

## Summary

### **Background characteristics and recidivism among offenders of high impact crimes convicted between 2002 and 2017**

For some years now, the term 'high impact crimes' (HIC) has been used in the Netherlands to indicate offences that have a major impact on the victim, their social environment and the sense of security in society. The classic HIC offences include domestic burglary, street robbery and non-street robbery (i.e., robbery inside a building such as a bank, shop or house). Recently, the government has made great efforts to combat the HIC problem, through various policy and safety programs and by setting up a Robbery Task Force.

In the current study, we examined the background characteristics and recidivism of domestic burglars, street robbers and non-street robbers convicted between 2002 and 2017. This study is part of a five-year research program into recidivism among HIC offenders, which started mid-2016. The current study is a follow-up on three earlier recidivism studies among all convicted HIC offenders in the Netherlands in 2002-2013, 2002-2015, and 2002-2016 and a feasibility study into regional recidivism rates among convicted HIC offenders. The following research questions were answered:

- 1 What are the background characteristics of convicted HIC offenders in 2017 and how do the characteristics of this group compare to the characteristics of the total group of convicted offenders in 2017?
- 2 What is the recidivism rate among convicted HIC offenders in 2017: What percentage of the HIC offenders came back into contact with the criminal justice system within two years of their HIC criminal case (prevalence of recidivism)? How does the recidivism rate among this group compare to the recidivism rate among the total group of convicted offenders in 2017?
- 3 How do recidivism rates among convicted HIC offenders develop over time from 2008 to 2017, taking into account shifts in the background characteristics of offenders over time?
- 4 What are the recidivism rates among convicted HIC offenders in 2015 through 2017 for each court, taking into account differences in the background characteristics of offenders between the different courts?

### **Method**

The research was carried out according to the WODC recidivism monitor procedures, using data from the Research and Policy Database for Judicial Information (OBJD). The OBJD is a pseudonymous version of the Justice Documentation System (JDS), the Dutch legal registration system for criminal cases. The use of the OBJD implies that only crime that comes to the Public Prosecution Service's attention is included in this research. Therefore, offences and offenders that are not detected by the

police and are not prosecuted by the Public Prosecution Service are not taken into consideration.

The research group examined in the current study includes offenders of domestic burglary, street robbery and non-street robbery who were prosecuted by the Public Prosecution Service between 2002 and 2017 and where a HIC offence was proven. More specifically, these are perpetrators for whom the HIC offence has irrevocably ended in a court order or has been settled by the Public Prosecution Service (including discretionary dismissals, but excluding acquittals, technical dismissals and other technical decisions). In this report the research group is referred to as 'convicted offenders'.

To put the background characteristics and recidivism percentages of the convicted HIC offenders in 2017 in perspective, these data are compared to the characteristics and recidivism rates of a reference group, namely all convicted offenders in 2017 in the Netherlands. This reference group includes all offenders of a criminal offence in which the criminal case was terminated irrevocably in a court order or was settled by the Public Prosecution Service. It is important to note that a direct comparison between the HIC offenders and the reference group is not possible. The purpose of the data of the reference group is solely to put the data of the HIC offenders in perspective.

This study was carried out following the WODC recidivism monitor procedures. According to the recidivism monitor, recidivism is defined as a new criminal case. A criminal case refers to a case that has irrevocably ended in a court order or has been settled by the Public Prosecution Service, as well as cases that have not yet been (irrevocably) ended or settled. This study examined the *two-year recidivism prevalence*. This is the percentage of people who committed a new offence within two years that led to a new criminal case. In this study three forms of recidivism are examined: general recidivism, HIC recidivism, and special recidivism. General recidivism refers to when a person has a new criminal case for any new offence. HIC recidivism refers to when a person has a new criminal case for a HIC offence. In this study, special recidivism refers to when a person has a new criminal case for the same kind of offence as the original offence, that is domestic burglary, street robbery or non-street robbery. Recidivism rates have been calculated using survival analysis. This is adjusted for incapacitation time, in other words, for the time that offenders were in detention and reoffending was not possible.

To see how the two-year general recidivism prevalence among the HIC offenders has developed in the past ten years (between 2008 and 2017), alongside actual recidivism rates, adjusted recidivism rates have been calculated. These take into account shifts in the background characteristics of offenders over time (for example gender, age and criminal career). The reason for this correction is that fluctuations in the level of recidivism may be the result of shifts in the composition of research groups over time. Indeed, the risk profile of offenders can also change as their background characteristics change. Actual recidivism percentages are adjusted using a statistical prediction model. For all three HIC offender groups we were able to develop prediction models, however, for non-street robbers we were only able to develop a prediction model for the past seven years rather than ten years.

Within the Netherlands there are 11 courts, each of which deals with cases from within a given geographical area. To get an indication of the two-year general recidivism level within the different court districts, actual recidivism rates were

compared with expected recidivism rates taking into account differences in the background characteristics of offenders between courts (for example gender, age and criminal career). This is important because differences in the level of recidivism between courts can be the result of differences in the background characteristics of offenders between courts. To calculate the expected recidivism rates a statistical prediction model was used. For domestic burglars and non-street robbers we were able to fit a model and predict the expected recidivism rates. However, we did not find a model for street robbers that fit the data well. Per court, we compared the actual and expected recidivism rates and examined whether or not these differences were statistically significant ( $p$  value < 0.05) and relevant (effect size > 0.1). A statistically significant difference indicates that the difference is unlikely to be the result of coincidence. A relevant difference refers to the size of the difference. It is possible for a difference to be statistically significant, but irrelevant due to its negligible size.

## Key findings

The most important findings of the study are described below.

### *Total annual convictions*

- All three HIC offender groups show a substantial decrease in the number of convicted offenders between 2002 and 2017. The number of convicted domestic burglars fluctuated over time (between a maximum of 2,755 in 2003 and a minimum of 1,336 in 2017), but over the entire period decreased by 47%. The sharp drop since 2014 in the number of domestic burglars is particularly striking. The number of convicted street robbers shows, with the exception of an increase in 2012, a stable declining trend. The number of convicted street robbers decreased significantly by 73%, from 2,099 in 2002 to 517 in 2017. The number of convicted non-street robbers fluctuated over time (between a maximum of 903 in 2012 and a minimum of 421 in 2017), but over the entire period decreased by 49%. Since 2012, there has been a particularly sharp decline in the number of convicted non-street robbers.

### *Background characteristics*

- Street robbers are relatively young when they commit this offense. At the time of their criminal case, 42% of the convicted street robbers in 2017 were minors, compared to 16% of the convicted non-street robbers, 15% of the convicted domestic burglars and 7% of convicted offenders in general.
- Convicted HIC offenders came into contact with the law for the first time at a young age. This applies in particular to street robbers: 75% of the street robbers convicted in 2017 had their first criminal case under the age of 18. However, of the convicted domestic burglars and non-street robbers respectively 64% and 59% also had their first criminal case as a minor. In contrast, of the total group of offenders convicted in 2017, only 31% had their first criminal case as a minor. In addition, 37% to 52% of the HIC offenders had their first criminal case between the ages of 12 and 15, while this is the case for only 18% of the total group of offenders.
- The criminal history data show that most HIC offenders have had previous contact with the law. In 2017, respectively 81%, 79% and 66% of the convicted domestic burglars, non-street robbers and street robbers had one or more previous criminal cases. For all convicted offenders this is 62%.

- The criminal history data also show that HIC offenders have come into contact with the law for a range of different offences. All three offender groups have committed other (HIC) offences. Hence, we do not see high levels of specialization. Of the three groups, domestic burglars tend to specialize the most: 34% has one or more previous criminal cases for domestic burglary.
- Convicted domestic burglars have the most extensive criminal record. In 2017, the average number of previous criminal cases for domestic burglars was eleven, while the convicted non-street robbers, convicted street robbers and the total group of convicted offenders had on average respectively eight, five and five previous criminal cases.
- Of the convicted non-street robbers, in 2017, over a third committed a domestic robbery and almost two thirds committed other types of non-street robbery (such as a shop robbery or bank robbery).
- Convicted street robbers and domestic burglars in 2017 were mostly punished with a short prison sentence of a maximum of six months (respectively 33% and 42%) or with community service (29% and 22%), while the majority of non-street robbers were convicted to a long prison sentence of at least six months (57%).
- The results show that most HIC criminal cases are settled in the Randstad area, namely in the courts of Amsterdam, Rotterdam, Midden-Nederland (within which Utrecht falls) and The Hague. In 2017, almost half of all domestic burglary and non-street robbery cases and two thirds of all street robbery cases were settled in these courts.

#### *Recidivism rates*

- The recidivism analysis shows that 55% of domestic burglars, 44% of street robbers and 38% of non-street robbers convicted in 2017 have had a new criminal case for any offence within two years of their HIC criminal case (general recidivism). The two-year recidivism rate among the total group of convicted offenders is 27%.
- Convicted HIC offenders often reoffend with other offences than their initial HIC offence. This follows from the finding that the HIC recidivism rates (8% to 14%) and special recidivism rates (4% to 12%) are much lower than the general recidivism rates (37% to 55%).

#### *Recidivism rates over time*

- Looking at the development of recidivism in the past ten years (between 2008 and 2017), it appears that two-year general adjusted recidivism decreased among the three HIC offender groups. Comparing the adjusted recidivism rates of the latest cohort of 2017 to cohort of 2016 of the previous recidivism study performed, the adjusted recidivism rates of street robbers and non-street robbers has decreased while the adjusted recidivism rate of domestic burglars has stayed the same. The actual recidivism rate sometimes differs a bit from the adjusted recidivism rate, but never more than 4 percentage points. The actual recidivism among domestic burglars shows that 56% of domestic burglars convicted in 2008 have had a new criminal case within two years of their HIC criminal case. Over time, this percentage is quite stable; in 2017 the actual recidivism rate among domestic burglars is 55%. The adjusted recidivism rates among domestic burglars decreased from 58% to 54% in this period. The actual recidivism rates among street robbers show a small decrease from 55% in 2008 to 49% in 2014, followed by an increase to 54% in 2016, again followed by a striking decrease to 44% in 2017. The adjusted recidivism rates among street robbers show a similar trend: the recidivism rate decreased from 54% in 2008 to 46% in 2014, followed by an

increase to 50% in 2016, again followed by a decrease to 44% in 2017. The actual recidivism rates among non-street robbers decreased from 46% in 2008 to 37% in 2014, followed by an increase to 43% in 2015, and has since declined to 37% in 2017. The adjusted recidivism rates among non-street robbers (only available between 2011 and 2017) shows a similar trend: the recidivism rate decreased from 40% in 2011 to 37% in 2014, followed by an increase to 41% in 2016, followed by a decrease to 38% in 2017.

- The previous recidivism study found an increase in the recidivism rates of non-street robbers. This trend does not continue, according to the findings in the current recidivism study. As is the case for the other HIC offenders, the recidivism rate amongst non-street robbers has also declined in 2017. Further, the extent to which the recidivism rate amongst street robbers went down is particularly striking, as it dropped from 50% in 2016 to 44% in 2017.

#### *Expected recidivism per court*

- In several courts the actual and expected recidivism rates among domestic burglars and non-street robbers significantly differ. However, when looking at the effect sizes it appears that none of these instances imply a relevant difference.

## **Limitations**

The current study has some limitations. A first limitation is that the present study uses data from the judicial documentation system. This means that only offences and offenders that are detected by the police and are prosecuted by the Public Prosecution Service are included in this study. This is particularly troublesome, as clear-up rates for all three HIC offences are relatively low, especially for domestic burglary. A second limitation is that the calculated two-year recidivism rates for non-street robbers may be underestimated. Due to long prison sentences, 18% of the non-street robbers were observed for less than two years and 8% were observed for less than one year. Although survival analysis is the appropriate method to obtain a reliable estimate of the risk of recidivism with different observation periods, these shortened observation periods may have resulted in an underestimation of the recidivism rates. A third limitation is that a limited number of background characteristics of the convicted HIC-offenders were used to calculate the adjusted recidivism rate over time and the expected recidivism rate per court. Whilst characteristics like gender, country of birth, age and criminal career were included, other characteristics, like substance abuse and psychological problems, which are also known to influence reoffending behavior, were not included.

## **To conclude**

This study is the fourth and final recidivism study within the five-year research program on HIC-offenders, which started in 2016. Looking back at this series of studies, we can first conclude that there is a rather consistent profile of HIC-offenders, which is in line with findings of other national and international research. From the current study as well as the previous recidivism studies it has become clear that HIC-offender are typically male, engage in criminal behavior from a young age, and are an active offender group. Two thirds to three quarters of the HIC offenders convicted in the most recent years (between 2013 and 2017) were minors at the time of their first criminal case. This is worrying, as prior research has shown that criminal behaviour at a young age is an important predictor of a long and

serious criminal career. In addition, prior research has shown that offenders who committed a HIC offence as their debut offence when a minor have the highest chance of becoming a chronic offender. Therefore, preventing criminal behavior, and especially HIC offences, at a young age seems crucial. It is therefore important to intervene early on, preferably before the first HIC-offence is committed. Prior research shows that an accumulation of risk factors in childhood and young adolescence (such as aggressive behaviour, substance use, skipping school, and family issues) is a strong predictor for serious criminal behaviour later on. Detecting and addressing risk factors early is likely to help prevent a criminal and HIC career.

Second, the results show that the adjusted recidivism rates of all three groups of HIC-offenders has decreased (slightly) over the last ten years (2008 until 2017). Comparing the adjusted recidivism rates of the latest cohort of 2017 to cohort of 2016 of the previous recidivism study performed, the adjusted recidivism rates of street robbers and non-street robbers has decreased while the adjusted recidivism rate of domestic burglars has stayed the same. For non-street robbers this is particularly worth noting as the previous recidivism study still found an increase in recidivism amongst these offenders since 2014. The current study shows that this trend does not continue. Further, the extent to which the recidivism rate amongst street robbers went down is particularly striking, as it dropped from 50% in 2016 to 44% in 2017. One possible explanation for this decrease could be that the group of persistent offenders amongst street robbers has declined in 2017. This is because in comparison to earlier cohorts (2014-2016), the street robbers of 2017 also have a less extensive criminal record. That said, the criminal record of street robbers prosecuted in 2017 is in line with that of the cohorts prior to 2014, and in those years the recidivism was higher than in 2017. It remains difficult to explain these trends, as this study is descriptive in nature. Several factors can play a role in the development of recidivism rates over time, including micro-factors such as differences in background characteristics of offenders that we could not take into account, and macro-factors such as the crime prevention policies and the increased attention to HIC-offenders, general developments in crime and registration-effects in particular time periods. Future research could specifically look at the policies that have been formed to tackle the problems surrounding HIC-offenders, and evaluate how successful these approaches have been in reducing the number of HIC-offenders as well as the recidivism rates of this group.

Third, the number of HIC-offenders has decreased considerably between 2002 and 2017. This trend already became apparent in the second recidivism study amongst HIC-offenders, and has remained a consistent finding ever since. In the period between 2002 and 2017, we see a decrease of 47% amongst domestic burglars, 49% amongst non-street robbers, and 73% amongst street robbers. At the same time the recidivism rates of these groups have not decreased to the same extent, or even remained stable. In short, while the number of HIC-offenders has dropped, a smaller yet persistent group of offenders remains criminally active. More research into the backgrounds and problems of this group of persistent offenders could provide insights into the causes of persistent crime and offer actionable information for effective policies.