison system, will have to be awaited. In short, many other factors should be monitored in forthcoming research.

The current study examined recidivism on an aggregated, national level; the whole package of Dutch offender-oriented policy measures executed in a period of nearly a decade was incorporated in the research. Of course, the results could have been different if the macro-factors that were construed had been operationalized in another way. Furthermore, adding extra background information on an individual level – as we were able to do in the analyses for former prisoners – led to the confirmation of the idea that the reconviction risks of offenders reduce when issues like work, employment benefits, housing conditions and social relationships are adequately covered. It is clear that working with data on the individual offender level remains important for explaining reoffending behavior. This is the main function of the Dutch Recidivism Monitor. By linking data obtained from organizations concerned with law enforcement, prosecution and the execution of judicial interventions with data on known offending, ample opportunities arise to do large scale criminological research and to generate qualified policy information for the Ministry of Security and Justice. That being said, it is also important to review the assumptions that underlie the policy programmes in more detail, and study which finer mechanisms can best explain the apparent success of the offender oriented approach in the Netherlands.