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AN EVALUATION OF CRIMINAL RECIDIVISM IN PROJECTS PROVIDING REHABILITATION AND DIVERSION SERVICES IN NEW YORK CITY*

ROBERT FISHMAN**

INTRODUCTION

The Problem of Crime. In New York City in 1974, there were 519,825 complaints of serious crimes,¹ or about one complaint for every sixteen persons in the city. Among the four violent crimes, 1,554 were non-negligent homicides, an average of about four a day. In addition, there were 4,054 rapes (about eleven a day), 77,940 robberies (about 214 a day) and 41,068 aggravated assaults (about 112 a day).² Except for homicide, the numbers of these crimes might actually be twice as large if un-

* This article is a summary, with some updating, of part of the report "An Evaluation of the Effect on Criminal Recidivism of New York City Projects Providing Rehabilitation and Diversion Services, A Final Report to the Mayor's Criminal Justice Coordinating Council," March 31, 1975. The full report will be published in a slightly modified form by Praeger Publishers as *CRIMINAL RECIDIVISM IN NEW YORK CITY: AN EVALUATION OF THE IMPACT OF REHABILITATION AND DIVERSION SERVICES*.

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¹ The Uniform Crime Reporting system (UCR) classifies the seven most "serious" crimes by violent crimes (homicide, forcible rape, robbery and aggravated assault) and crimes against property (burglary, larceny and auto theft).

² Telephone interview with John Getting, Crime Analysis Section, New York City Police Department (Dec. 6, 1976).

reported crimes were included.³ From 1968 to 1974, the rate of non-negligent homicide increased 67%, forcible rape 122%, robbery 43% and aggravated assault 44%.⁴

The Criminals. In New York City, the violent crimes of murder, forcible rape, robbery⁵ and aggravated assault are committed primarily by young black and Hispanic males who are poor and undereducated. In 1974, there were 260,739 arrests in New York City.⁶ Of these, 43,831 were for violent crimes.

Sex. Males represented 89% of these arrests.

Age. Among those males arrested for violent crimes, 43% were seven to twenty years old, while 30% were aged twenty-one to twenty-nine.

Race. In 1974, among the 1140 males arrested for murder, 52% were black, 32% were Hispanic and 15% were white.⁷ For 1642 of the 1972 persons arrested in 1975 for forcible rape, 63% were black, 23% were Hispanic, 13% were white and 1% were yellow and "other,"⁸ Zeisel, deGrazia and Friedman⁹ reported on the race of those arrested for robbery, using a sample of 1888 arrests picked at random from arrest registers in Manhattan, Brooklyn, Bronx and Queens.

³ LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, NATIONAL CRIMINAL JUSTICE INFORMATION AND STATISTICS SERVICE, *CRIME IN THE NATION'S FIVE LARGEST CITIES* (1974).

⁴ Rates per year from statistics compiled by Crime Analysis Section, New York City Police Department (1975). The evaluation computed the differences between the rates per 100,000 for 1968 and 1974 on a population base of 7,894,862.

⁵ This includes most "muggings."

⁶ Crime Analysis Section, New York City Police Department (November, 1976).

⁷ Telephone interview with Philip McGuire, Crime Analysis Section, New York City Police Department (Dec. 3, 1976).

⁸ Telephone interview with Dennis Butler, Sex Crimes Analysis Unit, New York City Police Department (Dec. 4, 1976).

⁹ H. Zeisel, J. deGrazia, & L. Friedman, *Criminal Justice System Under Stress, A Study of the Disposition of Felony Arrests in New York City* (1975) (unpublished paper for Vera Institute of Justice).

Of these arrests, 15% (about 289) were for robbery. Within this sample, blacks comprised 71%; Hispanics, 16%; and whites, 13%.

The racial composition of arrests for murder, rape and robbery described above indicates the blacks and Hispanics represent 84%, 86%, and 87%, respectively, of arrests for these crimes. As in other large cities, the bulk of blacks and Hispanics are undereducated and from the lowest socioeconomic class.

A Response To The Problem. The Criminal Justice Coordinating Council¹⁰ was set up by the City of New York as one response to the problem of crime. The CJCC was to administer, at the local level, national funds channeled to it through the state's Office of Crime Control Planning from the Law Enforcement Assistance Administration (LEAA), created by Congress in 1968.¹¹

In addition to supporting such institutionalized elements of the criminal-justice system (CJS) as police, courts and prisons, the CJCC was heavily committed to funding a variety of rehabilitation programs and projects. The goal of these programs was to provide rehabilitation-oriented services to offenders, ex-offenders, and in some cases, "pre-offenders."

The target groups of clients for these rehabilitation programs were described in the Council's annual plans for 1972-1973. They were principally the types of offenders described in the preceding section. Particular emphasis was placed on providing rehabilitation services to males (juveniles, youths and young adults), blacks and Hispanics, ex-convicts, the poor and undereducated, drug addicts and for preventive purposes, some first offenders.

These rehabilitation programs relied primarily on combinations of remedial education, job-training or referral and varieties of mental health counseling¹² provided by municipal or voluntary agencies and community groups. Many of these projects also provided diversion from the regular processes of the criminal

justice system primarily for juvenile and young adult offenders who are believed to be better suited for rehabilitation through "people projects" rather than through conventional means. (Some are conditionally released without rehabilitation services, as on bail or probation.)

For purposes of orderly administration, the CJCC had to gather a considerable amount of information about these rehabilitation programs which it was supporting. Before decisions could be made to modify, refund or institutionalize programs, the Council needed to determine whether its rehabilitation programs were having individual and collective effect on the criminal behavior of their clients. Similarly, the Council needed information which would enable comparison of the criminological effects of different projects on the same types of clients. To monitor the programs, and to be able to make program adjustments in midstream, information was needed as to how criminological impact was related to such program characteristics as the type, mix and quality of services offered, staff-client ratio and the proportion of professional to paraprofessional staff. Furthermore, to make broad policy and programmatic decisions, the Council needed to know the relationship between a client's prior criminal history and his criminal behavior subsequent to entering a Council-sponsored program.

To satisfy these needs, a portion of each individual project's gross budget was set aside for the purpose of evaluating the project's effectiveness.¹³ These evaluations were generally performed by academics or by consulting firms on subcontracts. Since the evaluators were responsible to the individual project directors rather than to the CJCC, their objectivity, in some cases, was questionable. Moreover, the natural and inescapable outcome was an enormous variety of evaluation goals, designs, methods and resources. The competence of the individual evaluators also varied considerably. Such great variation made it virtually impossible for the Council to compare the criminological effectiveness of different program models in serving similar types of clients. For example, an evaluation that defined recid-

¹⁰ Hereinafter referred to as "the Council" or the "CJCC."

¹¹ See 42 U.S.C. §§ 3711-25 (1973).

¹² Varieties of mental health counseling, ranging from informal "rap" sessions to group therapy were the most prevalent rehabilitative services offered by the projects.

¹³ Usually 5%-to-10% of a project's budget was set aside for evaluation purposes.

ivism as "reincarceration," could not be compared with evaluations that defined recidivism as "rearrest" or "re-conviction" or "change on an attitude scale."

In response to these problems, and in order to meet the need for management information, a plan was proposed to the Council to conduct a standardized evaluation effort. Funded in July, 1971, the Evaluation was completed in March, 1975. This Evaluation placed special emphasis upon the most traumatic of the crime problems shared by large cities: crimes of violence against persons. The thrust of this emphasis shaped the analysis and conclusions which follow.

METHOD

Design. Title I of the Omnibus Crime Control and Safe Streets Act of 1968 established the Law Enforcement Assistance Administration (LEAA) to address the problem of "the high incidence of crime."¹⁴ Thus, the basic goal has been the reduction of crime. In the 1973 amendment of that act, the goal of reducing the incidence of crime was articulated into crime reduction, crime prevention, reducing juvenile delinquency and ensuring the greater safety of the people.¹⁵ Therefore, it was evident that the basic goal of CJCC's LEAA-funded "people projects" would be to reduce the incidence of crime, and that they would be evaluated with that goal as a basic criterion. Accordingly, a particular program's services would be measured *criminologically*. These services were treated as the methods (the independent variables) by which the goal of reducing crime was to be reached. The common measure of achievement of that goal (the dependent variable) was criminal *behavior*, as opposed to legal dispositions.

The Common Measure—Arrests. The most reasonable interpretation of the intent of Congress when it spoke about reducing the "incidence of crime" is a literal one. In other words, Congress was not restricting itself to a technical meaning in terms of formal, recorded complaints. It also meant crimes that are never reported, or what social scientists would refer to as criminal behavior.

This focus on behavior is emphasized here because all too often there is confusion within the criminal justice system about the difference between a legal and an empirical or behavioral definition of crime. A person who has in fact shot someone in the head during a robbery may not legally have committed a crime if a court finds him to be psychotic, or if his confession was obtained illegally. Nevertheless, the victim remains shot in the head, and criminal behavior by that person did take place. The very broad legal definition of this event includes factors such as competence and due process, which have no logical or factual relationship whatsoever to the empirical question of whether the event occurred and who did it. Rather, these legal criteria, in the example of the "innocent" psychotic killer, would entail incorrect answers to the empirical questions.

The Evaluation had to settle on some standard measure of incidence of crime, and the alternatives available were complaints, convictions, incarcerations and arrests.

Complaints. In theory, complaints are the most accurate measure of crime of these four, but they were not considered appropriate. They are primarily useful as a measure of crime in a geographic area, but many CJCC projects were not restricted to standard areas, for example, precincts or boroughs. Those which were had too few clients to allow assessment of the relationship of project outcomes to the incidence of crime.

Convictions. Many arrests may be dismissed prior to conviction for reasons such as insufficient or improper evidence, when in fact the person charged did commit a criminal act. The prevalence of plea bargaining suggests that a measure of criminal behavior based on convictions will be systematically skewed toward a more benign representation of criminal behavior than is actually the case. In 1974, for example, 80% of all felony arrests in New York City were disposed of by lower courts empowered to adjudicate only misdemeanors.¹⁶ Further, conviction on a given charge ("copped" or not) may represent additional crimes that also were charged at the time but were not included in the conviction. This leads to additional understatement of criminal behavior.

¹⁴ 42 U.S.C. § 3701 (1973).

¹⁵ *Id.*

¹⁶ N.Y. TIMES, Feb. 11, 1975, at 1, col. 8.

Incarcerations. The rate of incarceration in New York City is so low that this measure was deemed the weakest. The vast majority of those arrested are not incarcerated, primarily because of dismissals for legal insufficiency, failure of witnesses to appear, and plea bargaining to conditional or unconditional release. Of 2,520 felony arrests of nonjuveniles, for homicide, robbery, narcotics, sex crimes, hijacking and bribery during 1972-1974, 460 persons—18%—were incarcerated as a final disposition.¹⁷ In 1974, in New York City, seventy-seven juveniles fifteen years of age or younger were arrested for murder, 261 for rape, 4,765 for robbery and 1,312 for felonious assault. When all other felony arrests are added, the number of juvenile felony arrests totals 16,764.¹⁸ Yet in 1974, the total number of juveniles incarcerated by the Family Court in state training homes was 150.¹⁹

Arrests. Arrests were considered closest to complaints in ability to reflect criminal behavior. In New York City, arrest records are relatively complete, accurate and retrievable. Measuring by arrest records allows comparability of results with other evaluations in or out of New York City which use the same measure. It was concluded after the review of the other measures that arrests were the most accurate measure of criminal behavior that this Evaluation could use.

Client Characteristics. From the very outset the Evaluation was designed to allow assessment of the individual and comparative criminological effects of the projects on the primary target groups served by CJCC-sponsored programs.²⁰ To do so, those client characteristics most related to recidivism had to be controlled. For example, it was important to be able to ascertain separate recidivism rates for an individual projects' seven-to-twelve year old male juvenile

first offenders as well as for its nineteen-to-twenty year old male serious offenders, because the project might be effective with one group but not with the other. This was even more essential in comparing a particular project's criminological effectiveness with seven-to-twelve year olds or nineteen-to-twenty year olds with similar age groups in other "competing" projects. The three client characteristics selected were age, sex and prior criminal history.²¹

Age, in New York State, is a key factor in making decisions regarding arrest, type of court, dispositions and conditions of release or incarceration. The four basic age groups selected initially by the Evaluation were juveniles (age seven-to-fifteen); youthful offenders (age sixteen-to-eighteen); and two categories of adults: (age nineteen-to-twenty) and (age twenty-one and older).²² Only males were analyzed since females make up a relatively small proportion (about 10%) of those who commit serious crimes. The number of females in most of the CJCC projects was too low for valid statistical analysis. Severity of criminal history is generally considered as an important predictor of recidivism.²³

Data Collection. Because arrests were to be the unit of measurement, it was necessary to collect and prepare the data about project clients so as

²¹ Heroin addiction was to have been a fourth characteristic, but it was impossible to apply, primarily because police arrest records did not distinguish between heroin and other drugs. There are many other personal characteristics that might affect criminal behavior, including socio-economic background, intelligence, ethnicity and motivation. The CJCC evaluation, therefore had to select only the most important and feasibly measurable personal characteristics. I.Q., for example, may be a determinant of recidivism but is very expensive to measure adequately for the large number of clients in the study. Motivation is also of great importance, but there is no known standard test for it that is universally recognized in the testing community.

²² For similar crimes, juveniles aged seven-to-fifteen as a rule are arrested less frequently and detained or incarcerated for much shorter periods than nonjuveniles. Juveniles are given summons cards instead of being arrested for minor violations and some misdemeanors for which an adult could be arrested. Youthful-offender status for 16-to-18 year olds may apply at the time of sentencing, if a Class A felony or a previous felony conviction is not involved. Those granted youthful offender status, receive very light sentences.

²³ See generally M. WOLFGANG, R. FIGLIO, & T. SELLIN, *DELINQUENCY IN A BIRTH-COHORT* (1972).

¹⁷ Telephone interview with Inspector Michael J. Farrell, Criminal Justice Liaison Division, New York City Police Department (March, 1975).

¹⁸ Telephone interview with Jeremiah B. McKenna, General Counsel, New York State Select Committee on Crime (November, 1976).

¹⁹ There were also 105 Title II or "voluntary" placements during 1974. K. CAHILL, *REPORT TO THE GOVERNOR, GOVERNOR'S PANEL ON JUVENILE VIOLENCE* 31-32 (1975) (Albany, N.Y.).

²⁰ R. Fishman, *A Proposal for Individual and Comparative Evaluation of Diversion Projects for the Criminal Justice Coordinating Council* (May 15, 1971) (unpublished proposal at the Mayor's CJCC, N.Y.C.).

to allow accurate matching with official arrest records. This created many problems, since the projects were not only different from each other in programmatic structure, but also enjoyed considerable administrative autonomy. Their records and record-keeping systems were as individual as their programs.

A first step of the Evaluation was to design and implement a Standard Intake Form for use in the projects that would, among other things, yield data necessary to retrieve arrest records. In addition, the Evaluation had to create an entire system to insure that the Standard Intake Form continuously operated as a practical instrument. Initially, there was a very high error rate on important items of the Standard Intake Form.²⁴ A concern for confidentiality led some projects to resist providing any data about individual clients to the Evaluation.

The problems of high error rates were mainly due to lack of competence in record keeping by staff among community-based projects.

To cope with these problems the Evaluation launched an extensive training program for project staffs and became more closely involved in the projects' record-keeping operations.

To maximize the accuracy of the project data after they were received by the Evaluation two steps were taken. First, the Intake Forms were *scrutinized* for certain types of errors and, if necessary, sent back for correction. Forms that could not be corrected were not used. Second, *validation* resulted from the awareness that seemingly correct Intake Forms during scrutiny might in fact contain false information, for example, misspelled names. The errors might result from misinterpretation by project staff of an Intake Form item, or they might simply be errors in reporting or transcribing information given by a client. The solution was to check each Intake Form intended for analysis against actual records in those projects for the "index" items—name, sex, date of birth, address, date of project entry and client admission status.

A number of data-retrieval problems also had to be solved in obtaining arrest records from the police. Juvenile and adult records were kept in different places, in different ways, and required different methods of identifica-

tion for retrieval. In resolving all these problems of implementation, the Evaluation achieved several of its intended goals: it established an ongoing system for measuring the criminological effects of the larger CJCC-sponsored projects and for obtaining management information data from all of the projects.

Projects. As shown in Table 1, 4 out of the fifty-three projects under the Council's sponsorship submitted no Standard Intake Forms to the Evaluation. The remaining forty-nine projects submitted a total of 27,733 forms.²⁵ Data from thirty-one of these forty-nine projects were not analyzed, either because 1) there was not enough time to process the records; 2) the projects did not contain enough clients to permit analysis; or 3) the clients were female.²⁶ The first two factors merit further explanation.

For a client to be included in the analysis there had to be a minimum of twelve months' duration after project entry, during which time the client's criminal behavior would be measured. At the time of selection, there had to be a sufficient number (initially 100, finally fifty) of male clients of the required ages who met these criteria in a given project to satisfy statistical requirements for analysis. Furthermore, the fifty-three projects were funded and became fully operational at widely differing times prior to and during the period in which the Evaluation was conducted. Thus, newer projects generally did not have enough clients who met evaluation criteria at the time of selection. In addition, the Evaluation had to meet a deadline for a final report. Identification of the clients who met the criteria had to be cut off in time for use in that report. The interactions of all these factors thus explains why it was impossible to analyze thirty-one of the forty-nine projects which submitted forms.²⁷

This left eighteen projects, with a total of 20,924 Standard Intake Forms, available for analysis by the Evaluation. These eighteen

²⁵ Numbers 7, 11, 17 and 43 (see Table 1).

²⁶ Numbers 3, 6, 8, 9, 10, 12, 13, 14, 15, 18, 20, 24, 25, 26, 27, 28, 35, 36, 37, 38, 39, 40, 41, 42, 44, 46, 48, 49, 50, 51 and 53 (see Table 1).

²⁷ The evaluation was unsuccessful in receiving additional funds to extend its duration so that it could evaluate eight of the 31 projects that had provided sufficient data too late to be processed for inclusion in the final report (Numbers 13, 14, 18, 27, 37, 38, 40 and 46 in Table 1).

²⁴ For example, names were frequently misspelled and ages listed incorrectly.

Table 1 SUMMARY OF INFORMATION RETRIEVAL, PROCESSING AND REPORTING

<u>Project Name</u>	<u>Acronym For Analysis</u>	<u>Contract Number</u>	<u>Monthly Case Activity Report</u>	<u>CLIRNT INTAKE FORMS</u>			
				<u>Number Received</u>	<u>Number Punched</u>	<u>Validation At Project</u>	<u>Analyzed For Report</u>
1. Addict Diversion Program	ASA	57798	+	1,772	979	+	333
2. Addicts Rehabilitation Center	ARC	56964	+	2,040	477	+	264
3. Altern School for Excp Children		62964	+	151	41	-	-
4. Altern to Detention - HRA	ATD-HRA	50411	-	938	401	+	117
5. Altern to Detention - Probation	ATD-PROB	50411	-	602	529	+	220
6. Bed-Stuy Ex-Offender		56965	+	210	79	-	-
7. Corrections Educ Career Dev Prog		69838	+	-	-	-	-
8. Co-Workers Cooperative Project		64558	+	178	47	-	-
9. East Harlem Halfway House		73300	+	79	-	-	-
10. Encounter		59315	-	116	-	-	-
11. Family Court Rapid Intervention		59895	+	-	-	-	-
12. Fortune Society Employment Unit		68313	+	372	-	-	-
13. Frontiers for Families		62012	+	458	249	+	-
14. Harlem Probation		62762	+	175	144	+	-
15. Holy Apostles Center		72177	+	103	-	-	-
16. Independence House	INDH	61685	+	569	321	+	56
17. Juvenile Employment Ref		74937	+	-	-	-	-
18. Legal Aid Soc - Juvenile Services		67752	+	1,409	622	+	-
19. Legal Proximity	LPQ	60372	+	207	150	+	55
20. Mobilization for Youth - Juv Court Div		66559	+	178	51	-	-
21. Morrisania Youth Serv Center	MLA	55332	+	410	379	+	166
22. NAACP Project Rebound	NAACP	56445	+	795	541	+	190
23. Neighborhood Youth Diversion	NYD	57871	+	702	598	+	133
24. N Y Lawyers Com for Cvl Rts - Supv Rel		57980	-	84	-	-	-
25. The Osborne Residence		62418	+	100	29	-	-
26. Positive Altern - Univ of the St		63977	+	138	71	-	-
27. Pre-trial Services Agency		66635	+	236	-	+	-
28. Private Concerns, Inc		73298	+	76	-	-	-
29. Probation - Urban League	PUL	60785	+	372	336	+	92
30. Project BYCEP	BYCEP	50803	+	559	469	+	63
31. Project Manhood	MANHD	49764	+	1,787	1,135	+	185
32. Project Second Chance	SCH	59545	+	733	539	+	160
33. Project Share	SHARE	58945	+	346	160	+	31
34. Protestant Board of Guardians	PBG	57872	+	839	532	+	172
35. Puerto Rican Assoc for Com Action		70723	+	157	-	-	-
36. Puerto Rican Forum Offender Prog		72027	+	96	-	-	-
37. Queens Probation Reading Clinic		65715	+	374	207	+	7
38. QUERER		72179	+	324	-	+	-
39. Richmond Probation Reading Clinic		70724	+	183	-	-	-
40. SERA Manpower Unit		73092	+	215	-	+	-
41. Sloane House YMCA - Dept of Corr		68176	+	171	-	-	-
42. St. Peter's Youthful Offender Prog		74538	+	46	-	-	-
43. Theatre for the Forgotten		63710	+	-	-	-	-
44. United Neighborhood Houses		66466	+	268	124	-	-
45. Vera Supportive Work Program; Wildcat	VERA	62914	+	1,712*	815*	+	219*
46. Vocational Remedial Educ Trng Proj		70473	+	155	-	+	-
47. VOI - Bronx Com Counseling	BCC	56446	+	1,260	882	+	283
48. Wiltwyck Bklyn Com Care		55722	+	225	192	-	-
49. Wiltwyck School Group Homes		56870	+	19	10	-	-
50. Women's Diversion		58498	-	38	-	-	-
51. Women's Education		55161	+	180	165	-	-
52. Youth Counsel Bureau	YCB	57933	+	5,281	2,288	+	121
53. Youth Services Bureau - Bushwick		61463	±	295	180	-	-
TOTAL			48	27,733	13,742		2,860

* Includes a control group.

projects were not a "sample" selected from the entire fifty-three at one point in time; they rather constituted *the universe of all projects* that had enough clients to satisfy evaluation criteria at the time of selection.

The eighteen projects were similar in that they all provided rehabilitation or diversion services primarily outside of prison. They varied enormously, however, in such important characteristics as auspices (community-based groups; private foundations; city agencies); staffing (by paraprofessionals and professionals); status (new projects versus existing ones); nature of service rendered (diversion and nondiversion); and funding (a few hundred thousand dollars versus several million dollars.) See Table 2. All eighteen projects provided some combination of services toward remediation, jobs, mental health counseling and/or diversion. Three projects provided residence, another three provided recreation, and legal assistance was offered by two projects. The total LEAA funding for the eighteen projects analyzed by the Evaluation was \$14,590,000. Upon careful inspection of the projects and their records, it appeared that these eighteen projects were basically representative of most nonprison approaches to this type of rehabilitation in New York City and elsewhere.

Clients. As with the projects, there was no "sampling" of the Standard Intake Forms for the clients.²⁸ The *universe of all forms* from the 18 projects was used for all clients who met the Evaluation's strict criteria as to age, sex and twelve month duration after project entry and for whom all data needed for police record retrieval was available. Thus, from the total of 20,924 Standard Intake Forms from the eighteen projects, only 2,860 arrest records were used for analysis. The unused balance of the 20,924 forms were analogous to unreturned, incomplete or incorrect forms in an election-type survey.

Of the 2,860 males analyzed, 687 (24%) were juveniles age seven-to-twelve; 606 (21%) were age sixteen-to-eighteen; and the remainder (55%) were age nineteen and older. Sixty-eight percent were black, 25% Spanish-surnamed, and 7% white or "other." Only one-third of

those eighteen or older had either completed twelve or more years of school or else had high-school-equivalency diplomas, while 60% had had nine-to-eleven years of school.

More than 90% had at least one prior arrest, and most of the remaining 10% had some kind of police record. The average number of arrests before project entry ranged from .8 to 4.6 for those age twenty and younger, while arrests for clients age twenty-one and older ranged from 3.3 to 18.7.²⁹ For both juveniles and adults, these arrests included many serious charges.

These clients clearly appear to be representative of the young, male, undereducated and poor blacks and Hispanics with prior arrest histories who account for the major share of violent crime arrests in New York City.³⁰

²⁹ For clients 21 and over, there was no relationship between severity of criminal history and recidivism. These arrest rates are descriptive only for those 21 and over.

³⁰ See text accompanying notes 5-9 *supra*. It could be contended that the 2,860 clients in the evaluation may not be a representative sample of the total population of either the criminal justice system or the 53 projects since representativeness was not demonstrated statistically through a comparison of the arrest histories of the subgroups with those which were not evaluated. Such a sampling was never intended nor was it possible.

The study was specifically designed to assess the criminological effects of the projects on certain important subgroups of clients according to age and severity of arrest history, *e.g.*, young black and Hispanic males of various ages with severe prior arrest histories (Table 3) but not on subgroups such as females. Given the selection method of the evaluation (*all* who met the criteria were included) each of the 16 types of clients shown on Tables 3 and 5, in the author's view, is representative of clients of the same ages, criminal histories, race/ethnicity and education 1) in the 18 projects evaluated; 2) in the 35 projects not evaluated; and 3) in the criminal justice system as a whole. Moreover, the types of clients represented, in our view, include the most important types in the system, insofar as violent crime is concerned.

In other words, in comparing the effectiveness of projects, it appears far more useful and accurate to ask how the projects affect *specific* types of clients, by assessing each type separately, than to get one recidivism rate for a "representative sample" of *all* clients which "representative sample" may be composed of different proportions of males and females of differing ages and criminal histories. This type of sample would be a poor measure because it understates the actual higher recidivism rate of the more difficult clients (*e.g.*, young males with long records) by masking them with the far lower rates of young male or female first offenders. (This kind of error can be

²⁸ Except for one, YCB, which submitted over 1,300 forms, from which a simple random sample of 150 was selected (Number 52, Table 1).

Table 2 PROJECT SUMMARIES

PROJECT-COMPONENT	DURATION	LEAA FUNDS	CLIENT TYPES	SERVICES PROVIDED	FUNDING
1. ADDICTS REHABILITATION CENTER (ARC) Resident and Non-Resident Day Care	01.01.72 to 06.30.74	\$ 971,000	Narcotics Addicts Male and Female Ages 9+	Residency, drug-free treatment, counseling emergency referrals	CJCC ended Picked up by NIMH
2. ASA ADDICTS DIVERSION (ASA)	01.22.71 to 11.30.74	\$ 2,032,000	Narcotics related Court cases; Male and Female; 17+	Diversion, screening, & placement in treatment; follow up	CJCC ended Picked up by ASA
3. VERA SUPPORTIVE WORK (VERA) Wildcat Control Group	07.01.72 to 06.30.75	\$ 2,000,000	Ex-addicts and ex-offenders; Male-Female; Ages 18+	Supervised work and training in Wildcat Corp; counseling	CJCC extended to 06.30.75
4. INDEPENDENCE HOUSE (INH) Long-Term Service Short-Term Service	07.01.72 to 06.30.74	\$ 561,000	Ex-offenders and YSA referrals; Male only; Ages 17-21	Residency, vocational and educational counseling	CJCC extended to 06.30.75
5. MORRISANIA YOUTH SERVICES CENTER (MLA) Legal Services	09.07.71 to 03.26.74	\$ 760,000	Criminal Court & Fam Court cases; M-F; Ages 9-21	Diversion, Legal assistance, counseling and referral	CJCC ended Not picked up
6. PROBATION-URBAN LEAGUE (PUL)	04.26.72 to 04.15.74	\$ 1,546,000	Probation cases; Male & Female; Ages 14-21	Diversion, Probation supervision; counseling and recreation	CJCC ended NOT picked up
7. PROJECT BYCEP (BYCEP)	04.01.71 to 11.30.73	\$ 498,000	Ex-inmates Adol Remand Shelter; Males; Ages 16-21	Counseling, referral, and follow up	CJCC ended Not picked up
8. LEGAL PROPINQUITY (LPQ)	05.01.72 to 04.30.74	\$ 127,000	Misdemeanor or low felony arrest; M-F; Ages 15-20	Legal assistance, counseling and referral	CJCC ended Not picked up
9. YOUTH COUNSEL BUREAU (YCB) Long-Term Parole	12.01.71 to 04.26.74	\$ 298,000	First offenders & DA referred cases; M-F; Ages 16+	Diversion, supervision, counseling, follow up	CJCC ended City continues
10. VOI BRONX COMMUNITY COUNSELING (BCC) Day, Evening, Teenage	06.01.70 to 07.15.73	\$ 873,000	Addicts and ex- offenders; Male- Female; Ages 13+	Diversion, Counseling, re- medial ed, job training, addiction treatment	CJCC ended Picked up by NIMH
11. PROJECT SHARE (SHARE) Resident Non-Resident	03.01.72 to 06.30.75	\$ 533,000	Ex-offenders; Males; Ages 18+	Counseling, job prep and referral, emergency residence	CJCC extended to 6.30.75
12. SECOND CHANCE (SCH)	02.01.72 to 10.31.74	\$ 283,000	Ex-offenders; Males; Ages 21+	Job counseling and referral; follow up	CJCC ended Picked up by MCDA
13. MANHOOD (MANHD) Counseling Sessions only Job Referral	01.01.71 to 07.31.73	\$ 617,000	Ex-offenders; Male-Female; Ages 16+	Job counseling and referral	CJCC Funded as Operation Upgrade
14. NAACP REBOUND (NAACP) Intensive Non-Intensive	09.15.71 to 07.31.74	\$ 322,000	Ex-offenders; Male-Female; Ages 21+	Job and educational counseling, job referral	CJCC ended Picked up by MCDA
15. NEIGHBORHOOD YOUTH DIVERSION (NYD)	10.01.70 to 11.30.73	\$ 1,016,000	Probation; Male-Female; Ages 7-15	Diversion, supervision, counseling, remediation, recreation	CJCC ended Picked up by HRA
16. ALTERNATIVES TO DETENTION - PROBATION (ATD-PROB) Sup. Det. Release & Day-Evng. Ctr.; Pre-Court Inten. Serv.	11.01.70 to 06.30.73	\$ 462,000	Probation, parole case pending, DC, PINS; Male and Female; Ages 8-17	Diversion, counseling referral, supervision	CJCC ended Picked up by NYC
17. ALTERNATIVES TO DETENTION - HRA (ATD-HRA) Family Boarding Home Group Home	11.01.72 to 02.28.74	\$ 852,000	DC & PINS, Family Court; Male and Female; Ages 10-16	Diversion, Family & group boarding homes, super- vision, counseling	CJCC ended Picked up by HRA
18. PROTESTANT BOARD OF GUARDIANS (PBG)	11.15.71 to 06.30.75	\$ 839,000	Probation, Family Court, Youth AID; Male and Female; Ages 7-17	Diversion, Short term crisis intervention, family aid, counseling, referral	CJCC extended to 6.30.75
TOTAL		\$14,590,000			

The prior arrest histories of these clients were to be controlled in assessing the comparative or collective effectiveness of the eighteen projects. It was thus important to obtain a method of measuring the severity of these prior arrests.

Severity. The *Sellin-Wolfgang Index* was the best standardized measure available for the task of combining the frequency of an individual's arrests with the nature of the arrest charges.³¹ The actual Index could not be used in its original form because the information which the Index required was not available within the fiscal and time restraints of the Evaluation study. An alternative approach, however, was suggested by Wolfgang and Figlio.³² This consisted of using mean seriousness scores (MSS) for each of the twenty-six Uniform Crime Reporting categories based on data collected in the Philadelphia "cohort" study.³³ It was necessary, therefore, to test the predictive and con-

gross and is not "controlled" by comparisons with control groups. For example, in the measurement of projects containing small numbers of different types of clients it is sometimes impossible to determine if differences between projects and control groups are due to treatment or to the effects of the different types of clients).

Possible "unrepresentativeness" can be ascribed to any sample. For the assertion to be meaningful, however, the following three questions must be carefully answered. How was the method of selection biased? What kind of unrepresentativeness does this cause? How could the possible unrepresentativeness have resulted in the findings and conclusions presented?

A related point is that if the clients in *each* of the subgroups (see Table 3) in the study are unrepresentative, it is unlikely that they are *more* recidivistic than a comparable population in the criminal justice system. The courts and the probation department tried to keep persons with the more severe criminal histories out of the projects in the first place. If they are *less* recidivistic than comparable types in the criminal justice system, then the findings, conclusions and recommendations of this evaluation are even more significant.

In any case, the study was able to evaluate separately the recidivism rates of those with severe histories, first-offenders *and* each of the other types of clients shown in Table 3, as classified by age and severity of arrest history. It is more appropriate therefore that the three questions above about the representativeness of the 2,860 should be addressed to each of these types.

³¹ See generally T. SELLIN & M. WOLFGANG, *THE MEASUREMENT OF DELINQUENCY* (1964).

³² The suggestion was made at a meeting in 1972.

³³ See note 23 *supra*.

current validity of the MSS for a New York City population.

Validation of the MSS was guided by the intended use of permitting only a comparison of client groups having prior criminal histories of similar severity. The predictive validity would be shown by how well the MSS predicted arrest recidivism after project entry. A higher severity before entry should have indicated a likelihood of greater, and more severe, recidivism after project entry. The concurrent validity would be demonstrated by correlation between MSS and other related measures of severity. Two possible alternative measures were number of arrests before project entry, and type of arrest charges, such as violent crimes. But it should be noted that the MSS synthesized both these alternative measures and contained more information than either.

The relationship between prior criminal history and recidivism (the dependent variable) was assessed by a number of analyses using stepwise linear regression. For most of these analyses, the independent variables were combinations of total MSS and/or number of arrests before project entry, the year of age at project entry and the interactions of these factors.

In almost all cases, the F-value was highly significant for the independent variables and their interactions. This may have stemmed, however, from the large numbers of degrees of freedom for the residual sum of squares, which ranged from approximately 100 to 600 for the age subgroups used. Surprisingly, the total variance accounted for by the independent variables was generally less than 15% for each analysis, an outcome without a ready explanation.

In the testing of predictive validity, the inconclusive results of the regression analyses and the analysis of variance suggested that there was no *linear* relationship between severity of prior criminal history, as measured by both the MSS and number of arrests prior to project entry, and recidivism.

It was decided, however, that both the MSS and the number of arrests before project entry were of sufficient predictive validity for use as measures of severity of criminal history before project entry. The decision was reached because the results of t-tests, Kolmogorov-Smirnov tests, and chi-square trend analyses supported a significant relationship between both measures of severity and recidivism for the thir-

teen-to-fifteen, sixteen-to-eighteen and nineteen-to-twenty year old groups, and a marginal relationship for the older clients. (Although the relationship might not be linear.) Since the MSS predicted recidivism as well as and in a similar way to the average number of arrests, the concurrent validity requirement appeared to be satisfied.

Although the average number of prior arrests and the MSS appeared to be equally effective as a measure of severity in predicting recidivism, the former measure was easier to use, far less expensive, and more easily understood by readers unfamiliar with the MSS. The average number of prior arrests was therefore selected as the Evaluation's measure of severity.³⁴

Levels of Severity. The method of determining levels of severity used the Duncan Multiple Range Test, as adjusted by the method of Dalenius.³⁵ One purpose for using the Duncan test and the Dalenius method of forming homogenous groups was to identify mutually exclusive and exhaustive levels of severity of criminal history prior to project entry for each age group to be used in the analysis. This was a two-step process. First, the Duncan test was used to see if, within each age group, the projects could be arranged in clusters so that in a given cluster the project with the lowest mean number of client arrests (MNA) before project entry would not be significantly different from the project with the highest MNA. Further, the Duncan test determined for each age group those clusters of projects that were significantly different from each other. In that there was at least one project with an MNA in one cluster which was significantly different from the MNA of at least one project in a different cluster in the same age group.

Given the above criteria, when the Duncan test was applied to the projects within an age group, the clusters that resulted might not have been mutually exclusive. In other words, there might have been some projects in more than one cluster. This overlap among the clusters could have created confusion in interpret-

ing the outcomes of the final analyses which are described subsequently.

Therefore, as a second step, the Dalenius method was applied to the clusters of projects in each age group in order to make the clusters mutually exclusive. The clusters that resulted were then defined as levels of severity for that age group. Table 6 contains one resultant example of exclusive levels of MNA.

Categorization of the clients by the levels of severity of their prior arrest histories has two functions. For clients age twenty and younger, the levels both relate to recidivism and serve as a descriptive characteristic. For those age twenty-one and older, on the other hand, the levels of severity are descriptive only, and are not related to recidivism. This should be noted in the interpretation of Table 3.

Analysis. Several tasks for the Evaluation stemmed from the Council's need to obtain the sorts of information outlined in the Introduction and a variety of analytic methods was used to answer them.³⁶

The Magnitude and Seriousness of Criminal Recidivism. Arrest recidivism was the ratio of clients arrested one or more times during the twelve months after project entry, to all clients, arrested or not. The *magnitude* was measured 1) by the recidivism rates, and 2) by the ratio of the total number of arrests after entry to the total number of all clients, recidivists and non-recidivists. *Seriousness* was measured by the types of crimes classified by the UCR system as serious (index) crimes consisting of both violent crimes against persons (homicide, rape, robbery and assault), and crimes against property (burglary, larceny and auto theft.) See Table 5.

The relationship of these measures to the client characteristics of age and severity of prior criminal history was then assessed. It should be noted that for six of the seven age groups, no significant relationship was found to exist between race/ethnicity and arrest recidivism or violent crime arrest rates, when tested by the X^2 (chi square). The relationship was significant only for the sixteen-to-eighteen year olds on both measures, and this was probably due to the fact that the whites had less severe criminal histories than the blacks and Hispanics of those ages.

Project Impacts on Crime. This task was addressed in three ways. First, the arrest recidi-

³⁴ Note that the MSS is not a Sellin-Wolfgang-Score. It is a mean derived from Sellin-Wolfgang-Scores solely for use by this evaluation. The validity of the Sellin-Wolfgang-Score was not tested directly by this study.

³⁵ Dalenius & Hodges, *Minimum Variance Stratification*, 54 J. AM. STAT. A. 88 (1959).

³⁶ See text accompanying notes 10-15 *supra*.

vism of clients who received project services was compared with that of a control or comparison group of similar clients who did not receive such services. The Evaluation was unsuccessful in forming an intended "post hoc" matched control group for some of the younger clients. A valid control group was obtained by one of the projects, Vera Wildcat, and was used by the Evaluation for clients age twenty-one and older.³⁷ The 105 male Vera control clients were compared with the male clients of eight other projects.³⁸ The recidivism rates of clients age twenty-one-to-twenty-nine were compared with the control group by the Duncan Multiple Range Test; and those of the thirty-to-thirty-nine year olds by the X^2 test.

Second, the projects were assessed to see if they decreased the criminal behavior of clients. This was done by comparing the arrest rates of the second year before project entry with the rates during the year after project entry.³⁹ Comparisons were made by applying the X^2 test to the arrest rates by age groups.

Third, the projects were compared in their criminological effects on similar types of clients to see which projects lowered recidivism rates most. This effort sought to determine if project characteristics—differences among projects—affected recidivism rates of similar clients.

The goals and priorities of the Evaluation made it impossible to directly measure project characteristics or, in the case of individual projects, to link differences in arrest-recidivism rates with such project characteristics as services delivered, types of staff and staff-client ratios. Moreover, the statistical methods used in assessing the effect of project characteristics on recidivism could only determine whether or

not a significant difference existed among the projects. If there were such a difference, however, the method could not be used to specify which project characteristics were related to different effects of the projects on recidivism.

The application of statistical methods to assess the relationship between differences among projects and recidivism occurred in three stages. First, the eighteen projects were classified by the age and the severity of their clients' arrest histories prior to project entry.⁴⁰

The tests of the predictive validity of the severity measures showed a relationship between the severity of prior arrest history and arrest recidivism for clients age twenty and younger, and no relationship for those age twenty-one and older. Therefore, clients age twenty and younger were classified into ten groups: ages seven-to-twelve were classified at one level of severity; ages thirteen-to-fifteen at three levels of severity; ages sixteen-to-eighteen at four levels of severity; and ages nineteen-to-twenty at two levels of severity. See Table 6. The three groups ages twenty-one-to-twenty-nine, thirty-to-thirty-nine and forty-to-seventy-one were not classified by levels of severity.⁴¹ The overall classification was of thirteen groups of clients, classified by age and severity. Each of the thirteen groups contained clients classified by the eighteen projects and their service components. There was a total of forty-six such subgroups.

The second step in the application of statistical methods was to apply the Duncan test to determine if there were significant differences among arrest recidivism rates of projects within each of the thirteen levels of severity and/or age. The third and final step was to estimate the *overall* probability of the thirteen outcomes observed. This was estimated with a statistic similar to the Binomial Expansion. This statistic was applied to each level of severity and/or age in order to compute the probability of each

³⁷ L. FRIEDMAN & H. ZIESEL, FIRST ANNUAL RESEARCH REPORT ON SUPPORTED EMPLOYMENT, VERA INSTITUTE OF JUSTICE (1973).

³⁸ This is not a true "control" group but a comparison group. The control group was "unserved" in the sense that it was not provided with subsidized employment or other supportive services by the project; the members of the control group had to find their own jobs or services. At least some, therefore, may have received services.

³⁹ The second year before entry was used because most of the projects, particularly diversion projects, required arrest as a condition of project entry. But during the 12 months after project entry, clients had the opportunity to avoid arrest. Therefore, comparing the 12 months after project entry to the first year prior to project entry would be invalid, since the arrest requirement in the first year prior to project entry would artificially inflate the arrest rate.

⁴⁰ See text accompanying note 35 *supra*.

⁴¹ Except for the 10 groups of clients age 20 and younger, Table 6 does not represent the 13 groups of clients discussed here. Table 6 represents the 16 groups of clients that result from the assumption that there is a relationship between severity and recidivism at all ages, including age 21 and older. The analysis of the 16 groups (and the construction of Table 6) was done *before* the analysis of the 13 groups which was the primary study of whether differences among projects affect recidivism. Unfortunately, a table representing the analysis of the 13 groups was not prepared.

of the thirteen outcomes observed. This was followed by computation of the overall probability of the occurrence of no more than the observed number of differences for the thirteen outcomes.⁴²

The overall probability was computed under the following assumptions: a) that the test of the null hypothesis implied determining the probability of no more than the observed number of differences between recidivism rates than the ones that occurred; b) that within each group, the probability of difference between any two arrest recidivism rates was .05;⁴³ and c) that each of the groups formed by age and/or level of severity was considered independent.

The relationship between project characteristics and recidivism was also tested by the same statistical method for an alternative assumption about the relationship between the severity of arrest history and recidivism. It was assumed that there was a relationship between severity and recidivism for *all* clients, including those twenty-one and older. As shown in Table 6, this resulted in the classification of the eighteen projects by sixteen groups composed of ages seven-to-twelve, thirteen-to-fifteen, sixteen-to-eighteen, and nineteen-to-twenty, at 1, 3, 4, and 2 levels of severity, respectively; and, in the classification of ages twenty-one-to-twenty-nine, thirty-to-thirty-nine, and forty-to-seventy-one at 3, 2, and 1 levels of severity, respectively.

This statistical method was also applied to test the relationship between project characteristics and recidivism for only those clients age twenty-one and older by the six levels of age and severity shown in Table 6 and for only those clients age twenty and younger by the ten levels of age and severity shown in Table 6.

The Relationship of Violent Crimes Before Project Entry to Violent Crimes After Project Entry. The t-test was used to determine the difference between the rates of violent-crime arrests after project entry for clients who had no prior history of such arrests, and the rate of recidivism to violent crimes for clients who had a history of violent-crime arrests before project-entry.

⁴² In cases where there were no differences, at least one such difference was assumed.

⁴³ Since .05 was the level of confidence used in the second step.

Caveats. The 2,860 clients were divided into seven age groupings: seven-to-twelve, thirteen-to-fifteen, sixteen-to-eighteen, nineteen-to-twenty, twenty-one-to-twenty-nine, thirty-to-thirty-nine and forty-to-seventy-one. For each age group, the outcomes of clients in different service components in a project would be combined for use in an analysis, if there was reason to believe that clients in one component had also received services from another component. Otherwise, double counting by overlap would have resulted.⁴⁴ The remaining service components were combined if their respective clients' average number of arrests before project entry was not significantly different; but, if they were different, the remaining service components were analyzed separately.⁴⁵ For both combined and separated components, groups of clients were dropped from the analysis if they contained less than twenty members, classified by age and/or severity of arrest history. For juveniles age seven-to-fifteen, summonses for minor violations were not included as "arrests" in the analysis.⁴⁶ The arrest recidivism was measured over the period of twelve months after project entry, even though a client may not have remained in the project during that entire period. Unless otherwise qualified, "significant" means that P is equal to or is less than .05.

RESULTS

The Magnitude and Seriousness of Criminal Recidivism. The *magnitude* of the recidivism rates⁴⁷ for the seven age groups across projects and levels of severity ranged from 51% for thirteen-to-fifteen year olds, to 24% for those age forty-to-seventy-one. See Table 3. Those with higher levels of severity of prior arrests in the groups of thirteen-to-fifteen and sixteen-to-eighteen year olds had recidivism rates as high as 60%.

Among projects, the highest recidivism rate—72%—was for clients from Independence House in the nineteen-to-twenty age group at the highest level of severity. The lowest re-

⁴⁴ See Table 2, Project Share, Components Resident and Non-Resident.

⁴⁵ See Table 6, NAACP (Intensive) and (Non-Intensive) Age 30-39, and NAACP (Intensive) and (Non-Intensive) Age 21-29.

⁴⁶ See note 22 *supra*.

⁴⁷ That is, the proportion of clients arrested one or more times during the 12 months after-project-entry.

age group which had a much higher percentage (26%) of arrests in that category. Recidivism rate—19%—was for the seven-to-twelve age group in the Protestant Board of Guardians project. See Table 4. (Recidivism was not related to severity level for those twenty-one and older).

Since the recidivism rate understates the amount of criminal behavior, the number of arrests was converted into a ratio of the total number of arrests to the total number of clients. See Table 3, col. 8. For example, in the thirteen-to-fifteen year old age group at the second level of severity, fifty-five of the 100 clients had one or more arrests after project entry. This yielded a 55% recidivism rate. The total number of arrests for these fifty-five recidivists, however, was 107, a total of more arrests than there were clients in the project. The ratio was 1.1. If the fifty-five recidivists had each been arrested only once, the ratio would have been .5. For the 1,527 clients age twenty and younger, the ratio of arrests to clients was .9, or almost as many arrests as there were clients. See Table 3.

The *seriousness* of recidivism after project entry was measured by the types of serious crimes classified by the UCR as violent crimes and as crimes against property.⁴⁸ See Table 5.

Sixty-seven percent of the total number of arrests of the recidivists were for serious (index) crimes. Arrests for index crimes ranged from 82% for seven-to-twelve year olds, to 56% for those age thirty-to-thirty-nine. For violent crimes, arrests ranged from about 35% for seven-to-twelve year olds, to 19% for those age thirty-to-thirty-nine.

Homicide accounted for 4% of all arrests for violent crimes; forcible rape for 4%; robbery for 69%; and aggravated assault for 23%. There appeared to be little difference between each of the seven age groups in the proportions of arrests for each of the four types of violent crime.

The highest proportion of arrests for burglary, 27% of all arrests, was for the thirty-nine juvenile recidivists aged seven-to-twelve. See Table 5. The highest proportion of arrests for larceny, 20%, was in the age group thirty-to-thirty-nine. The proportion of arrests for auto theft was about even across the age groups, with the exception of the forty-to-seventy-one

Overall, by every measure used in the Evaluation, clients age twenty and younger appear to have a higher magnitude and severity of criminal recidivism. The highest was for the 559 juveniles, age thirteen-to-fifteen, from five diversion projects, whose recidivism rate was 51% during the year after project entry. Juvenile recidivists averaged two arrests each, and their ratio of arrests to all clients was 1.0. About 75% of their arrests were for serious (index) crimes, and 33% were for violent crimes. For the age group seven-to-twelve, the percentage of arrests for violent crimes totaled 35%, and for serious crimes, 82%. See Table 5.

The relationship between average number of arrests before project entry and criminal recidivism was positive for those age twenty and younger. Such a relationship did not appear to exist for those age twenty-one and older. For clients age twenty and younger, the higher the average number of arrests before project entry, the higher the magnitude of recidivism.

Of the 2,860 clients, 1,182, or 41%, were arrested 2,072 times, an arrest-to-client ratio of .7. Of the arrests, 605, or 29%, were for the violent crimes of homicide, forcible rape, robbery and aggravated assault.

Project Impacts on Crime. There were three ways of measuring project impacts.

Control Group Comparisons. There was no significant difference between the Vera control group,⁴⁹ twenty-one-to-thirty-nine year olds, and clients of the same ages in eight projects. Specifically, the recidivism rates for the Vera control group for the twenty-one-to-twenty-nine year olds were statistically equal to those of projects Second Chance, SHARE, Vera Wildcat, BCC, Manhood, ASA, NAACP (Intensive), ARC and NAACP (Non-intensive). When the Vera control's recidivism rate for thirty-to-thirty-nine year olds was compared to those of the projects, there were no significant differences for the projects and components: BCC, Manhood, Second Chance, ARC, Vera Wildcat, NAACP (Intensive) and (Non-intensive) and ASA.

Arrests Before and After Project Entry. Comparison of the arrest rates for the year after project entry and the arrest rates for the second year before project entry showed the recidivism (arrest) rates significantly higher for those age

⁴⁸ See note 1 *supra*.

⁴⁹ See text accompanying note 37 *supra*.

Table 3 THE MEASURES OF CRIMINAL RECIDIVISM BY AGE AND SEVERITY OF PRIOR ARREST HISTORY

Age	Severity Level	Total No. of Clients	No. of Clients One or More Arrests	% Client Arrest Recidivism (4)÷(3)	No. of Arrests	Ratio of Arrests to Recidivists (6)÷(4)	Arrests to Clients Ratio (6)÷(3)	No. of Clients One or More Arrests for Violent Crime	% Arrest for Violent Crime (9)÷(3)	No. of Arrests for Violent Crime	Violent Crime As % of Total Arrests (11)÷(6)	Ratio of Violent Crime Arrests to Clients	
												Arrested for Violent Crimes (11)÷(9)	All Clients (11)÷(3)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
7-12	1	128	39	30	74	1.9	0.6	20	16	26	35	1.3	0.2
13-15	1	187	69	37	116	1.7	0.6	33	18	39	34	1.2	0.2
	2	100	55	55	107	1.9	1.1	26	26	36	34	1.4	0.4
	3	272	162	60	329	2.0	1.2	82	30	109	33	1.3	0.4
16-18	1	121	29	24	45	1.6	0.4	11	9	12	27	1.1	0.1
	2	182	73	40	142	1.9	0.8	33	18	43	30	1.3	0.2
	3	93	56	60	110	2.0	1.2	27	29	32	29	1.2	0.3
	4	210	118	56	223	1.9	1.1	46	22	61	27	1.3	0.3
19-20	1	104	47	45	61	1.3	0.6	14	13	18	30	1.3	0.2
	2	130	70	54	129	1.8	1.0	33	25	46	36	1.4	0.4
21-29	1	303	105	35	172	1.6	0.6	35	12	47	27	1.3	0.2
	2	309	118	38	191	1.6	0.6	44	14	55	29	1.2	0.2
	3	352	136	39	203	1.5	0.6	39	11	47	23	1.2	0.1
30-39	1	137	42	31	71	1.7	0.5	10	7	15	21	1.5	0.1
	2	177	50	28	76	1.5	0.4	12	7	13	17	1.1	0.1
40-71	1	<u>55</u>	<u>13</u>	<u>24</u>	<u>23</u>	<u>1.8</u>	<u>0.4</u>	<u>5</u>	<u>9</u>	<u>6</u>	<u>26</u>	<u>1.2</u>	<u>0.1</u>
TOTAL		2,860	1,182	41	2,072	1.8	0.7	470	16	605	29	1.3	0.2
7-12		128	39	30	74	1.9	0.6	20	16	26	35	1.3	0.2
13-15		559	286	51	552	1.9	1.0	141	25	184	33	1.3	0.3
16-18		606	276	46	520	1.9	0.9	117	19	148	28	1.3	0.2
19-20		234	117	50	190	1.6	0.8	47	20	64	34	1.4	0.3
21-29		964	359	37	566	1.6	0.6	118	12	149	26	1.3	0.2
30-39		314	92	29	147	1.6	0.5	22	7	28	19	1.3	0.1
40-71		<u>55</u>	<u>13</u>	<u>24</u>	<u>23</u>	<u>1.8</u>	<u>0.4</u>	<u>5</u>	<u>9</u>	<u>6</u>	<u>26</u>	<u>1.2</u>	<u>0.1</u>
TOTAL		2,860	1,182	41	2,072	1.8	0.7	470	16	605	29	1.3	0.2
7-20		1,527	718	47	1,336	1.9	0.9	325	21	422	32	1.3	0.3
21-71		<u>1,333</u>	<u>464</u>	<u>35</u>	<u>736</u>	<u>1.6</u>	<u>0.6</u>	<u>145</u>	<u>11</u>	<u>183</u>	<u>25</u>	<u>1.3</u>	<u>0.1</u>
TOTAL		2,860	1,182	41	2,072	1.8	0.7	470	16	605	29	1.3	0.2

* Note that the 16 types of clients classified by age and severity level in column 2 reduce to 13 types if the severity levels for ages for 21-29 and 30-39 are collapsed. See pp. 37, 41.

eighteen and younger, not different for those age nineteen-to-twenty, lower for those age twenty-one-to-thirty-nine and not different for those age forty-to-seventy-one.

Comparison of Recidivism among the Projects. Differences among projects did not significantly affect the recidivism rates. The estimated probability of the outcomes observed was .56 for the thirteen groups of projects classified by ten levels of age and severity of prior arrest history for those age twenty and younger and three levels of age across levels of severity for those age twenty-one and older.

It can be concluded that not only was there no significant relationship between project characteristics and client recidivism, but also that there was no difference regardless of which of the three assumptions about the rela-

tionship between severity of prior arrest history and recidivism at different ages were used to assess the effect of project characteristics.⁵⁰

The probabilities of the outcomes observed for the test of project differences on recidivism were: (a) .56 when clients of all ages were classified by sixteen levels of age and severity (see Table 6); (b) .69 when classified by the ten levels of age and severity for only those clients twenty and younger; and (c) .52 when classified by the three age groups for only those clients twenty-one and older.

The quantity, quality, types and mix of services provided by the projects to their clients, as well as the staff-client ratio, proportion of paraprofessional staff, per-capita funding and

⁵⁰ See text at 294 *infra*.

Table 4
THE MEASURES OF
CRIMINAL RECIDIVISM
BY PROJECTS

PROJECT AND COMPONENT (1)	REPORT ACRONYM (2)	AGE (3)	BEFORE PROJECT ENTRY			DURING TWELVE MONTHS AFTER PROJECT ENTRY								
			Severity Level of Average			All Crime				Violent Crimes				
			No of Levels for Age (4)	Level of Group (5)	No of Arrests (6)	Total No of Clients (7)	No of One or More Arrests (8)	%	No of Arrests (9)	No of Violent Crime (10)	No of Clients One or More Arrests for Violent Crime (11)	%	No of Arrests (12)	Violent Crime Arrests as % of Total Arrests (13)÷(10)
1. PROT BRD OF GRDNS None	PBG	7-12 13-15	1 3	1 1	0.8 1.0	43 129	8 52	19% 40	13 93	5 25	12% 19	7 30	a% 32	
2. ALT TO DET - PROB Pre-Court Int Serv Pre-Court Int Serv Sup Rel&Day Evg Ctr	ATD-PROB	7-12 13-15 13-15	1 3 3	1 2 3	1.0 1.4 2.4	25 55 140	10 34 82	40 62 59	17 60 183	4 15 46	16 27 33	5 19 66	a 32 36	
3. ALT TO DET - HRA Family Brdg Home Family Brdg Home Group Home	ATD-HRA	7-12 13-15 13-15	1 3 3	1 1 3	1.2 1.2 2.9	28 58 31	8 17 17	29 29 55	15 23 30	5 8 8	18 14 26	6 9 9	a 39 30	
4. NGBRHD YTH DIVERSN None	NYD	7-12 13-15	1 3	1 3	1.1 1.8	32 101	13 63	41 62	29 116	6 28	19 28	8 34	28 29	
5. MORISAN YTH SV CTR Legal Services *	MLA	13-15 16-18 19-20	3 4 2	2 2 1	1.5 2.1 2.7	45 95 23	21 39 12	47 41 46	47 69 18	11 18 5	24 19 19	17 25 7	36 36 a	
6. YOUTH COUNSEL BUREAU Long-Term Parole	YCB	16-18	4	1	1.6	121	29	24	45	11	9	12	27	
7. PROB-URBAN LEAGUE None	PUL	16-18 19-20	4 2	3 1	3.1 2.8	62 30	37 14	60 47	81 20	21 4	34 13	26 5	32 25	
8. PROJECT BYCEP None	BYCEP	16-18	4	4	3.6	63	37	59	72	17	27	22	31	
9. LEGAL PROPINQUITY None	LPQ	16-18	4	2	2.1	55	23	42	47	10	18	12	26	
10. INDEPENDENCE HOUSE Long-Term Service * & Short-Term Service *	INDH	16-18 19-20	4 2	3 2	2.9 3.8	31 25	19 18	61 72	29 37	6 9	19 36	6 11	21 30	
11. VOI-BRONX CON CNSEL Daytime, Evening & Teenage *	BCC	16-18 19-20 21-29 30-39	4 2 3 2	4 1 1 1	3.4 2.7 3.3 6.6	100 48 115 20	56 21 38 2	56 44 33 10	98 23 55 6	20 5 13 0	20 10 11 0	25 6 14 0	26 25 25 0	
12. ADDICTS REHAB CTR Resident & Non-Resident Day Care *	ARC	16-18 19-20 21-29 30-39 40-71	4 2 3 2 1	2 2 2 1 1	2.8 3.0 5.2 9.9 12.8	32 52 131 29 20	11 26 58 10 3	34 50 44 34 15	26 53 109 24 3	5 13 22 1 2	16 25 17 3 10	6 24 27 1 2	23 45 25 4 a	
13. ASA - ADDICT DIV PROG None	ASA	16-18 19-20 21-29 30-39	4 2 3 2	4 2 3 2	4.6 4.3 6.2 11.4	47 53 182 51	25 26 65 16	53 49 36 31	53 39 102 30	9 11 17 5	19 21 9 10	14 11 19 6	26 28 19 20	
14. VERA SUP WK-Wildcat Wildcat Control Group Control Group	VERA	21-29 30-39 21-29 30-39	3 2 3 2	3 2 2 2	5.6 10.6 5.5 11.8	76 38 62 43	25 8 27 11	33 21 44 26	34 8 38 14	8 3 10 2	10 8 16 5	8 3 10 2	24 a 26 a	
15. PROJECT SHARE Resident & Non-Resident	SHARE	21-29	3	3	5.7	31	9	29	14	4	13	5	a	
16. NAACP PROJECT REBOUND Intensive Non-Intensive Int & Non-Int Int & Non-Int	NAACP	21-29 21-29 30-39 40-71	3 3 2 1	1 3 2 1	4.3 5.6 10.6 18.7	47 63 45 35	17 37 15 10	36 59 33 29	24 53 24 20	7 10 2 3	15 16 4 9	8 15 2 4	33 28 8 20	
17. PROJECT SECOND CHANCE None	SCH	21-29 30-39	3 2	2 1	4.8 7.7	116 44	33 14	28 32	44 16	12 3	10 7	18 4	41 a	
18. PROJECT MANHOOD Counseling Sessions & Job Referral *	MANHD	21-29 30-39	3 2	1 1	4.7 7.7	141 44	50 16	36 36	93 25	15 6	11 14	25 10	27 40	
TOTAL						2860	1182	41%	2072	470	16%	605	29%	

* Component(s) apply to all age groups

a. Less than 20 arrests in column (10) No of Arrests

other individual project characteristics, had no apparent effect on the ability of the rehabilitation projects to influence the arrest recidivism of their clients. Overall, no project was better than another.

Violent Crime Before and After Project Entry.
This relationship existed across ages, for each

of the seven age groups except those age nineteen-to-twenty and age forty-to-seventy-one. An examination of the relationship between a prior and subsequent history of violent crimes⁵¹ established that such a relationship held across

⁵¹ See note 1 *supra*.

Table 5 ARRESTS BY THE TWENTY-SIX TYPES OF CRIMES OF THE UNIFORM CRIME REPORTING (UCR) SYSTEM

CLASS	CRIME NO.*	ALL AGES		AGE 7-12		AGE 13-15		AGE 16-18		AGE 19-20		AGE 21-29		AGE 30-39		AGE 40-71							
		1182 CLIENTS	CUM.	39 CLIENTS	CUM.	286 CLIENTS	CUM.	276 CLIENTS	CUM.	117 CLIENTS	CUM.	359 CLIENTS	CUM.	92 CLIENTS	CUM.	13 CLIENTS	CUM.						
		ARRESTS %	%	ARRESTS %	%	ARRESTS %	%	ARRESTS %	%	ARRESTS %	%	ARRESTS %	%	ARRESTS %	%	ARRESTS %	%						
I I O N E D T	1	HOMICIDE	23	1.1	1.1	-	-	3	0.5	0.5	6	1.2	1.2	2	1.1	1.1	-	-					
	2	RAPE,	26	1.3	2.4	1	1.4	1.4	4	0.8	1.9	7	3.7	4.7	4	0.7	2.8	3	2.0	2.0			
	3	FORCIBLE	416	20.1	22.4	21	28.4	29.7	104	20.0	21.9	42	22.1	26.8	97	17.1	20.0	13	8.8	10.9	2	8.7	8.7
	4	ROBBERY	140	6.8	29.2	4	5.4	35.1	34	6.5	28.5	13	6.8	33.7	36	6.4	26.3	12	8.2	19.0	4	17.4	26.1
	5	ASSAULT,	336	16.2	45.4	20	27.0	62.2	96	18.5	46.9	27	14.2	47.9	55	9.7	36.0	16	10.9	29.9	1	4.3	30.4
	6	AGGRAV.	301	14.5	59.9	10	13.5	75.7	65	12.5	59.4	27	14.2	62.1	95	16.8	52.8	29	19.7	49.7	2	8.7	39.1
	7	LARCENY	149	7.2	67.1	5	6.8	82.4	50	9.6	69.0	7	3.7	65.8	34	6.0	58.8	10	6.8	56.5	6	26.1	65.2
E R O P O L I T Y	8	AUTO THEFT	126	6.1	73.2	3	4.1	86.5	27	5.2	74.2	12	6.3	72.1	39	6.9	65.7	18	12.2	68.7	-	-	-
	9	ASSAULT,	3	0.1	73.4	-	-	-	1	0.2	80.3	1	0.2	74.4	-	-	-	1	0.2	65.9	-	-	-
	10	OTHER	9	0.4	73.8	-	-	-	1	0.2	74.6	4	2.1	74.2	3	0.5	66.4	1	0.7	69.4	-	-	-
	11	ARSON	5	0.2	74.0	-	-	-	1	0.2	80.4	1	0.2	74.8	2	1.1	75.3	1	0.2	66.6	-	-	-
	12	COUNTERFEIT	78	3.8	77.8	1	1.4	87.8	16	3.1	77.9	7	3.7	78.9	30	5.3	71.9	9	6.1	75.5	1	4.3	69.6
	13	FRAUD	50	2.4	80.2	2	2.7	90.5	12	2.3	80.2	2	1.1	80.0	9	1.6	73.5	2	1.4	76.9	-	-	-
	14	PROPERTY,	98	4.7	84.9	1	1.4	91.9	19	3.7	83.8	11	5.8	85.8	34	6.0	79.5	6	4.1	81.0	-	-	-
I N D E X	15	STOLEN	23	1.1	86.1	1	1.4	93.2	8	1.5	85.4	1	0.5	86.3	7	1.2	80.7	2	1.4	82.3	-	-	-
	16	WEAPONS	151	7.3	93.3	1	1.4	94.6	39	7.5	92.9	17	8.9	95.3	70	12.4	93.1	15	10.2	92.5	2	8.7	78.3
	17	OFFENSES	3	0.1	93.5	-	-	-	2	0.4	93.3	-	-	-	-	-	-	1	0.7	93.2	-	-	-
	18	CONDUCT	3	0.1	93.6	-	-	-	-	-	-	1	0.5	95.8	1	0.2	93.3	1	0.7	93.9	-	-	-
	19	DRUNKENLY	7	0.3	94.0	-	-	-	1	0.2	93.5	1	0.5	96.3	4	0.7	94.0	1	0.7	94.6	-	-	-
	20	DRIVING	21	1.0	95.0	-	-	-	8	1.5	95.0	1	0.5	96.8	3	0.5	94.5	3	2.0	96.6	-	-	-
	21	DRUNKENNES	23	1.1	96.1	-	-	-	7	1.3	96.3	1	0.5	97.4	10	1.8	96.3	2	1.4	98.0	1	4.3	82.6
22	DISORDERLY	81	3.9	100.0	4	5.4	100.0	19	3.7	100.0	5	2.6	100.0	21	3.7	100.0	3	2.0	100.0	4	17.4	100.0	
23	OFFENSES,	2072	100.0	100.0	74	100.0	100.0	520	100.0	100.0	190	100.0	100.0	566	100.0	100.0	147	100.0	100.0	23	100.0	100.0	
24	OTHER																						
	TOTAL																						

* UCR rank
Note: Percents and cumulative percents may be off by .1% due to rounding errors

the age groups for rape, robbery and assault, but not for homicide. See Table 7.

One of the stepwise linear regression analyses discussed in the section on Severity was done on two independent variables: 1) year of age at project entry, and 2) history of at least one arrest for violent crime before project entry. The prediction was of the dependent variable of one or more arrests for violent crimes during the twelve months after project entry. The results indicated that any relationship between violent crimes before and after project entry was not linear.⁵²

CONCLUSIONS

Rehabilitation by the Projects Was Considered To Be a Failure. The failure of the projects was particularly evident with young clients, and in relation to violent crime. Overall, the judgment of failure is based upon the magnitude and severity of the criminal recidivism of project clients of all ages which resulted in great cost to both society and to the victims.⁵³ Failure is also indicated by comparison of some project outcomes with those of a "control" group.

Cost of Recidivism to Society and Victims. Of the 2,860 clients from seven to seventy-one years of age, 1,182, or 41%, were arrested a total of 2,072 times during the twelve months after project entry. These arrests reflect several thousand victims and many millions of dollars in the cost to victims of theft, property damage and injury.

However, of the 2,072 arrests, 605 (29%) were for violent crimes. This means that about

⁵² The F values and r values were statistically significant for the age groups thirteen-fifteen, sixteen-eighteen, nineteen-twenty, twenty-one-twenty-four and thirty-five-thirty-nine. However, the degrees of freedom were quite high for each of the age groups tested.

The correlation of year of age to the dependent variable was only statistically significant for the age group 16-18. The total variance accounted for by the independent variables did not exceed .08 for any of the age groups.

⁵³ The net benefits of rehabilitation by the projects must be determined solely in relation to crime. The possible provision of jobs and other services to clients is not a pertinent benefit, since the projects were funded by LEAA whose sole purpose is the prevention and control of crime. The same service outcomes might be adjudged beneficial, however, if the project was funded by such non-crime control agencies as the Department of Labor or the Department of Health, Education and Welfare.

fifty persons may have been killed or raped and 555 robbed or severely assaulted by these recidivist clients. This portion of the outcome is the main reason for the conclusion that the human costs of this recidivism are too high.

Nor does this conclusion change if the cost is examined for each of the thirteen types of clients shown on Table 3 by age and prior arrests. For example, the comparatively "good" 29% recidivism rate of the 134 clients in the thirty-to-thirty-nine age group does not show that, out of their 147 arrests, about one in five was for a violent crime. When the results of representatives of the primary target groups⁵⁴ are examined, most outcomes are actually worse than the summary statistics for all 2,860 clients.⁵⁵

It could be asserted that a 41% recidivism rate indicates that 59% of the clients were successfully rehabilitated. They were non-recidivists. This assertion, however, is not acceptable. When measured in terms of serious and violent crimes, the consequences of recidivism are qualitatively different than those of other measures such as failure to pass a test in reading achievement or job skills. Failure or recidivism in the context of serious or violent crime implies the presence of victims. To illustrate this point, assume that we are discussing the effects of a new medication for treating disease in a group of 2,860 persons. If a side effect of curing 59% of the cases involves infecting more than 600 outsiders with a mutation of the disease which would cause even so much as a fraction of the fatalities and of the suffering endured by the victims of violent crimes, there is little question that the extent of these adverse side effects would be considered too high a price to pay for the cure.

This judgment of failure does not stem from direct comparisons. Even if it could be shown that other types of projects, no projects at all

⁵⁴ Primary target groups included young males, under age 21, with severe prior criminal histories. See Table 3.

⁵⁵ In addition, these summary statistics understate the actual criminal behavior because a) the higher recidivism rates of the most important target groups (clients under 21 with more severe criminal histories) are masked by inclusion (see note 30, *supra*), and b) some findings suggested that unapprehended crimes by project clients were more frequent than clients who were arrested but who did not commit any crimes.

Table 6 PROJECTS GROUPED BY STATISTICALLY EQUIVALENT OR DIFFERENT ARREST RECIDIVISM RATES WITHIN EACH LEVEL OF SEVERITY OF MEAN NUMBER OF ARRESTS PRIOR TO PROJECT ENTRY

AGE of Client	LEVEL OF SEVERITY By Mean Number of <u>ARRESTS</u> Prior to Project Entry	PROJECT AND COMPONENT	ARREST RECIDIVISM Rates By Per Cent	PROJECTS GROUPED BY ARREST RECIDIVISM RATES Within the Level of Severity
7-12	1	PROTESTANT BOARD OF GUARDIANS	19	Same
		ALTERNATIVES TO DETENTION - HRA Family Boarding Home	29	
		ALTERNATIVES TO DETENTION - PROBATION Pre-court Intensive Service	40	
13-15	1	NEIGHBORHOOD YOUTH DIVERSION	41	Same
		ALTERNATIVES TO DETENTION - HRA Family Boarding Home	29	
	2	PROTESTANT BOARD OF GUARDIANS	40	Same
		MORRISANIA YOUTH SERVICE CENTER Legal Services	47	
		ALTERNATIVES TO DETENTION - PROBATION Pre-court Intensive Service	62	
16-18	1	ALTERNATIVES TO DETENTION - HRA Group Home	55	Same
		ALTERNATIVES TO DETENTION - PROBATION Supvd Deten Release & Day/Eve Ctr	59	
	2	NEIGHBORHOOD YOUTH DIVERSION	62	Same
		YOUTH COUNSEL BUREAU Long-term Parole	24	
19-20	2	ADDICTS REHABILITATION CENTER	34	Same
		MORRISANIA YOUTH SERVICE CENTER Legal Services	41	
	3	LEGAL PROPINQUITY	42	Same
		PROBATION - URBAN LEAGUE	60	
21-29	4	INDEPENDENCE HOUSE	61	Same
		ASA - ADDICTS DIVERSION PROGRAM	53	
	VOI - BRONX COMMUNITY COUNSELING PROJECT BYCEP	56 59		
30-39	1	VOI - BRONX COMMUNITY COUNSELING	44	Same
		MORRISANIA YOUTH SERVICE CENTER Legal Services	46	
	2	PROBATION - URBAN LEAGUE	47	
ASA - ADDICTS DIVERSION PROGRAM		49		
40-71	1	ADDICTS REHABILITATION CENTER	50	Same
		INDEPENDENCE HOUSE	72	
	2	VOI - BRONX COMMUNITY COUNSELING	33	Same
		PROJECT MANHOOD	36	
		NAACP PROJECT REBOUND Intensive	36	
30-39	1	PROJECT SECOND CHANCE	28	1
		VERA SUPPORTIVE WORK PROGRAM Control Group	44	
	2	ADDICTS REHABILITATION CENTER	44	2
		PROJECT SHARE	29	
30-39	3	VERA SUPPORTIVE WORK PROGRAM Wildcat	33	1
		ASA - ADDICTS DIVERSION PROGRAM	36	
	NAACP PROJECT REBOUND Non-Intensive	59	2	
30-39	1	VOI - BRONX COMMUNITY COUNSELING	10	Same
		PROJECT SECOND CHANCE	32	
		ADDICTS REHABILITATION CENTER	34	
	PROJECT MANHOOD	36		
	2	VERA SUPPORTIVE WORK PROGRAM Wildcat	21	
VERA SUPPORTIVE WORK PROGRAM Control		26		
30-39	2	ASA - ADDICTS DIVERSION PROGRAM	31	Same
		NAACP PROJECT REBOUND	33	
		Intensive and Non-Intensive		
40-71	1	ADDICTS REHABILITATION CENTER	15	Same
		NAACP PROJECT REBOUND Intensive and Non-Intensive	29	

TABLE 7

t-TEST VALUES FOR OUTCOMES OF DIFFERENCES BETWEEN VIOLENT CRIME ARREST RATES AFTER PROJECT ENTRY: CLIENTS WITH NO ARRESTS FOR VIOLENT CRIMES BEFORE PROJECT ENTRY VERSUS CLIENTS WITH ONE OR MORE ARRESTS FOR VIOLENT CRIMES BEFORE PROJECT ENTRY

Age Group	Homicide	Rape	Robbery ¹	Aggravated Assault	All Violent Crimes ¹
7-12	a	a	-2.15*	a	-1.69*
13-15	a	a	-3.19*	-1.00	-3.38*
16-18	a	a	-4.82*	-2.19*	-4.39*
19-20	a	a	-1.37	-1.34	-1.21
21-29	-1.05	a	-1.79*	-3.16*	-3.07*
30-39	a	a	-0.60	-2.03*	-2.19*
40-71	a	a	-1.86*	a	-0.36
Across Ages	-0.84	-2.56*	-5.31*	-3.97*	-5.25*

¹ Since arrests for robbery accounted for 69% of all arrests for violent crimes, it was not surprising that these results tended to parallel those for all violent crimes.

^a Number of clients less than 20.

* Arrest rates after project entry are significantly higher for clients with one or more arrests for a violent crime before project entry, as opposed to clients with no violent crime arrests before project entry. P is equal to or less than .05, by a one-tailed test.

or the existing criminal justice system yielded recidivism and victimization rates which were 20% higher than the outcomes of the projects studied, the results of the Evaluation would still indicate that these programs be judged a failure because of the cost to those victimized by recidivists.⁵⁶

For a behavioral scientist to judge an outcome such as this recidivism rate to be a success solely because it was statistically lower than that of a hypothetical control group would be difficult to justify either empirically or ethically, without assessing the consequences of the recidivism in terms of victims. It would also be difficult to deny the empirical validity and pragmatic importance of recidivism findings solely on the basis of the absence of a control comparison, as with the findings for juveniles in this evaluation.⁵⁷

⁵⁶ If, in another year of operation, these projects could improve their record by 25%, reducing to 450 the 600 or so possible victims of violent crime, the number would still be too high to be judged by this evaluation as other than a failure.

⁵⁷ A basic and valid premise within the sciences is that the effect of a given treatment is determined by comparing the outcomes of the treated group with those of an equivalent untreated control or comparison group. This does not mean, however, that the findings of a study without a control or comparison group constitute no findings at all. Some evaluation outcomes, with or without comparisons, may be high enough—or low enough—to be essential for policy decisions affecting the health, safety and welfare of the public, particularly in the prevention and control of crime. The extent of recidivism and violent crime among the 1,527 clients age 20 and younger in this

Control Group Comparisons. It must be stressed, however, that there were no significant differences between a "control group" and eight of the projects for 1,278 clients aged twenty-one-to-thirty-nine.⁵⁸ Moreover, the somewhat forced assumption that a control or comparison group must necessarily consist only of clients who are either on the streets or within the traditional criminal justice system,⁵⁹ prevents comparisons with other alternatives. Possible approaches, such as mandatory minimum sentencing and preventive detention might be tested for their utility as alternatives for reducing violent crime.

Before and After Comparisons. The before and

study has obvious policy implications, regardless of whether these results are compared with those of a control group.

Yet, in their important survey of the effectiveness of correctional rehabilitation treatment, Lipton, Martinson and Wilks included only studies which had control or comparison groups. Studies which did not have such groups, but which may have met the other survey criteria, were excluded. See D. LIPTON, R. MARTINSON, & J. WILKS, *THE EFFECTIVENESS OF CORRECTIONAL TREATMENT: A SURVEY OF TREATMENT EVALUATION STUDIES 4-5* (1975). Since the survey was intended and used for policy decisions in crime control, the question arises as to how this survey criterion can be reconciled with excluding valid data that may be important in making such decisions.

⁵⁸ See text accompanying notes 49-50 *supra*.

⁵⁹ Of course, clients physically confined by the criminal justice system can only be used as a comparison group during a period after release when they have opportunity to recidivate.

after project entry comparisons showed significant increases in arrests for younger clients, and decreases for older ones. These results were congruent with those of reports from other areas for these ages. Since the reports represent many who do not receive rehabilitation services, they may act as a weak control comparison. If they are accepted as control comparisons, then the projects' rehabilitation services probably did not cause either the increase or the decrease in arrests.⁶⁰ If they are not accepted as comparisons, then the relationship of the rehabilitation services to the outcomes can not be analyzed.

Conclusion. Ultimate criteria for judging high or low costs or the success or failure of rehabilitation services are left to the reader, but precedents may be found in federal and state controls over drugs and foods, which consider very limited pain, injury or death too high a price to pay for the benefits of certain products. In our view the costs of recidivism, especially for violent crime, are judged to be so high to victims and to society that it appears to be unjustified for the LEAA to continue to fund such "rehabilitative" services as a means of achieving the objectives expressed in the Crime Control Act. These are "to reduce and prevent crime and juvenile delinquency, and to insure the greater safety of the people, . . ."⁶¹

The Rehabilitation Services Failure Was Apparently Unrelated to Program Characteristics and Other Factors. The fact that there was no significant difference in effect on recidivism among projects which were as greatly varied as these eighteen was one of the surprising findings in the Evaluation. Generously funded, well planned and effectively administered "model" projects,⁶² had been expected to do better than their less endowed competitors. (Even if the differences between projects had been significant, however, the actual outcomes would have been so costly, in terms of the amount and type of recidivism, that the projects could not have been judged as anything other than failures.) In any case, the findings raise obvious questions which should be considered by both LEAA

and the New York City Criminal Justice Coordinating Council in making funding or program revision decisions. For example, can funding anything other than the least expensive of these projects be justified? Should projects be funded where their outcomes are no different from those of a control group?

Project Elements. The Evaluation considered a variety of factors which might have undermined the projects' efforts and led to their apparent failure, even if their program models were valid. For instance, it could be argued that these programs were measured during an atypical year, one in which the programs were plagued by start-up and implementation problems. While there were new programs in the study, as ASA and NAACP, there were others, as BCC and Manhood, that had been operational for years before receiving LEAA funding, and the arrest rates for the two categories were not statistically different.

It may also be argued that perhaps the available funds, staff or services were not of sufficient magnitude to effect change. Such a finding simply was not supported by the equivalent arrest rates of such massively funded projects as Probation-Urban League or Vera Wildcat when compared with the rates for such lesser-funded projects as Independence House and Manhood.

Another possibility is that a more positive effect would have been found if the recidivism measurement had been made from the twelfth to the twenty-fourth months after project entry, rather than from entry to the twelfth month. The unacceptable magnitude and severity of criminal recidivism that was found in the first year, however, could not possibly have been affected or outweighed by anything that occurred afterward. In other words the murders, rapes, robberies and assaults could not have been "undone" by subsequent events. While time spent in a program was not measured in the Evaluation, the arrest rates for projects with relatively long service periods such as Vera Wildcat and ARC did not differ from those which had shorter service periods such as Vera Control and Manhood.

Generalizing the Conclusion. It can fairly be asked whether these eighteen projects and their types of services were sufficiently adequate to permit generalization of the Evaluation's findings to other local and national rehabilitative efforts. From a statistical standpoint, eighteen

⁶⁰ Aging or maturation is probably one important determinant of the outcomes.

⁶¹ 42 U.S.C. § 3701 (1973).

⁶² Examples of such projects include Vera Wildcat Supportive Work Program, ASA Court Diversion, and Neighborhood Youth Diversion. See Table 2.

projects are not really enough: at least 20, 200 or 2000 would certainly be better. Questions concerning the effectiveness of these programs, however, are not being asked in an academic context. Decisions about funding and modifying projects *must* be made by the CJCC, LEAA, and other agencies, regardless of the number in an available sample. Important decisions which affect many projects are, in fact, made on the basis of the evaluation of only a single "model" project. Furthermore, evaluations of some of the fifty-three CJCC funded projects have included subjective "site" visit reports, self-reporting, and measuring a program's criminological effectiveness through Rorschach tests. Even these measures, however, may provide more information for decision-making than if no attempts at evaluation were to be made at all. It is therefore submitted that unless there is better comparable data with different results the findings from these eighteen projects are indeed the best estimate of the outcome to be predicted for a universe of projects.

Nevertheless a funding agency may wish to postpone applying the findings to decisions about its projects and trying alternative approaches until larger numbers of projects are evaluated, "classic" control group comparisons are accomplished or a commission reviews issues and makes recommendations. This is certainly an agency's prerogative. But it should be noted that in reality the decision has not been postponed. In effect the agency has decided to continue existing programs. This point is important because the decision to continue the programs also continues the high recidivism rates and the consequent high rate of violent crime. Such a public policy decision may be difficult to justify on academic grounds alone.

All the rehabilitative efforts measured in these projects were substantially removed from conventional correctional settings. None of them used such approaches as intensive individual psychotherapy, operant conditioning or medical treatment with drugs. Lipton, Martinson and Wilks have conducted a major study in which all English language reports on rehabilitation efforts were screened, with 231, covering the period from 1945-1967, being judged valid enough for analysis.⁶³ In a summary of that study Martinson has stated that, "With

few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism."⁶⁴ In other words, most rehabilitation programs and program efforts⁶⁵ both similar to and different from the ones studied by the Evaluation, were found ineffective. This evidence led the Evaluation to conclude more confidently that generalization of its findings to similar types of programs was valid, and that it also appeared to be applicable to models which had not been evaluated in the present study.

Environmental Factors. Such effects were also considered. Given the unfavorable economic conditions, including a high rate of minority group unemployment, it might be asked whether it was reasonable to consider the effectiveness of service programs, particularly vocational programs. Wilson has ably made the point that so long as crime is more attractive and more remunerative than work, even available employment may not offer an effective alternative to crime.

One works at crime at one's convenience, enjoys the esteem of colleagues who think a "straight" job is stupid and skill at stealing is commendable, looks forward to the occasional "big score" that may make further work unnecessary for weeks, and relishes the risk and adventure associated with theft. The money value of all these benefits—that is, what one who is not shocked by crime would want in cash to forego crime—is hard to estimate but is almost certainly far larger than what either public or private employers could offer to unskilled or semi-skilled workers.⁶⁶

⁶⁴ Martinson, *What Works? Questions and Answers About Prison Reform*, 35 THE PUBLIC INTEREST 25 (1975). Martinson recently stated that the term "effort" as used in the above quotation means "independent variable category," and that the book *The Effectiveness of Correctional Treatment* (summarized in *What Works?*) reported positive results for a few of these categories of studies. This is so. But Martinson does not describe or recommend these "few and isolated exceptions" as being effective rehabilitative treatment approaches. Instead he raises questions about their validity and feasibility. Neither these nor any other considerations in Martinson's recent article, Martinson, *California Research at the Crossroads*, 22 J. CRIME & DELINQUENCY 180, 184 (1976) appear to contradict or significantly modify the frequently quoted and by now famous assertion from *What Works?*: "With few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism."

⁶⁵ In the sense of independent variable categories.

⁶⁶ Wilson, *Lock'Em Up and Other Thoughts on Crime*, N.Y. TIMES, March 9, 1974 (Magazine), at 11.

⁶³ See Lipton, Martinson & Wilks, note 57 *supra*.

Wildcat, a Vera supportive work project, provided jobs with wages subsidized at prevailing rates to its clients. The recidivism rates of Wildcat, however, were not significantly different from those of a control or comparison group that was not provided with such services. Moreover, the rates of Vera Wildcat clients did not differ significantly from comparable clients in seven other projects whose vocational services, some did not have any, consisted almost entirely of job referral.

The job itself has to be desirable, and not just available, to the young blacks and Hispanics among the target groups. Many will not accept unattractive jobs such as dishwashers that are often available in New York City even during periods of high unemployment. Neither are they qualified, with few exceptions, for the white-collar jobs they do find attractive, when such jobs are available.

At the time of this writing, 1975, unemployment rates are almost at a post-World War II high (about 9%) for everyone, criminals and noncriminals alike. Unemployment may yet get worse. It is apparent, however, that neither the government, the business community nor anyone else has been able to do very much about it. Even if employment were criminologically effective, it may thus be beyond the practical capacity of our society to provide sufficient and adequate employment to make an appreciable impact on violent crime in the near future.

Poverty and undereducation also might have stood between rehabilitation services and the reduction of crime. These factors were also considered by the Evaluation. But the severity of both within the target groups has been relatively stable over the five years prior to 1975, while the crime rate has increased.⁶⁷

As with unemployment, the question of whether sufficient changes are feasible, and not just appropriate, is moot. Clearly, it cannot realistically be expected that in the near future all the poor will be provided with an adequate standard of living. "Adequate" might be several times higher than the present somewhat arbitrary definition of poverty-level income.

Finally, there is a prevalent assumption that most criminal behavior is attributable to mental

pathology, that the pathology has been imposed on a basically sound individual by environmental factors such as poverty, and that the process is reversible—that the criminal, now a victim, can be "cured."

The curative methodology usually called for is, depending on the preference of the prescriber, either one of the many mental health techniques ranging from group or individual therapy or counseling to conditioning, or one of the many social work or sociological prescriptions ranging from guaranteed income to "advocacy," or some blend.

The assumption of pathology is hypothetical and based on a definition of mental illness much broader than that used by psychiatry. Since even the psychiatric definition often has proven a difficult base for rigorous studies attempting to link syndromes and possible causal factors, it is clear that the broader definition would be even more difficult to use or test. To that extent it has been irrefutable.

On the other hand, mental health advocates have found it equally difficult to sustain their contention that many pathological syndromes, once in effect, can be reversed in the sense of a "cure."

The Evaluation's results show that whichever of the mental health counseling variants the eighteen projects selected, it made no significant difference. The summary by Martinson⁶⁸ of the Lipton, Martinson and Wilks study reported the same general lack of results in a much broader range of projects.⁶⁸

Other Factors—Especially Sanctions against Crime. Despite the lack of a demonstrable causal relationship between these services and crime reduction (this does not contradict the consistent reports of a positive correlation between factors such as unemployment and crime), it is generally accepted that the relationship has existed in the past and can exist again in the United States in the future. There are countless intricate, unmeasurable causal interactions of cultural, political and attitudinal factors that may explain why the relationship does not exist at this time.

One of the most important factors, however, is the possible ineffectiveness of society's sanctions against crime. To assume that "curing" poverty, unemployment or undereducation will automatically eliminate crime, without con-

⁶⁷ It has frequently been pointed out that the majority of poor, unemployed, undereducated and otherwise deprived minority group members do not commit violent crimes.

⁶⁸ See note 64 *supra*.

sidering interactions with society's sanctions against crime or other factors, is simplistic. Since "rehabilitation services" do not prevent and control crime, it becomes necessary to examine the adequacy, immediacy, certainty and consistency of the sanction of incarceration, as presently applied by the criminal justice system. "Diversion," particularly of those charged with violent crimes, and policies of the criminal justice system toward juvenile offenders must also be reviewed.⁶⁹

Education and Job Training by Other Sponsors. The finding that these services did not have the desired criminological effect does not mean

⁶⁹ These parts of the book are not included in this article.

that they should not be undertaken, continued or expanded for the population studied. It is the author's view that every effort should be made, for legal, logical and ethical reasons, to assure that the provision of such benefits is not linked to whether the recipient is a criminal. Society is obliged to provide such service on the basis of need, to criminal and noncriminal alike—in prison or out of it. But such funding should appropriately be provided by those government departments which exist to manage vocational, educational and health concerns as opposed to those set up to control and prevent crime. They are also the most appropriate places to determine needs, priorities and the allocation and management of funds for such purposes, as well as whether such projects are the best way to deliver the services.