

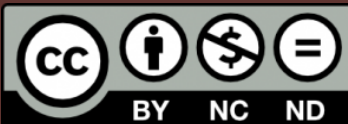
# Recidivism Research and Its Impact on Crime Control Policy in Contemporary America

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本著作由Xin Ren著作，以創用CC 姓名標示-非商業性-禁止改作 4.0 國際 授權條款釋出。



# DEFINITION DEBATE

**Terminology:** career criminal, chronic offender, repeat offender, habitual offender, or recidivist.

## California Career Criminal Statute

(C.P.C. Section 999)

- Three prosecutions for legislatively designated felony crimes during the past ten years, or
- One conviction for legislatively designated felony offenses during the past ten years.

**The primary federal statute regarding career criminals:**

- Armed Career Criminal Act (ACCA), codified at 18 U.S.C. § 924(e)
- US Sentencing Commission: Career Offender Guideline (§4B1.1)

# Operational Definition: Measurement Issues

## California Definition:

- Two Prosecutions or one conviction
- Predicate: Legislatively designed crime.
- Maximum imprisonment
- Denial of plea bargaining
- Speedy trial

## Federal Definition

- Three prior felony convictions
- Trigger offenses: Possession of firearm or serious drug offense
- No time restriction on three felony convictions
- Minimum 15 years in prison

## Federal Prison Commission Definition

- Must be at least 18 years of age
- Predicate: Two prior felony conviction of violent or drug offenses



# BACKGROUND INFORMATION

- Incarceration functions to incapacitate offenders from committing crime at least during their prison terms
  - Assumption: most convicted offenders will re-offend
  - Recidivist rate of prison population
- Collective v. Selective Incapacitation
  - Goals of Selective Incapacitation
    - Crime reduction in the community
    - Minimum prison population
  - Conditions to achieve the above goals
    - No crime replacement in the community
    - No post-release escalation of crime
      - rehabilitating incarcerated offenders

## Selective Incapacitation

Philadelphia 1958 Cohort Study (Marvin E. Wolfgang 1972)

160,000 people born in 1958 and resided in Philadelphia between their 10<sup>th</sup> and 18<sup>th</sup> birthday

24% had police arrest records before 18<sup>th</sup> birthday

# of arrest ranges from 1-35

A total of 10,214 crime committed by the cohort

4% chronic offenders had 5+ police arrests

They are responsible for 70 percent of burglaries, 85% of aggravated assaults, 80% of robberies.

Offenders began their career as a violent offender are most likely to have adult criminal career.

Incapacitation:

Cost Effectiveness of  
imprisonment

- Identify offenders with highest risk of recidivism for incarceration
- Prediction of future recidivism for long term incarceration
- Definition of repeat and career criminal

# Classification of Repeat Offenders

## **High-Rate Losers:**

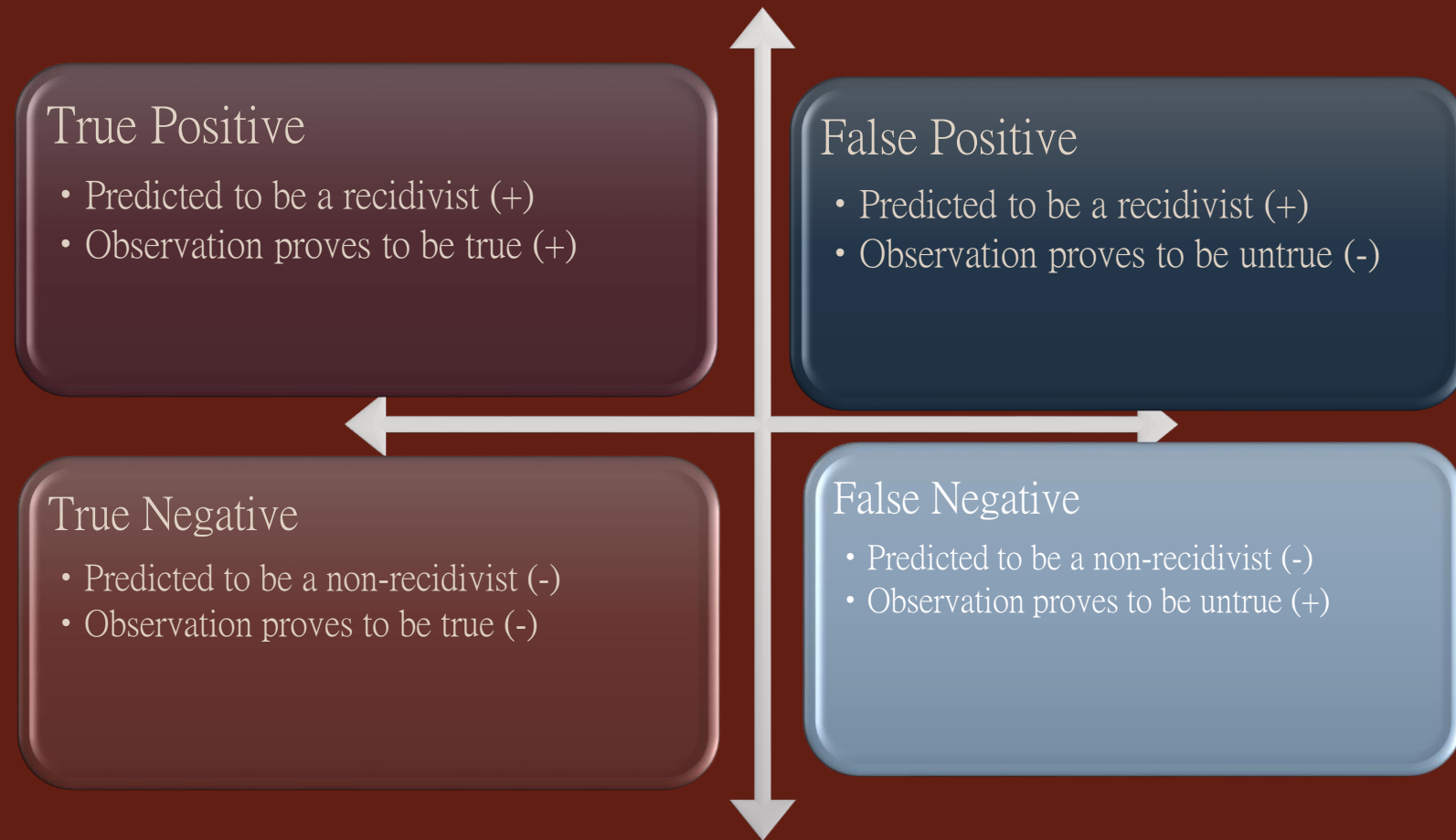
Criminally productive offenders with frequent arrest records

**Low-Rate Losers:** Occasional offenders with frequent arrest records

## **High-Rate Winners:**

Criminally productive offenders with few arrest records

# Predicted Recidivism v. Observed Recidivism



# Legislations that focus on Incapacitate Effects of Incarceration

- Three strike, two strike and one strike Law:
- Mandatory Sentencing:
  - Repeated Violent crime
  - Drug offenders
  - Elimination of parole release and life sentence
- Sentencing enhancement Law
  - Domestic violence
  - Violent crime committed with firearms
  - Felony murder
- Civil commitment Trial
  - Mental institutionalization
  - Civil Proceeding
- Sex offender Registration and public notification law
  - Megan Law: Sex offender registration database
  - Jessica Law: Sex offender isolation and safe distance

# Prediction of Future Criminal Offenses

Peter Wilson/Rand	Drug offenses	Imprisonment	Employment
Juvenile records	Juvenile drug offenses	Juvenile Institutionalization	Unemployed for at least more than 6 months of each year
Adult Records	Drug conviction	Imprisonment	Unemployed for at least six months
Marriage/partnership Farrington and Simpson Studies	Negative	Negative	Positive
Onset violent offenses Marvin E. Wolfgang	positive	-positive	Negative
Trajectory of criminal Careers	Juvenile + Adult Career	Juvenile only	Adult only



## Q & A

We will now open the floor for questions.

Thank you!

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