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RECIDIVISM AMONG JUVENILE OFFENDERS IN NEW YORK CITY

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RECIDIVISM AMONG JUVENILE OFFENDERS IN NEW YORK CITY

INTRODUCTION:

Previous CJA research[1] on juveniles processed in the adult courts in New York City compared the juveniles processed in the Supreme Court in Manhattan with those processed in the Supreme Court in Queens. Although defendant characteristics and arrest[2] and disposition charges were similar in the two boroughs, there were significant differences in the way cases were prosecuted.[3] Yet the research showed virtually no difference between the boroughs in the proportion of juveniles who were re-arrested at any time during or after the completion of the study case. The findings also showed very high rates of re-arrest: two thirds of the juveniles had been re-arrested within four years at risk. The only differences between the boroughs in re-arrest were the slightly longer time elapsed prior to the initial re-arrest for the Manhattan juveniles and the greater likelihood for their initial re-arrest charge to be a narcotics-related offense.

The current research expands the data in two ways. First, the research is extended to all five boroughs of New York City. Second, because the seriousness of the initial re-arrest ranged so widely, from narcotics possession and trespass charges through robbery, assault and even homicide charges, we added a second measure of recidivism and tracked the juveniles' time at risk to a "violent felony offense" (VFO). [4]

We begin with a comparison of cases and case processing in the boroughs, adding discussions of Brooklyn and the Bronx to the already-published data for Manhattan and Queens. Although too few juvenile cases are processed in the Supreme Court in Staten Island for

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[1] Gewirtz, Marian. *Adult-Court Processing and Re-Arrest of Juvenile Offenders in Manhattan and Queens.* The NewYork City Criminal Justice Agency, 2005.

[2] See Appendix A for a list of juvenile offender charges.

[3] Specifically, the cases processed in Manhattan moved quickly through the lower court, were more likely to have been detained at some point during the processing of the case, and moved far more slowly through the upper court than did the cases processed in Queens. The differences are primarily associated with the placement of the juvenile in alternative-to-incarceration (ATI) programs in virtually every instance in Manhattan, but not in Queens. In contrast, the typical juvenile case processed in Queens Supreme Court was brought to the upper court by an SCI rather than indictment. The time in Criminal Court was far longer than for the Manhattan cases, averaging 51 days, reflecting the time needed to negotiate the plea. The plea was typically entered at the initial appearance in the upper court, while an average of 188 days elapsed prior to disposition in Supreme Court in Manhattan. Sentencing typically followed in an average of less than two and a half months in Queens, while the Manhattan juveniles spent time in supervised programs.

[4] See Appendix B for a list of violent felony offenses.

comparisons to that borough to be stable, the data are included here so that the totals are truly citywide. We then explore the factors associated with the elapsed time at risk to the first VFO arrest and determine if re-arrest at the VFO level varies by borough.

I. DATA AND METHODOLOGY

A. The Research Sample

In New York City, if a juvenile is arrested for any one of 17 serious offenses (a complete list is contained in Appendix A) and is 13, 14 or 15 years old at the time of the offense (13 only if charged with homicide), the case is sent for review to the District Attorney's office in the borough in which the incident occurred. The prosecutor decides if there is sufficient evidence to support the filing of juvenile offender (JO) charges, and if there is adequate evidence, the juvenile is processed in the adult court.[5] The research includes all juveniles processed as JOs in the Supreme Courts in New York City between January 1997 and December 2000. Their court outcomes and re-arrests were tracked until January 31, 2005.

B. Collecting Re-Arrest Data

Re-arrest data were collected from the date of the initial arrest through January 2005. Arrests for offenses that occurred while the juvenile was in custody, either pending the disposition of charges or serving a sentence, are not included. The details of collecting re-arrest data for juveniles in New York State (NYS) and issues in studying recidivism are discussed in the previous research report. The data presented here for Manhattan and Queens differ slightly from the data in the previous report because further research revealed additional re-arrests for a few juveniles and, in several instances, revealed re-arrests that were misattributed because of similar defendant names and dates of birth.

C. Sources of Data

The data for this study were drawn primarily from the CJA database. This database contains information about the arrest, case processing and case outcomes for most New York City arrestees, taken from the CJA pre-arraignment interview, the New York City Police

[5] See Gewirtz, Marian. *Adult-Court Processing and Re-Arrest of Juvenile Offenders in Manhattan and Queens.* The NewYork City Criminal Justice Agency, 2005, for a detailed discussion of JO case processing.

Department's Online Booking System (OLBS), and the NYS Office of Court Administration (OCA) court appearance history files. For this research project, release status information was supplemented by information on pretrial detention provided by the New York City Division of Juvenile Justice (DJJ). The NYS Department of Correctional Services (DOCS) Inmate Population Information Search on-line database was also consulted for prison release information in order to refine measurement of time at risk for re-arrest. Re-arrest and time-at-risk information were supplemented with data from the Division for Criminal Justice Services (DCJS).

II. COMPARISONS OF CASE PROCESSING BY BOROUGH

A. Comparisons of Demographic and Case Characteristics

1. Age, Gender, Ethnicity

Juveniles processed in the New York City Supreme Courts vary little by age or gender (Exhibit 1). Roughly nine of every ten of the juveniles processed in the Supreme Court were male and two thirds were 15, rather than 14, years of age at the time of their arrest. While Manhattan and Queens juveniles were found to vary little in ethnic distribution, ethnic variation is more pronounced with the inclusion of the other boroughs. The Brooklyn juveniles were significantly more likely to be categorized as black (73%) and significantly less likely to be categorized as Hispanic (22%) compared to the other boroughs taken together. The proportion of juveniles categorized as Hispanic was significantly higher in the Bronx (41%) than in the other boroughs considered together. The proportions of whites and of Asians were very small, but they were significantly more common among the juveniles in Queens (5% and 4%, respectively). Conversely, white juveniles were significantly less common among those processed in the Supreme Court in the Bronx, and Asian juveniles were significantly less common among those processed in Brooklyn (each only 1%).

2. Prior Arrests

Citywide, 43 percent of the juveniles processed in the Supreme Court had at least one prior arrest in the CJA database (Exhibit 1). Prior arrests were significantly more common among the juveniles processed in Brooklyn (50%) and Staten Island (62%) than in the other

boroughs. One in every five juveniles processed in one of the New York City Supreme Courts had two or more prior arrests and nearly one in ten had three or more prior arrests (not shown in table). The mean number of prior arrests was significantly higher in Brooklyn (.98) and Staten Island (1.45), and significantly lower in Queens (.59), when compared to the rest of the boroughs considered together.

3. Charge at Arrest and Charge Entering Supreme Court

The juveniles whose cases were prosecuted in the Supreme Court were more likely to be charged with robbery at arrest, upon entering the upper court, and at conviction, than with any other type of charge (Exhibit 2). Citywide, nearly three quarters of the juveniles were charged with robbery at each milestone. However, the charges varied significantly by borough. Juveniles processed in Brooklyn were more likely to be arrested for murder or for a sex offense, and less likely to be arrested for robbery (first and/or second degree), than were the juveniles in the other boroughs considered together. Manhattan and Queens juveniles were less likely to be arrested for a sex offense than were juveniles in other boroughs. First degree robbery charges were more common in Queens and second degree robbery charges were more common in Manhattan and Staten Island than in the other boroughs. The pattern is very similar when we examine the charges entering the Supreme Court or the final disposition charge in the Supreme Court. The distribution of charges in the Bronx at arrest, entering the upper court, and at disposition in the upper court were within three percentage points of the citywide proportion for every category except for the significantly higher rate of assault charges entering Supreme Court (14%, compared to a range of only 3% to 10% in the remaining boroughs).

B. Release Conditions Set at Criminal Court Arraignment

Most of the youth processed as juvenile offenders were detained on bail or remanded with no bail set at Criminal Court arraignment, the first appearance in the lower court (Exhibit 3). Less than a quarter of the juveniles were released at that early stage of processing. The rate of release was significantly lower for Brooklyn juveniles (16%) and significantly higher for juveniles in Queens (28%) when compared to the other boroughs. The mean (average) and median (midpoint) bail amount set at arraignment in Criminal Court were quite high for the juvenile offenders in this research ($11,844, and $5,000, respectively). The average bail amount set at arraignment was significantly lower in Manhattan ($6,612) than the other boroughs.

Examination of the distributions of bail amounts by borough shows that the average was lower in Manhattan because Manhattan juveniles were less likely to have bail set at more than $10,000, the highest category (only 11%). Juveniles processed in Queens were most likely to have bail set in the lowest category, less than $2,000 (30%).

C. Release Status at the First Appearance in Supreme Court and at Disposition

The Queens and Bronx juveniles were far more likely to be released as of the first appearance in Supreme Court (58% and 54%, respectively) than were their counterparts in Manhattan (42%) or Brooklyn (43%). Release at this stage of processing is measured here by the actual detention status of the juvenile as reported by DJJ. That is, a juvenile with a release status set at the first upper court appearance that suggests release on bail or on recognizance is considered detained if held at that time on another matter.[6]

The rate of release at disposition in the Supreme Court for cases adjourned for sentence does not vary significantly by borough of processing.

D. Days From Criminal Court Arraignment to the First Adjournment

Many more days elapsed between arraignment in the Criminal Court and the first adjournment for Queens JO cases than for JO cases processed in the other boroughs (Exhibit 5). New York Criminal Procedure Law 180.80 provides for the release of a felony defendant who is in custody more than 120 hours (144 hours if a weekend or holiday is included) "without a disposition of the felony complaint or commencement of a hearing thereon," with few exceptions. The first adjournment was within six days of arraignment for nearly all of the JO cases in which bail was set but not made or the defendant was remanded with no bail at arraignment in Brooklyn, the Bronx, Manhattan and Staten Island. However, only 16 percent of similar Queens JO cases reached the first adjournment within six days. The median was 14 days in Queens compared to roughly four days in the other boroughs. A unique aspect of case processing Queens is that defendants processed in Queens frequently waive their right to release under CPL 180.80.

[6] The presence of a hold from another court is inferred when the release status in the CJA database, reflecting the release status as it appears in the OCA database, indicates release, but the actual detention status reported by DJJ indicates that the juvenile was in custody.

E. Days Between Other Case-Processing Milestones

We measure length of case at several intervals in this report. In order to exclude from our tallies any delay caused by a juvenile failing to appear for a scheduled adjournment which resulted in the issuance of a bench warrant, the number of days from any missed appearance to the return on the warrant was subtracted from each of the tallies as applicable. In this way, each tally measures the length of the case as it was processed in the borough while excluding the delay contributed by the juvenile's failure to appear.

We compare five aspects of length of case, in addition to the days from arraignment to the first adjournment in the Criminal Court discussed above:

1. the number of days in Criminal Court from arraignment to the date the case was sent to the upper court

2. the number of days from the first appearance in Supreme Court to the disposition

3. the number of days from the disposition in Supreme Court to the sentence, if any

4. the number of days from the first appearance in Supreme Court to the last appearance in Supreme Court (sentencing if any, else the disposition)

5. the number of days from arraignment in Criminal Court to the last appearance in Supreme Court (sentencing if any, else the disposition)

As shown in Exhibit 6, JO cases processed in the Supreme Court in Queens (mean of 51 days, median of 36) moved significantly more slowly through the Criminal Court than did their counterparts in any other boroughs. The mean number of days in the other boroughs ranged between 10 and 18, with medians between 5 and 10 days. Conversely, the number of days between milestones was significantly lower in Queens than in Brooklyn, the Bronx or Manhattan, for each of the four remaining measures of length of case in Supreme Court. It took a mean of only two months for Queens JO cases to move from the first appearance in the upper court to disposition, compared to four months in Brooklyn, nearly five months in the Bronx, and six months for JO cases in Manhattan. It took a mean of less than two and half months for Queens JO cases to move from disposition to sentence, compared to roughly three months in the Bronx, four months in Brooklyn, and 11 months in Manhattan. Taken together, a mean of four months elapsed between the first appearance in Queens Supreme Court and the last appearance,

compared to 227 days in the Bronx, 245 days in Brooklyn, and 516 days, which is more than 17 months, in Manhattan.

Some of the borough differences in case processing can be attributed to the use of SCIs (superior court information) in Queens as the charging instrument when indictment by the grand jury has been waived by the defendant.[7] Since the juveniles in these cases plead guilty at the first appearance in the upper court, the number of days from first appearance in upper court to disposition is zero. Nearly half of the Queens JO cases included in this research reached the upper court by SCI rather than indictment. The opportunity for nearly every juvenile prosecuted in the Manhattan Supreme Court to be placed in an alternative-to-incarceration (ATI) program also accounts for much of the difference in length of case processing since the duration of the program is included in the duration of the case.

F. Detention

Detention is measured from the first day that the juvenile was admitted to the custody of the NYC Department of Juvenile Justice, to the date of release, summed across all admissions to custody on the sample case, including admissions to the NYC Department of Corrections in light of any subsequent arrest after the juvenile's 16th birthday. This includes days of detention through the date of disposition and, if the juvenile was in custody after disposition, through the date of sentencing.

Most of the juveniles were unlikely to reach the end of their cases without some time in custody (Exhibit 7). Only ten percent of the juveniles processed in Manhattan were never detained, 76 percent were detained and released, and over 14 percent were detained and not released before their cases were completed. Borough differences were wide. More juveniles processed in Queens (22%) were not held at any time during the course of prosecution ($p<.001$) while Brooklyn juveniles were least likely to have avoided time in detention (only 8%, $p<.000$). Juveniles in Manhattan were significantly less likely to be detained and not released (only 14%), compared to those in other boroughs, and the proportion detained for the full duration of case processing was significantly higher in the Bronx (32%). The proportion of juveniles who were

[7] As discussed earlier in this report, an SCI is the functional equivalent of an indictment and is usually used to expedite felony pleas. Since the juveniles in SCI cases agree to plead guilty while the case is still under lower court jurisdiction, the last day in the lower court is also almost always the same day as the first day in the Supreme Court. Since that is the date that the plea is entered, there is no pretrial period in the upper court for the juveniles in these cases.

detained and released was significantly higher in Manhattan (76%) and significantly lower in the Bronx (54%) and Queens (48%), compared to the other boroughs considered together.

Juveniles who were prosecuted in the upper court in Manhattan spent more time in detention than did juveniles prosecuted in the other boroughs, and juveniles processed in Queens spent far less time in detention. The differences are statistically significant and remain strong even if analysis is restricted to juveniles who were detained, or who were detained but eventually released, or who were never released, or if mean and median length-of-detention are considered. For example, among all of the juveniles processed in Manhattan and Queens, half of the Manhattan juveniles spent six months or more in detention, compared to only 13 percent of Queens juveniles. The median for the Manhattan juveniles is 180 days, compared to 26 days for juveniles in Queens. Only three percent of Queens SCI juveniles but 24 percent of Queens indicted juveniles spent six months or more in detention, and the median length-of-detention figures are 14 and 73 days, respectively (not shown). One in five Manhattan juveniles, compared to only five percent of those processed in Queens and only three percent processed in Brooklyn spent more than a year in detention.

G. Disposition

Conviction[8] rates are very high for the youth processed as juvenile offenders in the Supreme Court (Exhibit 8). The conviction rate in Manhattan (97%) is significantly higher and the conviction rate in Brooklyn (88%) is significantly lower than the rate in the other boroughs considered together. The conviction rates for Bronx (94%) and Queens cases (91%) were intermediary. Three percent of the juveniles in Brooklyn JO cases were tried and found guilty, compared to one percent or less in the other boroughs. In all boroughs, one percent or fewer of the juveniles were tried and acquitted. Brooklyn cases were significantly more likely to be transferred to the Family Court for continued prosecution (6%, compared to 2% or less in the other boroughs). The rates of non-conviction for Brooklyn (12%) and Queens (9%) juveniles are higher than in Manhattan (3%) or the Bronx (6%).

[8] This includes conviction both by plea and by trial, although trials are rare in New York City.

H. Sentence

Overall, half of the juveniles sentenced in the Supreme Court in New York City were sentenced to five years on probation[9], just over two fifths were sentenced to imprisonment alone, and almost one in ten received a split sentence of less than one year of imprisonment and five years probation. The types of sentences the juveniles received varied by borough. Juveniles in Brooklyn (50%) were significantly more like to be sentenced to imprisonment only compared to those in other boroughs, while juveniles in Queens (29%) were least likely to receive this most severe type of sentence. Conversely, juveniles in both Queens (58%) and Manhattan (63%) were significantly more likely to be sentenced to probation only with no imprisonment compared to other boroughs considered together, while juveniles in Brooklyn (36%) were least likely to be sentenced to probation only. The proportion of juveniles sentenced to a "split sentence" of imprisonment and probation was significantly higher in Brooklyn (14%) and Queens (13%) than in other boroughs considered together. Split sentences were not given to any juveniles in the Manhattan Supreme Court (Exhibit 9).

The majority of juveniles in all boroughs (80% citywide) who are sentenced in Supreme Court received Youthful Offender (YO)[10] status as a condition of their sentence. The remaining 20 percent were sentenced as a Juvenile Offender (JO). A significantly higher proportion of juveniles in the Bronx (84%) and Queens (85%) were granted YO status compared to those in other boroughs, while a significantly lower proportion of juveniles sentenced in Manhattan (74%) were granted this favorable status.

When the analysis is restricted solely to juveniles who were sentenced to any incarceration, with or without probation, the Bronx juveniles (70%) again were significantly more likely to be granted YO status compared to juveniles in all other boroughs, and those in Manhattan (31%) again were significantly less likely to be granted YO status.

There are wide borough differences in the length of sentences (Exhibit 10). For example, among juveniles sentenced to imprisonment only, definite sentences of one year or less account for none of the cases in Manhattan and six percent in Brooklyn and Queens, compared to 22 percent in the Bronx, and 36 percent of the very small number of cases sentenced to

[9] Conditional and unconditional discharges (for 11 juveniles) are included here with sentences of probation.
[10] If a juvenile offender is found to be a 'youthful offender,' the conviction is vacated and replaced by a youthful offender finding. A lighter sentence, one authorized for conviction at the E-felony level, is imposed.

imprisonment in Supreme Court in Staten Island. Minimum sentences of at least one year but less than two years account for more than 60 percent of the cases in Brooklyn, Bronx and Queens, but for less than half (46%) of those in Manhattan. Minimum sentences of at least two years but less than three are not common in Brooklyn or the Bronx (both 13%), nor in Queens (22%), but 40 percent of juveniles sentenced in Manhattan received a sentence of this length. However, Brooklyn juveniles are significantly more likely to be sentenced to life in prison.

The pattern is similar when analysis of the length of sentence includes both imprisonment only and split sentences. The most notable difference with the inclusion of split sentences is that Queens juveniles were significantly more likely to be sentenced to time served than were the juveniles in the other boroughs. As in the previous analysis, Bronx cases seem to concentrate in the lower length-of-sentence categories, Manhattan cases tend to be over-represented in the middle to upper range of sentences, while Brooklyn cases are significantly over-represented only in the life-in-prison category.

Exhibit 10 also displays average minimum and maximum sentence lengths. The averages are presented for juveniles sentenced to imprisonment only and for juveniles sentenced to imprisonment only combined with juveniles sentenced to split sentences. This data should be viewed with caution since sentences of time served and sentences of life in prison are not included in the calculations. Nevertheless, the findings show that mean length of sentence is significantly lower in the Bronx in each category and is significantly higher in Manhattan for all but one of the categories. The average minimum length of sentence for juveniles sentenced to imprisonment only in Brooklyn was two years, significantly longer than in the other boroughs considered together. The average maximum length of sentence for these Brooklyn juveniles is slightly lower than the average for comparable Manhattan juveniles, probably because the length of sentence for Brooklyn juveniles sentenced to life in prison could not be reflected in the mean.

III. RE-ARREST

Re-arrest data were collected for re-offenses that occurred between the date of the initial offense[11] and January 31, 2005 for the juvenile offenders processed in the Supreme Court in any borough of New York City in 1997 through 2000. Time at risk to first re-arrest was calculated by subtracting the total number of days the juvenile spent in custody, whether pretrial detention or in accordance with an incarcerative sentence, from the start of case processing at the initial arraignment in Criminal Court to either the date of the first re-arrest or January 31, 2005. Time at risk post-imprisonment sentence or post-imprisonment-and-probation sentence was challenging to assess. Data on release from prison was available from the NYS DOCS Inmate Population Information Search online database or from DCJS for almost three quarters of the juveniles sentenced to imprisonment on the initial case.[12] For the remaining juveniles sentenced to imprisonment, an approximate release date from prison was created based on the "Calculated Sentence Length" (CSL) developed by Mary T. Phillips for a study estimating jail displacement for defendants mandated to alternative-to-incarceration programs in New York City (Phillips, 2002)[13]. The CSL[14] was devised as a way of estimating time likely to be served, assuming time off for good behavior. The CSL is added to the juvenile's sentence date, and pre-sentence detention time is subtracted from the total to estimate credit for time served.

The at-risk period was standardized by including only juveniles who were at risk for re-arrest for four years or who were re-arrested within that time. The 33 juveniles who spent no time at risk, the 90 juveniles who spent less than four years at risk, and the four juveniles for whom time at risk could not be calculated (because of missing data) are excluded.

The focus on a standardized period of risk for re-arrest necessitated the exclusion of the re-arrests that took place while the juvenile was in custody. The first re-arrest arose from

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[11] Incident dates were available for less than half of the initial arrests but for roughly seven of every ten first re-arrests and first VFO re-arrests. For the remaining arrests and re-arrests, the date of the arrest was used in lieu of date of offense.

[12] Fifty three juveniles were still serving time for their initial cases as of January 31, 2005, including 20 juveniles sentenced to a maximum of life imprisonment. However, only the 31 juveniles who also had no pretrial time at risk are considered here to have no time at risk.

[13] Phillips, Mary T. *Estimating Jail Displacement for Alternative-to-Incarceration Programs in New York City.* The New York City Criminal Justice Agency, August 2002, pages 46-47.

[14] The CSL for felony cases was set to equal two thirds (.667) of definite sentences, two thirds (.667) of the maximum for indeterminate sentences, and six sevenths (.857) of determinate sentences.

offenses that took place while the juvenile was in custody, either pending disposition or pending sentence on the sample arrest, for 33 of the juveniles, and the arrest in custody was the only re-arrest for 12 of these juveniles. The charges included contraband offenses, escape, and assault. The first re-arrest after release from custody is tallied as the first re-arrest for the 21 juveniles who had a subsequent re-arrest. The 12 juveniles whose first re-arrest was in custody, but who had no re-arrests during their at-risk period, are tallied as not re-arrested.

A. Rate of Re-Arrest

Most of the juvenile offenders in this research were re-arrested. Among the juveniles who were at risk for re-arrest for four years, the rate of re-arrest ranged from 75 percent for those processed in Queens and 77 percent for those in the Bronx to 79 percent for both Brooklyn and Staten Island and 80 percent for Manhattan. The borough differences are not statistically significant (Exhibit 11). Re-arrest rates for juveniles with shorter amounts of time at risk are lower, but do not vary significantly by borough. If the re-arrest analysis is truncated at three years time at risk, the re-arrest rates range between 70 and 73 percent. At a two-year cutoff, the re-arrest rates range between 60 and 63 percent in the four larger boroughs. The rate of re-arrest after only one year at risk is slightly lower for juveniles processed in Manhattan (38%) than in the other boroughs (41%, 45%, 46%, and 54%, in Brooklyn, Queens, Bronx and Staten Island, respectively) but the difference does not meet the stringent test of statistical significance commonly used in social research. The probability of obtaining this difference by chance is $p=.056$, not $p<.050$.

More than a quarter of the first re-arrests were not docketed for prosecution, but this did not vary significantly by borough (not shown). Non-docketed cases include those that were declined prosecution as well as cases that were sent to the Family Court for prosecution.

The remainder of the discussion of the first re-arrests for juveniles processed as adults will focus only on the juveniles who were re-arrested within four years.

B. The First Re-Arrest

1. Time to First Re-Arrest (for juveniles re-arrested within four years)

Re-arrests occurred very quickly for some of the juveniles in this research. Two juveniles were first re-arrested after only three days and eleven more juveniles were first re-arrested within seven days. Exhibit 12 displays the amount of time to first re-arrest for juveniles re-arrested within the four-year period. Between 20 and 25 percent of the re-arrested juveniles were re-arrested for a new offense within three months.[15] Citywide, the time to first re-arrest was six months or less for nearly four of every ten juveniles who were re-arrested and was a year or less for nearly six of every ten. More than eight of every ten juveniles who were re-arrested within four years were re-arrested within two years.

Re-arrest tended to occur slightly later for juveniles whose sample case was processed in Manhattan than for those whose sample case was processed in another borough. Only a third of the re-arrested juveniles processed in Manhattan were first re-arrested within six months, significantly lower than the proportions re-arrested that quickly in the other boroughs considered together. The six-month re-arrest rate was 40 percent in the Bronx and Queens, and 41 percent in Brooklyn. There is no statistical difference between the boroughs in the cumulative proportion of the re-arrested juveniles who were first re-arrested within one, two, three, or four years.

The average time to the first re-arrest is also presented in Exhibit 12. The mean time to re-arrest was only 321 days for re-arrested Staten Island juveniles compared to 359 for juveniles in the Bronx, 380 for those in Queens, 383 for those in Brooklyn and 427 days for Manhattan juveniles. The greater time to re-arrest for re-arrested juveniles processed in Manhattan is nearly statistically significant at $p<.05$, just above the commonly used standard for statistical significance as noted above. Similarly, the median figures indicate that half of the re-arrested Manhattan juveniles were re-arrested within just under a year (347 days), compared to only 199, 250, 254 and 279 days for re-arrested juveniles processed in Staten Island, Queens, Brooklyn or the Bronx.

[15] Forty five juveniles were first re-arrested before their cases reached disposition in the Criminal Court. This accounts for five percent of the re-arrests that took place within four years at risk. An additional 21 juveniles were first re-arrested between the last day in criminal court and the first appearance in the upper court, accounting for an additional two percent of the re-arrests within four years at risk.

2. Stage of Case Processing at First Re-Arrest

Few juvenile offenders were re-arrested before the sample case reached disposition in the Supreme Court. Only 16 percent of re-arrested juveniles were first re-arrested at that early stage of prosecution (Exhibit 13). First re-arrests between disposition and sentencing were significantly more common among re-arrested juveniles who were initially processed in Manhattan (32%) and significantly less common in the Bronx (11%) and Queens (12%). Most of the re-arrested juveniles in this research were first re-arrested after the close of case processing on their sample case. This includes juveniles whose sample cases were dismissed or transferred to the family court as well as those who were sentenced to probation or to time in prison. First re-arrests after the close of case processing on the sample case were significantly more frequent among the Queens (74%) and Bronx (73%) juveniles than among the re-arrested juveniles initially processed in Manhattan (52%). These findings reflect differences between the boroughs in the stage of case processing at which the juveniles are at risk for re-arrest. Many juveniles in cases processed in Manhattan are at risk for re-arrest between disposition and sentencing while they participate in ATI programs. In the other boroughs where cases proceed more quickly from disposition to sentencing, there is less time at risk for re-arrest prior to case completion. Thus a higher proportion of the initial re-arrests for the Manhattan youths occurred while the sample case was adjourned for sentencing and a higher proportion of the initial re-arrests for other juveniles occurred after completion of the sample case.

3. Charge at First Re-Arrest (for juveniles re-arrested within four years)

Roughly half of the first re-arrests citywide were for felony-level charges. The re-arrested JOs processed in Brooklyn were significantly more likely to be charged with a felony at the first re-arrest (58%) than the JOs in other boroughs (47% to 52%). The most common single charge for the first re-arrest was PL 221.10, criminal possession of marihuana in the fifth degree, a B misdemeanor, which accounts for 15 percent of the first re-arrests citywide (Exhibit 14). Nearly a fifth of the first re-arrests were for any marihuana charge, and nearly three of every ten were for any controlled substance offenses. Controlled substance offenses were significantly more common among first re-arrests for Bronx JOs (40%) and significantly less common among first re-arrests for those processed in Brooklyn (23%). The proclivity for the Bronx JOs to be charged with narcotics offenses at the first re-arrest is particularly visible for re-arrests for

criminal possession of a controlled substance in the third degree, PL 220.39, a B felony: 12 percent of the first re-arrests for Bronx juveniles were for this offense, compared to only six percent or less of those in the other boroughs.

C. The First Violent Felony Offense (VFO[16]) Re-Arrest

Given that the sample arrest was a violent felony for each of the juveniles included in this research, it is not surprising that the charges at re-arrest for these juveniles are also frequently violent. The charge at the first re-arrest was a VFO for a quarter of the juveniles who were at risk for any re-arrest for four years or more (data not shown). It is important to understand that a slightly smaller number of juveniles were at risk for a VFO re-arrest for four years or more than were at risk for any re-arrest for that long. The reason is that the time at risk for a VFO re-arrest is reduced by the amount of time the juvenile may have spent in detention or incarcerated as a consequence of an earlier, non-VFO re-arrest. So, among juveniles who were at risk for a VFO re-arrest for four years or more, 29 percent (compared to only 25% for those at risk for any re-arrest for four years) were re-arrested for a VFO at the first re-arrest. The charge at the second re-arrest was the first VFO re-arrest for an additional 19 percent of juveniles who were at risk for a VFO re-arrest for four years or more. The third or fourth re-arrest was the first VFO re-arrest for 14 and 9 percent, respectively, of the juveniles at risk for four years or more. One juvenile was re-arrested 18 times and another was re-arrested 20 times within four years at risk for a VFO before their first re-arrest for a violent offense. Both of these juveniles had been repeatedly re-arrested for narcotics-related offenses, the most common category of non-violent offenses.

1. Rate of VFO Re-Arrests

Half of the juveniles who were at risk for a VFO re-arrest for four years or more were re-arrested for a VFO within that time. Juveniles who were initially processed in Brooklyn were significantly more likely to be re-arrested for a VFO within four years at risk (57%) than were juveniles in other boroughs considered together (Exhibit 15). The rate of re-arrest for a VFO was also significantly higher for Brooklyn JOs than for those in other boroughs at one, two, five and six years time at risk for a VFO re-arrest.

[16] See Appendix B for a list of violent felony offenses.

2. Time to First VFO (for juveniles re-arrested within four years)

Exhibit 16 shows the proportion of JOs re-arrested for a VFO within four years in various categories of time to re-arrest. The JOs who were initially processed in the Brooklyn Supreme Court and who were re-arrested for a VFO were significantly more likely to be re-arrested for a VFO within three to six months than were the juveniles processed in the other boroughs, but the borough differences were not statistically significant in other categories. There were no statistically significant differences among the boroughs in cumulative time to the first VFO re-arrest. The average number of days at risk prior to the first VFO re-arrest ranged from only 418 days for Brooklyn to 447 for Manhattan, 474 for the Bronx and 497 for Queens, but the differences are not statistically significant.

3. Stage of Case Processing at First VFO Re-Arrest (for juveniles re-arrested for a VFO within four years)

Juveniles initially processed in Manhattan were more likely to be re-arrested for a VFO between disposition and sentencing than juveniles processed in the other boroughs considered together (31%, compared to 9% to 17% in the other boroughs) and less likely to be first re-arrested for a VFO after the completion of their cases (51%, compared to 67% to 78% in the other boroughs). This finding reflects the significantly longer processing time between disposition and sentence in Manhattan, as shown in Exhibit 6.

4. Charge at First VFO Re-Arrest (for juveniles re-arrested for a VFO within four years)

Just as most of the juveniles in this research were initially brought to the adult courts with robbery charges, half of the first re-arrests for VFO offenses were for robbery (Exhibit 18). Robbery in the first degree (PL 160.15, a B felony) was the single most common VFO re-arrest charge, accounting for nearly a quarter of all of the first VFO re-arrests, followed by robbery in the second degree (PL 160.10, a C felony). In Queens, however, second degree robbery was more frequent, accounting for a third of the first VFO re-arrests, compared to only 17 percent charged with second degree robbery. Few juveniles were charged with murder (PL 125.25, an A-1 felony) or attempted murder. These two murder charges together account for only five percent of the first re-arrests for VFO offenses. The Bronx juveniles were significantly more likely to face murder charges at the first VFO re-arrest than were juveniles in other boroughs.

Juveniles processed in Manhattan (17%) were significantly less likely than juveniles in the other boroughs (25% or more) to be charged with murder, attempted murder or other felony assault charges.

IV. MULTIVARIATE MODELS

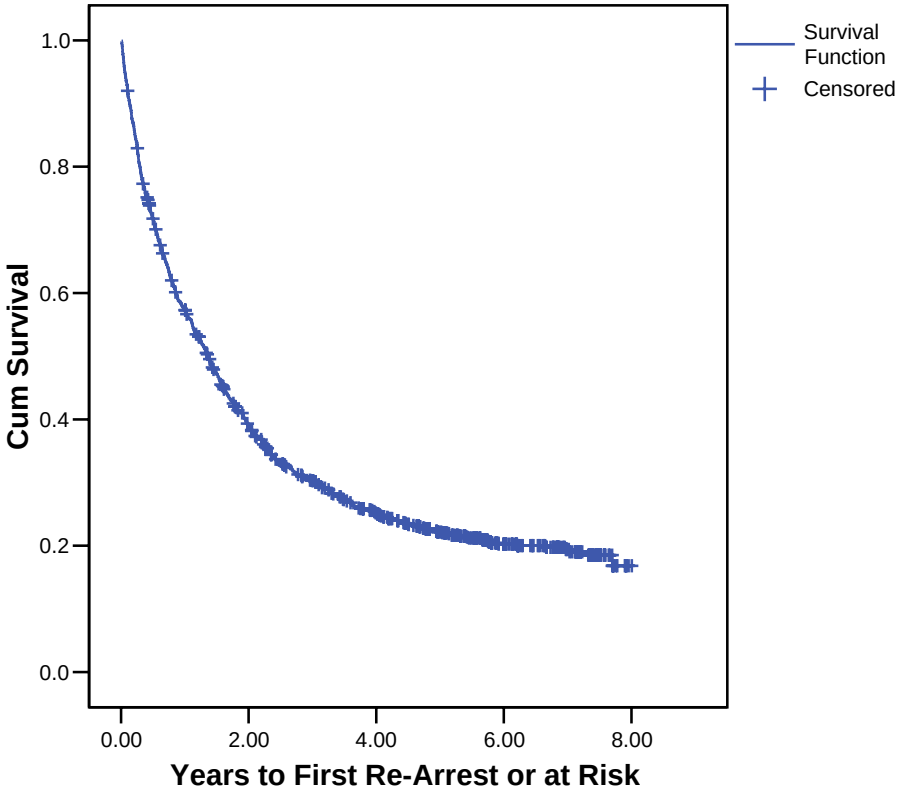
Given the strong similarities between the boroughs in demographic and case characteristics, the borough differences in how the JO cases are processed are striking. In spite of these case processing differences, re-arrest rates vary little by borough. Thus far, we have found only two borough differences. Time to first re-arrest is initially longer for Manhattan, and VFO re-arrest rates are higher in Brooklyn.

In this section, we present multivariate analyses of the factors that are associated with re-arrest among juvenile offenders in New York City and attempt to measure any independent effect of borough of prosecution on rates of re-arrest. The rationale for undertaking multivariate analysis is that, unlike descriptive comparisons, it yields information about, and takes into account, the impact on recidivism of all the variables included in the analysis.

The multivariate analysis will use Cox proportional hazards regression. This type of survival analysis examines how variables affect the hazard of failure over time, which in our models is the hazard of re-arrest over time. Separate models will examine the first re-arrest and the first VFO re-arrest. All juveniles who were at risk of re-arrest will be included in the analyses. In survival analysis terminology, "censored" cases occur if a juvenile is at risk for re-arrest but is not re-arrested during the data collection period. Information about censored cases is included in the analyses for the duration of the juvenile's time at risk. These cases provide information about the factors that are associated with a lower hazard of re-arrest. Also, Cox modeling does not require that we restrict analysis to cases with equivalent time at risk for re-arrest. Rather, it is possible to include all of the cases that were ever at risk for re-arrest.

The survival function presented in Figure 1 graphically illustrates the proportion of the juveniles in the study surviving without failure by the number of years at risk, as well as censored cases. By definition, at time equal to zero, a full 100 percent (1.0 in the graph) survives, that is, has yet to be re-arrested. As time at risk elapses, the proportion of juveniles surviving declines.

Figure 1: Survival Function



To identify factors associated with re-arrest, a series of Cox regressions were performed in which many possible explanatory variables were included as potential predictors. None of the community ties factors (length of residence, living with parents or legal guardian, telephone in home, school attendance, expecting someone at arraignment) had a significant effect. The charges at arrest, arraignment and at the first appearance in the upper court (other than the robbery charge that is included) had no significant impact, nor did the release status and bail amount at arraignment and at the first appearance in the upper court. We created a variable for the number of days in detention until the first release, but it was not a significant predictor, nor was a variable reflecting presence of a bench warrant attached to the DCJS "rap sheet" at arraignment.[17] With the exception of the borough variables, all of the variables that are included

[17] Many factors that were initially suggested as independent variables in our proposal could not be included in the models because they did not occur prior to the re-arrest. For example, we originally proposed to include data on type and length of sentence in our models. However, many juveniles were first re-arrested before they were

in the models discussed below are strong predictors. Each of them was significantly related to the hazard of re-arrest in every model in which they were included despite the presence or absence of any of the other possible explanatory variables.

A. Predicting Survival to the First Re-Arrest

The Cox regression model predicting the hazard of failure, i.e., first re-arrest, is presented below. It includes three variables that were previously discussed in this report as well as borough of initial prosecution and a dichotomous variable that flags juveniles who were represented by private counsel as of the first appearance in Supreme Court.[18] Barely 12 percent of the juveniles citywide had private counsel at that stage of case processing. It is important to note that "deviation" rather than "indicator" comparisons were used to measure the strength of the borough effects. Deviation contrasts assess the hazard of re-arrest in each borough, given the effects of the other predictors, against the citywide hazard. The remaining variables use indicator contrasts, where one of the categories must be excluded from the analysis and the hazard for each of the remaining categories is measured against the hazard for the excluded category.

sentenced on their sample case, and the re-arrest might have affected the sentence. Because of the wide borough differences in case processing, we could not simply exclude re-arrests that occurred prior to sentencing because that decision would exclude, for example, nearly half of the Manhattan juveniles who were re-arrested within four years at risk, but only a quarter of the otherwise comparable Queens juveniles.

[18] Note that borough differences in the proportion of juveniles who retained private counsel as of the first appearance in the upper court were wide, ranging from barely three percent for Manhattan juveniles, but 25 percent for those processed in Queens. Since it seemed possible that the low rate of private representation for the Manhattan juveniles might reflect the relatively short time in Criminal Court typical for JO cases in that borough, we also compared rates of private representation as of disposition in Supreme Court by borough and found no additional Manhattan juveniles represented by private counsel.

MODEL 1: THE FIRST RE-ARREST MODEL

Predictor Variables	B	Odds Ratio
GENDER (1=Male)	.634	1.886**
PRIOR CRIMINAL HISTORY (# prior arrests in CJA database)	.164	1.178**
PRIVATE (1=Private) (Private attorney at first appearance in Supreme Court)	-.537	.585**
ROBBERY (1=Robbery) (First or second degree robbery charge at first appearance in Supreme Court)	.289	1.340**
BROOKLYN	-.001	.999
BRONX	.071	1.074
MANHATTAN	-.045	.956
QUEENS	.082	1.086
STATEN ISLAND	-.107	.899
Percent Re-Arrested		76%
CHI-SQUARE (Number of cases)		117.487** (1,252)

** Sig. p < .001

A Cox model provides an estimate of the effect of variables on the hazard of failure after adjustment for other explanatory variables. It allows us to estimate the hazard (or risk) of re-arrest for juveniles, given their scores on predictive variables. A positive regression coefficient for an explanatory variable in a Cox model means that the hazard of re-arrest is higher for juveniles with higher values. The gender, prior criminal history and robbery variables all have positive coefficients. Thus, male juveniles have a significantly higher hazard of re-arrest, as do juveniles with more prior arrests and juveniles with robbery charges, given the other factors. On the other hand, the private attorney variable has a negative coefficient, indicating that juveniles with private counsel at the first appearance in Supreme Court are at lower hazard for re-arrest.

Figure 2 displays the re-arrest survival function by gender. Both the male and female lines start at 1.0 in the upper left hand corner, indicating that all of the juveniles were surviving at zero days. The proportion of juveniles surviving decreases over time. The top line (green) represents the survival function for female juveniles. Male juveniles have a significantly lower survival function than females.

Figure 2: Re-Arrest Survival Function by Gender

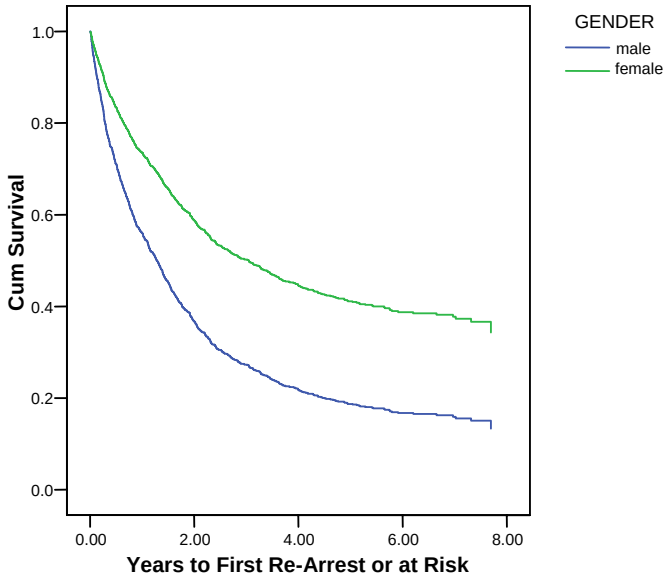
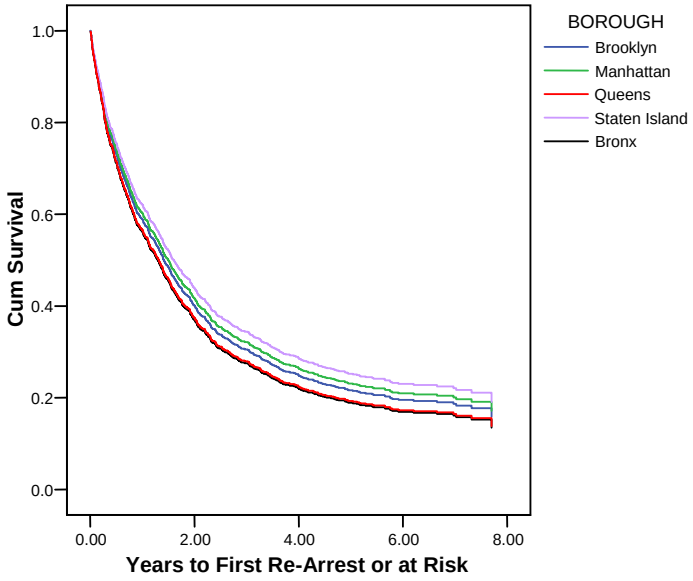


Figure 3 displays the first re-arrest survival function by borough of initial prosecution. All of the lines again start at 1.0 in the upper left hand corner, indicating that all of the juveniles were surviving at zero days. The lines are very close to one another, reflecting the absence of significant borough differences in the first re-arrest survival function.

Figure 3: Re-Arrest Survival Function by Borough



A supplementary analysis (not shown) was conducted to assess the consistency of the hazard predictions over time based on each variable in the model. The analysis showed that while the hazard of re-arrest is greater for juveniles charged with first or second degree robbery than for those with other charges, this effect attenuates significantly over time. That is, the effect of a robbery charge on the hazard of re-arrest is greater at the beginning of the juvenile's time at risk than it is after the juvenile has been at risk for a while. While borough was not a significant predictor of the hazard of re-arrest, the same analysis was done in an attempt to assess whether borough effects changed over time. In particular, we were interested in learning whether the slightly lower re-arrest rate for Manhattan juveniles at one year at risk (see earlier discussion on pages 12 and 13) might be reflected here as an early borough effect that attenuates over time. The result of this analysis is consistent with the earlier finding. Although Manhattan juveniles initially have a lower re-arrest rate, this difference is not statistically significant ($p=.065$, result not shown). Nevertheless, the finding is close to reaching statistical significance ($p < .05$), and suggests that there may be some initial effect associated with being processed in Manhattan. Statistical significance is influenced both by the size of the difference found and the number of cases. If additional Manhattan juveniles were included in this research and if the size of the effect remained as strong as in the current study, the differences would be statistically significant.

The strength of the effects of the other variables on the hazard of re-arrest did not vary over time.

B. Predicting Survival to the First VFO Re-Arrest

The Cox regression model predicting the hazard of the first VFO re-arrest is very similar to the model predicting the hazard of the first re-arrest. For the most part, the same variables are significant in both models, and the coefficients are about the same size and have the same signs. However, one difference is that two of the borough variables are significant in the VFO model. Specifically, juveniles initially processed in the Supreme Court in Brooklyn and in Queens have a significantly higher risk of re-arrest than do juveniles citywide, after taking into account the effects of the other significant explanatory variables.

MODEL 2: THE VFO MODEL

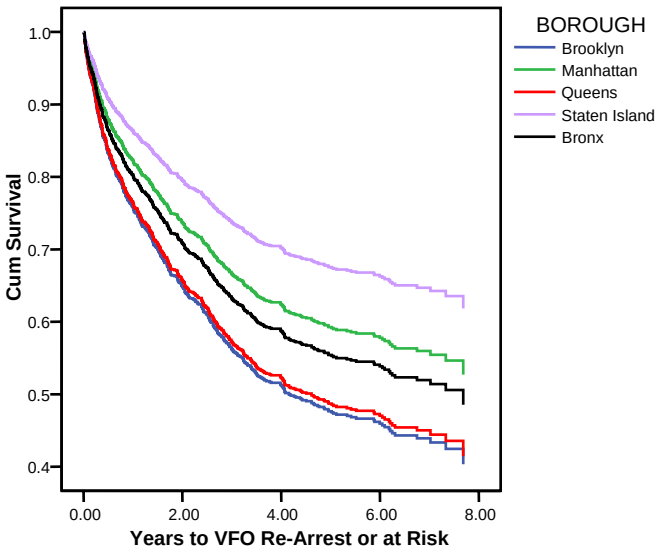
	B	Odds Ratio
GENDER (1=Male)	.673	1.960**
PRIOR CRIMINAL HISTORY (# prior arrests in CJA database)	.126	1.135**
PRIVATE (1=Private) (Private attorney at first appearance in Supreme Court)	-.599	.549**
ROBBERY (1=Robbery) (First or second degree robbery charge at first appearance in Supreme Court)	.502	1.652**
BROOKLYN	.248	1.282*
BRONX	.021	1.021
MANHATTAN	-.100	.905
QUEENS	.219	1.245*
STATEN ISLAND	-.388	.679
Percent Re-Arrested for a VFO		45%
CHI-SQUARE (Number of cases)		88.578** (1,251)

* Sig. $p < .05$

** Sig. $p < .001$

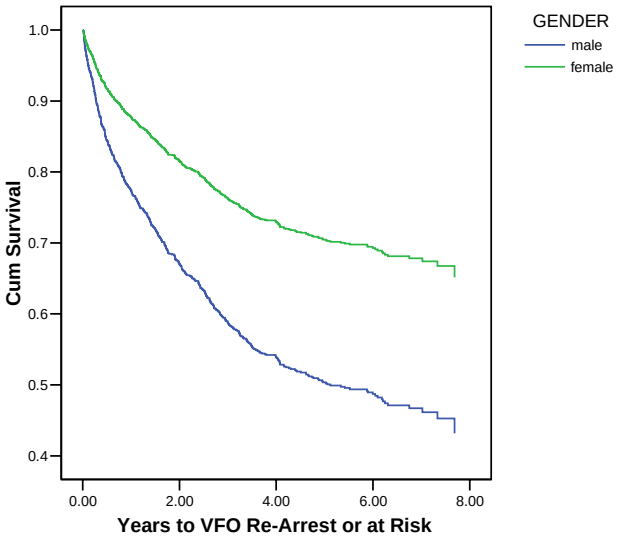
Figure 4 displays the VFO survival function by borough of initial prosecution. As explained above, all of the lines start at 1.0 in the upper left hand corner, indicating that all of the juveniles were surviving at zero days. The proportion of juveniles surviving decreases over time. The top line represents the survival function for juveniles processed in Staten Island (purple), with the survival function for Manhattan (green) presented just below. The line for the Bronx (black) is in the middle, with Queens (red) below that and Brooklyn (blue) on the bottom. Staten Island juveniles have the highest survival function, followed by Manhattan, Bronx, Queens and Brooklyn.

Figure 4: VFO Re-Arrest Survival Function by Borough



As was done for the first model, a supplementary analysis was conducted to assess the consistency of the variables' effects on the hazard of VFO re-arrest over time. Here the only significant finding is that the gender effect increases over time. The hazard of a VFO re-arrest is greater for males than for females, and that effect grows significantly larger over time. That finding is graphically displayed in Figure 5.

Figure 5: VFO Survival Function by Gender



C. Limitations of this Research

The limitations of this research center primarily on the data that is not included. We lack data on characteristics of the initial JO arrest, such as the juvenile's relationship to the victim, whether the juvenile acted alone or in concert with others and the ages of the others. We lack data on the juvenile's educational attainment (the highest grade completed, reading level, details of school attendance). We do not have data on whether the juvenile is a member of a gang nor do we know anything of the structure of the juvenile's family. While we do know that virtually all of the JOs in Manhattan were placed in ATI programs, we cannot discern which juveniles in other boroughs also participated in ATIs. We do not know the length of the juvenile's participation in an ATI, nor do we know the content of the specific program or the specific conditions imposed on the juvenile or whether the juvenile successfully completed the program.

D. Summary of Multivariate Findings

The focus of this study is on comparing the effectiveness of processing juveniles in the Supreme Court in the five boroughs of New York City, measured in terms of minimizing juvenile recidivism. Similar kinds of JO cases arrive in the Supreme Court in the boroughs, but there are significant borough differences in case processing in terms of length of case, release and detention. We first used multivariate analysis to identify borough differences in the hazard of any re-arrest after taking into account the effect of other significant predictors. We found that, after the effects of prior arrests, gender, a private attorney and robbery charges, the boroughs did not differ significantly in the hazard of a re-arrest. Yet the finding of a slightly lower likelihood of re-arrest for Manhattan juveniles shortly after the initial release is nearly statistically significant.

At the same time, when we assessed borough differences in the hazard of a VFO re-arrest, given the effect of prior arrests, gender, a private attorney, and robbery charges, we found a significantly higher hazard of a VFO re-arrest for JOs initially processed in Brooklyn or in Queens than the citywide average.

So can we conclude that the borough of prosecution has a significant effect on the likelihood of JO recidivism? Specifically, does the Manhattan model of JO prosecution with its characteristically lengthy case duration reflecting the reliance on alternatives-to-incarceration effect re-arrest? The data analyzed here indicate that overall re-arrest rates do not vary by

borough, but something seems to happen in Manhattan to delay the initial re-arrest for some juveniles. While this finding is nearly statistically significant, we also found that after the initial delay, the re-arrest rate for Manhattan juveniles increases to the same level as the other boroughs, which process cases quite differently. It is important to keep in mind, however, that the juveniles included in this research are those facing the most serious charges. Nearly three quarters were charged with a first or second degree robbery charge entering the upper court, and an additional eight percent entered the upper court charged with murder, attempted murder, or manslaughter. More than nine of every ten of these juveniles were convicted and half were sentenced to imprisonment. Most of these juveniles in all the boroughs, including Manhattan, were re-arrested, but this includes re-arrests for charges that are minor compared to the extremely serious charges that initially brought them to the Supreme Court in their boroughs.

To evaluate the effect of borough differences on the hazard of re-arrest for more serious charges, we developed a model predicting the hazard of re-arrest for a VFO (see Figure 4, page 24). We found significantly higher risk in Brooklyn and Queens, compared to the citywide risk. The hazard of a VFO re-arrest was greatest for Brooklyn, followed by Queens, and lowest for Staten Island, followed by Manhattan, and the Bronx. This research has not shed light on why the VFO re-arrest hazard is higher in Brooklyn and Queens, especially since these boroughs are not similar to one another in terms of any of the case processing factors examined in this research. Juveniles processed in Brooklyn, for example, were least likely to be released on bail or on recognizance at arraignment in Criminal Court (16%) and juveniles processed in Queens were most likely to be released at that stage of prosecution (28%).

Taken together, however, the findings of the re-arrest models suggest that the lengthy period of time in which juvenile offenders released in Manhattan Supreme Court are in placement programs under court supervision may not only delay the initial re-arrest but also may reduce the likelihood of re-arrest for the most serious offenses. To increase confidence in this conclusion, future research should examine borough differences in ATI participation among juveniles processed in Supreme Court in New York City and should explore the characteristics of ATI participation that are associated with lower risks of VFO re-arrest. The impact of the borough differences in case processing could be assessed if future research focused on re-arrest after the initial JO case was disposed and any incarcerative sentence was served.

V. CONCLUSION

This research documents marked borough differences in the processing of juvenile offender cases in the Supreme Courts across the five boroughs of New York City. Re-arrest rates are high. More than three quarters of the juveniles were re-arrested within four years and half were re-arrested for a VFO in that time. The data suggest that juveniles processed in Manhattan are less likely to be re-arrested shortly after their initial release than were juveniles processed in the other boroughs, although the overall re-arrest rate is not lower for Manhattan juveniles.

We conducted multivariate analysis using Cox proportional hazards regression analysis to determine which factors were associated with the hazard of any re-arrest and with the hazard of a VFO re-arrest. With one notable exception, the same variables were significant in the models and the effects were equally strong. The hazard of re-arrest and the hazard of a VFO re-arrest were higher for male juveniles, for juveniles charged with robbery, and for juveniles with a greater number of prior re-arrests. The hazard was lower for juveniles represented by private counsel as of the first appearance in the upper court. One difference between the models is that two of the borough variables were significant in the VFO model. Juveniles initially processed in Brooklyn or Queens have significantly higher hazard of re-arrest than do juveniles citywide, controlling for the other significant predictor variables. None of the community ties factors (length of residence, living with parents or legal guardian, telephone in home, school attendance, expecting someone at arraignment) had a significant effect nor did the release status and bail amount at arraignment and at the first appearance in the upper court.

The research is limited by the absence of data in several areas. We lack data on characteristics of the juvenile in terms of educational and family factors. We lack data on characteristics of the initial arrest in terms of the juvenile's relationship to the victim and whether the juvenile was acting alone or in concert with others. We lack data on ATI participation.

Yet, taken together**,** the findings of the re-arrest models suggest that the way juvenile cases are processed in Manhattan Supreme Court with its emphasis on placement programs under court supervision may not only delay the initial re-arrest but also may reduce the likelihood of re-arrest for the most serious offenses.

Exhibit 1: Demographic Characteristics

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
GENDER	%	%	%	%	%	%
Male	91	88	87	90	86	89
Female	9	12	13	10	14	11
Total	100	100	100	100	100	100
(N of cases)	(416)	(283)	(303)	(258)	(29)	(1289)
AGE	%	%	%	%	%	%
13	1	-	-	-	-	<1
14	33	32	37	34	24	34
15	66	68	63	66	76	66
Total	100	100	100	100	100	100
(N of cases)	(416)	(283)	(303)	(258)	(29)	(1289)
ETHNICITY	%	%	%	%	%	%
Black	***73	*57	60	*58	79	64
White	4	* 1	3	* 5	7	3
Hispanic	***22	***41	35	33	14	31
Asian	* 1	<1	2	** 4	-	2
Total	100	100	100	100	100	100
(N of cases)	(413)	(283)	(304)	(258)	(29)	(1287)
PRIOR ARRESTS	%	%	%	%	%	%
Yes	***50	40	38	*37	*62	43
No	50	60	62	63	38	57
Total[1]	100	100	100	100	100	100
(N of cases)	(416)	(283)	(304)	(258)	(29)	(1290)
Mean	*** .98	.66	.67	** .59	**1.45	.77
Median	1.00	0	0	0	1	0

* Sig. p < .05
** Sig. p < .01
*** Sig. p < .001
[1] May not sum to 100% due to rounding.

Exhibit 2: Charges

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
A. CHARGE AT ARREST	%	%	%	%	%	%
Murder 2	* 5	3	2	3	7	4
Attempted Murder 2	4	5	2	4	3	4
Manslaughter	<1	-	-	-	-	<1
Kidnapping 1	1	-	<1	<1	-	<1
Arson 2	1	2	2	1	-	1
Rape 1 and Sodomy 1	*** 9	7	** 2	*** 1	3	5
Assault 1	12	10	8	9	10	10
Robbery 2	* 9	12	**17	10	17	12
Robbery 1	**56	59	66	**70	55	62
Burglary 1	<1	<1	<1	1	3	<1
Possession of a Weapon 2 and 3	2	1	1	<1	-	1
Total[1]	100	100	100	100	100	100
(N of cases)	(416)	(283)	(304)	(258)	(29)	(1290)
B. CHARGE ENTERING SUPREME COURT	%	%	%	%	%	%
Murder 2	** 5	3	2	2	7	3
Attempted Murder 2	5	5	2	5	-	4
Manslaughter 1	<1	1	-	1	-	1
Kidnapping 1	1	-	<1	-	-	<1
Arson 2	1	2	2	1	-	1
Rape 1 and Sodomy 1	*** 9	6	** 2	*** 1	3	5
Assault 1	9	*13	10	10	3	10
Robbery 2	**15	17	***29	17	*35	20
Robbery 1	52	50	50	**62	48	53
Burglary 1 and 2	1	<1	2	1	3	1
Possession of a Weapon 2 and 3	2	2	1	-	-	1
Total[1]	100	100	100	100	100	100
(N of cases)	(416)	(283)	(304)	(258)	(29)	(1290)

* Sig. $p < .05$
** Sig. $p < .01$
*** Sig. $p < .001$
[1] May not sum to 100% due to rounding.

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
C. CHARGE AT PLEA OR CONVICTION	%	%	%	%	%	%
Murder 2	*** 4	1	1	1	4	2
Attempted Murder 2	4	3	* 1	3	-	3
Manslaughter 1	1	1	1	2	-	1
Kidnapping 1	-	<1	<1	-	-	<1
Arson 2	1	2	2	1	-	1
Rape 1 and Sodomy 1	*** 8	7	** 2	** 1	4	5
Assault 1	9	10	6	9	4	8
Robbery 2	16	16	*23	18	**39	19
Robbery 1	*53	59	62	64	46	59
Burglary 1 and 2	1	1	2	1	4	1
Possession of a Weapon 2 and 3	* 2	1	1	-	-	1
Total Convicted[1]	100	100	100	100	100	100
(N of cases)	(364)	(263)	(296)	(236)	(28)	(1187)

* Sig. p < .05
** Sig. p < .01
*** Sig. p < .001
[1] May not sum to 100% due to rounding.

Exhibit 3: Release Conditions Set at Arraignment in Criminal Court

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
RELEASE STATUS	%	%	%	%	%	%
Released:						
On Recognizance	***13	23	19	23	21	19
On Bail	3	3	5	5	-	4
Subtotal Released	16	26	24	28	21	22
Detained:						
On Bail	***78	**64	73	69	62	72
No Bail Set	6	**10	* 3	3	**17	6
Subtotal Detained	84	74	76	72	79	78
Total[1]	100	100	100	100	100	100
(N of cases)	(416)	(283)	(304)	(258)	(29)	(1290)
Released	***16	26	24	*28	21	22
Detained	84	74	76	72	79	78
Total	100	100	100	100	100	100
(N of cases)	(416)	(283)	(304)	(258)	(29)	(1290)
BAIL SET	%	%	%	%	%	%
Less than $2,000	**16	21	20	**30	33	21
$2,000 - $5,999	**30	37	***47	34	33	36
$6,000 - $10,000	***30	*17	22	*16	22	23
More than $10,000	*24	25	***11	20	11	20
Total Bail Set[1]	100	100	100	100	100	100
(N of cases)	(337)	(190)	(236)	(190)	(18)	(971)
Mean	$13,259	$12,459	**$6,612	$14,576	$18,639	$11,844
Median	$7,500	$5,000	$3,500	$5,000	$2,500	$5,000

* Sig. p < .05
** Sig. p < .01
*** Sig. p < .001
[1] May not sum to 100% due to rounding.

Exhibit 4: Release Status at First Appearance in Supreme Court and at Disposition

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
AT FIRST APPEARANCE	%	%	%	%	%	%
Released	**43	*54	*42	***59	52	49
Detained	57	46	58	41	48	51
Total	100	100	100	100	100	100
(N of cases)	(416)	(283)	(304)	(258)	(29)	(1290)
AT DISPOSITION (for cases adjourned for sentence)	%	%	%	%	%	%
Released	57	55	54	59	61	56
Detained	43	45	46	41	39	44
Total	100	100	100	100	100	100
(N of cases)	(358)	(262)	(288)	(230)	(28)	(1166)

* Sig. $p < .05$
** Sig. $p < .01$
*** Sig. $p < .001$

Exhibit 5: Days from Arraignment in Criminal Court to the First Adjournment

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
Days to first Adjournment for Bail Set or Remand at Arraignment	%	%	%	%	%	%
Six days or less	***99	***98	***100	***16	*100	83
Seven to 14 days	***<1	*** 1	*** -	***34	-	7
15 days or more	*** -	*** 1	*** -	***50	-	10
Total[1]	100	100	100	100	100	100
(N of cases)	(355)	(214)	(241)	(199)	(23)	(1036)
Mean	***4.1	***4.5	***4.1	***14.3	**3.2	6.1
Median	4.0	5.0	4.0	15.0	3.0	5.0
Days to first Adjournment for ROR at Arraignment	%	%	%	%	%	%
Six days or less	15	20	**34	*11	33	20
Seven to 14 days	**37	**11	17	*33	-	23
15 days or more	48	*69	49	56	67	56
Total[1]	100	100	100	100	100	100
(N of cases)	(54)	(64)	(59)	(57)	(6)	(240)
Mean	*14.8	20.7	**24.2	*14.9	21.0	18.9
Median	14.0	21.5	13.0	15.0	25.0	15.0

* Sig. $p < .05$
** Sig. $p < .01$
*** Sig. $p < .001$
[1] May not sum to 100% due to rounding.

Exhibit 6: Length of Case

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
Days in Criminal Court						
Mean	***10	***15	*18	***51	17	21
Median	5	10	5	36	5	7
(N of cases)	(415)	(282)	(304)	(258)	(29)	(1288)
Months from First Appearance in Supreme Court to Disposition						
Mean	4.1	4.7	***6.3	***1.8	**1.4	4.2
Median	3.8	2.5	4.9	0	0	3.2
(N of cases)	(416)	(282)	(303)	(258)	(29)	(1288)
Months from Disposition to Sentence in Supreme Court						
Mean	***4.1	***3.3	***11.0	***2.4	**2.4	5.3
Median	2.8	1.8	9.1	1.4	1.6	2.4
(N of cases)	(361)	(259)	(294)	(235)	(28)	(1177)
Months from First Appearance in Supreme Court to Case Completion						
Mean	**8.2	***7.6	***17.2	***4.1	***3.7	9.4
Median	7.7	4.9	15.2	2.0	2.9	7.4
(N of cases)	(361)	(259)	(295)	(235)	(28)	(1178)
Months from First Appearance in Criminal Court to Last in Supreme Court						
Mean	***9.0	***8.6	***17.9	***6.0	***4.3	10.3
Median	8.5	6.8	15.6	4.2	3.6	8.4
(N of cases)	(414)	(282)	(304)	(258)	(29)	(1287)

* Sig. $p < .05$
** Sig. $p < .01$
*** Sig. $p < .001$

Exhibit 7: Detention

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn		Bronx		Manhattan		Queens		Staten Island		Citywide	
DETENTION		%		%		%		%		%		%
Not detained	***	8		14		10	***	22		14		12
Detained and released		65	**	54	***	76	***	48		48		62
Detained and not released		27	*	32	***	14		30		38		26
Total		100		100		100		100		100		100
(N of cases)		(416)		(283)		(304)		(258)		(29)		(1290)
LENGTH OF DETENTION	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*
Not detained	***	8 *** *8*	14	*14*	10	*10*	***	22 *** *22*	14	*14*	12	*12*
A week or less		12 *** *19*	**	19 ** *33*	***	8 *** *17*	*	18 *** *40*	*	28 *41*	14	*26*
8 days to two months		17 *** *36*		22 *** *54*	**	13 *** *30*	*	23 *** *63*		14 *55*	18	*44*
61 days to six months	***	37 *74*	**	18 *73*	**	20 *** *51*		24 *** *86*		38 ** *93*	26	*70*
181 days to one year	*	24 *** *97*		18 *91*	***	29 *** *80*	***	8 * *95*	*	3 *97*	20	*90*
Over a year	***	3 *100*		9 *100*	***	20 *100*	*	5 *100*		3 *100*	9	*100*
Total[1]	100		100		100		100		100		100	
(N of cases)		(416)		(283)		(304)		(258)		(29)		(1290)
Mean		*121		127	***	217	***	84		*68		136
Median		104		38		180		26		43		80
LENGTH OF DETENTION: Cases ever detained only	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*
A week or less	*	12 * *12*	**	22 ** *22*	***	8 *8*	**	23 ** *23*	*	32 * *32*	16	*16*
8 days to two months		19 ** *31*		25 *** *47*	**	14 *** *23*	**	30 *** *53*		16 *48*	21	*37*
61 days to six months	***	40 * *72*	**	21 *68*	**	23 *** *45*		30 *** *83*		44 ** *92*	30	*67*
181 days to one year		26 *** *97*		21 *89*	***	33 *** *78*	***	11 *94*	*	4 *96*	23	*90*
Over a year	***	3 *100*		11 *100*	***	22 *100*		6 *6*		4 *100*	10	*100*
Total	100		100		100		100		100		100	
(N of cases)		(384)		(244)		(274)		(202)		(25)		(1129)
Mean	**	131		147	***	240	***	107		*78		156
Median		116		68		201		57		66		112

* Sig. p < .05
** Sig. p < .01
*** Sig. p < .001
[1] May not sum to 100% due to rounding.

Exhibit 8: Final Disposition in Supreme Court

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
DISPOSITION	%	%	%	%	%	%
Convicted:						
Pled Guilty – adjourned for sentence	83	93	93	88	97	89
Pled Guilty – sentence imposed	1	<1	3	2	-	2
Tried – Found Guilty	** 3	<1	1	1	-	2
Subtotal Convicted	***88	94	***97	91	97	92
Not Convicted:						
Dismissed	4	4	* 2	6	3	3
Tried – Acquitted	* 1	<1	<1	<1	-	1
Transferred to Family Court	***6	2	** 1	2	-	3
Subtotal Not Convicted	12	6	3	9	3	8
Total[1]	100	100	100	100	100	100
(N of cases)	(415)	(281)	(304)	(258)	(29)	(1287)

* Sig. $p < .05$
** Sig. $p < .01$
*** Sig. $p < .001$
[1] May not sum to 100% due to rounding.

Exhibit 9: Sentences

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
SENTENCE	%	%	%	%	%	%
Imprisonment	***50	44	37	***29	39	41
Imprisonment and Probation	***14	9	*** 0	*13	14	9
Probation Only	***36	47	***63	**58	46	50
Total[1]	100	100	100	100	100	100
(N of cases)	(360)	(260)	(295)	(235)	(28)	(1178)
CONDITIONS OF SENTENCE: All Sentences						
Youthful Offender	77	*84	*74	*85	86	80
Juvenile Offender	[2]23	[2]16	26	15	14	20
Total	100	100	100	100	100	100
(N of cases)[3]	(359)	(258)	(294)	(234)	(28)	(1173)
CONDITIONS OF SENTENCE: Imprisonment or Imprisonment and Probation						
Youthful Offender	64	**70	***31	64	73	60
Juvenile Offender	[2]36	[2]30	69	36	27	40
Total	100	100	100	100	100	100
(N of cases)	(231)	(135)	(108)	(98)	(15)	(587)

* Sig. p < .05
** Sig. p < .01
*** Sig. p < .001

[1] May not sum to 100% due to rounding.
[2] Includes one case sentenced as a VFO (violent felony offender).
[3] Excludes five cases with no condition of sentence.

Exhibit 10: Length of Sentence

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn		Bronx		Manhattan		Queens		Staten Island		Citywide	
LENGTH OF SENTENCE Imprisonment only	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*
Time Served	0	*0*	0	*0*	**0**	*0*	***1**	*1*	0	*0*	<1	*<1*
Definite 1 year or less	* 6	* *6*	***22	****22*	*** **0**	*** ***0***	6	*7*	****36**	****36***	9	*9*
Minimum sentence of at least 1 year	62	*67*	61	****83*	**46	****46*	61	*68*	36	*73*	58	*67*
Minimum sentence of at least 2 years	**13	***81*	*13	****97*	***40	*86*	22	*90*	9	*82*	20	*87*
Minimum sentence of at least 3 years	12	**93*	** **2**	*98*	12	*98*	7	*97*	9	*91*	9	*96*
Maximum sentence of life	* 7	*100*	2	*100*	2	*100*	3	*100*	9	*100*	4	*100*
Total[1]	100		100		100		100		100		100	
(N of cases)	(181)		(113)		(108)		(69)		(11)		(482)	
LENGTH OF SENTENCE Imprisonment OR Split	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*
Time Served	** **0**	*0*	5	*5*	* **0**	*0*	***10	*10*	0	*0*	3	*3*
Definite 1 year or less	26	*26*	*31	****36*	*** **0**	*** ***0***	25	**35*	**53	****53*	23	*26*
Minimum sentence of at least 1 year	48	*75*	50	****86*	46	****46*	42	*78*	27	*80*	47	*73*
Minimum sentence of at least 2 years	**10	***85*	*11	****97*	***40	*86*	15	*93*	7	*87*	17	*89*
Minimum sentence of at least 3 years	10	**94*	** **2**	*99*	*12	*98*	5	*98*	7	*93*	7	*97*
Maximum sentence of life	*6	*100*	2	*100*	2	*101*	2	*100*	7	*100*	3	*100*
Total[1]	100		100		100		100		100		100	
(N of cases)	(232)		(137)		(108)		(99)		(15)		(591)	

* Sig. p < .05
** Sig. p < .01
*** Sig. p < .001
[1] May not sum to 100% due to rounding.

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
MINIMUM SENTENCE LENGTH IN YEARS[2] **Imprisonment and Split Sentences**	%	%	%	%	%	%
Minimum: mean	1.6	**1.2	**1.9	1.4	1.6	1.5
Minimum: median	1.3	1.0	2.0	1.0	1.0	1.3
(N of cases)	(232)	(130)	(108)	(89)	(15)	(574)
Imprisonment Only						
Minimum: mean	**2.0	***1.3	1.9	1.6	2.0	1.8
Minimum: median	1.3	1.0	2.0	1.3	1.0	1.3
(N of cases)	(181)	(113)	(108)	(68)	(11)	(481)
MAXIMUM SENTENCE LENGTH IN YEARS[3] **Imprisonment and Split Sentences**						
Maximum: mean	3.7	***2.9	***5.3	3.4	2.5	3.7
Maximum: median	3.0	3.0	6.0	3.0	1.0	3.0
(N of cases)	(219)	(128)	(106)	(87)	(14)	(554)
Imprisonment Only						
Maximum: mean	4.6	***3.2	***5.3	4.4	3.4	4.4
Maximum: median	4.0	3.0	6.0	4.0	3.0	4.0
(N of cases)	(168)	(111)	(106)	(66)	(10)	(461)

* Sig. $p < .05$
** Sig. $p < .01$
*** Sig. $p < .001$

[2] Excludes cases with a sentence of time served.

[3] Excludes cases with a sentence of time served and cases with a maximum sentence of life imprisonment.

Exhibit 11: Re-Arrest Rates by Number of Years at Risk[1] to First Re-Arrest

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn		Bronx		Manhattan		Queens		Staten Island		Citywide	
NUMBER OF YEARS AT RISK:	%	*N*	%	*N*	%	*N*	%	*N*	%	*N*	%	*N*
Four years	79	359	77	266	80	275	75	243	79	24	78	1167
Three years	72	369	73	271	72	283	70	246	72	25	72	1194
Two years	62	379	63	272	61	291	60	250	68	25	62	1217
One year	42	392	46	273	38[+]	295	45	253	54	26	43	1239

Additional Periods of Time at Risk to First Re-Arrest

	Brooklyn		Bronx		Manhattan		Queens		Staten Island		Citywide	
Five years	85	339	84	256	85	267	81	231	79	24	84	1117
Six years	91	320	88	247	91	253	89	216	79	24	90	1060
Seven years	95	306	94	235	95	243	96	202	95	20	95	1006

[1] Each at-risk category includes juveniles who were re-arrested within the time or were at risk for re-arrest for at least that long. For example, a juvenile who was re-arrested six months after release from pretrial detention will be tallied as a re-arrest at risk for six months and will therefore be included in the shortest 'years at risk' category. Juveniles who were still at risk for re-arrest after one year at risk are also included in the base of the 'one year at risk' category, even if they were eventually re-arrested. The base of the four years at risk category includes juveniles who were re-arrested by the time four years at risk elapsed or who were still at risk at that time. Juveniles who were not at risk or who could only be tracked for less than one year at risk with no re-arrest are not included in any at-risk category.

[+] $p < .10$

Exhibit 12: Time to First Re-Arrest for Juveniles Re-Arrested Within Four Years

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn		Bronx		Manhattan		Queens		Staten Island		Citywide	
	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*
Three months or less	22	*22*	25	*25*	20	*20*	25	*25*	21	*21*	23	*23*
Over 3 months to 6 months	*19	*41*	15	*40*	13	**33*	15	*40*	16	*36*	16	*39*
Over 6 months to 1 year	17	*58*	22	*61*	18	*51*	22	*62*	37	*74*	20	*59*
Over 1 year to 2 years	25	*83*	22	*83*	*30	*81*	20	*82*	16	*90*	24	*83*
Over 2 years to 3 years	10	*93*	13	*96*	11	*92*	13	*95*	5	*95*	11	*94*
Over 3 years to 4 years	7	*100*	4	*100*	8	*100*	5	*100*	5	*100*	6	*100*
Total First Re-Arrests[1]	100		100		100		100		100		100	
(N of cases)	(283)		(205)		(221)		(183)		(19)		(911)	
Mean	383		359		+427		380		321		386	
Median	254		279		347		250		199		274	

* Sig. $p < .05$

\+ $p < .01$

[1] May not sum to 100% due to rounding.

Exhibit 13: Stage of Case Processing at First Re-Arrest as a Percentage of First Re-Arrests for Juveniles Re-Arrested Within Four Years

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
STAGE OF CASE PROCESSING:	%	%	%	%	%	%
Before disposition	17	17	16	14	5	16
Between disposition and sentence	18	**11	***32	**12	16	18
After case completion	66	*73	***52	**74	79	66
Total First Re-Arrests[1]	100	100	100	100	100	100
(N of cases)	(283)	(205)	(221)	(183)	(19)	(911)

* Sig. $p < .05$
** Sig. $p < .01$
*** Sig. $p < .001$
[1] May not sum to 100% due to rounding.

Exhibit 14: Charge at First Re-Arrest for Juveniles Re-Arrested Within Four Years

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
CHARGE AT FIRST RE-ARREST:	%	%	%	%	%	%
SEVERITY OF CHARGE						
Felony	***58**	49	52	47	47	52
Non-Felony	42	51	48	53	53	48
TOTAL FIRST RE-ARRESTS[1]	100	100	100	100	100	100
(N of cases)	(283)	(205)	(221)	(183)	(19)	(911)
CONTROLLED SUBSTANCE OFFENSES:						
Criminal Possession of Marihuana in the 5th Degree (PL 221.10, B misdemeanor)	14	18	14	14	10	15
Other Marihuana Charges	* **1**	4	3	5	10	3
Subtotal Marihuana Charges	15	22	17	19	21	18
Criminal Sale of a Controlled Substance in the 3rd Degree (PL 220.39, B felony)	* **3**	***12**	6	4	4	6
Other Felony Narcotics Charges	4	4	5	* **1**	5	4
Subtotal Felony Narcotics Charges	7	16	11	5	9	10
Misdemeanor Narcotics Charges	1	2	1	1	-	1
Subtotal Controlled Substance Offenses[1]	**23	***40**	29	25	31	29
ROBBERY CHARGES:						
Robbery in the First Degree (PL 160.15, B felony)	***12**	6	10	5	5	8
Other Robbery Charges	11	11	10	***16**	11	12
Subtotal Robbery Charges[1]	22	17	20	21	16	20
ASSAULT AND RELATED CHARGES:						
Murder in the Second Degree (PL 125.25, A-I felony)	1	2	<1	0	-	1
Attempted Murder in the Second Degree	<1	<1	-	1	-	<1
Felony Assault Charges	8	* **3**	7	7	10	7
Misdemeanor Assault Charges	4	6	8	6	-	6
Subtotal Assault and Related Charges	14	12	16	14	10	14
WEAPONS OFFENSES	8	5	4	6	-	6
THEFT OF SERVICES (PL 165.15A)	***10**	* **4**	8	6	5	7
OTHER CHARGES	23	22	24	28	36	24
TOTAL FIRST RE-ARRESTS	100	100	100	100	100	100
(N of cases)	(283)	(205)	(221)	(183)	(19)	(911)

* Sig. $p < .05$
** Sig. $p < .01$
*** Sig. $p < .001$
[1] May not sum to 100% due to rounding.

Exhibit 15: Re-Arrest Rates by Number of Years at Risk[1] to First VFO Re-Arrest

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn		Bronx		Manhattan		Queens		Staten Island		Citywide	
NUMBER OF YEARS AT RISK:	%	*N*	%	*N*	%	*N*	%	*N*	%	*N*	%	*N*
Four years	**57	326	46	248	46	239	50	228	41	22	50	1063
Three years	48	357	40	260	40	257	43	237	33	24	43	1135
Two years	**39	374	31	267	30	278	32	246	28	25	34	1190
One year	*26	389	20	273	20	290	23	250	15	26	23	1228

Additional Periods of Time at Risk to First VFO Re-Arrest

	Brooklyn		Bronx		Manhattan		Queens		Staten Island		Citywide	
Five years	**68	289	55	218	56	208	59	207	50	20	60	942
Six years	**78	250	*65	190	71	168	70	178	*50	20	71	806
Seven years	88	224	83	152	88	138	89	143	*67	15	88	672

* Sig. p < .05
** Sig. p < .01
*** Sig. p < .001

[1] Each at-risk category includes juveniles who were re-arrested for a VFO within the time or were at risk for a VFO re-arrest for at least that long. For example, a juvenile who was re-arrested six months after release from pretrial detention for a first degree robbery offense will be tallied as a VFO re-arrest at risk for six months and will therefore be included in the shortest 'years at risk' category. Juveniles who were still at risk for a VFO re-arrest after one year at risk are also included in the base of the 'one year at risk' category, even if they were eventually re-arrested. The base of the four years at risk for VFO category includes juveniles who were re-arrested by the time four years at risk elapsed or who were still at risk at that time. Juveniles who were not at risk or who could only be tracked for less than one year at risk with no VFO re-arrest are not included in any at-risk category.

Exhibit 16: Time to First VFO Re-Arrest for Juveniles Re-Arrested for a VFO Within Four Years

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn		Bronx		Manhattan		Queens		Staten Island		Citywide	
	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*	%	*Cum %*
Three months or less	18	18	23	23	24	24	20	20	22	22	21	21
Over 3 months to 6 months	**21	39	10	33	13	37	14	34	11	33	15	36
Over 6 months to 1 year	16	55	15	48	16	53	17	51	11	44	16	52
Over 1 year to 2 years	24	79	25	73	22	75	19	70	33	77	23	75
Over 2 years to 3 years	13	91	18	91	18	93	19	89	11	88	16	91
Over 3 years to 4 years	9	100	49	100	7	100	11	100	11	100	9	100
Total First VFO Re-Arrests [1]		100		100		100		100		100		100
(N of cases)		(187)		(114)		(111)		(115)		(9)		(536)
Mean		418		474		447		497		468		454
Median		278		369		310		364		366		331

** Sig. p < .01

[1] May not sum to 100% due to rounding.

Exhibit 17: Stage of Case Processing at First VFO Re-Arrest as a Percentage of First VFO Re-Arrests for Juveniles Re-Arrested for a VFO Within Four Years

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
STAGE OF CASE PROCESSING:	%	%	%	%	%	%
Before disposition	16	15	18	16	11	16
Between disposition and sentence	17	*10	***31	*10	11	17
After case completion	67	*75	***51	75	78	57
Total First VFO Re-Arrests[1]	100	100	100	100	100	100
(N of cases)	(187)	(114)	(111)	(115	(9)	(536)

* Sig. $p < .05$

*** Sig. $p < .001$

[1] May not sum to 100% due to rounding.

Exhibit 18: Charge at First VFO Re-Arrest for Juveniles Re-Arrested for a VFO Within Four Years

Juvenile Offender Cases in Supreme Court 1997 – 2000

CITYWIDE

	Brooklyn	Bronx	Manhattan	Queens	Staten Island	Citywide
CHARGE AT FIRST VFO RE-ARREST:	%	%	%	%	%	%
ROBBERY CHARGES: Robbery in the First Degree (PL 160.15, B felony)	27	20	30	*17	33	24
Robbery in the Second Degree (PL 160.10, C felony)	*17	24	17	**34	11	22
Attempted Robbery Charges	6	3	13	4	-	7
Subtotal Robbery Charges[1]	**51**	**46**	**60**	**55**	**44**	**53**
ASSAULT AND RELATED CHARGES: Murder in the Second Degree (PL 125.25, A-I felony)	2	4	2	2	-	2
Attempted Murder in the Second Degree	2	* 5	-	4	-	3
Subtotal Murder and Attempted Murder Charges	4	* 9	2	4	-	5
Felony Assault Charges	21	17	15	21	**56	20
SUBTOTAL Murder and Assault Charges[1]	**25**	**25**	***17**	**27**	***56**	**24**
WEAPONS OFFENSES	20	18	15	11	-	16
OTHER CHARGES (Arson, Burglary, Kidnapping, Sex Offenses)	4	11	8	7	-	7
TOTAL FIRST VFO RE-ARRESTS	100	100	100	100	100	100
(N of cases)	(187)	(114)	(111)	(115)	(9)	(536)

* Sig. $p < .05$

** Sig. $p < .01$

[1] May not sum to 100% due to rounding.

APPENDIX A

JUVENILE OFFENSES

Offense	Penal Law	Felony Class	Defendant Age
Aggravated sexual abuse in the first degree	130.70	B	14, 15
Arson in the first degree	150.20	A	14, 15
Arson in the second degree	150.15	B	14, 15
Assault in the first degree	120.10 (1) (2)	B	14, 15
Burglary in the first degree	140.30	B	14, 15
Burglary in the second degree	140.25 (1)	C	14, 15
Kidnapping in the first degree	135.25	A	14, 15
Attempted kidnapping in the first degree	110/135.25	B	14, 15
Possession of a weapon in the second degree	265.03*	C	14, 15
Possession of a weapon in the third degree	265.02 (4)*	D	14, 15
Manslaughter in the first degree	125.20	B	14, 15
Murder in the second degree	125.25 (1) (2) 125.25 (3)**	A A	13, 14, 15 14, 15
Attempted murder in the second degree	110/125.25	B	14, 15
Rape in the first degree	130.35 (1) (2)	B	14, 15
Robbery in the first degree	160.15	B	14, 15
Robbery in the second degree	160.10 (2)	C	14, 15
Sodomy in the first degree	130.50 (1) (2)	B	14, 15

* Added in November 1998, but only where the weapon is possessed on school grounds.
** But only where the underlying crime is also a JO offense.

APPENDIX B

VIOLENT FELONY OFFENSES (VFO)[1]

ASSAULT

Aggravated Assault Upon a Peace Officer (PL 120.11)
Assault-1° (PL 120.10)
Assault-2° (PL 120.05)*
Gang Assault-1° (PL 120.07)
Gang Assault-2° (PL 120.06)
Assault on a Peace Officer, Police Officer, Fireman or Emergency Medical Services Professional (PL 120.08)
Stalking-1° (PL 120.60)*

HOMICIDE

Manslaughter-1° (PL 125.20)
Murder-1° (PL 125.27)**
Murder-2° (PL 125.25)**

SEX OFFENSES

Rape-1° (PL 130.35)
Sodomy-1° (PL 130.50)
Aggravated Sexual Abuse-1° (PL 130.70)
Aggravated Sexual Abuse-2° (PL 130.67)
Aggravated Sexual Abuse-3° (PL 130.66)*
Sexual Abuse-1° (PL 130.65)*
Course of Sexual Conduct Against a Child-1° (PL 130.75)
Course of Sexual Conduct Against a Child-2° (PL 130.80)*

BURGLARY

Burglary-1° (PL 140.30)
Burglary-2° (PL 140.25)

ROBBERY

Robbery-1° (PL 160.15)
Robbery-2° (PL 160.10)

WEAPON OFFENSES

Criminal Possession of a Weapon-1° (PL 265.04)
Criminal Possession of a Weapon-2° (PL 265.03)
Criminal Possession of a Weapon-3° (PL 265.02- subs 4,5,6,7,8)
Criminal Use of a Firearm-1° (PL 265.09)
Criminal Use of a Firearm-2° (PL 265.08)
Criminal Sale of a Firearm-1° (PL 265.13)
Criminal Sale of a Firearm-2° (PL 265.12)*
Criminal Sale of a Firearm with the aid of a Minor (PL 265.14)*

[1] Source: www.criminaljustice.state.ny.us

OTHER VIOLENT FELONY OFFENSES

Kidnapping-1° (PL 135.25)**
Kidnapping-2° (PL 135.20)
Arson-1° (PL 150.20)**
Arson-2° (PL 150.15)
Intimidating a Victim or Witness-1° (PL 215.17)
Intimidating a Victim or Witness-2° (PL 215.16)*

* An attempt to commit these offenses is not a violent felony.

** Class A felonies were not designated violent felonies by legislation (Penal Law §70.02) but are included here because they are governed by similar sentencing provisions. Attempts at these offenses (class B felonies) are specified as VFOs.