

5-2012

## Recidivism Rates of Committed Youth, 2006 - 2009

Becky Noreus

*University of Southern Maine, Muskie School of Public Service*

Robyn Dumont

*University of Southern Maine, Muskie School of Public Service*

Follow this and additional works at: <https://digitalcommons.usm.maine.edu/justice>



Part of the [Criminal Law Commons](#), [Criminology Commons](#), [Criminology and Criminal Justice Commons](#), [Juvenile Law Commons](#), and the [Law Enforcement and Corrections Commons](#)

---

### Recommended Citation

Noreus, Becky and Dumont, Robyn, "Recidivism Rates of Committed Youth, 2006 - 2009" (2012). *Justice Policy*. 12.

<https://digitalcommons.usm.maine.edu/justice/12>

This Report is brought to you for free and open access by the Cutler Institute for Health & Social Policy at USM Digital Commons. It has been accepted for inclusion in Justice Policy by an authorized administrator of USM Digital Commons. For more information, please contact [jessica.c.hovey@maine.edu](mailto:jessica.c.hovey@maine.edu).

---

USM MUSKIE SCHOOL OF PUBLIC SERVICE

MAINE DEPARTMENT  
OF CORRECTIONS  
DIVISION OF  
JUVENILE SERVICES

*Recidivism Report Series*

RECIDIVISM RATES OF  
COMMITTED YOUTH  
2006 – 2009

## Annual Maine Juvenile Recidivism Report

Issued by the Maine Department of Corrections,  
Division of Juvenile Services, and produced by the  
Muskie School of Public Service, Maine Statistical Analysis Center

Author  
Becky Noréus  
Robyn Dumont

May 2012

## Contents

Executive Summary.....	1
I. Introduction .....	2
Key Findings.....	2
II. Committed Youth – Demographics and Offenses.....	5
<i>What is commitment?</i> .....	5
<i>How many youth were committed to Maine’s Youth Development Centers annually?</i> .....	5
<i>What were the demographic characteristics of committed youth?</i> .....	6
<i>For what offenses were youth committed?</i> .....	7
<i>Did offense severity differ by demographic characteristics?</i> .....	8
<i>What was the offense type associated with commitment, by demographic?</i> .....	8
<i>How many charges were associated with commitment?</i> .....	9
III. Community Reintegration (Early Release) and Return to a YDC .....	10
<i>What is community reintegration?</i> .....	10
<i>How many committed youth were released to community reintegration?</i> .....	10
<i>On average, how long were youth committed before community reintegration?</i> .....	11
<i>Did community reintegration rates or time to CR differ by gender, or race, or age?</i> .....	11
<i>Did community reintegration rates differ by offense characteristics?</i> .....	12
<i>How close to final discharge date (sentence end date) were youth released to community reintegration?</i> .....	13
<i>How many community reintegrated youth were returned to a YDC?</i> .....	13
<i>Were there differences in return rates by age, race, and gender?</i> .....	14
<i>Were youth returned for new crimes or violations, or some other reason?</i> .....	14
<i>Did the return type differ by demographics?</i> .....	15
<i>Did length of stay correlate with community reintegration returns?</i> .....	16
<i>Among those who were returned to a YDC, how long were they on community reintegration before they were returned?</i> .....	17
IV. Final Discharge from DJS Supervision and Recidivism .....	18
<i>How many cohort youth were discharged at the time of the data extract (June 2011)?</i> .....	20

<i>How many youth were re-arrested, re-adjudicated/convicted, or re-committed within one year of final discharge? .....</i>	<i>20</i>
<i>Were there differences in re-adjudication/conviction rates by demographic characteristics? .....</i>	<i>20</i>
<i>Were there differences in re-adjudication/conviction rates by offense characteristics? .....</i>	<i>22</i>
<i>Were recidivating offenses more or less serious than committed offenses?.....</i>	<i>23</i>
<i>How long after discharge did youth recidivate (re-adjudication/conviction)? .....</i>	<i>23</i>
<i>What were the two-year recidivism trends?.....</i>	<i>24</i>
V. References .....	26
VI. Appendix I: Department of Juvenile Services Case Management .....	27
VII. Appendix II: Glossary of Terms .....	29
VIII. Appendix III: Offenses by Type.....	33
Acknowledgements	

## Executive Summary

### *Recidivism Research in Maine*

The Maine Department of Corrections (MDOC) Division of Juvenile Services (DJS) collaborates with the Muskie School of Public Service in a state-university partnership to analyze juvenile recidivism rates. DJS measures juvenile justice outcomes to guide policy and program development geared toward recidivism reduction. Reduction of youth recidivism in Maine increases public safety.

This report uses multiple recidivism measures: re-arrest, re-adjudication/conviction, and re-commitment. To be consistent with other reports, most analysis focuses on re-adjudication/conviction. This report measures DJS impact on youth who have been committed to a MDOC facility by examining rates of recidivism.

On average, 107 are committed to a youth development center annually. About half of these are released to the community. Among key findings are:

### **Key Findings**

- Youth in this study were primarily white boys, between the ages of 16-17.
- Just over two thirds (69.4%) were released early to community supervision. Those youth spent an average of 11.9 months committed prior to early release.
- Among youth who were released early, 46.6% were returned to a YDC. Most youth who were returned, were returned within the first three months.
- The most common return reason was for a technical violation, and not a new alleged criminal offense.
- The one year recidivism rate (readjudication/conviction) is 33.0%; however, the one year recommitment rate was 11.0%
- While half of youth were committed for a felony, less than a quarter were re-adjudicated/convicted for one.

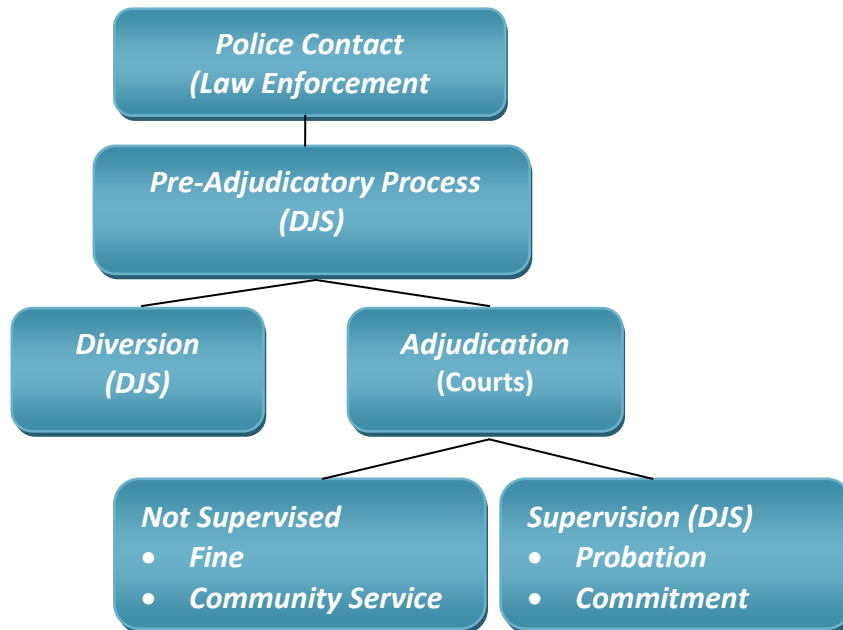
# I. Introduction

## *Juvenile Recidivism Research in Maine*

The Maine Department of Corrections (MDOC) Division of Juvenile Services (DJS) collaborates with the Muskie School of Public Service in a state-university partnership to analyze and describe juvenile recidivism rates in the state. DJS measures juvenile justice outcomes to guide policy and program development geared toward recidivism reduction. Reduction of youth recidivism in Maine increases public safety.

## *The Maine Department of Corrections Division of Juvenile Services*

The two major functions of DJS are diversion and supervision, which occur at different points in the juvenile justice system, pre and post adjudication<sup>1</sup>. DJS manages the pre-adjudicatory process, including diverting appropriate youth away from the juvenile justice system. DJS also provides supervision to those youth who have been adjudicated and placed under DJS supervision by a judge. Youth under the supervision of DJS may be placed under supervision in the community (probation) or committed to secure confinement. This report examines commitment, which is defined as the placement in a youth development center (YDC) by a judge for an adjudicated offense. Committed youth in Maine reside at either the Long Creek Youth Development Center in South Portland or the Mountain View Youth Development Center in Charleston.



<sup>1</sup> Adjudication means that a youth has gone before a judge in a court proceeding and was found to have committed an offense which, if the youth was over the age of 18, would have resulted in a conviction.

### Study Overview

This report studies the outcomes of youth who were adjudicated and committed to one of Maine’s two youth development centers in the years 2006 through 2009. This report describes the commitment process in Maine and measures the impact of DJS supervision on youth who have been released from a YDC. Youth who were released from a YDC but remained under DJS supervision in the community (community reintegration)<sup>2</sup> were tracked for success while under supervised release. Youth were tracked after final discharge from DJS supervision in order to measure recidivism. Three different measures of recidivism are reported: re-arrest, Re-adjudication/conviction, and re-commitment. See the box below for definitions of key terms.

**Table I-1: Recidivism Measures**

<b>Re-arrest</b>	Law enforcement issued a summons or arrested a youth for a new alleged offense.
<b>Re adjudication/conviction</b>	Youth appeared before and was convicted, or if under the age of 18, was found to have committed a new offense.
<b>Re commitment</b>	Youth was committed to a YDC, jail, or prison for the new offense.

### Study Population

This report describes youth committed to a YDC during the 2006, 2007, 2008, and 2009 calendar years. This report includes only youth who receive an indeterminate sentence<sup>3</sup>. This report tracks youth for up to three years from the date of final discharge from DJS supervision. Youth who were 18 at discharge from supervision or who reached the age of 18 during the three-year follow up period were tracked into the adult criminal justice system to develop a more complete picture of recidivism rates.

### Report Sections

This report examines the characteristics of youth committed to a YDC during the time period January 1, 2006 to December 31, 2009. Analysis of specific years is reported where numbers are sufficient to achieve statistical significance. The analysis is reported in the following sections:

- Committed Youth Demographics & Offenses
- Community Reintegration (Early Release)and Returns
- Final Discharge from DJS Supervision and Recidivism

<sup>2</sup>Under both Community reintegration and probation youth receive supervision in the community by a JCCO, however the agency charged with the decision differs. DJS determines whether a committed youth is released to community reintegration. Probation is determined by a judge, who places a youth under community supervision.

<sup>3</sup>Youth may also be placed in a YDC on a ‘shock sentence’, which is for a determined period of time, such as 3, 7, or 30 days. Shock sentences are excluded from this analysis.



### **Data Sources**

Data were collected from the Maine Corrections Information system (CORIS). CORIS contains data on all juveniles involved in the juvenile justice system, and on adults who are under MDOC commitment and/or supervision. Because many youth reach the age of 18 prior to discharge from DJS supervision, or within the tracking period, researchers used the Maine Department of Public Safety's (DPS) Criminal History Record Information System to identify individuals who were convicted of a new crime but not sentenced to MDOC supervision.

### **Limitations**

In any research, there are data limitations. These may include inaccuracies in data collection or data entry. These findings are as good as the quality of data collection and entry.

The data also did not allow for the identification of youth who were discharged from the juvenile justice system straight into the adult system or who were transferred out of state. In other words, even though these youth were discharged from DJS, they may have remained under MDOC custody, or under custody in another state.

The number of committed youth is also small in Maine, which limits the level of analysis which can be achieved. In some cases, the analysis examines the entire population committed during the study period. When possible, researchers analyzed annual trends.

This report tracks recidivism rates based on the final discharge of a youth from DJS supervision. Many youth who were committed during 2006-2009 were still committed or had not reached the stage of final discharge from DJS supervision at the time the data were drawn from CORIS (June 2011). Also, commitment length and the time spent under community supervision (community reintegration) differ. Lastly, recidivism rates will likely adjust over time as additional youth are discharged from a YDC or community supervision.

### **Recidivism Report Series**

This report is the third in a series of reports examining recidivism of youth in Maine's juvenile justice system. Examining recidivism using multiple measures and populations provides a more comprehensive picture of the juvenile justice system process and outcomes in the state. The reports are:

- First adjudicated youth:  
[2011 Annual Juvenile Recidivism Report](#)
- Youth discharged from the supervision of the Maine Department of Corrections:  
[Recidivism Rates of Youth Discharged from Supervision 2006-2009](#)
- Youth committed to the Division of Juvenile Services, Youth Development Center:  
[Recidivism Rates of Committed Youth](#)

## II. Committed Youth – Demographics and Offenses

### *What is commitment?*

When youth are adjudicated by a judge for an offense, the judge may order placement in a Youth Development Center (YDC) on an indeterminate sentence. This is commonly called a commitment. While in the YDC, youth participate in a comprehensive treatment program, with individual treatment goals consisting of four phases. Phases are linked to long-term progress, measured in four dimensions: time, completion of cognitive skills materials, accomplishment of individual goals, and observation of expected behaviors.<sup>4</sup> With attainment of each level comes increasing privileges and higher behavior expectations. Committed youth regularly meet with a Classification Committee composed of MDOC staff and their natural supports<sup>5</sup> to discuss their progress.

Length of stay in the YDC is determined by the rate of youth advancement through the four phases. After successfully completing phase IV, youth may be released to community supervision (community reintegration), which is Phase V, to finish out the sentence. Youth who do not complete phase IV are not released prior to the sentence end date and are given a straight discharge without supervision at the end of their sentence.

While youth progression through the phases affects how long they remain committed, total sentence length is typically determined by age and not confined to a specific length of time, as in the adult corrections system. For example, adults may be sentenced to one year of prison and one year of probation; however, youth commitment may be until their 18<sup>th</sup> birthday. Typically, an indeterminate sentence runs until age 18, 19, 20, or 21. If youth are released prior to the sentence end date, they remain on community supervision until the final commitment date, unless granted an early discharge.

### *How many youth were committed to Maine’s Youth Development Centers annually?*

A total of 428 youth were committed to a YDC during the four-year study period, which is an average of 107 a year. From 2006 to 2009, the number of committed youth increased 9.2%, from 98 to 107. Although the number has fluctuated over the four-year study period, the differences are statistically insignificant.

**Table II-1: Number of Youth Committed by Year**

	2006	2007	2008	2009	Average
Number of youth committed	98	96	127	107	107

<sup>4</sup> Expected behaviors are outlined for each phase, but also include youth maintaining behaviors as measured by the level system, which provides short-term incentives to maintain appropriate behaviors. These are reviewed weekly.

<sup>5</sup> Natural Support: a term used to refer to people in a variety of roles who are engaged in supportive relationships with youth. Natural supports can include family, friends, and other loved ones.

***What were the demographic characteristics of committed youth?***

The majority of committed youth were boys (87.9% on average). While this percentage is trending upward each year (from 85.7% in 2006 to 89.7% in 2009), the actual increase in numbers is not statistically significant.

**Table II-2: Number of Youth Committed by Gender and Year**

	2006		2007		2008		2009		Average	
	N	%	N	%	N	%	N	%	N	%
<b>Boys</b>	84	85.7%	84	87.5%	112	88.2%	96	89.7%	94	87.9%
<b>Girls</b>	14	14.3%	12	12.4%	15	11.8%	11	10.3%	13	12.1%
<b>Total</b>	98	100.0%	96	100.0%	127	100.0%	107	100.0%	107	100.0%

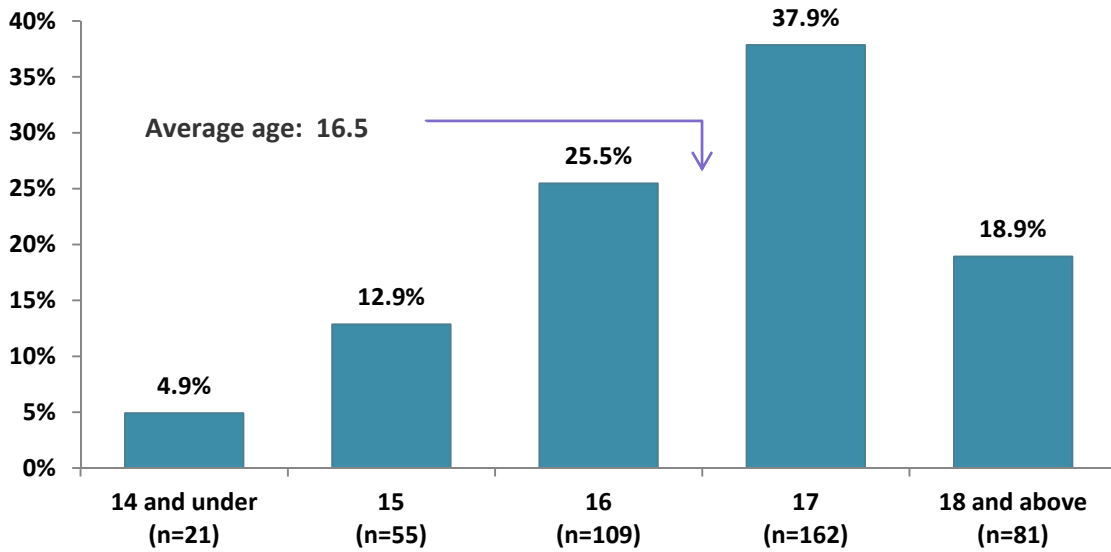
On average, the majority of committed youth were white (85.0%). While the number and percentage of white youth fluctuated year to year, the number and percentage of black/African American youth, which are included in the ‘all other races’ category, increased from 4.1% of commitments in 2006 to 11.2% in 2009.

**Table II-3: Number of Youth Committed by Race/Ethnicity and Year**

	2006		2007		2008		2009		Average	
	N	%	N	%	N	%	N	%	N	%
<b>White</b>	85	86.7%	77	80.2%	111	87.4%	91	85.0%	91	85.0%
<b>All other races</b>	13	13.3%	19	19.8%	16	12.6%	16	15.0%	16	15.0%
<b>Total</b>	98	100.0%	96	100.0%	127	100.0%	107	100.0%	107	100.0%

On average, youth were 16.5 years old when they were committed to a YDC. This did not vary significantly from year to year. Approximately 63% of youth (n=271) were 16 or 17 years old upon commitment. Because of the small number of youth ages 14 and under at commitment, this group was combined with 15-year-olds to create a group of 15 and under for analysis.

Figure II-1: Age at Commitment



**For what offenses were youth committed?**

Analyses of offense characteristics are based upon the most serious offense at adjudication. Offense classes, in order of most to least severe are: felony, misdemeanor, and civil.<sup>6</sup> Offense types are characterized in order of most to least severe as follows: personal, property, drug/alcohol, and “other.”<sup>7</sup>

On average, misdemeanors were the most serious adjudicated<sup>8</sup> offense associated with commitment in about half the cases (51.2%), although this varied from year to year.

Table II-4: Most Serious Offense Associated with Commitment

	2006		2007		2008		2009		Average	
<b>Misdemeanor</b>	44	44.9%	44	45.8%	77	60.6%	54	50.5%	55	51.2%
<b>Felony</b>	54	55.1%	52	54.2%	50	39.4%	53	49.5%	52	48.8%
<b>Total</b>	98	100.0%	96	100.0%	127	100.0%	107	100.0%	107	100%

On average, property offenses were the most serious offense associated with the commitment (54.4%), followed by personal offenses (37.9%).

<sup>6</sup> Youth whose most serious charged offense is a civil offense are typically diverted by JCCOs, or if sent to the courts and adjudicated, are not placed under supervision. Civil offenses are mainly alcohol offenses, such as minor possessing or consuming alcohol.

<sup>7</sup> For a list of “other” offenses, please see Appendix III.

<sup>8</sup> Adjudicated charge may differ from original petitioned charge. The number/percent of commitments for misdemeanors may be affected by prosecution and court processes or policies.

These two offenses made up 92.3% of the most serious offenses resulting in commitment of youth to a YDC. The remaining 7.7% of youth offenses are drug/alcohol and “other” offenses. From 2006 to 2009, the percentage of personal offenses decreased from 40.8% to 29.9%, while the percentage of property offenses increased from 50.0% to 59.8%.

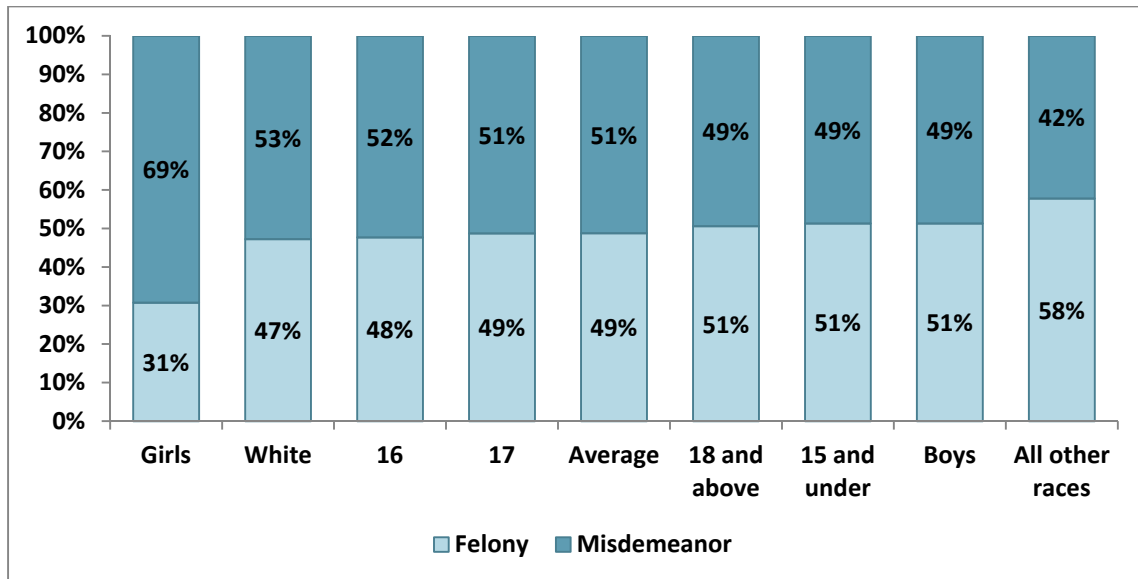
**Table II-5: Offense Type Associated with Commitment**

	2006		2007		2008		2009		Average	
<b>Personal</b>	40	40.8%	44	45.8%	46	36.2%	32	29.9%	41	37.9%
<b>Property</b>	49	50.0%	48	50.0%	72	56.7%	64	59.8%	58	54.4%
<b>Drug/alcohol</b>	5	5.1%	1	1.0%	6	4.7%	8	7.5%	5	4.7%
<b>Other</b>	4	4.1%	3	3.1%	3	2.4%	3	2.8%	3	3.0%
<b>Total</b>	98	100.0%	96	100.0%	127	100.0%	107	100.0%	107	100

**Did offense severity differ by demographic characteristics?**

Just over half of all youth were committed for a misdemeanor; however, this rose to 69.2% for girls. This difference was statistically significant.<sup>9</sup>

**Figure II-2: Offense Severity by Demographics**

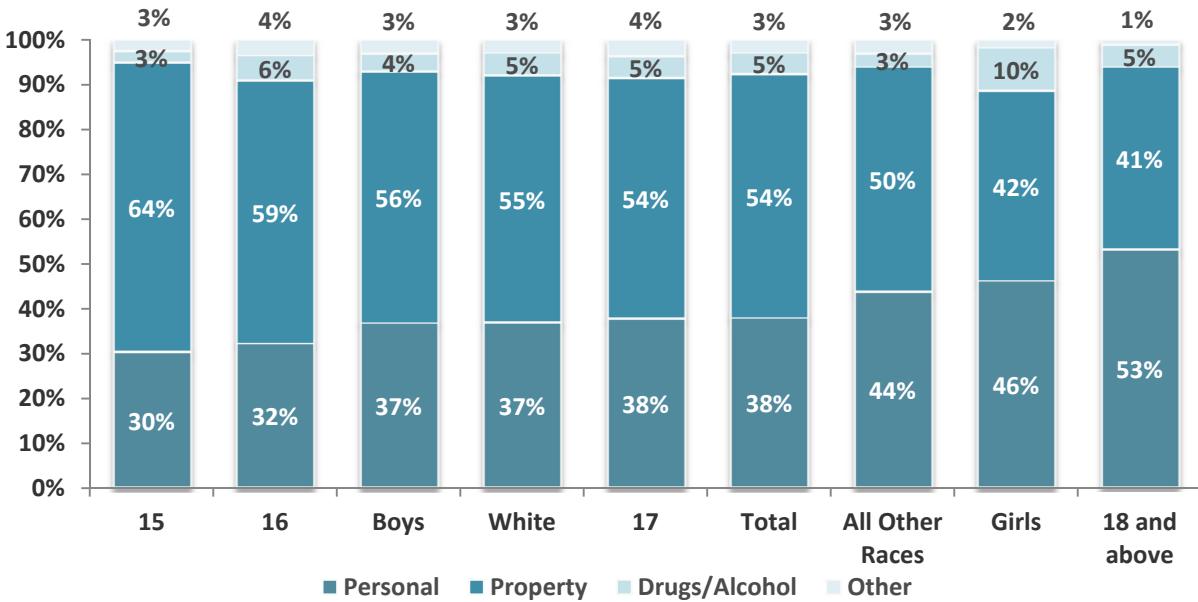


**What was the offense type associated with commitment, by demographic?**

Girls were more likely to be committed for personal offenses and drug/alcohol offenses than boys. Ten percent of girls were committed for a drug/alcohol offense. Youth ages 18 and above were most likely committed for personal offenses. Youth ages 15-16 were most likely to be committed for property offenses.

<sup>9</sup> Chi-square (p=.004)

Figure II-3: Offense Type by Demographics



**How many charges were associated with commitment?**

The mean (average) number of charges associated with commitment to a YDC was 2.54.<sup>10</sup> The median (middle) value was 2, meaning half the youth were committed with more than two charges, and half the youth were committed with fewer than two charges.

Table II-6: Average Number of Charges Associated with Commitment

	2006	2007	2008	2009	Total
<b>N</b>	96	93	123	105	417
<b>Minimum</b>	1	1	1	1	1
<b>Maximum</b>	10	7	10	10	10
<b>Mean</b>	2.52	2.35	2.58	2.67	2.54
<b>Median</b>	2	2	2	2	2

<sup>10</sup> This mean is a “trimmed mean,” which means that outliers were removed from the dataset before calculation. A small number of youth were committed with over 10 charges. These cases were not included in the calculation. These charges may not have been associated with one the most serious offense that resulted in commitment; they may have accumulated over time. In all, 10 cases were eliminated.

### III. Community Reintegration (Early Release) and Return to a YDC

#### *What is community reintegration?*

Community reintegration is an early release from a YDC to community supervision monitored by a Juvenile Community Corrections Officer (JCCO). Youth may be eligible for community reintegration after completing all four phases of treatment in the YDC. Youth typically need at least 10 months to accomplish this. Additionally, they must maintain at Level IV (the highest level) for four weeks, must be nearly complete with therapeutic programming, must have successfully completed cognitive skills programming, and must have met individual goals<sup>11</sup>. A Community Reintegration Plan<sup>12</sup> review occurs at least 14 days prior to release.

While under community reintegration, youth remain under the supervision of a JCCO and must adhere to specific conditions, such as attending school, participating in treatment, or avoiding specific persons. Youth may be returned to the YDC for violating these conditions or for committing new alleged offenses. Youth who are returned to a YDC attend a Reclassification Conference, where committee members<sup>13</sup> determine appropriate modifications to youth case plans while in the YDC.

#### *How many committed youth were released to community reintegration?*

On average, more than two-thirds (69.4%) of youth received community reintegration prior to final discharge from DJJ supervision. Year to year differences were not statistically significant. A lower rate in 2009 may be because many of the youth had been in the YDC a short time and so had not reached Level IV.

**Table III-1: Number of Youth Released to Community Reintegration**

	2006 Cohort		2007 Cohort		2008 Cohort		2009 Cohort		Average	
<b>Released to CR</b>	69	70.4%	74	77.1%	88	69.3%	66	61.7%	74	69.4%
<b>In facility at time of data extract</b>	29	29.6%	22	22.9%	39	30.7%	41	38.3%	33	30.6%
<b>Total</b>	98	100%	96	100%	127	100%	107	100%	107	100%

<sup>11</sup> In some cases, youth may be released to the community reintegration prior to completing all four phases. This would occur if MDOC determines it is most appropriate for youth to receive services in the community, such as in cases in which youth have developmental delays or other issues that would make it impossible to progress through the YDC phases.

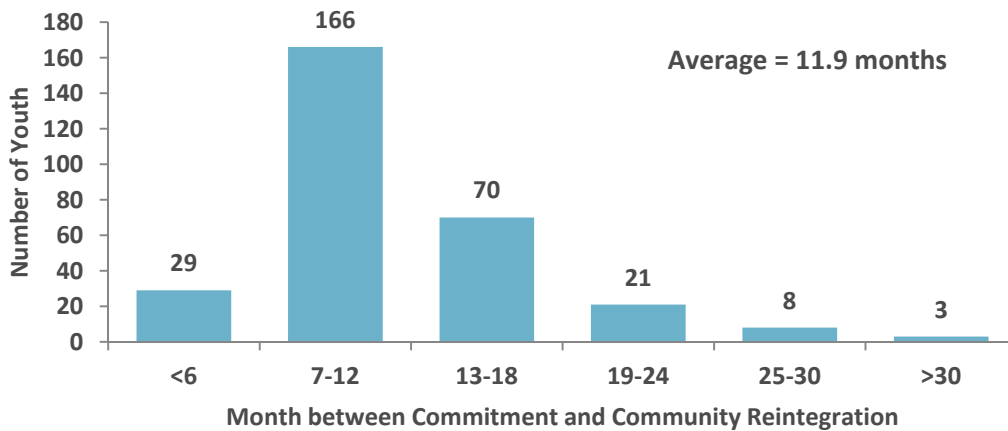
<sup>12</sup> A Community Reintegration Plan details any release conditions the youth must follow in addition to plans for school, employment and housing.

<sup>13</sup> Committee members may include facility staff, the JCCO, and other relevant treatment providers.

***On average, how long were youth committed before community reintegration?***

Almost two-thirds of youth (65.8%) spent less than one year committed prior to community reintegration. Among those who were released to community reintegration, the average length of time spent in a YDC prior to community reintegration was 11.9 months. No statistically significant differences existed year to year.

**Figure III-1: Length of Commitment before Community Reintegration**



***Did community reintegration rates or time to CR differ by gender, or race, or age?***

Little difference existed in length of stay months by gender or race. However, both community reintegration rates and time to community reintegration differed by age. Youth who were youngest at commitment spent more time in a YDC before being released to community reintegration compared to older youth (14.1 months for youth ages 15 and under compared to 10.4 months for youth 18 and above). However, younger youth were more likely to be released eventually to community reintegration compared with older youth (80.3% compared to 64.2%).



**Table III-2: Community Reintegration by Demographics**

	Total Number of Youth	Released to CR		Mean Months to Release
	N	N	%	
<b>Gender</b>				
Boy	376	256	68.1%	12.0
Girl	52	41	78.8%	11.2
<b>Race/Ethnicity</b>				
White	364	250	68.7%	11.9
All other races	64	47	73.4%	11.6
<b>Age</b>				
15 and under	76	61	80.3%	14.4
16	109	83	76.1%	12.1
17	162	101	62.3%	11.1
18 and above	81	52	64.2%	10.4
<b>Total</b>	<b>428</b>	<b>297</b>	<b>69%</b>	<b>11.9</b>

***Did community reintegration rates differ by offense characteristics?***

Differences in community reintegration release rates did not differ significantly by offense severity or type. However, coupled with mean months to release, higher community reintegration rates were associated with lower lengths of facility stays.

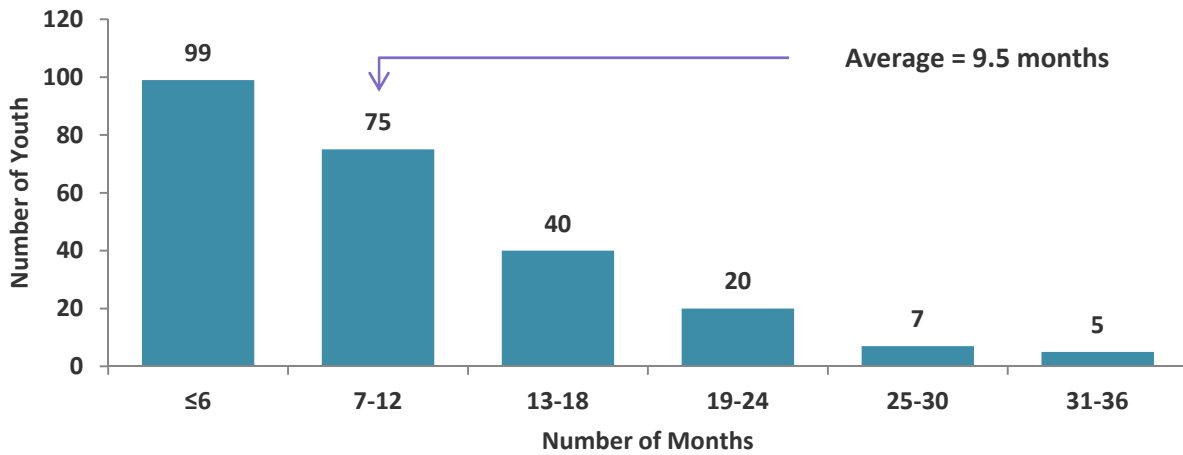
**Table III-3: Community Reintegration by Offense Characteristics**

	Total	Released to CR		Mean Months to release
	N	N	%	Months
<b>Offense severity</b>				
Felony	209	153	73.2%	11.8
Misdemeanor	219	144	66.8%	12.0
<b>Offense type</b>				
Personal	162	110	67.9%	12.3
Property	233	166	71.2%	11.8
Drug/alcohol	20	15	75.0%	10.1
<b>Total</b>	<b>428</b>	<b>297</b>	<b>69.4%</b>	<b>11.9</b>

**How close to final discharge date (sentence end date) were youth released to community reintegration?**

Of the 297 youth released to community reintegration, 82.3% (246) reached final discharge from DJS supervision by June 2011. At the point of community reintegration, those youth had an average of 9.5 months (median: 8.0) of their sentence remaining until final discharge. More than two-thirds (70.7%) reached final discharge within one year.

**Figure III-2: Months Remaining Between Community Reintegration and Final Discharge**



**How many community reintegrated youth were returned to a YDC?**

Of the 297 youth who received community reintegration, outcomes were known for 277 youth.<sup>14</sup> Among the 277 youth released to community reintegration, 53.4% were returned to a YDC.

**Table III-4: Outcomes of Youth Released to Community Reintegration**

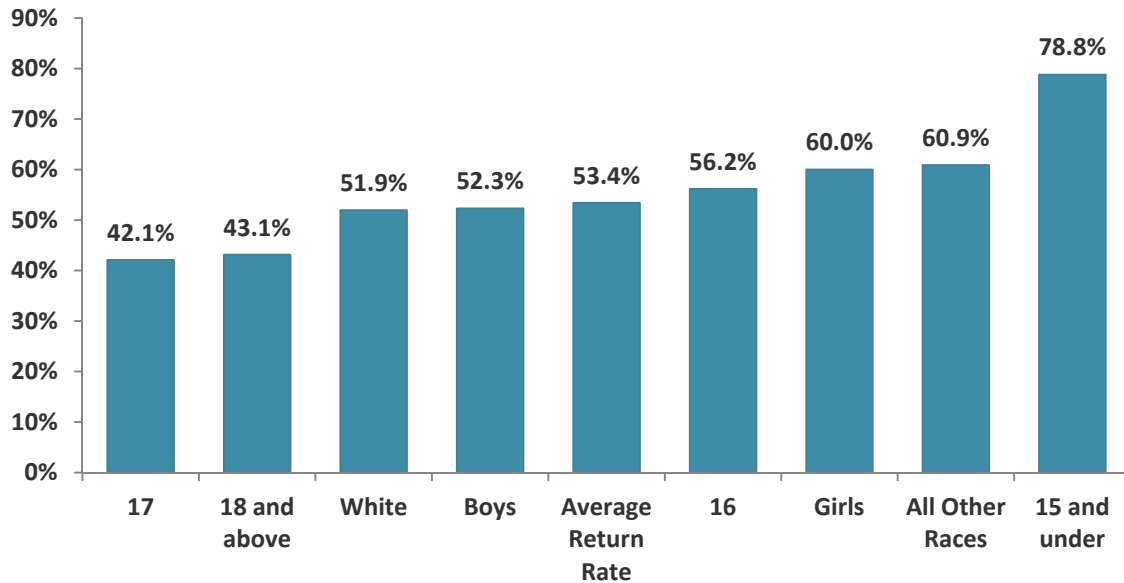
	2006		2007		2008		2009		Total	
	#	%	#	%	#	%	#	%	#	%
<b>Success</b>	30	44.1%	40	54.1%	34	39.5%	25	51.0%	129	46.6%
<b>Return</b>	38	55.9%	34	45.9%	52	50.5%	24	49.0%	148	53.4%
<b>Total used in CR return rate analysis</b>	<b>68</b>	<b>100.0%</b>	<b>74</b>	<b>100.0%</b>	<b>86</b>	<b>100.0%</b>	<b>49</b>	<b>100.0%</b>	<b>277</b>	<b>100.0%</b>

<sup>14</sup> Twenty youth were still in the community at the time of analysis with undetermined outcomes and were not included in community reintegration return analysis.

### Were there differences in return rates by age, race, and gender?

Younger youth were the most likely to be returned to a YDC (78.8%). This difference is statistically significant.<sup>15</sup> Differences by gender and race were not statistically significant.

Figure III-3: Community Reintegration Returns by Demographic



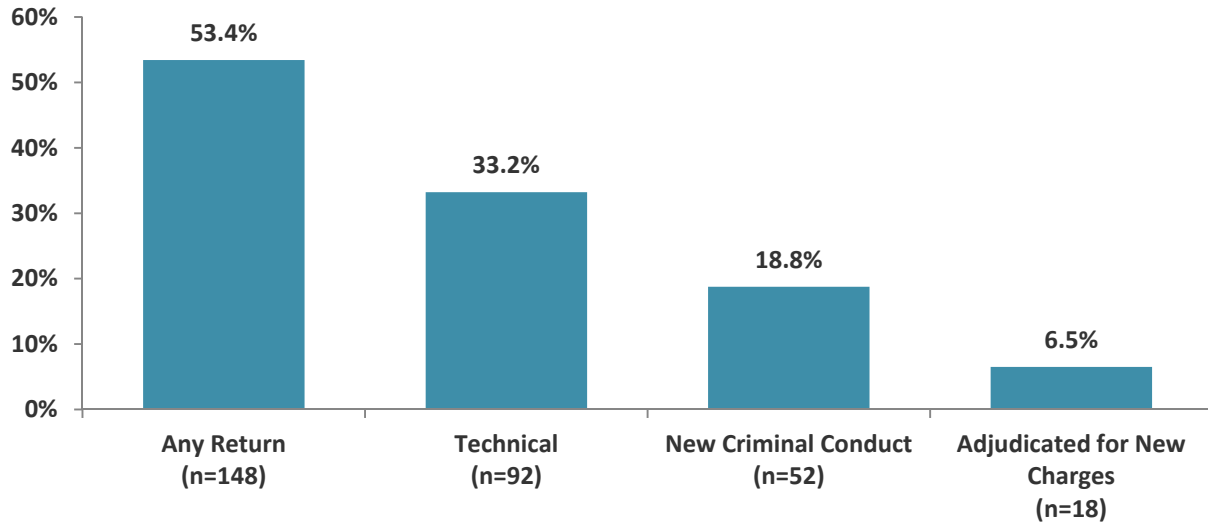
### Were youth returned for new crimes or violations, or some other reason?

Among the 277 youth released to CR and for whom outcomes were known, the overall return rate was 53.4% (n=148), the technical return violation rate was 33.2% (n=92), and the return rate for alleged new criminal conduct was 18.8% (n=52). A small proportion (1.4%, n=4) was returned for “other” reasons.<sup>16</sup> While 18.8% (n=52) were returned for new criminal conduct, 7.2% (n=20) were formally charged with a new offense, and 6.5% (n=18) were adjudicated for a new offense.

<sup>15</sup> Chi-square (p<.01)

<sup>16</sup> These “other” reasons may not be related to youth behavior; they may be related to youth safety, welfare, etc.

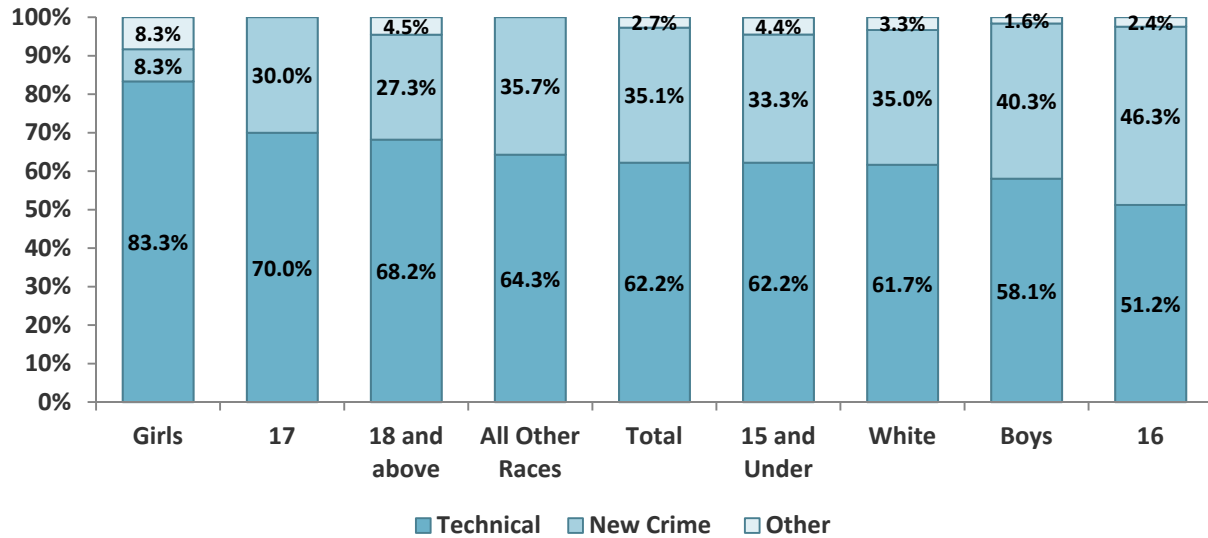
Figure III-4: Community Reintegration Returns



*Did the return type differ by demographics?*

Technical violation was the most common reason a youth was returned to a YDC. Among the 148 youth who were returned, 62.2% (n= 92) were returned for a technical violation. Return reasons differed between groups. Girls were more likely than boys to be returned to a YDC for a technical violation.<sup>17</sup>

Figure III-5: Reason for Community Reintegration Returns



<sup>17</sup> Chi-square test (p=.004), excluding 'other' charges, due to the small number of cases in this category.

**Table III-5: Reason for Community Reintegration Returns**

	Total Released to Community Reintegration	New Crime		Technical		Total Returned <sup>18</sup>	
		#	%	#	%	#	%
<b>Boy</b>	237	50	40.3%	72	58.1%	124	100%
<b>Girl</b>	40	<5	--	20	83.3%	24	100%
<b>White</b>	231	42	35.0%	74	61.7%	120	100%
<b>All other races</b>	46	10	35.7%	18	64.3%	28	100%
<b>≤15</b>	58	15	33.3%	28	62.2%	45	100%
<b>16</b>	73	19	46.3%	21	51.2%	41	100%
<b>17</b>	95	12	30.0%	28	70.0%	40	100%
<b>≥18</b>	51	6	27.3%	15	68.2%	22	100%
<b>Total</b>	<b>277</b>	<b>52</b>	<b>35.1%</b>	<b>92</b>	<b>62.2%</b>	<b>148</b>	<b>100%</b>

***Did length of stay correlate with community reintegration returns?***

On average, youth spent just under than 12 months committed prior to community reintegration. Generally, length of stay in a YDC did not influence lower return rates. Youth who were successful on community reintegration were committed for an average of 11.6 months, while youth who were returned (unsuccessful) were committed for an average of 11.8 months.<sup>19</sup> No statistically significant differences existed by gender and race. Shorter stays, however, were associated with community reintegration success among youth ages 15 and under, while for other age groups, youth with slightly longer stays prior to community reintegration were more likely to successfully complete community reintegration.

<sup>18</sup> Total returned includes returns for new criminal conduct, technical violation, and also 'other'. The number of returns for 'other' was too small to report.

<sup>19</sup> Youth who were still on community reintegration at time of extract were committed for the most time, an average of 15.1 months prior to being released, increasing mean months committed to 11.93.

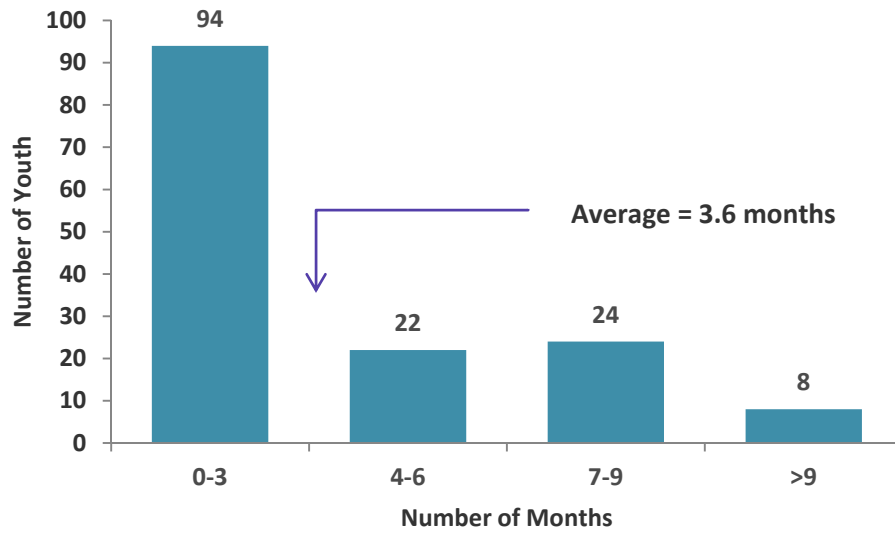
**Table III-6: Mean Months Committed and Community Reintegration Success>Returns, by Demographics**

	Return Rate	Mean Months Committed Prior To Community Reintegration		
		CR Success (n=129)	CR Returned (n=148)	CR Total (n=277)
<b>Gender</b>				
Girls (n=40)	60.0%	10.81	11.13	11.00
Boys (n=124)	52.3%	11.67	11.95	11.82
<b>Race</b>				
White (n=231)	51.9%	11.44	11.98	11.72
All other races (n=46)	60.9%	12.33	11.14	11.61
<b>Age</b>				
15 and under (n=58)	77.6%	13.00	14.67	14.29
16 (n=73)	56.2%	12.78	10.54	11.52
17 (n=95)	42.1%	10.91	11.15	11.01
18 and above (n=51)	43.1%	10.83	9.59	10.29
<b>Total (n=277)</b>	<b>53.4%</b>	<b>11.57</b>	<b>11.82</b>	<b>11.70</b>

***Among those who were returned to a YDC, how long were they on community reintegration before they were returned?***

Most youth (63.5%) who were returned to a YDC while on community reintegration were returned in the first three months. Among those returned, the average length of time that youth were on community reintegration was 3.6 months. Youth who committed a technical violation were returned more quickly (3.2 months) than youth who were returned for alleged new criminal conduct (4.3 months).

Figure III-6: Months from Community Reintegration to Return



## IV. Final Discharge from DJS Supervision and Recidivism

Final discharge from DJS supervision, sometimes referred to as ‘society out,’ means that the youth is no longer under any type of supervision or custody from DJS<sup>20</sup>. In other words, they were discharged from the YDC and/or from community supervision. Calculating recidivism rates upon final discharge from DJS supervision helps examine the overall impact of DJS programming on youth who have been committed to a youth development center. Youth who were discharged from supervision were tracked for up to three years. Recidivism rates are reported for three measures: re-arrest, re-adjudication/conviction, and re-commitment. Because re-adjudication/conviction is the measure consistently used across all Maine recidivism research reports, detailed analysis is limited to that measure.

### *How many cohort youth were discharged at the time of the data extract (June 2011)?*

As of June 2011, 86.2% (n=369) of cohort youth had been discharged from DJS supervision.

**Table IV-1: Final Discharge, by Committed Year**

	2006 Cohort	2007 Cohort	2008 Cohort	2009 Cohort	Total
<b>Committed</b>	98	96	127	107	428
<b>Discharged</b>	95	94	113	67	369
<b>Percent discharged</b>	96.9%	97.9%	89.0%	62.6%	86.2%

Of the 369 who were reached final discharge, 291(78.1%) could be tracked for at least one year and were included in one-year recidivism analysis. One hundred eighty youth (48.2%) could be tracked for two years and are included in 2 year trend analysis.

**Table IV-2 Youth Tracking Period, by Committed Year**

	Less Than One Year	One Year	Two Years	Total
<b>2006</b>	1	6	88	95
<b>2007</b>	8	26	60	94
<b>2008</b>	25	57	31	113
<b>2009</b>	44	22	1	67
<b>Total</b>	78	111	180	369

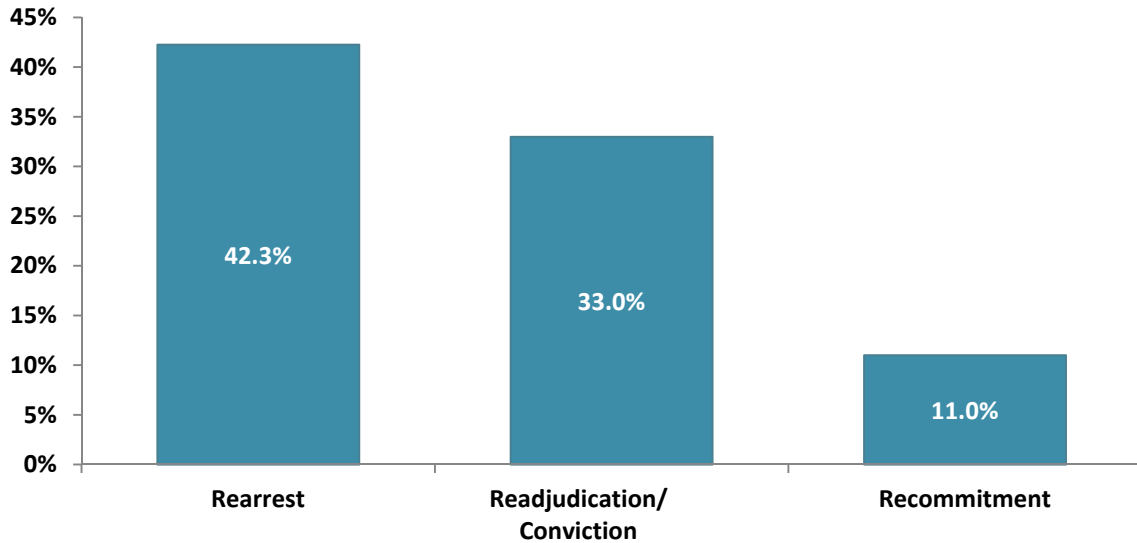
<sup>20</sup> In some instances, youth may be under the supervision of Maine Department of Corrections because supervision was transferred directly from DJS to MDOC adult services. For example, a youth could be discharged from community supervision directly to a county jail for new pending charges. This would not be captured in this data, and the number is likely small.



*How many youth were re-arrested, re-adjudicated/convicted, or re-committed within one year of final discharge?*

Within one year, 42.3% of youth had been re-arrested, 33.0% re-adjudicated/convicted, and 11.0% re-committed.

**Figure IV-1: One-Year Recidivism Rate, by Measure**



**Table IV-3: One-Year Recidivism Rate, by Measure**

	Re-arrest		Re-adjudication/Conviction		Re-commitment	
	N	%	N	%	N	%
<b>Recidivated</b>	123	42.3%	96	33.0%	32	11.0%
<b>Did not recidivate</b>	168	57.7%	195	67.0%	259	89.1%
<b>Total</b>	291	100.0%	291	100.0%	291	100.0%

*Were there differences in re-adjudication/conviction rates by demographic characteristics?*

No statistically significant differences in Re-adjudication/conviction rates were observed by gender, age, or race/ethnicity. There was no difference in mean age between youth who recidivated and those who did not by admission age; the mean age was 16.7.

Figure IV-2: One-Year Reconviction Rate, by Demographics

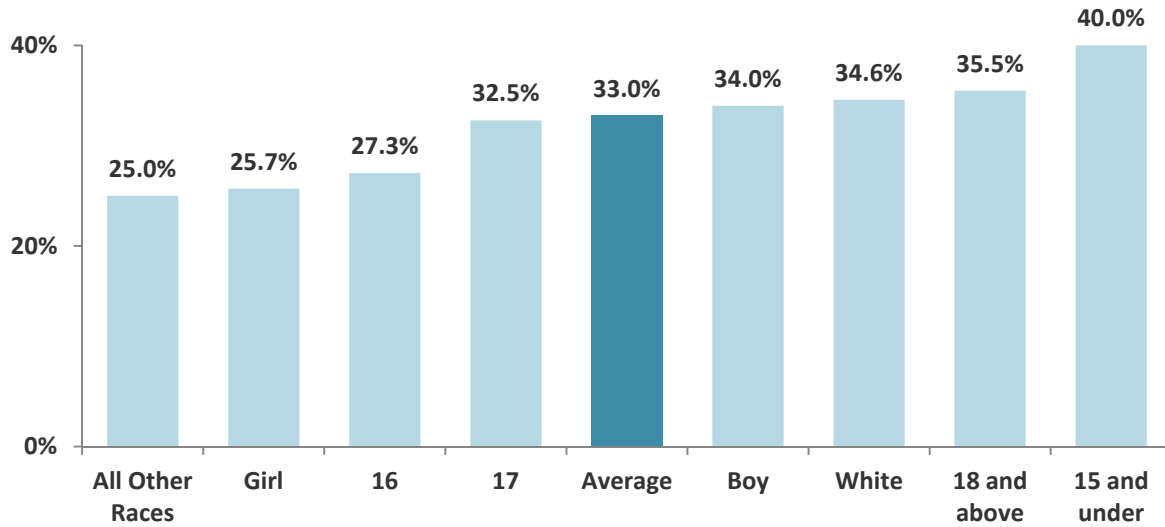


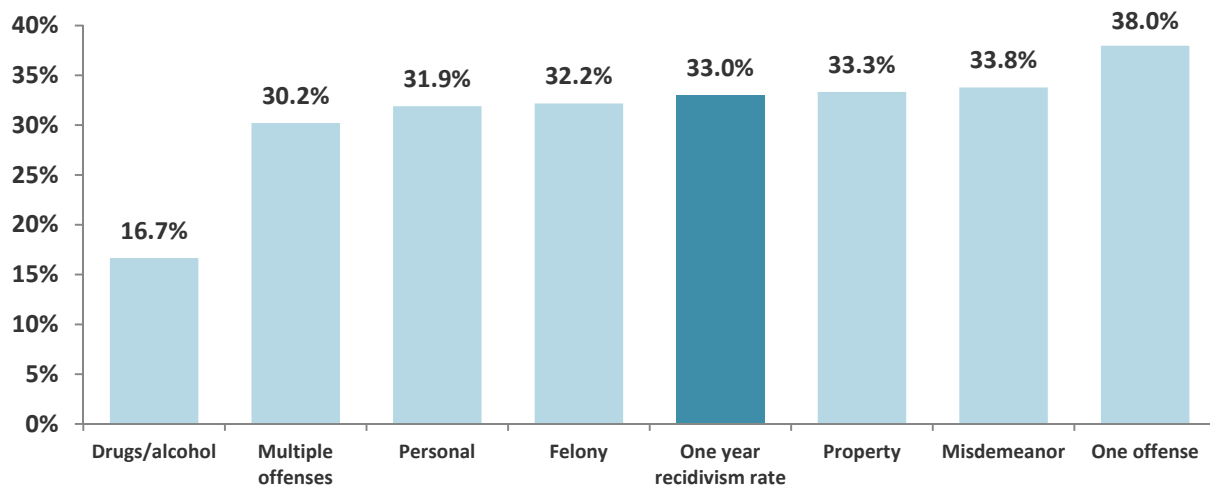
Table IV-3: One-Year Recidivism by Demographics

Population	Total	Re-arrest		Re-adjudication /Conviction		Re-commitment	
	#	#	%	#	%	#	%
<b>Gender</b>							
Boy	256	113	44.1%	87	34.0%	31	12.1%
Girl	35	10	28.6%	9	25.7%	<5	--
<b>Age at commitment</b>							
≤15	40	19	47.5%	16	40.0%	<5	--
16	66	27	40.9%	18	27.3%	5	7.6%
17	123	52	42.3%	40	32.5%	18	14.6%
≥18	62	25	40.3%	22	35.5%	7	11.3%
<b>Race</b>							
White	243	105	43.2%	84	34.6%	27	11.1%
All other races	48	18	37.5%	12	25.0%	5	10.4%
<b>Total</b>	<b>291</b>	<b>123</b>	<b>42.3%</b>	<b>96</b>	<b>33.0%</b>	<b>32</b>	<b>11.0%</b>

**Were there differences in re-adjudication/conviction rates by offense characteristics?**

Youth who were originally committed for one offense had the highest one-year recidivism rate (38.0%), and drug/alcohol as their most serious offense were associated with lowest rate (16.7%). Otherwise, reconviction rates between demographic groups were very similar and ranged from 30.2%-33.3%.

**Figure IV-3: One-Year Reconviction Rates by Offense Characteristics**



**Table IV-5: One-Year Recidivism by Offense Characteristics**

Population	Total	Re-arrest		Re-adjudication/Conviction		Re-commitment	
		#	%	#	%	#	%
One offense	108	53	49.1%	41	38.0%	18	16.7%
Multiple offenses	182	70	38.5%	55	30.2%	14	7.7%
Felony	143	60	42.0%	46	32.2%	12	8.4%
Misdemeanor	148	63	42.6%	50	33.8%	20	13.5%
Personal	116	46	39.7%	37	31.9%	15	12.9%
Property	153	66	43.1%	51	33.3%	13	8.5%
Drug/alcohol	12	<5	--	<5	--	0	--
<b>Total recidivism</b>	<b>291</b>	<b>123</b>	<b>42.3%</b>	<b>96</b>	<b>33.0%</b>	<b>32</b>	<b>11.0%</b>

Youth who were originally committed for a felony were no more or less likely to be re-arrested or re-convicted and were slightly less likely than other youth to be re-committed. Additionally, youth committed for a felony were not more likely to recidivate with a felony offense.

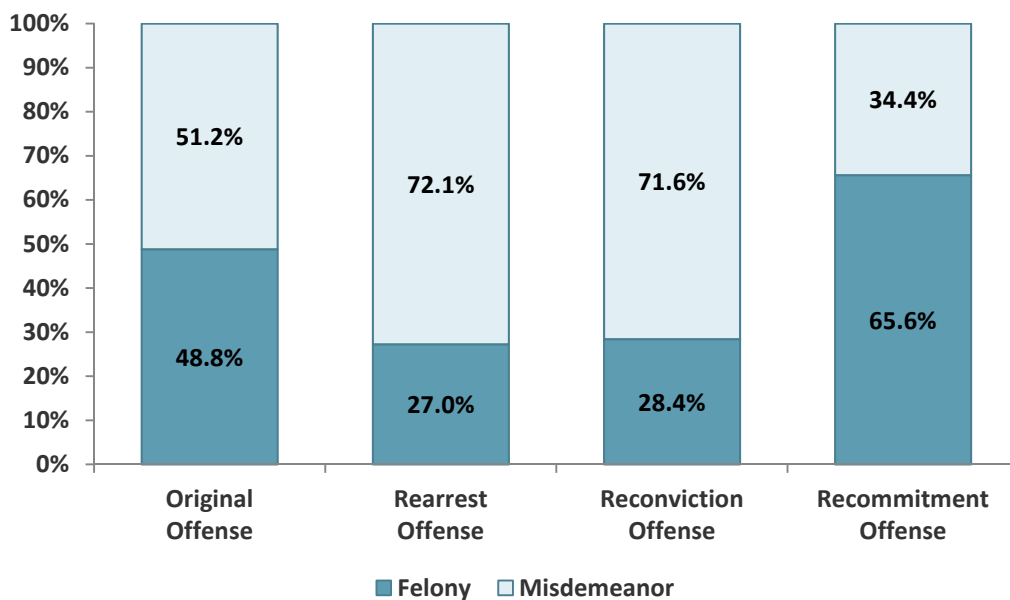
**Table IV-6: One-Year Recidivism Rate, by Committed Offense Class and Return Offense Class**

Offense at Commitment	Re-arrest				Re-adjudication/Conviction				Re-commitment			
	All		Felony		All		Felony		All		Felony	
	N	%	N	%	N	%	N	%	N	%	N	%
Felony (n=143)	59	41.3%	16	11.2%	45	31.5%	12	8.4%	12	8.4%	9	6.3%
Misdemeanor (n=148)	62	41.9%	17	11.5%	50	33.8%	15	10.1%	20	13.5%	12	8.1%
Total (n=291)	123 <sup>21</sup>	42.3%	33	11.3%	96 <sup>22</sup>	33.0%	27	9.3%	32	11.0%	21	7.2%

***Were recidivating offenses more or less serious than committed offenses?***

While just under half of youth (48.8%) were committed for a felony, just over one quarter were re-arrested (27.0%) or re-adjudicated/re-convicted (28.4%) for felony offenses. Of the youth who were re-committed, almost two-thirds (65.6%) were re-committed for a felony.

**Figure IV-5: Offense Class, Committed and Recidivating Offenses**



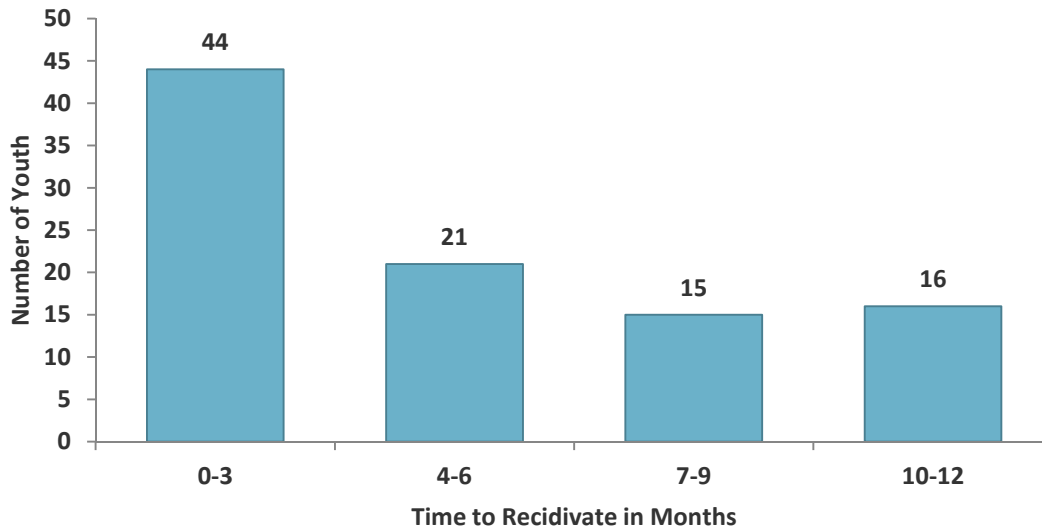
***How long after discharge did youth recidivate (re-adjudication/conviction)?***

Just under half (45.8%) of youth who were tracked for one year and re-convicted had offense dates within the first three months post discharge. Just over two-thirds had offense dates within the first six months.

<sup>21</sup> In two cases, recidivating offense class not specified

<sup>22</sup> In one case, recidivating offense class not specified.

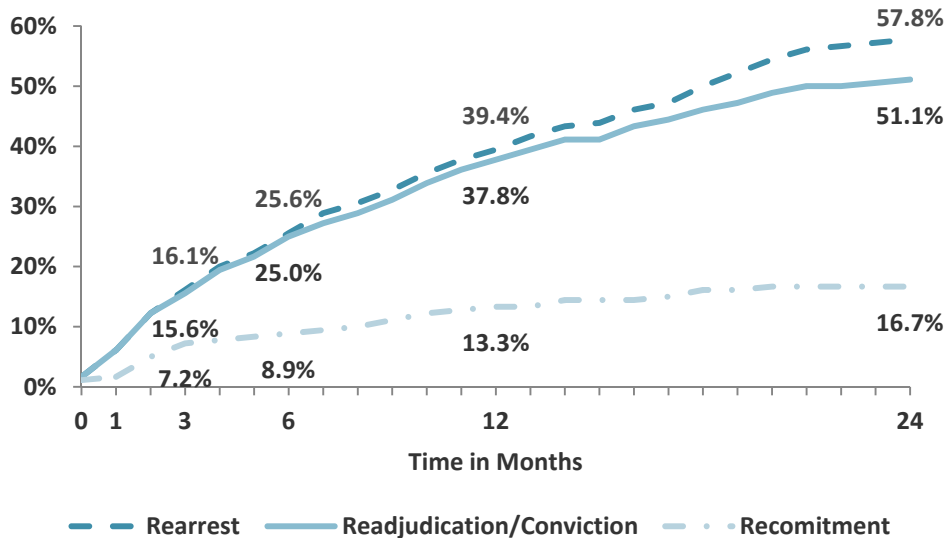
**Figure IV-6: Time to New Offense for Youth Who were Re-adjudicated/Convicted within One Year**



**What were the two-year recidivism trends?**

Only youth who had been discharged from supervision for at least two years (n=180) were included in trend analysis.<sup>23</sup> By two years, 57.1% of youth were re-arrested, 51.1% were re-adjudicated/convicted, and 16.7% were re-committed. The proportion of youth who were re-committed increased slightly between 12 and 24 months (13.3% to 16.7%), while the proportion who were re-arrested and re-adjudicated/convicted grew at much faster rates (39.4% to 57.8%, and 37.8% to 51.1%, respectively).

**Figure IV-7: Cumulative Recidivism Rates by Time**



<sup>23</sup> Because the number of youth included in analysis changed, the one year recidivism rates reported in Figure IV-7 differ from rates reported in Figure IV-1.

**Table IV-4: Cumulative Recidivism Rates by Time among Youth Who Can Be Tracked for 2 Years**

	Re-arrest		Re-adjudication/ Conviction		Re-commitment	
	Cumulative		Cumulative		Cumulative	
	N	Rate	N	Rate	N	Rate
<b>30 days</b>	<5		<5		<5	
<b>60 days</b>	11	6.1%	11	6.1%	3	1.7%
<b>90 days</b>	22	12.2%	22	12.2%	9	5.0%
<b>Six months</b>	46	25.6%	45	25.0%	16	8.9%
<b>One year</b>	71	39.4%	68	37.8%	24	13.3%
<b>Two years</b>	104	57.8%	92	51.1%	30	16.7%
<b>Did not recidivate</b>	76	42.2%	88	48.9%	150	83.3%
<b>Total</b>	180	100.0%	180	100.0%	180	100.0%

## V. References

- Andrews, D. A., & Bonta, J. (2006). *The psychology of criminal conduct* (4th ed.). Newark, NJ: LexisNexis.
- Dowden, C & Andrews, D.A. (1999). What works in young offender treatment: A meta-analysis. *Forum on Corrections Research*. 11. (2).
- Easy Access to Juvenile Populations: 1990-2008. National Center for Juvenile Justice. Retrieved from <http://www.ojdp.gov/ojstatbb/ezapop/>
- Frederico, J.M (2009). Maine Criminal Statues 2009-2010 Edition. Swan Island Press, Bowdoinham, ME
- Garner, Bryan A (ED.). (2006). Black's Law Dictionary (3<sup>rd</sup> pocket edition). St. Paul, MN: Thomson/West.
- Harris, P.W., Lockwood, B., & Mengers, L. (2009). *A CJCA white paper: Defining and Measuring Recidivism* [White paper]. Retrieved from <http://www.cjca.net>
- Hoge, R.D., Andrews, D.A. (2002) *Youth Level of Service/Case Management Inventory: YLS/CMI Manual*. Torontot: MultiHealth Systems.
- Holsinger, A., Lowenkamp, C. T., & Latessa, E. J. (2006). Predicting institutional misconduct using the Youth Level of Service/ Case Management Inventory. *American Journal of Criminal Justice*, 30(2), 267-284. DOI: 10.1007/BF02885895  
(I put a copy of this in my recidivism folder.)
- McElfresh, R., Yan, J., & Janku, A. (2009). *Juvenile offender recidivism report: A 2009 statewide juvenile court report*. Missouri Office of State Courts Administrator, Division of Court Programs and Research.  
<http://www.courts.mo.gov/file.jsp?id=34387>
- Noréus, B., Rocque, M., & Hubley, T. (2009, December). *Disproportionate Minority Contact in Maine: DMC Assessment and Identification*. Portland, ME: University of Southern Maine, Muskie School of Public Service and Maine Juvenile Justice Advisory Group.  
[http://muskie.usm.maine.edu/justiceresearch/Publications/Juvenile/Juvenile\\_DMC\\_Assessment\\_andIdentificationReport2009.pdf](http://muskie.usm.maine.edu/justiceresearch/Publications/Juvenile/Juvenile_DMC_Assessment_andIdentificationReport2009.pdf)
- Pate, S. (2008, March). *Maine Department Of Corrections Annual Juvenile Recidivism Report*. Portland, ME: University of Southern Maine, Muskie School of Public Service, Maine Statistical Analysis Center and the Maine Department of Corrections.  
[http://muskie.usm.maine.edu/justiceresearch/Publications/Juvenile/Annual\\_Juvenile\\_Recidivism\\_Cohort2005.pdf](http://muskie.usm.maine.edu/justiceresearch/Publications/Juvenile/Annual_Juvenile_Recidivism_Cohort2005.pdf)
- Schmidt, F., Hoge, R., Gomes, L. (2005) *Reliability and Validity Analyses of the Youth Level of Service/Case Management Inventory*. *Criminal Justice and Behavior*, 32 (3).

## VI. Appendix I: Department of Juvenile Services Case Management

The Maine Department of Corrections (DOC) is the agency of state government responsible for the incarceration and community supervision of adult and juvenile offenders. The Division of Juvenile Services (DJS) resides within MDOC and is responsible for the provision of correctional services to Maine's juvenile offenders. The mission of DJS is:

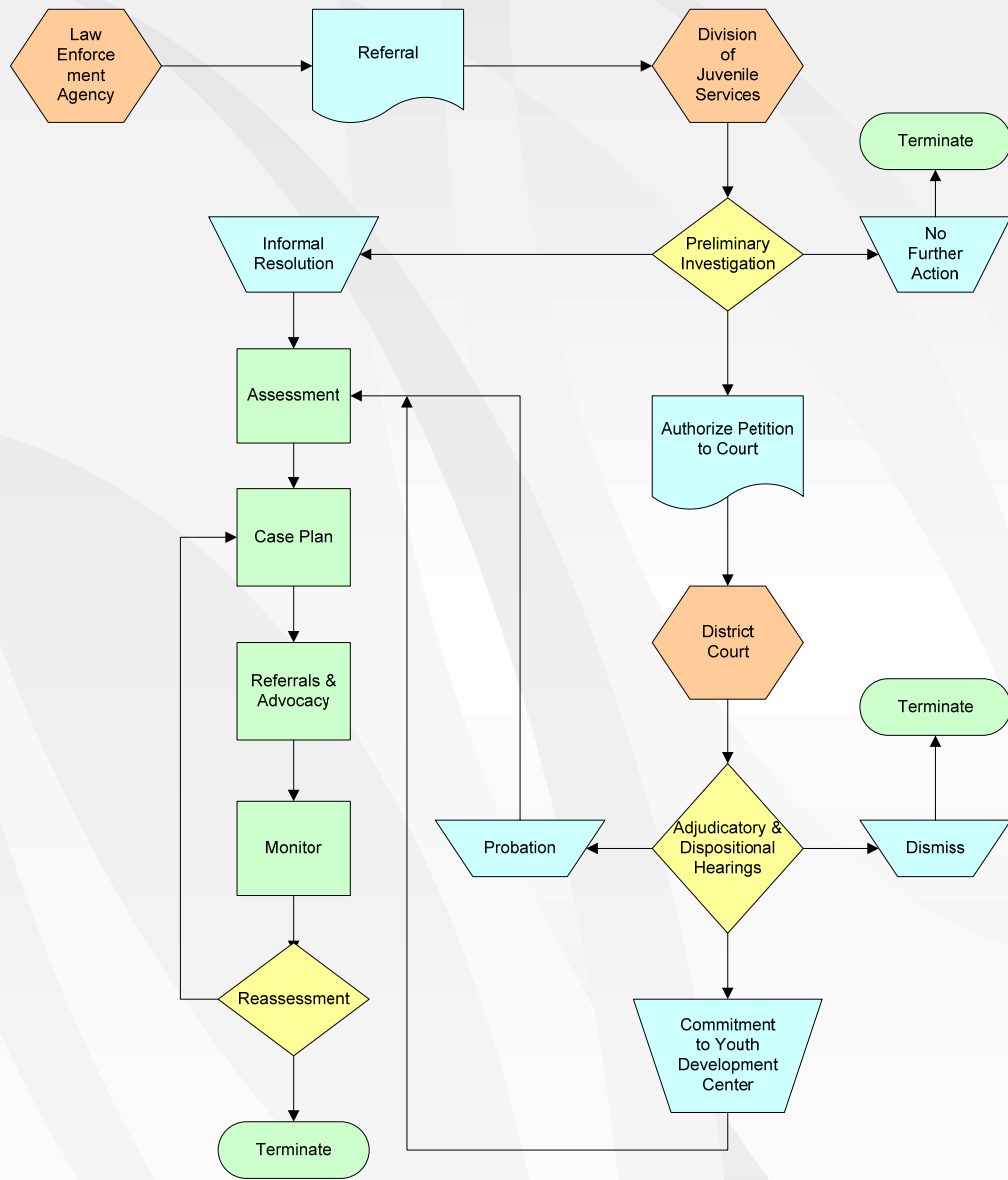
***To promote public safety by ensuring that juveniles under the Department of Correction's jurisdiction are provided with risk-focused intervention, quality treatment, and other services that teach skills and competencies; strengthen pro-social behaviors to reduce the likelihood of re-offending and require accountability to victims and communities.***

There are three field services regions in Maine that respond to juvenile crime and provide services known to be effective in reducing recidivism among juveniles. DJS has two secure facilities to serve juveniles who cannot be served in the community. Mountain View Youth Development Center (MVYDC) is located in Charleston, Maine and serves juveniles from Northern and Eastern Maine. Long Creek Youth Development Center (LCYDC) is located in South Portland and serves juveniles from southern Maine. The responsibilities of DJS field services span the entire juvenile justice system. These responsibilities begin when a youth is referred to DJS by police after being charged with an offense and end when a juvenile is discharged from DJS aftercare supervision. Field services operations are conducted throughout the state and are available 24 hours a day, seven days a week.

Juvenile Community Corrections Officers (JCCOs) serve as the correctional case managers for juveniles who are under supervision of the Division regardless of their status with the legal system. Youth under supervision of the Division may be<sup>24</sup>:

- On a supervised conditional release following a detention request decision,
- Detained in a juvenile facility awaiting a court hearing,
- On informal adjustment as a diversion from the court,
- On probation,
- Committed to a juvenile facility, or
- On community reintegration (aftercare) status following release from a juvenile facility.





**Maine Department of Corrections**  
***Division of Juvenile Services***  
**Case Management Flowchart**

## VII. Appendix II: Glossary of Terms

Here are some definitions that could be helpful in understanding juvenile recidivism issues.

### *Research Report Terms*

---

**Cohort** - A group of subjects on whom data is being collected as they "move forward in time" (In ancient Rome, a cohort was a group of foot soldiers).

**Juvenile/Youth** – Any person who has not attained the age of 18 years.

**Population/Target Population** - The total group of people who are represented by the random selection of members, usually connoting the whole population but possibly connoting the population of any subset, e.g., women.

**Recidivism** – for this report, recidivism is defined as a re-adjudication (juvenile) or conviction (adult) for an offense committed by a youth in Maine within three years of his or her first adjudication.

**Recidivism Rate** – The number of youth who recidivate divided by the total number of cohort youth during a specific time period.

**Sample** - A subset of subjects from the population of all who have a particular characteristic, such as a disease.

**Statistic** - A number computed from data on one or more variables.

**Statistical Analysis** - Analyzing collected data for the purposes of summarizing information to make it more usable and/or making generalizations about a population based on a sample drawn from that population.

**Statistical Significance** - in statistics, a difference that is unlikely due to chance is considered statistically significant. The level of statistical significance is measured using a probability value, usually called a **p-value**. When  $p < 0.05$  (a common accepted value for statistical significance), the probability that a difference is due to chance is less than 5%. When  $p = 0.10$ , the probability that a difference is due to chance is 10%.

### *Juvenile Justice Terms*

---

**Adjudication** - Adjudication is the court process that determines (judges) if the juvenile committed the act for which he or she is charged. The term "adjudicated" is analogous to "convicted" in the criminal court and indicates that the court concluded the juvenile committed the act.

**Bindover** – Bindover occurs when charges are transferred to the corrections system following a hearing to determine whether the circumstances meet the criteria to try the youth in the criminal court.. This is commonly referred to as being tried as an adult.

**Community Reintegration** – The early release to community supervision of a youth committed to a YDC.

**Diversion** – The process of gathering information and developing a case plan with youth and family to divert youth from the court process. Diversion occurs during pre-adjudicatory process (prior to court). Upon referral to the juvenile justice system, a JCCO either authorizes filing of a petition with the court or develops a diversion plan to avoid court action. Diversions take the form of *No Further Actions*, or *Informal Adjustment*.

**Intake decision** - The decision made by Juvenile Community Corrections Officers that results in a case either being handled informally at the intake level or authorizing a petition

**Juvenile Community Corrections Officer (JCCO)** – A DJS employee who manages the pre-adjudicatory process (diversions from the system), detention decisions, and provides community supervision post adjudication.

**Judicial decision** - The decision made in response to a petition that asks the court to adjudicate the youth.

**Judicial disposition** - Definite action taken as a result of adjudication regarding a particular case after the judicial decision is made, include the following categories:

- *Indeterminate Commitment* - Cases in which youth were placed in a youth development center until a specific date, such as a birthday. While in the youth development center, youth participate in treatment programs and may become eligible for release to community supervision.
- *Indeterminate Commitment, Suspended -Probation* - Cases in which youth were placed on community supervision
- *Dismissed* - Cases dismissed (including those warned, counseled, and released) with no further action anticipated.
- *Shock sentence* - Cases in which youth were placed in a youth development, typically for a shorter duration of time than an indeterminate commitment (one month or less). Youth are not eligible for early release.
- *Miscellaneous* - A variety of actions not included above. This category includes fines, restitution and community services, referrals outside the court for services with minimal or no further court involvement anticipated, and dispositions coded as “Other” by the reporting courts.

**Petition** - A document filed in court alleging that a juvenile is a delinquent and asking that the court assume jurisdiction over the juvenile or asking that an alleged delinquent be bound over to criminal court for prosecution as an adult.

**Placement status** – Identifies categories of juveniles held in residential placement facilities.

- *Committed (Commitment)* - Includes juveniles in placement in the facility as part of a court-ordered disposition. Committed juveniles include those whose cases have been adjudicated and disposed in juvenile court.
- *Detained (Detention)*- Includes juveniles held prior to adjudication while awaiting an adjudicatory or probation revocation hearing in juvenile court, as well as juveniles held after adjudication while awaiting disposition or awaiting placement elsewhere. Also includes juveniles awaiting bindover hearings to adult criminal court.

**Referral** – After an arrest is made or summonsed issue, law enforcement may refer the case to the juvenile justice system to be either petitioned or diverted.

- *Petitioned (formally handled)* - Cases that appear on the official court calendar in response to the filing of a petition or other legal instrument requesting the court to adjudicate the youth delinquent or to bind over the youth to criminal court for processing as an adult.
- *Non-petitioned (informally handled)* - Cases that Juvenile Community Corrections Officers (JCCOs) screen for adjustment without the filing of a formal petition (see **Diversion**).

**Risk Assessment Tool** – An actuarial instrument that is used to predict the risk of future behavior. In the juvenile justice system, risk assessment tools are often used to predict risk of recidivism. Maine uses the Youth Level of Service-Case Management Inventory (YLS-CMI)

**Supervision** – Supervision means that the youth is placed on probation (community supervision) or is committed to a youth development facility. This occurs when a youth receives a disposition of indeterminate commitment (commitment to a youth facility) or indeterminate commitment, suspended (probation) (see **Judicial Disposition**)

**Youth Development Center (YDC).** A facility that holds youth who are committed to the Division of Juvenile Services by the courts, or who are detained. Maine has two YDCs: Long Creek Youth Development Center, in South Portland, and Mountain View Youth Development Center, in Charleston.

## *Offense Definitions*

---

**Aggravated assault** - Unlawful intentional inflicting of serious bodily injury with or without a deadly weapon, or unlawful intentional attempting or threatening of serious bodily injury or death with a deadly or dangerous weapon. The term is used in the same sense as in the Uniform Crime Report (UCR) Crime Index. It encompasses conduct included under the statutory names aggravated assault and battery, aggravated battery, assault with intent to kill, assault with intent to commit murder or manslaughter, atrocious assault, attempted murder, felonious assault, and assault with a deadly weapon.

**Arson** - Intentional damaging or destruction by means of fire or explosion of the property of another without the owner's consent, or of any property with intent to defraud, or attempting the above acts.

**Burglary** - Unlawful entry or attempted entry of any fixed structure, vehicle, or vessel used for regular residence, industry, or business, with or without force, with intent to commit a felony or larceny. The term is used in the same sense as in the UCR Crime Index.

**Civil offense** – A noncriminal, or status, offense. These include: minor possessing liquor, possessing marijuana, minor consuming liquor, sale and use of drug paraphernalia, illegal transportation of liquor by a minor, possession of drug paraphernalia, illegal transportation of drug by a minor, permit minors to consume liquor, possession of fireworks.

**Disorderly conduct** - Unlawful interruption of the peace, quiet, or order of a community, including offenses called disturbing the peace, vagrancy, loitering, unlawful assembly, and riot.

**Operating under the influence** - Driving or operating any vehicle or common carrier while drunk or under the influence of liquor or narcotics.

**Drug abuse violations** - State and/or local offenses relating to the unlawful possession, sale, use, growing, and manufacturing of narcotic drugs. The following drug categories are specified: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics - manufactured narcotics that can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Forcible rape**, Maine legal term for this offense is **Gross Sexual Assault** - Sexual intercourse or attempted sexual intercourse with a person against his or her will by force or threat of force. (Statutory offenses are excluded.)

**Forgery and counterfeiting** - Making, altering, uttering, or possessing, with intent to defraud, anything false in the semblance of that which is true. Attempts are included.

**Fraud** - Fraudulent conversion and obtaining money or property by false pretenses. Included are confidence games and bad checks, except forgeries and counterfeiting.

**Larceny-theft** (except motor vehicle theft) - The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or

automobile accessories, shoplifting, pocket-picking, or the stealing of any property or article that is not taken by force and violence, or by fraud. Attempted larcenies are included. Embezzlement, “con” games, forgery, worthless checks, etc., are excluded.

**Motor vehicle theft** - Unlawful taking, or attempted taking, of a self-propelled road vehicle owned by another, with the intent to deprive the owner of it permanently or temporarily.

**Murder and non-negligent manslaughter** - Intentionally causing the death of another without legal justification or excuse, or causing the death of another while committing or attempting to commit another crime. Deaths caused by negligence, attempts to kill, suicides, accidental deaths, and justifiable homicides are excluded.

**Obstruction of justice** - All unlawful acts committed with intent to prevent or hinder the administration of justice, including law enforcement, judicial, and correctional functions. Examples include contempt, perjury, bribing witnesses, failure to report a crime, and nonviolent resisting of arrest.

**Offense Type:** Offenses fall into four categories: person, property, drugs/alcohol, and other. Please see Appendix III for a list of offenses by type.

**Offense Severity/Offense Class:** All offenses are given an offense class of A-E, or V, which represents the level of offense severity. Offenses classes are categorized as:

***Felony (A-C). The most serious offense class***

***Misdemeanor(E-F):***

*Civil (V):* Non-criminal

**Property Crime Index** - Includes burglary, larceny-theft, motor vehicle theft, and arson. This is often reported as a rate

**Robbery** - Unlawful taking or attempted taking of property that is in the immediate possession of another by force or the threat of force.

**Sex offenses** (except forcible rape, prostitution, and commercialized vice) - Statutory rape and offenses against chastity, common decency, morals, and the like. Attempts are included.

**Simple assault** - Unlawful threatening, attempted inflicting, or inflicting of less than serious bodily injury, in the absence of a deadly weapon. The term is used in the same sense as in UCR reporting. Simple assault is often not distinctly named in statutes since it consists of all assaults not explicitly named and defined as serious.

**Stolen property** (buying, receiving, possessing) - Buying, receiving, or possessing stolen property, including attempts.

**Trespassing** - Unlawful entry or attempted entry of the property of another with the intent to commit a misdemeanor, other than larceny, or without intent to commit a crime.

**Vandalism** - Destroying or damaging, or attempting to destroy or damage, the property of another without the owner’s consent, or public property, except by burning.

**Weapons offenses** - Unlawful sale, distribution, manufactures, alteration, transportation, possession, or use of a deadly or dangerous weapon, or accessory, or attempt to commit any of these acts.

## VIII. Appendix III: Offenses by Type

### Drugs/Alcohol:

Acquiring drugs by deception  
Aggravated operating under the influence  
Aggravated trafficking, furnishing or cultivation of scheduled drugs  
Aggravated trafficking, furnishing, or cultivation of scheduled drugs  
Consuming liquor by a minor  
Drinking Alcohol while operating motor vehicle  
Furnishing a place for minors to consume alcohol  
Furnishing liquor to a minor  
Hunting while under the influence of intoxicating liquor or drugs  
Illegal transportation of drugs by a minor  
Operating ATV while under the influence of intoxicating liquor or drugs  
Operating snowmobile while under the influence of intoxicating liquor or drugs  
Operating under the influence  
Operating watercraft while under the influence of intoxicating liquor or drugs  
Possessing imitation drugs  
Possession of butyl or isobutyl nitrate  
Possession of liquor by a minor  
Possession of liquor on premises licensed to sell liquor by a minor  
Possession of liquor or wine making by a minor  
Possession of marijuana  
Purchasing liquor by a minor  
Sale and use of drug paraphernalia  
Stealing drugs  
Trafficking in or furnishing counterfeit drugs  
Trafficking in or furnishing hypodermic apparatuses  
Trafficking or furnishing imitation scheduled drugs

Transportation of liquor by a minor  
Unlawful possession of scheduled drugs  
Unlawful trafficking in scheduled drugs  
Unlawfully furnishing scheduled drugs

### Other:

Abandoning an airtight container  
Abuse of corpse  
Aiding escape  
Attempting to commit a class A or B crime  
Attempting to Commit a Class C Crime  
Attempting to elude an officer  
Bribery in official and political matters  
Carrying Concealed Weapon  
Causing a catastrophe  
Conspiracy  
Conspiracy to commit a class A or B crime  
Conspiracy to commit a class C crime  
Conspiracy to commit a class D crime  
Conspiracy to commit a class E crime  
Cruelty to animals  
Engaging in prostitution  
Escape  
Failure to disperse  
Failure to report treatment of a gunshot wound  
Failure to stop for an officer  
False public alarm or report  
False swearing  
Falsifying physical evidence  
Giving false age by a minor  
Giving minor false identification  
Habitual offender  
Having false identification by a minor  
Hindering apprehension or prosecution  
Impersonating a public servant  
Improper compensation for past action  
Improper compensation for services  
Improper gifts to public servants

Improper influence  
Leaving scene of motor vehicle accident  
Maintaining an unprotected well  
Misuse of information  
Obstructing criminal prosecution  
Obstructing government administration  
Obstructing private ways  
Obstructing public ways  
Obstructing report of crime or injury  
Official oppression  
Operating after license suspension  
Passing/attempting to pass roadblock  
Perjury  
Possessing firearm by felon  
Possessing firearm without permit  
Possession of armor-piercing ammunition  
Possession of firearms in an establishment  
licensed for on-premises consumption of  
liquor  
Possession of machine gun  
Presenting false identification to enter  
Purchase of public office  
Refusal to provide proper identification  
Riot  
Selling false identification  
Solicitation  
Tampering with a witness, informant, victim  
or juror  
Tampering with public records or information  
Trafficking in dangerous knives  
Trafficking in prison contraband  
Unlawful assembly  
Unlawful interference with law enforcement  
dogs  
Unlawful prize fighting  
Un-sworn falsification

**Person:**

Aggravated assault  
Aiding or soliciting suicide  
Assault

Assault on an emergency medical care  
provider  
Assault on an officer  
Assault while hunting  
Assault W/Dangerous Weapon  
Criminal restraint  
Criminal restraint by parent  
Criminal threatening  
Criminal use of disabling chemicals  
Disorderly conduct  
Driving to endanger  
Elevated aggravated assault  
Endangering the welfare of a child  
Failing to aid injured person or to report a  
hunting accident  
Felony murder  
Gross sexual assault  
Harassment  
Harassment by telephone  
Indecent conduct  
Kidnapping  
Manslaughter  
Murder  
Reckless conduct  
Refusing to submit to arrest or detention  
Robbery  
Sexual misconduct with a child under 14 years  
of age  
Solicitation of child by computer to commit a  
prohibited act  
Stalking  
Terrorizing  
Unlawful sexual contact  
Violation of a protective order  
Violation of privacy  
Visual sexual aggression against a child

**Property:**

Aggravated criminal invasion of computer  
privacy  
Aggravated criminal mischief  
Aggravated criminal trespass

Aggravated forgery  
Arson  
Attempted Burglary  
Burglary  
Burglary of a motor vehicle  
Champerty  
Consolidation  
Criminal invasion of computer privacy  
Criminal mischief  
Criminal mischief w/firearm  
Criminal simulation  
Criminal trespass  
Criminal use of explosives  
Desecration and defacement  
Failure to control or report a dangerous fire  
Falsifying private records  
Forgery  
Illegal possession or sale of gravestones

Insurance deception  
Interference with cemetery or burial ground  
Marijuana cultivation  
Misuse of credit identification  
Negotiating a worthless instrument  
Possession of forgery devices  
Possession or transfer of burglar's tools  
Receiving stolen property  
Suppressing recordable instrument  
Theft by deception  
Theft by extortion  
Theft by misapplication of property  
Theft by unauthorized taking or transfer  
Theft of a firearm  
Theft of lost, mislaid or mistakenly delivered  
property  
Theft of services  
Trespass by motor vehicle



## Acknowledgements

*The annual MDOC Juvenile Recidivism Report was produced through a cooperative agreement between the Maine Department of Corrections, Juvenile Services Division and the Maine Statistical Analysis Center at the Edmund S. Muskie School of Public Service, University of Southern Maine.*

### MAINE DEPARTMENT OF CORRECTIONS, DIVISION OF JUVENILE SERVICES

Bartlett Stoodley  
Joel Gilbert

Colin O'Neill  
Chris Coughlin

### USM MUSKIE SCHOOL OF PUBLIC SERVICE, MAINE STATISTICAL ANALYSIS CENTER

#### REPORT AUTHORS

Becky Noréus  
Robyn Dumont

#### PEER REVIEW/EDITING

Jennifer Dodge  
Carmen Dorsey  
Erica King  
George Shaler

#### LAYOUT AND DESIGN

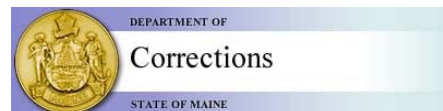
Sheri Moulton

---

*Funding Provided By the Maine Department of Corrections, Division of Juvenile Services  
For More Information about This Report, Call (207) 287-4378*

---

UNIVERSITY OF SOUTHERN MAINE  
Muskie School of Public Service



©Maine Department of Corrections  
Division of Juvenile Services

# USM MUSKIE SCHOOL OF PUBLIC SERVICE

This report is available on the Maine Statistical  
Analysis Center Website at:  
<http://muskie.usm.maine.edu/justiceresearch>  
or by calling: 207.780.5835



University of Southern Maine  
P.O. Box 9300  
Portland, Maine 04104-9300  
[www.muskie.usm.maine.edu](http://www.muskie.usm.maine.edu)

*A member of the University of Maine System*